

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
November 22, 2022
1:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. PRESENTATION

1. James City County Parks & Recreation National Reaccreditation: National Parks and Recreation Association, Commission for Accreditation of Park and Recreation Agencies, and State Awards-Virginia Recreation & Park Society

D. CONSENT CALENDAR

1. Abatement of Unsafe Structures - 7259 Merrimac Trail and 1320-1320 A Moses Lane
2. Authorization to Amend the Terms of the Memorandum of Agreement with the Economic Development Authority for Property Located at 2054 Jamestown Road
3. Authorization for One-Time Bonus Payment and Leave Payout
4. Contract Award - \$112,877 - Emergency Communications Center Boiler and Pumps Replacement
5. Contract Award - \$219,000 - Sanford B. Wanner Stadium Locker Room HVAC Replacement
6. Grant Award - \$41,030 - Commonwealth's Attorney - Virginia Domestic Violence Victim Fund
7. Grant Award - \$337,500 - School Security Officer - Williamsburg-James City County Schools
8. Grant Award - \$6,108 - Virginia Department of Forestry
9. Minutes Adoption
10. Opioid Settlement Funding - \$150,670
11. Purchase of Property Located at 5300 Olde Towne Road
12. Replacement of Uninterrupted Power Supply at the Emergency Communications Center at 3131 Forge Road, Toano, Virginia 23168

E. BOARD DISCUSSIONS

1. American Rescue Plan Act (ARPA) Funding Update
2. Short Term Rentals

F. BOARD CONSIDERATIONS

G. BOARD REQUESTS AND DIRECTIVES

H. REPORTS OF THE COUNTY ADMINISTRATOR

I. CLOSED SESSION

1. Discussion of a prospective business or industry where no previous announcement has been

made of the business' or industry's interest in locating or expanding its facilities, pursuant to Section 2.2-3711(A)(5) of the Code of Virginia

J. ADJOURNMENT

1. Adjourn until 9 am on December 2, 2022 for the Joint Meeting with the Williamsburg City Council and the WJCC School Board at JCC Recreation Center, 5301 Longhill Road, Williamsburg, VA

AGENDA ITEM NO. C.1.**ITEM SUMMARY**

DATE: 11/3/2022

TO: The Board of Supervisors

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

SUBJECT: James City County Parks & Recreation National Reaccreditation: National Parks and Recreation Association, Commission for Accreditation of Park and Recreation Agencies, and State Awards-Virginia Recreation & Park Society

ATTACHMENTS:

	Description	Type
□	Memorandum	Cover Memo
□	Presentation	Presentation

REVIEWERS:

Department	Reviewer	Action	Date
Parks & Recreation	Fauntleroy, Arlana	Approved	11/3/2022 - 3:13 PM
Publication Management	Daniel, Martha	Approved	11/3/2022 - 3:17 PM
Legal Review	Kinsman, Adam	Approved	11/3/2022 - 3:39 PM
Board Secretary	Saeed, Teresa	Approved	11/10/2022 - 3:19 PM
Board Secretary	Purse, Jason	Approved	11/14/2022 - 2:16 PM
Board Secretary	Saeed, Teresa	Approved	11/14/2022 - 2:17 PM

MEMORANDUM

DATE: November 22, 2022

TO: The Board of Supervisors

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

SUBJECT: James City County Parks & Recreation National Reaccreditation: National Parks and Recreation Association, Commission for Accreditation of Park and Recreation Agencies, and State Awards-Virginia Recreation & Park Society

National Reaccreditation

James City County Parks & Recreation earned national reaccreditation from the National Recreation and Park Association (NRPA), Commission for Accreditation of Park and Recreation Agencies (CAPRA) on September 9, 2022 and was formerly recognized during the 2022 NRPA Annual Conference held in September. This prestigious recognition and mark of distinction indicate that James City County continues to meet rigorous standards related to the management and administration of lands, facilities, resources, programs, safety, and services, all of which translate into higher quality service and operation to benefit the community.

CAPRA is the only national accreditation of park and recreation agencies and is a measure of an agency's overall quality of operation, management, and service to the community, providing agencies with a management system of best practices. The Commission is comprised of representatives from NRPA, the American Academy for Park and Recreation Administration, the National Association of County Park and Recreation Officials, the International City/County Management Association, the Academy for Leisure Sciences, the Armed Forces Recreation Network, and the Council of State Executive Directors.

The process for accreditation involves a formal application, self-assessments, a site visit by a team of trained visitors that results in a written report and review from the Commission to grant accreditation. The Department kicked off its 15-month reaccreditation process in February 2021 inclusive of many Parks & Recreation and County staff gathering examples of operations including plans, forms, and management processes to incorporate into the assessment for the CAPRA Review Team. The process concluded with a 5-day virtual visit with an assigned CAPRA Review Team and thorough review and assessment of all CAPRA standards, during the week of June 6-10, 2022. The Department was assessed and demonstrated 100% compliance of all 154 CAPRA standards and must uphold the standards by submitting an annual report and is reviewed again for reaccreditation in five years.

National accreditation is a mark of excellence that affords external recognition of an organization's commitment to quality and continuous improvement. James City County Parks & Recreation Department is considered the Best of the Best of one of 14 agencies accredited in Virginia and out of 197 accredited parks and recreation agencies nationally.

State Awards

James City County Parks & Recreation earned top honors in four award categories bestowed by the Virginia Recreation & Park Society during its Annual Conference Awards Ceremony in November 2022. This prestigious state-wide awards program honors individuals, departments, and organizations throughout the Commonwealth of Virginia who have demonstrated excellence during the previous year.

James City County Parks & Recreation National Reaccreditation: National Parks and Recreation Association, Commission for Accreditation of Park and Recreation Agencies

November 22, 2022

Page 2

Judged by a select panel and jury of their peers, the Society presented James City County Parks & Recreation with six out of 15 awards for the population size of 50,000-100,000 in the following categories:

- **Best New Environmental Sustainability Award:** Chickahominy Riverfront Park Shoreline Restoration.
- **Best New Program:** Park Scavenger Hunts.
- **Most Creative Marketing Piece:** REC TV.
- **Most Creative Marketing Strategy:** REC Connect 35th Anniversary Logo.
- **Snapshot Moment:** “Marshmello Visits” Boo Bash at the Beach.
- **Fellows Award - Premiere Recognition of Outstanding Service (one annual recipient):** Arlana Fauntleroy, Assistant Parks & Recreation Director

This presentation will formally recognize the accreditation process, benefits of accreditation, state awards, and staff who wholeheartedly serve the residents of James City County and promote Parks & Recreation and the County in excellence and as industry leaders locally and nationally.

JHC/ap
JCCPRNtlReacred-rev-mem

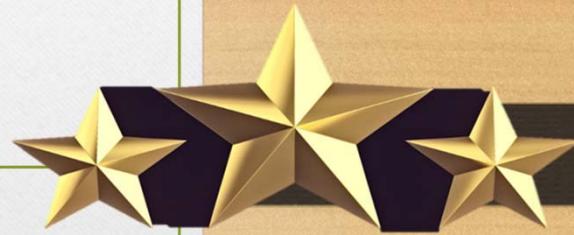


CAPRA Accreditation & State Awards

James City County Parks & Recreation

National Reaccreditation Success & Winning Initiatives

November 22, 2022





CAPRA (Commission for Accreditation of Park and Recreation Agencies)



CAPRA is the **only national accreditation of park and recreation agencies** and is a valuable measure of an agency's overall quality of operation, management and service to the community.

- First accredited in September 2017
- Reaccreditation is required every five years

Accreditation Standards



- Accreditation is based on an agency's **compliance with 154 standards within 10 core areas** for national accreditation.
- To achieve initial accreditation, an agency **must meet**:
 - ✓ **All 36 Fundamental Standards** and 106 (90%) of the 118 Non-Fundamental Standards
- To achieve reaccreditation, an agency **must meet**:
 - ✓ **All 36 Fundamental Standards** and 112 (95%) of the 118 Non-Fundamental Standards

Evaluation and Site Visit



- CAPRA establishes a virtual visitation team & liaison with the Agency; CAPRA receives self assessment and documentation (electronically in advance).
- Visitation team conducts a review of the self assessment either in person or via zoom and reports their findings to CAPRA.
- CAPRA reviews the visitation team findings and provides their report to the Agency for response.

Top 5 Benefits of Accreditation



1. **Highest Level of Customer Service:** Demonstrates the agency and staff provide the community with the **highest level of service**.
2. **Taxpayer Accountability:** More **accountable to taxpayers** by demonstrating that the agency **ensures national standards of best practice to meet citizen needs**.
3. **Agency Credibility:** Adds **credibility** and heightened professionalism to the agency.
4. **Strategic Planning/Continuous Improvement:** Enhances **long-term planning, continuous & systematic evaluation** and established processes.
5. **Team Comradery:** Enhances **teamwork and pride** by engaging all staff in the process.

197 Accredited Agencies Nationally

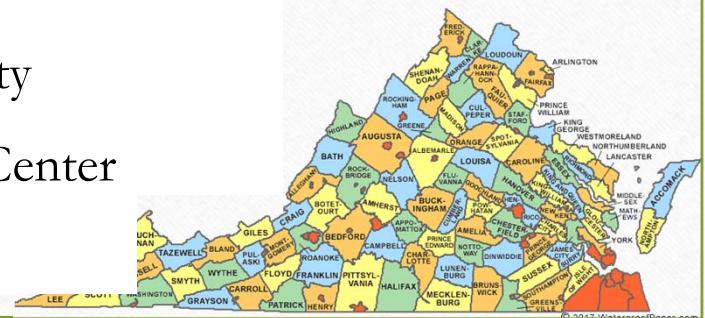
(10,000 = Total Number of Parks & Recreation Agencies in the Nation)



14 Accredited Agencies in Virginia

(135 = Total Number of Parks & Recreation Agencies in Virginia)

- Arlington County
- Chesterfield County
- City of Alexandria
- City of Norfolk
- City of Roanoke
- City of Suffolk
- City of Virginia Beach
- Fairfax City and County
- Henrico County
- **James City County**
- Loudoun County
- Prince William County
- Reston Community Center



CAPRA Leadership Team



- ❖ **Angie Sims:** CAPRA Chair
- ❖ **Amy Fiedor:** Core 1: Agency Authority, Roles & Responsibility
- ❖ **Nancy Ellis:** Core 2 & 9: Planning & Risk Management
- ❖ **John Carnifax:** Core 3: Organization & Administration
- ❖ **Carla Brittle:** Core 4: Human Resources
- ❖ **Pauline Milligan:** Core 5: Financial Management
- ❖ **Arlana Fauntleroy:** Core 6: Programs & Services Management
- ❖ **April Melton:** Core 6: Programs & Services Management
- ❖ **Alister Perkins:** Core 7: Facility & Land Use Management
- ❖ **Rob Insley:** Core 8: Public Safety, Law Enforcement & Security
- ❖ **Jerrod Hurr:** Core 8: Public Safety, Law Enforcement & Security
- ❖ **Kelley Herbert:** Core 10: Evaluation, Assessment & Research



Best of the Best 2022 NRPA CAPRA Reaccreditation

Parks & Recreation Wins Top Honors

**Virginia Recreation & Park Society 2022
Awards Ceremony**

Population Class...50,001-100,000



Best New Environmental Sustainability: Chickahominy Riverfront Park Shoreline Restoration

James City County Parks & Recreation Department and the County's Stormwater Division undertook a shoreline restoration project to protect important natural resources, create new marsh lands for wildlife habitat, and improve the water quality in the Chickahominy River. In addition to a grant for **\$778,301**, the project used innovative design and implementation features such as:

- reuse of removed trees as coir (man-made) logs for marsh stabilization
- use of local volunteer support to identify tree species, and
- use of existing Bald Cypress tree root structures to stabilize the shoreline.

Actual construction cost was \$1,494,464.60 for Carolina Marine.

Construction oversight - \$62,139

Engineering costs and Archaeology - \$229,690

Grand Total: \$1,786,293.60



Shoreline along Gordon Creek.



Thank you: Darryl Cook, Barry Moses, Jeff Louke and Alister Perkinson (pictured)



Best New Program: Parks Scavenger Hunts

A series of “Park Scavenger Hunts,” coinciding with winter holidays, became just the ticket to spur outdoor engagement for families and patrons of all ages. Three scavenger hunts, slated around New Year’s Day, Valentine’s Day and St. Patrick’s Day, were each unique, providing different types of interaction, engagement and educational opportunities for those who participated. To join the fun, all you needed was a smartphone and a sense of adventure!

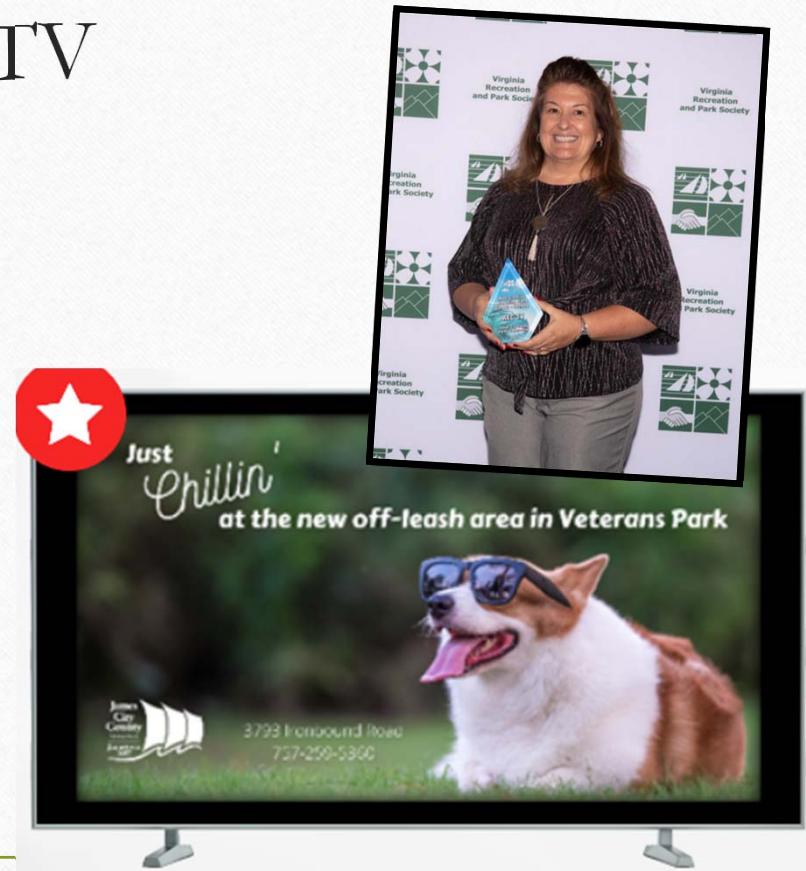
Thank you: Sarah O'Reilly (pictured), Terry Martin, Anneliese Ricker and Scott Amman.





Most Creative Marketing Piece: REC TV

Staff are continually trying to find new and cost-effective ways to promote programs, facilities, parks and events. James City County Parks & Recreation created REC TV, its own television show to educate residents and visitors on the endless benefits and opportunities of parks and recreation in the local community.



Thank you: Angie Sims

Most Creative Marketing Strategy: REC Connect 35th Anniversary Logo

REC Connect, once known as Total REC Camp, began in 1986 in James City County as a neighborhood-based summer playground program. Starting as just one after school program, REC Connect now serves over 800 participants annually at nine elementary school sites offering before & after school care and summer camp programs. To honor, promote and commemorate the outstanding service provided to the community, REC Connect created a unique 35th Anniversary Logo to further enhance the established REC Connect brand.



Thank you: Kelley Herbert, April Melton, Katrina York (pictured) and Zollie Hayes



Snapshot Moment:

Marshmello Visits Boo Bash at the Beach



Boo Bash at the Beach is a unique event that provides families with a day at the beach with a Halloween twist! Each year, costumes range from traditional to DIY, but in this case, a well-known figure (to the younger generation), “Marshmello,” graced our event. The perfect shot was captured showing that even celebrity lookalikes come out to play! This shot illustrates the beauty of Jamestown Beach Event Park, onsite event activities, and every child’s favorite thing to do around the Halloween season - dress up!

Thank you: Joy Johnson and Veda McMullen

Presidents Award: Kelley Herbert



Chosen by the VRPS President for the planning of and contributions toward two (2) years of the Leadership Training Institution which benefits all future leaders in the Parks & Recreation field.



James C. Stutts Fellows Award: Arlana Fauntleroy

Premiere Recognition Of Outstanding Service – Highest honor in VRPS



Top Honors for Leading the Team!





Thank you!



AGENDA ITEM NO. D.1.**ITEM SUMMARY**

DATE: 11/22/2022

TO: The Board of Supervisors

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

SUBJECT: Abatement of Unsafe Structures - 7259 Merrimac Trail and 1320-1320 A Moses Lane

ATTACHMENTS:

	Description	Type
□	Memorandum	Cover Memo
□	Resolution	Resolution
□	Location Map	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Development Management	Holt, Paul	Approved	11/10/2022 - 2:46 PM
Publication Management	Daniel, Martha	Approved	11/10/2022 - 2:53 PM
Legal Review	Kinsman, Adam	Approved	11/14/2022 - 2:38 PM
Board Secretary	Saeed, Teresa	Approved	11/14/2022 - 2:52 PM
Board Secretary	Rinehimer, Bradley	Approved	11/14/2022 - 2:54 PM
Board Secretary	Saeed, Teresa	Approved	11/15/2022 - 7:06 AM

MEMORANDUM

DATE: November 22, 2022

TO: The Board of Supervisors

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

SUBJECT: Abatement of Unsafe Structures - 7259 Merrimac Trail and 1320-1320 A Moses Lane

There are multiple structures located at 7259 Merrimac Trail and 1320-1320 A Moses Lane. These structures have been vacant for some time and do not appear to have been maintained by the property owner. As such, the Building Official is of the opinion that these are all unsafe structures.

Pursuant to Chapter 4, Article VII of the County Code, “the building official or fire official may require property owners to remove, repair, or secure any building, wall, or other structure which is located on their property and which the building official or fire official has determined poses a danger to public health or safety of other residents of the county”.

Accordingly, the Building Official will begin the notification process outlined in the Code. Should the property owner not abate the unsafe conditions, and take action as required by the notice, the Code states that the Building Official or Fire Official may remove, repair, or secure the building, wall, or structure, as required by the notice, with the cost and expenses thereof, if unpaid by the property owner, secured by a lien on the property.

Should it become necessary for the County to perform this work, staff estimates the costs could be as much as \$175,000, which is not currently available or appropriated in the Department of Community Development’s budget. Staff recommends adoption of the attached resolution authorizing those documents necessary to complete the abatement and authorizes an appropriation of \$175,000 from the General Fund’s Unassigned Fund Balance towards the cost of abatement and/or demolition and/or further cleanup, as needed.

PDH/md
AbateUnsafeMT-ML-mem

Attachments:

1. Resolution
2. Location Map

RESOLUTION

ABATEMENT OF UNSAFE STRUCTURES - 7259 MERRIMAC TRAIL

AND 1320-1320 A MOSES LANE

WHEREAS, there are multiple structures (the “Structures”) located at 7259 Merrimac Trail and 1320-1320 A Moses Lane (together, the “Property”), which have been vacant for some time and do not appear to have been maintained by the property owner; and

WHEREAS, the Building Official is of the opinion that all of the Structures are unsafe; and

WHEREAS, should the property owner not abate the unsafe conditions and take action as required by Chapter 4, Article VII of the James City County Code, “the building official or fire official may remove, repair, or secure the building” (the “Remedial Work”); and

WHEREAS, should it become necessary for the County to perform the Remedial Work, staff estimates the costs could be as much as \$175,000, which is not currently available or appropriated in the Department of Community Development’s budget; and

WHEREAS, the Board of Supervisors desires to appropriate up to \$175,000 from the General Fund’s Unassigned Fund Balance to abate the unsafe conditions and perform the Remedial Work, should such be necessary.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the appropriation of \$175,000 from the County’s General Fund Unassigned Fund Balance to complete the abatement and expend up to \$175,000 towards the cost of abatement and/or demolition and/or further cleanup, as needed, for any and all structures located at 7259 Merrimac Trail and 1320-1320 A Moses Lane deemed to be unsafe by the Building Official and/or the Fire Marshal and does hereby authorize the County Administrator, or his designee, to execute those documents necessary to complete the abatement, demolition, and cleanup.

John J. McGlennon
Chairman, Board of Supervisors

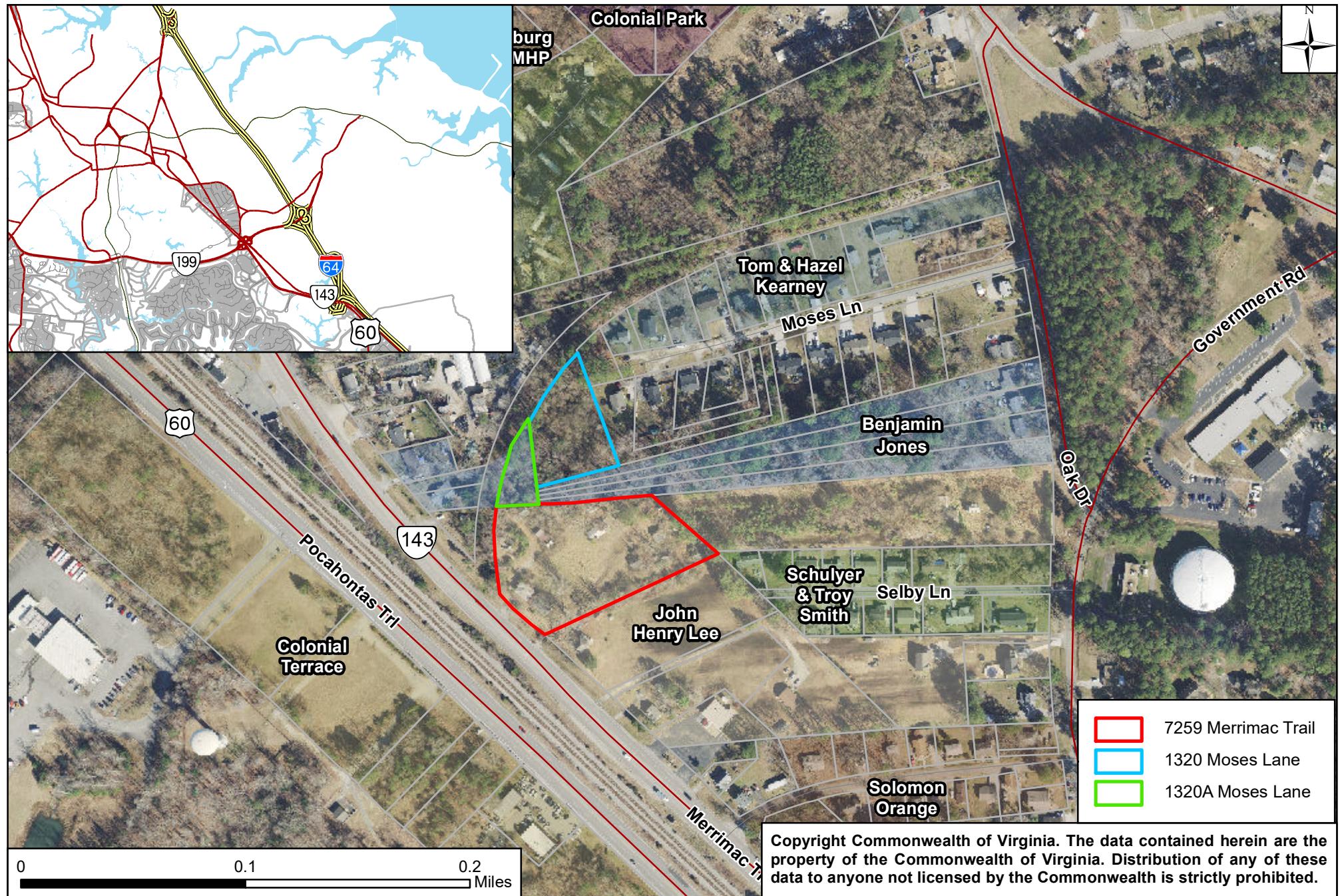
ATTEST:

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 22nd day of November, 2022.

7259 Merrimac Trail, 1320 Moses Lane, and 1320A Moses Lane



AGENDA ITEM NO. D.2.**ITEM SUMMARY**

DATE: 11/22/2022

TO: The Board of Supervisors

FROM: Jason Purse, Assistant County Administrator

SUBJECT: Authorization to Amend the Terms of the Memorandum of Agreement with the Economic Development Authority for Property Located at 2054 Jamestown Road

ATTACHMENTS:

	Description	Type
□	Memorandum	Cover Memo
□	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	11/10/2022 - 3:18 PM
Board Secretary	Purse, Jason	Approved	11/14/2022 - 2:17 PM
Board Secretary	Saeed, Teresa	Approved	11/14/2022 - 2:17 PM
Publication Management	Pobiak, Amanda	Approved	11/14/2022 - 2:32 PM
Legal Review	Kinsman, Adam	Approved	11/14/2022 - 2:37 PM
Board Secretary	Saeed, Teresa	Approved	11/14/2022 - 2:53 PM
Board Secretary	Rinehimer, Bradley	Approved	11/14/2022 - 3:42 PM
Board Secretary	Saeed, Teresa	Approved	11/15/2022 - 7:06 AM

MEMORANDUM

DATE: November 22, 2022

TO: The Board of Supervisors

FROM: Jason Purse, Assistant County Administrator

SUBJECT: Authorization to Amend the Terms of the Memorandum of Agreement with the Economic Development Authority for Property Located at 2054 Jamestown Road

James City County Board of Supervisors and Economic Development Authority (EDA) approved a lease agreement for County-owned property at 2054 Jamestown Road (Marina) on September 22, 2015. Both parties agreed to further clarify the lease agreement with a Memorandum of Agreement (MOA) and set forth the parameters of the funding relationship between the County and the EDA with regard to an economic development project on December 13, 2016.

This agreement called for the EDA to pay the County half of the monthly rent from any subleases. However, the rent money from the Marina property has become the primary funding source for the EDA, and has limited the requested funding from the County, so removing the half payment requirement benefits both parties.

Staff recommends adoption of the attached resolution, which would allow the County Administrator to amend the lease and/or MOA, as necessary, to remove the requirement of repaying the half rent received by the EDA.

JP/md
AmdMOA-EDAMarina-mem

Attachment

RESOLUTION

AUTHORIZATION TO AMEND THE TERMS OF THE MEMORANDUM OF AGREEMENT

WITH THE ECONOMIC DEVELOPMENT AUTHORITY FOR PROPERTY

LOCATED AT 2054 JAMESTOWN ROAD

WHEREAS, James City County Board of Supervisors and Economic Development Authority (EDA) approved a lease agreement for County-owned property at 2054 Jamestown Road (Marina) on September 22, 2015; and

WHEREAS, both parties agreed to further clarify the lease agreement and set forth the parameters of the funding relationship between the County and the EDA with regard to an economic development project on December 13, 2016; and

WHEREAS, this agreement called for the EDA to pay the County half of the monthly rent from any subleases; and

WHEREAS, the rent money from the Marina property has become the primary funding source for the EDA, and has limited the requested funding from the County, so removing the half payment requirement benefits both parties.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of James City County, Virginia, does hereby allow the County Administrator to amend the original lease and Memorandum of Agreement to delete the payment requirement for the EDA.

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 22nd day of November, 2022.

AGENDA ITEM NO. D.3.

ITEM SUMMARY

DATE: 11/22/2022

TO: The Board Supervisors

FROM: Patrick O. Teague, Director of Human Resources

SUBJECT: Authorization for One-Time Bonus Payment and Leave Payout

ATTACHMENTS:

	Description	Type
□	Memorandum	Cover Memo
□	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	11/15/2022 - 3:31 PM

MEMORANDUM

DATE: November 22, 2022
TO: The Board of Supervisors
FROM: Patrick O. Teague, Director of Human Resources
SUBJECT: Authorization for One-Time Bonus Payment and Leave Payout

During a time of unprecedeted position vacancies and competitive recruitment and retention environment, staff has maintained a high quality of service while struggling to fill vacancies to manage the workload. James City County would like to recognize the efforts of our workforce at the end of calendar year 2022.

I am recommending that all full-time staff hired before July 1, 2022 be eligible for a one-time bonus payment of \$1,000 (part-time staff would be eligible for \$500). This bonus includes the County Administrator and the County Attorney. The effective date would be December 14, 2022.

In addition, at the end of Fiscal Year 2022, approximately 50 staff lost accrued leave they were unable to use that exceeded the maximum carryover. I am requesting authorization to offer staff a leave payout option, with a maximum payout of \$3,000. The leave payout includes the County Administrator and the County Attorney. The effective date would be December 28, 2022.

The estimated cost of the one-time bonus payment is \$715,000 and the estimate of the leave payout is \$800,000 for a total of \$1,515,000. The actual leave payout could be less based on the number of employees who elect it. The attached resolution authorizes the use of the General Fund's Unassigned Fund Balance for these purposes and authorizes the appropriation in the applicable departments.

Staff recommends adoption of the attached resolution.

POT/md
BonusPyLvPyout1x-mem

Attachment

RESOLUTION

AUTHORIZATION FOR ONE-TIME BONUS PAYMENT AND LEAVE PAYOUT

WHEREAS, James City County desires to recognize staff for their work over the past year and provide an opportunity for staff to avoid losing earned pay leave; and

WHEREAS, staff recommends a one-time bonus payment of \$1,000 for full-time staff and a one-time bonus payment of \$500 for part-time staff; and

WHEREAS, staff recommends a one-time leave payout of vacation or paid time off with a payout capped at \$3,000; and

WHEREAS, the estimated cost for the bonus and leave payout is \$715,000 and \$800,000, respectively, for a total of \$1,515,000.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve a one-time bonus payment of \$1,000 effective December 14, 2022, and a one-time leave payout capped at \$3,000 effective December 28, 2022, and authorizes the use of the General Fund's Unassigned Fund Balance for this purpose to be appropriated in the applicable departments for a total of \$1,515,000.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of November, 2022.

BonusPyLvPyout1x-res

AGENDA ITEM NO. D.4.**ITEM SUMMARY**

DATE: 11/22/2022

TO: The Board of Supervisors

FROM: Mark Abbott, Capital Projects Coordinator

SUBJECT: Contract Award - \$112,877 - Emergency Communications Center Boiler and Pumps Replacement

ATTACHMENTS:

	Description	Type
□	Memorandum	Cover Memo
□	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Capital Projects	Abbott, Mark	Approved	11/4/2022 - 7:18 AM
General Services	Boone, Grace	Approved	11/4/2022 - 4:48 PM
Publication Management	Pobiak, Amanda	Approved	11/4/2022 - 4:52 PM
Legal Review	Kinsman, Adam	Approved	11/4/2022 - 4:57 PM
Board Secretary	Saeed, Teresa	Approved	11/9/2022 - 9:54 AM
Board Secretary	Purse, Jason	Approved	11/14/2022 - 2:15 PM
Board Secretary	Saeed, Teresa	Approved	11/14/2022 - 2:18 PM

MEMORANDUM

DATE: November 22, 2022

TO: The Board of Supervisors

FROM: Mark Abbott, Capital Projects Coordinator, General Services

SUBJECT: Contract Award - \$112,877 - Emergency Communications Center Boiler and Pumps Replacement

The Emergency Communications Center upgrades will consist of the replacement of the boiler, chilled and hot water pumps, and controls. Warwick Mechanical Group will replace the boiler, hot water pumps, chilled water pumps, expansion tanks, and controls to tie into the existing HVAC system.

General Services, in consultation with the Purchasing Office, and under the contract for HVAC Equipment, Installation, Service, Controls and Related Products (#19-13739), determined that Warwick Mechanical Group's proposal to replace the boiler and pumps at a proposed cost of \$112,877 is reasonable in comparison to other current County HVAC installations and current construction cost indices. This project is part of the Capital Improvements Program budget.

Staff recommends approval of the attached resolution authorizing the contract award of installation services from Warwick Mechanical Group in the amount of \$112,877 for the Emergency Communications Center Boiler and Pumps replacement.

MA/md
CA-ECCBlrPmpRepl-mem

Attachment

RESOLUTION

CONTRACT AWARD - \$112,877 - EMERGENCY COMMUNICATIONS CENTER

BOILER AND PUMPS REPLACEMENT

WHEREAS, the James City County Department of General Services is standardizing HVAC building controls and equipment in County facilities to promote operational efficiency and safety; and

WHEREAS, the Emergency Communications Center replacement of the boiler and pumps will occur; and

WHEREAS, it has been determined by General Services, in consultation with the Purchasing Office, that under the contract for HVAC Equipment, Installation, Service, Controls and Related Products (#19-13739), that Warwick Mechanical Group will install the HVAC equipment required; and

WHEREAS, Warwick Mechanical Group submitted a proposal to perform the required services, the proposed rates have been determined to be reasonable, and adequate funds are available in the Capital Improvements budget.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the contract award in the amount of \$112,877 to Warwick Mechanical Group for Emergency Communications Center Boiler and Pumps replacement.

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 22nd day of November, 2022.

CA-ECCB1rPmpRepl-res

AGENDA ITEM NO. D.5.**ITEM SUMMARY**

DATE: 11/22/2022

TO: The Board of Supervisors

FROM: Mark Abbott, Capital Projects Coordinator

SUBJECT: Contract Award - \$219,000 - Sanford B. Wanner Stadium Locker Room HVAC Replacement

ATTACHMENTS:

	Description	Type
□	Memorandum	Cover Memo
□	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Capital Projects	Abbott, Mark	Approved	11/4/2022 - 2:01 PM
General Services	Boone, Grace	Approved	11/4/2022 - 4:50 PM
Publication Management	Daniel, Martha	Approved	11/4/2022 - 4:52 PM
Legal Review	Kinsman, Adam	Approved	11/4/2022 - 4:57 PM
Board Secretary	Saeed, Teresa	Approved	11/10/2022 - 3:19 PM
Board Secretary	Purse, Jason	Approved	11/14/2022 - 2:15 PM
Board Secretary	Saeed, Teresa	Approved	11/14/2022 - 2:18 PM

MEMORANDUM

DATE: November 22, 2022

TO: The Board of Supervisors

FROM: Mark Abbott, Capital Projects Coordinator, General Services

SUBJECT: Contract Award - \$219,000 - Sanford B. Wanner Stadium Locker Room HVAC Replacement

The James City County Sanford B. Wanner Stadium Locker Room HVAC replacement will consist of the replacement of heating and air conditioning equipment in both the Visitor and Home locker rooms. These HVAC upgrades will provide increased thermal comfort for building occupants and better working conditions for staff.

General Services, in consultation with the Purchasing Office, and under the contract for HVAC Equipment, Installation, Service, Controls and Related Products (#19-13739), determined that ColonialWebb Contractors Company's proposal to replace and install the new HVAC system at a proposed cost of \$219,000 is reasonable in comparison to other current County HVAC installations and current construction cost indices. This project is part of the Capital Improvements Program budget.

Staff recommends approval of the attached resolution authorizing the contract award of installation services from ColonialWebb Contractors Company in the amount of \$219,000 for the Sanford B. Wanner Stadium Locker Room HVAC replacement.

MA/ap
CA-SBWLRHVACRepl-mem

Attachment

RESOLUTION

CONTRACT AWARD - \$219,000 - SANFORD B. WANNER STADIUM

LOCKER ROOM HVAC REPLACEMENT

WHEREAS, the James City County Department of General Services is standardizing HVAC building controls and equipment in County facilities to promote operational efficiency and safety; and

WHEREAS, the Sanford B. Wanner Stadium HVAC replacement will occur; and

WHEREAS, it has been determined by General Services, in consultation with the Purchasing Office, that under the contract for HVAC Equipment, Installation, Service, Controls and Related Products (#19-13739), that ColonialWebb Contractors Company will install the HVAC equipment required; and

WHEREAS, ColonialWebb Contractors Company submitted a proposal to perform the required services, the proposed rates have been determined to be reasonable, and adequate funds are available in the Capital Improvements budget.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the contract award in the amount of \$219,000 to ColonialWebb Contractors Company for Sanford B. Wanner Stadium Locker Room HVAC replacement.

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 22nd day of November, 2022.

CA-SBWLHVACRepl-res

AGENDA ITEM NO. D.6.**ITEM SUMMARY**

DATE: 11/22/2022

TO: The Board of Supervisors

FROM: Nathan R. Green, Commonwealth's Attorney

SUBJECT: Grant Award - \$41,030 - Commonwealth's Attorney - Virginia Domestic Violence
Victim Fund**ATTACHMENTS:**

	Description	Type
□	Memorandum	Cover Memo
□	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	11/9/2022 - 9:54 AM
Board Secretary	Purse, Jason	Approved	11/14/2022 - 2:16 PM
Board Secretary	Saeed, Teresa	Approved	11/14/2022 - 2:16 PM
Publication Management	Pobiak, Amanda	Approved	11/14/2022 - 2:24 PM
Legal Review	Kinsman, Adam	Approved	11/14/2022 - 2:36 PM
Board Secretary	Saeed, Teresa	Approved	11/14/2022 - 2:53 PM
Board Secretary	Rinehimer, Bradley	Approved	11/14/2022 - 2:56 PM
Board Secretary	Saeed, Teresa	Approved	11/15/2022 - 7:07 AM

MEMORANDUM

DATE: November 22, 2022

TO: The Board of Supervisors

FROM: Nathan R. Green, Commonwealth's Attorney

SUBJECT: Grant Award - \$41,030 - Commonwealth's Attorney - Virginia Domestic Violence Victim Fund

The Commonwealth's Attorney has been awarded a \$41,030 grant (State share \$41,030) from the Virginia Domestic Violence Victim Fund through the State Department of Criminal Justice Services. The state grant will fund the personnel costs of an existing attorney position to assist in the prosecution of misdemeanors and felonies involving domestic violence, sexual abuse, stalking, and family abuse. The Commonwealth's Attorney has been successful in obtaining this grant in previous years and plans to apply for this grant in the future.

The attached resolution appropriates these funds to the Special Projects/Grant Fund through June 30, 2023.

Staff recommends adoption of the attached resolution.

NRG/ap
GA-DomViol23-mem

Attachment

RESOLUTION

GRANT AWARD - \$41,030 - COMMONWEALTH'S ATTORNEY -

VIRGINIA DOMESTIC VIOLENCE VICTIM FUND

WHEREAS, the Commonwealth's Attorney for the City of Williamsburg and James City County has been awarded a \$41,030 grant, which is awarded annually from the Virginia Domestic Violence Victim Fund (State share \$41,030) through the State Department of Criminal Justice Services (DCJS); and

WHEREAS, this grant would fund the personnel costs for a position in the prosecution of misdemeanors and felonies involving domestic violence, sexual abuse, stalking, and family abuse through June 30, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the additional appropriation to the Special Projects/Grants Fund through June 30, 2023, for the purposes described above:

Revenue:

Fiscal Year 2023 Virginia Domestic Violence Victim Fund - DCJS \$41,030

Expenditure:

Fiscal Year 2023 Virginia Domestic Violence Victim Fund \$41,030

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

	<u>VOTES</u>	<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 22nd day of November, 2022.

AGENDA ITEM NO. D.7.**ITEM SUMMARY**

DATE: 11/22/2022

TO: The Board of Supervisors

FROM: Scott A. Stevens, County Administrator

SUBJECT: Grant Award - \$337,500 - School Security Officer - Williamsburg-James City County Schools

ATTACHMENTS:

	Description	Type
□	Memorandum	Cover Memo
□	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Financial Management	Cochet, Cheryl	Approved	11/14/2022 - 9:48 AM
Publication Management	Daniel, Martha	Approved	11/14/2022 - 9:51 AM
Legal Review	Kinsman, Adam	Approved	11/14/2022 - 2:36 PM
Board Secretary	Saeed, Teresa	Approved	11/14/2022 - 2:53 PM
Board Secretary	Rinehimer, Bradley	Approved	11/14/2022 - 2:56 PM
Board Secretary	Saeed, Teresa	Approved	11/15/2022 - 7:07 AM

MEMORANDUM

DATE: November 22, 2022

TO: The Board of Supervisors

FROM: Scott A. Stevens, County Administrator

SUBJECT: Grant Award - \$337,500 - School Security Officer - Williamsburg-James City County Schools

Funds are available through the Virginia Department of Criminal Justice Services (DCJS) to enhance School Security Officer programs in Virginia. The Williamsburg-James City County (WJCC) School Division has been awarded \$337,500 through this program to provide security officers in the nine elementary schools during the 2022-2023 school year. This grant requires no match.

The WJCC School Division is ineligible to receive these funds directly and requires that James City County serve as the fiscal agent. The County will receive the grant funds from DCJS and pass-through the allocation to the WJCC School Division to support the program.

I recommend approval of the attached resolution authorizing participation in the grant program, for James City County to serve as the fiscal agent for the WJCC School Division, and appropriate the grant award of \$337,500 for this purpose.

SAS/ap
GA-SchSecOfc22-mem

Attachment

RESOLUTION

GRANT AWARD - \$337,500 - SCHOOL SECURITY OFFICER -

WILLIAMSBURG-JAMES CITY COUNTY SCHOOLS

WHEREAS, funds are available through the Virginia Department of Criminal Justice Services (DCJS) to enhance School Security Officer programs in Virginia; and

WHEREAS, the Williamsburg-James City County (WJCC) School Division has been awarded \$337,500 through this program to provide security officers in the nine elementary schools during the 2022-2023 school year; and

WHEREAS, the County will serve as the fiscal agent, receive the grant funds from DCJS, and pass-through the allocation to the WJCC School Division to support the program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, shall act as fiscal agent for the WJCC School Division for the purpose of receiving and transferring state disbursements through the School Security Officer Grant Program.

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

Revenue:

State - DCJS School Security Officer Grant	<u>\$337,500</u>
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Expenditure:

DCJS School Security Officer Grant	<u>\$337,500</u>
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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 22nd day of November, 2022.

AGENDA ITEM NO. D.8.**ITEM SUMMARY**

DATE: 11/22/2022

TO: The Board of Supervisors

FROM: John Carnifax Director of Parks and Recreation

SUBJECT: Grant Award - \$6,108 - Virginia Department of Forestry

ATTACHMENTS:

	Description	Type
□	Memorandum	Cover Memo
□	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Parks & Recreation	Fauntleroy, Arlana	Approved	11/3/2022 - 3:11 PM
Publication Management	Pobiak, Amanda	Approved	11/3/2022 - 3:15 PM
Legal Review	Kinsman, Adam	Approved	11/3/2022 - 3:39 PM
Board Secretary	Saeed, Teresa	Approved	11/9/2022 - 9:55 AM
Board Secretary	Purse, Jason	Approved	11/14/2022 - 2:16 PM
Board Secretary	Saeed, Teresa	Approved	11/14/2022 - 2:18 PM

MEMORANDUM

DATE: November 22, 2022
TO: The Board of Supervisors
FROM: Alister Perkinson, Parks Administrator
SUBJECT: Grant Award - \$6,108 - Virginia Department of Forestry

James City County's Department of Parks & Recreation has been awarded a \$6,108 Virginia Department of Forestry Grant made under the Cooperative Forestry Assistance Act of 1978.

The purpose of the 50/50 matching grant is to assist with the cost of creating an outdoor classroom in the Free Black Settlement at Freedom Park. This classroom will provide visitors and school groups at the park a seated outdoor area to gather and listen to interpreters, musicians, story tellers, and educators. Grant funds will be used to purchase benches, lumber, hardware, and a kiosk and James City will provide the match in labor and mulch.

Staff recommends approval of the attached resolution to accept the \$6,108 grant for the new outdoor classroom, and to appropriate the funds as described in the attached resolution.

AP/ap
GA-VADptForst-mem

Attachment

RESOLUTION

GRANT AWARD - \$6,108 - VIRGINIA DEPARTMENT OF FORESTRY

WHEREAS, the Virginia Department of Forestry has made funds available through its Cooperative Forestry Assistance Act of 1978; and

WHEREAS, up to 25% of revenue received from forest products sales is returned to the counties where the forests are located; and

WHEREAS, funds are needed to provide an outdoor classroom in the Free Black Settlement at Freedom Park, which is registered as a Level 1 arboretum.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, accepts the \$6,108 grant awarded by the Virginia Department of Forestry to assist with the purchase of supplies needed for the new classroom.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation to the Special Projects/Grants Fund:

Revenue:

From the Virginia Department of Forestry	<u>\$6,108</u>
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Expenditure:

Freedom Park Outdoor Classroom Fund	<u>\$6,108</u>
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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 22nd day of November, 2022.

GA-VADptForst-res

AGENDA ITEM NO. D.9.**ITEM SUMMARY**

DATE: 11/22/2022
TO: The Board of Supervisors
FROM: Teresa J. Saeed, Deputy Clerk
SUBJECT: Minutes Adoption

ATTACHMENTS:

	Description	Type
□	October 11, 2022 Regular Meeting	Minutes
□	October 25, 2022 Business Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	11/9/2022 - 9:50 AM

M I N U T E S
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
October 11, 2022
5:00 PM

A. CALL TO ORDER

Mr. McGlennon called the meeting to order at approximately 5:03 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

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Dahlia Quiles, a 3rd grade student at James River Elementary School and a resident of the Roberts District

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

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

E. PUBLIC COMMENT

1. Ms. Peg Boarman, 17 Settlers Lane, noted she was present to talk trash to the Board. Ms. Boarman made positive remarks of the County as she felt visually the community looked great and exhibited less trash. Ms. Boarman mentioned concerns with unsecured loads, adding it was illegal to have an uncovered load. Ms. Boarman requested the public to remind neighbors, friends, and family to secure and cover the loads to prevent litter in the community. Ms. Boarman noted a substantial turnout for the Community Conversations held on September 29, 2022, with discussion on the trash and consolidated waste disposal. Ms. Boarman commended County staff for all efforts regarding trash collection. Ms. Boarman displayed a card which was given to each Board member which included a photo of each 2022 James City County Clean Business Quarterly Award Winner to date. Ms. Boarman added there was one final quarter nomination in December 2022. Ms. Boarman welcomed the public to

nominate a business that had adopted green initiatives or enacted environmentally friendly business practices. Ms. Boarman spoke about the Repair Fair & Recycling Expo, which would be held on Saturday, November 19 at Warhill High School from 9 a.m. to 2 p.m. She mentioned the focus was to educate, provide public outreach, prevent litter, and encourage recycling efforts. Ms. Boarman welcomed volunteers to join the Clean County Commission.

F. CONSENT CALENDAR

None.

G. PUBLIC HEARING(S)

1. ORD-22-0002. Amendments for R-8, Rural Residential and A-1, General Agricultural Lot Size and Related Requirements

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

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

Ayes: Hipple, Icenhour Jr, Larson, McGlenon

Nays: Sadler

Mr. Wysong addressed the Board noting in spring of 2019 the County began the Comprehensive Plan update by distributing a County-wide survey to allow public input for future County desires. Mr. Wysong noted the survey received a significant number of respondents, of which over 80% of respondents supported the concept of reducing the number of lots which could be divided for large rural properties. Mr. Wysong further noted various public input opportunities during the Comprehensive Plan update process revealed a strong desire to preserve the rural character of the County. Mr. Wysong remarked guided by citizen input, preserving rural character became one of the priorities in the adopted long-term vision for the County within the Comprehensive Plan. Mr. Wysong mentioned guidance based on this vision for areas outside of the County's growth area and designated for Rural Lands the recommended density was one unit per 20 acres. Mr. Wysong indicated the proposed density was based on the Open Space Study and Rural Character Preservation Analysis prepared by the County's planning consultant. Mr. Wysong highlighted the various discussions on the subject throughout the 2021-2022 timeframe. Mr. Wysong stated the 2045 Comprehensive Plan was adopted by the Board of Supervisors in October 2021, adding in the spring of 2022, the Board of Supervisors adopted an Initiating Resolution pertaining to the R-8, Rural Residential and A-1, General Agricultural Districts. Mr. Wysong touched on the three specific Board directives. He stated the first directive was to amend the Zoning and Subdivision Ordinances to revise the R-8 and A-1 Districts to be consistent with the stated Rural Lands Designation Description and Development Standards contained in the adopted 2045 Comprehensive Plan. Mr. Wysong spoke about the second directive which was to include language that grandfathered all parcels in existence as of January 1, 2022, that were 25 or fewer acres. Mr. Wysong discussed the third directive was to include language that eliminated the central well requirement for subdivisions that were consistent with the stated Rural Lands Designation Description and Development Standards. Mr. Wysong noted in response to these directives, staff had prepared draft Ordinance language that accurately fulfilled each directive request. Mr. Wysong mentioned this amendment was consistent with the appropriate and primary uses stated for Rural Lands within the 2045 Comprehensive Plan and did not change the intent or the permitted uses within the A-1 District. Mr. Wysong highlighted the wide variety of agricultural and forestal uses which were permitted and/or specially permitted, in addition to approximately 50 commercial uses which were permitted and/or specially permitted in this zoning district. Mr. Wysong added property owners in the A-1 District would

still be permitted to create lots for family members that were less than the minimum lot size through the family subdivision Special Use Permit (SUP) application process. Mr. Wysong noted the draft language provided in the Board's Agenda Packet was reviewed by the Policy Committee at its August 11, 2022, and August 22, 2022, meetings. The Policy Committee recommended this language proceed to the Planning Commission by a vote of 4-0. Mr. Wysong further noted the Planning Commission at its September 11, 2022, meeting, recommended approval of this amendment by a vote of 4-3. Mr. Wysong stated the Policy Committee, nor the Planning Commission, had added or revised any of the language. Mr. Wysong mentioned staff recommended approval of this Ordinance amendment, adding he welcomed any questions the Board might have.

Ms. Sadler requested for public notification purposes to reiterate the family subdivision aspect of the Ordinance amendment.

Mr. Wysong replied currently if a family subdivision was desired in the A-1 Zoning District, which was a lot size less than the minimum lot requirement the individual would be required to apply for an SUP for a family subdivision. He added the process would remain the same with the Ordinance amendment.

Ms. Sadler asked if this Ordinance amendment did not apply to family subdivisions.

Mr. Wysong replied correct.

Ms. Sadler asked if a property was within an Agricultural and Forestal District (AFD) would that vary.

Mr. Wysong replied it would not change the process, adding AFD requirements would still need to be followed.

Ms. Sadler requested to Mr. Paul Holt, Director of Community Development and Planning, to the podium for a question. Ms. Sadler requested an update on the Purchase of Development Rights (PDR) Program for public notification purposes, in addition to details on the presentation given to the Board recently.

Mr. Holt addressed the Board noting over the past several years the Board had taken several steps towards rebuilding its Open Space Preservation Program. Mr. Holt highlighted examples such as in Fiscal Year (FY) 2021 the Board approved additional staff resources to manage existing County easements and to allow for new opportunities. Mr. Holt stated in FY 2022-2023 the Board allocated funds in the County's adopted budgets. Mr. Holt mentioned current funds were approximately \$1.6 million, adding those funds could be used for future preservation efforts. Mr. Holt noted as the funds continued to increase overtime the County would be in a robust position to collaborate with property owners, partners, and receive matching grants towards new conservation easements. Mr. Holt further noted the Board received an overview from staff at the Board of Supervisors May 24, 2022, Business Meeting, on the various tools and funding resources. Mr. Holt mentioned the Open Space Tool Decision Tree which aided in identifying the most suitable tools for the property owners desire for the land and timelines. He added the Open Space Tool Decision Tree was available on the County website.

Ms. Sadler asked for the directives to access it on the County website.

Mr. Holt replied once you access the County website homepage hover over the Government tab and click Community Development, click the Planning tab on the left and click the Comprehensive Plan hyperlink, and it was located in the Open Space Discussion segment. Mr. Holt mentioned if there were concerns accessing the Open Space Tool Decision Tree to email

the Department and staff would provide the requested information.

Ms. Sadler thanked Mr. Holt. Ms. Sadler stated she looked forward to further discussion on the subject as time moved forward. Ms. Sadler advised if this Ordinance amendment passed this evening, she would be in support of the PDR Program to allow for compensation of landowners who may qualify.

Mr. McGlenon welcomed Mr. Tim O'Connor, Planning Commission representative, to the podium.

Mr. O'Connor addressed the Board noting this matter had been thoroughly discussed, researched, and debated for several past Comprehensive Plans. Mr. O'Connor advised the Planning Commission recommended approval to the Board of Supervisors by a vote of 4-3. Mr. O'Connor noted the Planning Commission members who voted in support of this application was largely due to compliance with the adopted 2045 Comprehensive Plan stated goals. Mr. O'Connor further noted the Planning Commission members who were not in favor was primarily due to the concern as to whether 25 acres was the correct number for grandfathered acreage, in addition to other rural land parcel impacts. Mr. O'Connor welcomed any questions the Board might have.

Ms. Sadler recognized Ms. Barbara Null, Planning Commission representative, in attendance.

Mr. McGlenon thanked Mr. O'Connor.

Mr. McGlenon opened the Public Hearing.

1. Ms. Linda Rice, 2394 Forge Road, addressed the Board noting that she was in attendance representing the community organization Friends of Forge Road and Toano (FORT). Ms. Rice stated she had resided on Forge Road for approximately 45 years and the community organization FORT had originated in 2004. Ms. Rice noted FORT had various discussions on issues such as rural land preservation, maintaining the history of the rural lands particularly in the upper part of the County, and the rural land uses. Ms. Rice read the FORT letter to the Board of Supervisors included in the Agenda Packet. Ms. Rice commended the Board for its support to promote the preservation of rural lands and the proposed amendments would bring the Zoning Ordinance in conformance with the adopted 2045 Comprehensive Plan. Ms. Rice expressed her support of this proposal.

2. Ms. Mary Aadahl, 2724 Forge Road, addressed the Board noting she was opposed to this proposal. Ms. Aadahl expressed her concerns that this proposal would diminish property rights and homeownership. Ms. Aadahl mentioned landowners who owned more than 25 acres would potentially encounter a decline in value and the aspiration of affordable housing in the County would not be feasible. Ms. Aadahl expressed her concerns that this proposal would create negative impacts to landowners and middle-class citizens. Ms. Aadahl requested the County utilize alternative programs and resources to achieve the preservation of rural lands. Ms. Aadahl reiterated she was not in support of this proposal.

3. Ms. Linda Henderson Gordon, 2000 Bush Neck Road, addressed the Board noting her and her family's history and involvement in the County. Ms. Gordon expressed her concerns with government power, control, and motives. Ms. Gordon cited details from a University of Virginia study. Ms. Gordon spoke about the demand for green space to further enhance development expansion. Ms. Gordon mentioned the agenda of the International Council for Local Environmental Initiatives (ICLEI), United Nations, and the World Economic Forum. Ms. Gordon stated these globalist proposals were hindered by the U.S. Constitution, Bill of Rights, 5th and 14th Amendments. Ms. Gordon discussed the 5th Amendment and the Takings clause which explained the ways the government was able to seize private properties for public

use. Ms. Gordon mentioned Pennsylvania Coal Company versus Mahon as a prime example. Ms. Gordon expressed she was not in support of this proposal and urged the County to reject this proposal.

4. Mr. Hayden Gordon, 4994 John Tyler Highway, addressed the Board noting the previous speaker, Ms. Gordon, was his wife and he agreed with her on the subject. Mr. Gordon expressed the importance of preserving the rural lands; however, he felt those landowners who retained their property should not be penalized and forced restrictions on land use. Mr. Gordon mentioned the various properties he and his wife owned in the County. Mr. Gordon noted he was not in support of this proposal.

5. Mr. Will Harcum, 108 Arena Street, addressed the Board noting his family's farm was located at 3183 Chickahominy Road. Mr. Harcum stated he grew up working the land in Norge, Toano, and Lanexa, adding he was the youngest member on the AFD Advisory Committee. Mr. Harcum expressed the importance and support of preserving rural lands; however, he did not believe this was the approach to take. Mr. Harcum stated this rezoning would negatively impact landowners and devalue properties. Mr. Harcum mentioned during hardships landowners would sell small lots of property to remain afloat, adding this proposal would create significant restrictions. Mr. Harcum recommended utilizing further enrollment in the AFDs, amend the AFDs to allow additional properties who would not normally qualify, and discover other incentives for landowners to retain acreage. Mr. Harcum expressed if this Ordinance amendment passed the green space in the rural parts of the County would diminish. Mr. Harcum added landowners would be forced to sell their property at a substantially lower price and/or lease their property for solar farm purposes. Mr. Harcum mentioned this proposal was inequitable and those who were in support of it were not affected by it. Mr. Harcum stated he was not in support of this proposal.

6. Mr. Gary Massie, 8644 Merry Oaks Lane, addressed the Board noting he and his family owned 10 parcels in the A-1, General Agricultural District, adding the parcels ranged in size from 2.268 acres to 106 acres. Mr. Massie explained the various uses of the owned parcels. Mr. Massie noted nine parcels were outside of the Primary Service Area (PSA) and one parcel was located within the PSA. Mr. Massie further noted he had a boundary line adjustment affecting four of those parcels, which were currently under County staff review. Mr. Massie requested the Board of Supervisors vote against this proposal. Mr. Massie touched on the Planning Commission deliberations on the amendment, adding the three Planning Commission members who voted against this amendment spoke volumes. Mr. Massie expressed frustration with the change from three-acre lots to 20-acre lots, in addition to the one unit per 20 acres, which served no purpose in his opinion. Mr. Massie spoke about affordable housing, adding a great majority of affordable housing was within the A-1 Zoning District. Mr. Massie mentioned this amendment would create further limitation to affordable housing within the County. Mr. Massie noted he was not in support and encouraged the Board to vote against this proposal.

7. Ms. Sheila Chandler, 7900 Newman Road, addressed the Board noting she and her husband owned Chandler Farm at 7742 Newman Road. Ms. Chandler mentioned this farm had been family-owned for six generations. Ms. Chandler expressed her displeasure with what this Ordinance amendment entailed. Ms. Chandler noted landowners should not have forced regulations as to what to do with their own property. Ms. Chandler understood various aspects to local government; however, this was not a proposal she could support. Ms. Chandler expressed the illogical concept of one unit on 20 acres. Ms. Chandler agreed to the point of limitations with affordable housing. Ms. Chandler encouraged the Board to vote against this proposal.

8. Mr. Ronnie Bowmer, 115 Wilderness Lane, addressed the Board noting he was the fourth-generation owner of various parcels within the County. Mr. Bowmer expressed his

disagreement with this Ordinance amendment. Mr. Bowmer mentioned his family in attendance was the fifth generation who enjoyed the land, and if this amendment passed the freedom of the land would be diminished. Mr. Bowmer mentioned the concept of pastures and horses would not be the future of the County rural areas, but an abundance of solar farms. Mr. Bowmer expressed this proposal was inequitable and a government overreach, adding he did not support it. Mr. Bowmer urged the Board to vote against this proposal.

9. Mr. Blake Bowmer, 115 Wilderness Lane, addressed the Board noting he was the son of the previous speaker. Mr. Bowmer mentioned he would be the future fifth-generation owner of this farm and he was highly opposed to this proposal. Mr. Bowmer touched on the illogical concept of 20-acre lots to compensate for those who helped overdevelop James City County. Mr. Bowmer mentioned this Ordinance amendment diminishes property rights of landowners. Mr. Bowmer encouraged the Board of Supervisors to vote against this proposal.

10. Mr. Randy Taylor, 204 Crescent Drive, addressed the Board noting he urged the Board to vote against this proposal. Mr. Taylor expressed he understood the wishes of County residents and the Board of Supervisors to deter future development outside of the PSA. Mr. Taylor stated as a lifelong resident of the County, he did not wish to see the rural lands developed; however, he did not believe that infringing on landowners' property rights was the approach to take. Mr. Taylor touched on the inequitable zoning change that would come from this Ordinance amendment. Mr. Taylor mentioned he and his family owned several parcels of land over 25 acres within the County, adding he had no desire to subdivide or develop on the land. Mr. Taylor touched on the effective PDR Program which purchased development rights from willing landowners; however, the disadvantage was the costs associated with the program. Mr. Taylor explained this zoning change would allow the County to benefit without having to compensate landowners. Mr. Taylor recommended reinstating the PDR Program. Mr. Taylor spoke about family subdivision restrictions and the SUP process. Mr. Taylor noted if this Ordinance amendment were to be approved, he requested the Board eliminate the SUP process and allow by-right development. Mr. Taylor stated he was not in support of this application.

11. Mr. Chris Taylor, 3921 Powhatan Parkway, addressed the Board noting he was in attendance to encourage the Board to vote against this proposal. Mr. Taylor requested the Board to have an equitable perspective on this matter. Mr. Taylor expressed his disagreement with the lot size regulations proposed. Mr. Taylor stated he had been a County resident his entire life, adding he and his family-owned various parcels within the County. Mr. Taylor mentioned he had no intention of developing the land or subdividing it; however, he was not looking to lose his current property rights. Mr. Taylor noted in 2001, the County created the PDR Program and over 78% of County citizens voted in favor of a bond to aid in financing the program. Mr. Taylor further noted in 2011 the PDR Program was inactive due to insufficient funds to continue the program. Mr. Taylor questioned the allegiance to County citizens, adding there were other ways to deter development; however, this was not the way to accomplish such a task. Mr. Taylor spoke about the family subdivision aspect and if it was a permitted use why was there an SUP process which required Board approval, with no guarantees. Mr. Taylor stated for the reasons addressed he did not support this proposal.

12. Mr. Whit Richardson, 4424 Knob Road, Richmond, Virginia, addressed the Board noting he now resided in Richmond, Virginia; however, he grew up in the City of Williamsburg and his family had lived in the County for over 100 years. Mr. Richardson stated he owned a parcel of land on Jolly Pond Road adjacent to two of the Williamsburg-James City County (WJCC) Public Schools, adding it was a 43-acre parcel, which if this Ordinance amendment passed it would negatively impact him and his family. Mr. Richardson mentioned he had heard the details of this proposal last year and proceeded to subdivide the parcel prior to the potential zoning change. Mr. Richardson was unaware that if the subdivision plat was not reviewed by County staff prior to today that it would not be considered. Mr. Richardson commented a significant

amount of money had been invested into the subdivision process, adding he had no intention of developing the land; however, it was to retain the value of the land if such Ordinance amendment were passed. Mr. Richardson stated he was not in attendance to support either side of this proposal, but he did agree with the preservation of rural lands.

Mr. McGlenon thanked all public speakers for their robust opinions and civilized approach on this matter. Mr. McGlenon mentioned the Board had received 38 emails from October 3-11, 2022, of which 34 of the emails were in favor of the proposal and four emails were opposed to the proposal. Mr. McGlenon noted the importance of addressing that information for public records purposes.

Mr. McGlenon closed the Public Hearing.

Mr. McGlenon asked if any Board members had questions.

Mr. Icenhour stated he had a question pertaining to the family subdivision aspect. Mr. Icenhour noted the family subdivision SUP process was required; however, he reiterated Mr. Wysong's point of it being less onerous than the normal SUP process. Mr. Icenhour asked Mr. Holt if there ever had been a family subdivision SUP request that was denied.

Mr. Holt replied not that he was aware of based on the research conducted on the subject.

Mr. McGlenon replied he was not positive; however, he felt to his knowledge there had been a family subdivision SUP request that had been denied.

Mr. Hippel mentioned he could speak to the family subdivision aspect as he was one of the first family subdivisions approved in the County, adding he had no issues in the process. Mr. Hippel noted to his knowledge he did not recall any family subdivision requests being denied.

Mr. Holt replied he had found references in the County Code regarding family subdivisions as early as the 1989 Ordinance, adding he did not investigate passed that timeframe.

Mr. Hippel remarked the family subdivision process was much slower in the past as it was a new process.

Ms. Larson requested Mr. Holt to speak to the SUP process for the family subdivision and the reasoning for the implemented SUP process.

Mr. Holt replied he did not have an opportunity to do extensive research on the Board's reasoning at the time for the SUP process for family subdivisions; however, he could certainly investigate that further. Mr. Holt noted he would need to consult with the County Attorney's Office if that needed to be a legislative process or not.

Ms. Larson stated if this Ordinance amendment were to pass, she would request further evaluation into the family subdivision aspect to determine if the SUP process was necessary.

Mr. Holt replied he did not recall a legislative component to the SUP process for family subdivisions referenced in the State Code; however, he was not positive on that.

Ms. Sadler agreed with Ms. Larson's point and suggested a small filing fee opposed to going through the entire SUP process. Ms. Sadler expressed her understanding of the various concerns on this possible Ordinance amendment as it was vital to prevent further development; however, with population growth came the demand for additional services that the County provided. She added she understood the landowners' concerns of protecting their investment as she too was raised on a family farm. Ms. Sadler mentioned if this Ordinance amendment

were to pass, she fully supported the PDR Program and all efforts to fund it to aid landowners. Ms. Sadler suggested collaborative efforts between the County and landowners to find alternative ways to uphold value and utilization of the land. Ms. Sadler stated she was not in support of this Ordinance amendment.

The audience applauded.

Mr. Icenhour spoke about land use guidelines and restrictions. Mr. Icenhour mentioned the zoning aspect and the regulations determined how the land could be utilized. Mr. Icenhour mentioned for instance, his property was located inside of a major subdivision within the PSA which had various stern restrictions. Mr. Icenhour stated as development had taken its course within the County it had disproportionately targeted areas outside of the PSA. Mr. Icenhour added the three-acre lot minimum and central well requirement was used to be a deterrent; however, that was not the case anymore. Mr. Icenhour noted prior to established developments within the County was farmland, adding when developed those developed properties paid less in personal property tax than it demanded in County services. Mr. Icenhour explained whether the development was within the PSA or not, the burden of development was on existing County citizens. Mr. Icenhour pointed out the various components of both aspects and the result future development had on the community. Mr. Icenhour remarked based on the adopted 2045 Comprehensive Plan, the value of the land should be based upon the use of the land and the land designation. Mr. Icenhour spoke about the approximately \$15 million PDR bond citizens voted in favor of to initiate the PDR Program. He mentioned the program did not run out of funds; however, the funds were not used. Mr. Icenhour explained that the Board of Supervisors at the time chose not to utilize those funds which resulted in funds expiring, even with a two-year extension on the bond. Mr. Icenhour expressed his desire of another bond referendum to put the funds to an effective use.

Mr. Hipple explained the PDR Program was postponed due to County debt, adding rational decisions had to be made at the time for financial management purposes. Mr. Hipple expressed his appreciation for the public input. Mr. Hipple mentioned the unforeseen changes as time moved forward, adding the Board attempted to find the most appropriate solution to address the issue(s). Mr. Hipple spoke about the family subdivision aspect and further evaluation to ensure the most effective approach. Mr. Hipple thanked all in attendance.

Ms. Larson reiterated her request for further evaluation on the family subdivision aspect. Ms. Larson mentioned her support for the PDR Program, in addition to consideration regarding the amount of funds that would be necessary for the program to be effective.

Mr. McGlennon thanked all in attendance despite the different views on the subject. Mr. McGlennon agreed to Mr. Hipple's point of the unforeseeable future and what it entailed. Mr. McGlennon spoke to Mr. Icenhour's point as there were already regulations in place such as the three-acre lot minimum and revisions were implemented to attempt to influence the way in which the County grew for the better. Mr. McGlennon mentioned his support for the PDR Program, adding in the past there were challenges with the program as landowners were not interested despite the incentives. Mr. McGlennon hoped to seek alternative options to help retain land as that was the County's mission to preserve rural lands even if it came with a cost. Mr. McGlennon expressed this public input helped the Board understand the landowners' desires and willingness to preserve the rural lands, which he believed was a great step to reinvigorating some of these programs that did not initially work in the past.

Mr. Kinsman asked if Mr. Hipple's motion would include all three items such as the: proposed A-1 Ordinance; proposed R-8 Ordinance; and proposed Subdivision Ordinance.

Mr. Hipple confirmed yes.

At approximately 6:38 p.m., the Board recessed for a short break.

At approximately 6:44 p.m., the Board reconvened.

2. Z-22-0001 & SUP-22-0012. 5700 Williamsburg Landing Rezoning and SUP Amendment

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, McGlenon, Sadler

Mr. Wysong addressed the Board noting Mr. Paul Gerhardt, Kaufman & Canoles, P.C., had applied on behalf of Williamsburg Landing, Inc., to rezone approximately 2.65 acres from the R-8, Rural Residential District to the R-5, Multifamily Residential District, in addition to amending the existing SUP for the Williamsburg Landing Continuing Care Retirement Community to include the existing parking lot and gated access as part of this development. Mr. Wysong mentioned the subject acreage had been previously approved and was already developed as a gated entrance and surface parking lot. Mr. Wysong stated there were no dwelling units or improvements proposed. Mr. Wysong remarked if this application were approved it would establish zoning consistency within the parcel and would include one SUP which would govern the development in its entirety. Mr. Wysong noted at the September 7, 2022, meeting, the Planning Commission recommended approval of the proposed rezoning and SUP amendment, subject to proposed conditions by a vote of 7-0. Mr. Wysong further noted staff recommended the Board approve this application. Mr. Wysong welcomed any questions the Board might have, adding the applicant team was in attendance as well.

Mr. McGlenon asked if any Board members had questions.

Mr. O'Connor addressed the Board noting there were no changes to the master plan, adding the rezoning and SUP amendment was for uniformity and consistency purposes only. Mr. O'Connor welcomed any questions the Board might have.

Mr. McGlenon opened the Public Hearing.

1. Mr. Benming Zhang, 4801 Courthouse Street Suite 300, addressed the Board introducing the applicant team in attendance: Mr. Greg Storer, President and CEO of Williamsburg Landing, Inc., and Mr. Gerhardt. Mr. Zhang thanked County staff for collaborative efforts.

Mr. McGlenon closed the Public Hearing.

3. SUP-22-0013. 3252 N. Riverside Drive Contractor's Office and Warehouse

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, McGlenon, Sadler

Ms. Terry Costello, Senior Planner, addressed the Board noting Mr. Lloyd Stephens, Stephens Remodeling, had applied for an SUP to allow for the operation of a contractor's office and warehouse located at 3252 North Riverside Drive. Ms. Costello noted it was zoned A-1, General Agricultural, adding a contractor's office was a specially permitted use in the A-1 Zoning District. Ms. Costello further noted Mr. Stephens currently operated his business at 7845 Richmond Road. Ms. Costello stated there were a total of five full-time employees, in addition to he and his wife. Ms. Costello mentioned there was one employee who came to the

property once a week and all other employees worked directly at the job sites. Ms. Costello remarked customers typically did not come to the property; however, approximately four or five customers came to the office annually. Ms. Costello stated most deliveries were from the manufacturer to the various job sites; however, on average, there would be one delivery per month to the property, and one delivery from the property to a job site. Ms. Costello indicated all equipment would be stored inside the warehouse and all vehicles associated with the business were taken home by employees. Ms. Costello noted staff found the proposal to be compatible with surrounding zoning and development and consistent with the 2045 Comprehensive Plan. Ms. Costello further noted staff recommended approval of this application, subject to the proposed conditions. Ms. Costello stated at its September 7, 2022, meeting, the Planning Commission recommended approval of this application, with amended conditions, by a vote of 7-0. Ms. Costello welcomed any questions the Board might have, adding the applicant was in attendance as well.

Mr. McGlenon asked if any Board members had questions.

Mr. McGlenon opened the Public Hearing.

Mr. McGlenon closed the Public Hearing, as there were no speakers.

Mr. O'Connor addressed the Board noting the Planning Commission had asked Mr. Stephens if one additional condition could be added pertaining to no soil stockpiling on the property. Mr. O'Connor mentioned Mr. Stephens agreed to the request. Mr. O'Connor noted all Planning Commission members voted in favor of this application.

Mr. McGlenon thanked Mr. O'Connor.

Mr. Hipple stated he met with Mr. and Mrs. Stephens on the property previously. He remarked there was a nice buffer surrounding the property. Mr. Hipple mentioned Mr. Stephens was considerate of residents nearby. Mr. Hipple stated he had not heard any negative concerns regarding this proposal. Mr. Hipple mentioned positive remarks about Mr. Stephens and his company.

4. SUP-22-0016. 141 Blow Flats Rd. Battery Storage

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

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

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

Ms. Paxton Condon, Planner, addressed the Board noting Mr. Brian Quinlan, Calvert Energy, LLC, had applied for an SUP to construct an electrical generation facility at 141 Blow Flats Road. Ms. Condon stated the property was zoned M-2, General Industrial and designated General Industry on the 2045 Comprehensive Plan. Ms. Condon noted the property was located inside the PSA and was currently undeveloped. Ms. Condon noted the proposed facility would consist of 15 battery storage containers and required 100-foot setback from all property lines. Ms. Condon further noted this facility would allow for energy to be stored from the grid and utilized later during shortages or at times of higher demand. Ms. Condon stated at its September 7, 2022, meeting, the Planning Commission voted 6-0 to find the proposal consistent with the 2045 Comprehensive Plan and recommended approval to the Board of Supervisors, subject to the proposed conditions. Ms. Condon welcomed any questions the Board might have, adding the applicant team was in attendance as well.

Mr. McGlenon asked if any Board members had questions.

Mr. Icenhour stated he had a question for Mr. Kinsman. Mr. Icenhour asked about the decommissioning bond for this application and the longevity of the bond to ensure expiration was not during the lifespan of this facility.

Mr. Kinsman replied a Decommissioning Agreement would be required, and adjustments could be made to ensure extended timeframe.

Mr. Icenhour stated this was an unusual type of installation and he was uncertain of the projected service life on this type of facility. He expressed his willingness to support the application; however, he wanted to ensure the County had the protection aspect pertaining to the decommissioning segment. Mr. Icenhour mentioned the National Fire Protection Association (NFPA) standards were not listed for this application. Mr. Icenhour asked Ms. Condon if there were any concerns the Fire Department had with this application.

Ms. Condon replied the Fire Department raised no concerns regarding this application; however, there was an Emergency Management Plan requirement and reviewal during the site plan phase.

Mr. Icenhour thanked Ms. Condon.

Mr. O'Connor stated he had the same question in reference to the NFPA standards not being listed; however, he mentioned this was a relatively new use across the country. Mr. O'Connor expressed his willingness to support the application being that there was an Emergency Management Plan requirement. Mr. O'Connor informed the Board that there would be additional applications for Blows Flats Road forthcoming and the beneficial aspect of minimal traffic generated by this application. Mr. O'Connor welcomed any questions the Board might have.

Mr. McGlenon thanked Mr. O'Connor.

Mr. McGlenon opened the Public Hearing.

1. Mr. Michael Pelfrey, 186 Blue Water Road, Wake, VA, addressed the Board noting he was the owner of 141 Blow Flats Road, and he was in support of this application.

Mr. McGlenon requested Mr. Quinlan to the podium.

Mr. Icenhour inquired about the projected service life on this equipment.

2. Mr. Quinlan, 12921 Buckeye Drive, Gaithersburg, MD, addressed the Board noting the equipment would be there for at least 20 to 30 years. Mr. Quinlan stated the batteries wear out over a lifetime depending on how frequently the batteries were used and how often the batteries were cycled. Mr. Quinlan mentioned batteries would be replaced; however, the system would remain there.

Mr. McGlenon inquired about the capital investment on this project.

Mr. Quinlan replied approximately \$30 million.

Mr. McGlenon asked if there would be any potential expansions to this facility.

Mr. Quinlan replied no, adding he did not anticipate any phasing component with this project. Mr. Quinlan stated it would interconnect with the distribution lines and the distribution lines only had a certain amount of capacity which would be fully utilized, so there would not be room for expansion.

3. Mr. Kade Lamon, 1608 Manufacture Drive, addressed the Board noting he was not in support of this application based on its location. Mr. Lamon stated this project was suitable based on zoning criteria; however, he mentioned the various residential dwelling units located nearby. Mr. Lamon recommended a new development be considered for this location for the health and safety of nearby residents. Mr. Lamon mentioned the vegetation buffer would not mitigate against a potential chain reaction. Mr. Lamon touched on the negative impacts if the devices were to fail releasing toxic gases into the atmosphere. Mr. Lamon cited the Occupational Safety and Health Administration guidelines for Permissible Exposure Limits. Mr. Lamon mentioned the various dwelling units which would be directly impacted if such failure were to occur. Mr. Lamon discussed the Dominion Energy Virginia battery storage pilot projects which had been previously approved and comparison components. Mr. Lamon stated he did support the use of battery storage technology; however, based on appropriate locations for these facilities such as: rural solar farms and/or existing substations. Mr. Lamon recognized the Skiffes Creek Substation as an ideal location for this facility. Mr. Lamon requested the Board further evaluate this proposal.

Mr. McGlenon closed the Public Hearing.

Mr. McGlenon asked if these various concerns were considered during the application process.

Mr. Holt stated as a standard process for land use the master plan and the proposed details were sent out for review to all County agencies, adding in this instance it was also sent to the Fire Department. Mr. Holt mentioned that this was a new technology; however, the Fire Department reviewed the master plan and did not raise any concerns for the legislative component for this case. Mr. Holt spoke about several proposed conditions, such as Condition No. 6 to require an Emergency Management Plan with several subcomponents included in that condition. Mr. Holt anticipated a lot of details which would need to be worked out as part of the site plan approval should the Board approve this application. Mr. Holt deferred those technical questions raised to the applicant team in attendance.

Ms. Sadler asked if the Fire Department had a plan if an incident occurred.

Mr. Holt reiterated that the Emergency Management Plan would address how an incident would be managed. Mr. Holt stated the Emergency Management Plan had not yet been developed.

Ms. Larson asked if an Emergency Management Plan were developed and County staff were unfamiliar with this technology, how would it be determined that the Emergency Management Plan proposed was the right plan to be implemented.

Mr. Holt stated the plan was developed by applicant input; however, he could not speak to the technical terminology aspect. Mr. Holt pointed out County experience with various electrical type cases with large industrial electrical based development. Mr. Holt mentioned the unfamiliar component addressing electrical issues and/or an emergency management response pertaining to a battery storage facility as this was new technology to the County.

Mr. McGlenon mentioned when the switching station was proposed questions arose regarding if the Fire Department could respond directly or had to wait until Dominion Energy arrived on the scene in order to provide access. Mr. McGlenon expressed various concerns with this application which may need to be further evaluated.

Mr. Hipple discussed the Standard Operation Procedure (SOP) which the Fire Department would need to establish for this technology. Mr. Hipple mentioned once established the SOP

would then be implemented into the Emergency Management Plan. Mr. Hipple remarked SOPs were established for all emergency type situations.

Mr. Holt stated the Emergency Management Plan must be approved during the site plan phase by both the County Fire Chief and County Police Chief. Mr. Holt mentioned the Planning Commission required a mutually agreed upon schedule for the Facility Operator to provide information sessions and training for public safety personnel, in addition to posting all relative contact information on-site.

Ms. Sadler asked if the Emergency Management Plan was required prior to site plan approval.

Mr. Holt replied correct and prior to the commencement of construction.

Ms. Sadler requested certainty that County public safety personnel would develop a plan prior to any site approval on this application.

Mr. Holt confirmed yes, reiterating the County Fire Chief and County Police Chief were required to approve the Emergency Management Plan prior to moving forward.

Mr. McGlenon welcomed the applicant to address the topic-related concerns Mr. Lamon addressed.

Mr. Quinlan stated the system had a NFPA standard for batteries and for the containment of batteries. Mr. Quinlan mentioned this system was designed to meet or exceed the containment requirements for battery storage which essentially meant that the fire was contained within the container to prevent burning through the container walls. Mr. Quinlan indicated the system also had blow-out panels to prevent gas build-up. Mr. Quinlan mentioned there had been improved designs over the years to prevent fires. Mr. Quinlan stated the unit also had a built-in Dry Chemical Fire Suppression System. Mr. Quinlan addressed the health safety concern noting the fire does produce hydrogen fluoride; however, if a fire were to occur it would produce the hydrogen fluoride for less than a minute which would not produce enough hydrogen fluoride to exceed the levels that were considered toxic.

Mr. McGlenon expressed his desire to defer this item to further evaluate some of the raised concerns regarding this application.

Mr. Hipple replied if the Board approved the application this evening it would not move forward until the necessary requirements were met and approved by County personnel.

Mr. McGlenon stated he was aware of that; however, he felt further discussion should be had prior to granting approval.

Mr. Hipple asked Mr. Quinlan if the Dry Chemical Fire Suppression System was a Halon Fire Suppression System.

Mr. Quinlan replied he was uncertain.

Mr. McGlenon asked if staff could obtain additional information and come back before the Board in a month.

Mr. Holt recommended postponement of this application for approximately a month. Mr. Holt mentioned potential collaborative efforts with Fire Chief Ryan Ashe and the applicant team to obtain additional information on certain aspects of the application.

Mr. McGlennon stated the Board would provide a list of questions pertaining to this application for County staff.

H. BOARD CONSIDERATION(S)

None.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Icenhour stated on September 28, 2022, he participated on the Williamsburg Health Foundation panel regarding collaboration between nonprofit organizations and local governments. Mr. Icenhour mentioned as a result of that meeting, he had an opportunity to meet with some of the County nonprofit organizations for further discussion. Mr. Icenhour stated he attended the Community Conversations at the James City County Recreation Center, adding it was a good turnout. Mr. Icenhour noted he attended the 50th Anniversary Celebration for Anheuser-Busch.

Mr. Hippel stated he attended a luncheon with the James City Lions Club, adding another meeting would be forthcoming. Mr. Hippel wished Supervisor Larson a happy birthday.

Ms. Larson stated she also attended the 50th Anniversary Celebration for Anheuser-Busch. Ms. Larson extended congratulations to Frothy Moon Brewhouse for its grand opening on October 3, 2022. Ms. Larson mentioned she had attended the Virginia Tourism Awards, adding Ms. Victoria Cimino, CEO of Visit Williamsburg, was nominated for an award. Ms. Larson congratulated Ms. Cimino for her nomination. Ms. Larson thanked her fellow Board members and County staff for the difficult decisions made on various proposals as it was a challenging task.

Ms. Sadler stated she would be attending the Virginia Peninsula Regional Jail meeting tomorrow with Mr. Stevens. Ms. Sadler mentioned her attendance at a Governor's Land luncheon that was held today. She further noted the Honorable Lieutenant Governor of Virginia, Winsome Earle-Sears, was the guest speaker, adding it was an honor to meet her and welcome her to the County.

Mr. McGlennon stated he attended the Community Conversations meeting held on September 29, 2022, adding he felt the public was very attentive. Mr. McGlennon mentioned he attended the 50th Anniversary Celebration for Anheuser-Busch on October 1, 2022. Mr. McGlennon noted the Busch family and their various business endeavors within the community played a significant role in the growth of the County population. Mr. McGlennon recognized Mr. Charles Bragg, a County citizen who had recently passed. Mr. McGlennon stated Mr. Bragg was an active member of the Historic Route 5 Association and a leading faculty member at the Virginia Peninsula Community College, formerly known as Thomas Nelson Community College. Mr. McGlennon extended condolences to his family.

Ms. Larson recognized Mr. Gerry Lewis, a County citizen who had also recently passed. Ms. Larson stated he had worked for the WJCC School System for 46 years. Ms. Larson mentioned his kindness and long service to the community.

J. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens spoke about the Community Conversations meeting that was held on September 29, 2022, at the James City County Recreation Center. Mr. Stevens expressed his appreciation for all who had attended. Mr. Stevens recognized Mr. Jason Purse, Assistant County Administrator, for a well-done presentation on the discussion of a future County government center based on the space needs and studies conducted, in addition to the proposed locations. Mr. Stevens also recognized Ms. Cassie Cordova, Environmental Sustainability Coordinator, for her presentation on the solid waste discussion. Mr. Stevens remarked it was a good turnout and engagement at the meeting. Mr. Stevens mentioned Ms. Latara Rouse, Communications Manager, for her coordination efforts. Mr. Stevens welcomed citizens who had questions pertaining to the meeting to please contact him directly at 757-253-6603.

K. CLOSED SESSION

None.

L. ADJOURNMENT

1. Adjourn until 1 p.m. on October 25, 2022 for the Business Meeting

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

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

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

At approximately 7:29 p.m., Mr. McGlenon adjourned the Board of Supervisors.

M I N U T E S
JAMES CITY COUNTY BOARD OF SUPERVISORS
BUSINESS MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
October 25, 2022
1:00 PM

A. CALL TO ORDER

B. ROLL CALL

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

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

C. PRESENTATION

None.

D. CONSENT CALENDAR

Mr. McGlennon asked if any Board member wished to pull an item.

Ms. Larson noted she did not wish to pull an item, but to thank the various staff who applied for the many grants. She further noted the good use of these grant funds.

Mr. McGlennon also acknowledged the state and federal governments that provided these various grants, particularly those in public safety.

1. Appropriation - \$100,000 - American Rescue Plan Act - Local Assistance and Tribal Consistency Fund Program

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

2. Authorization for a Full-Time Purchasing Position and Use of 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

3. Consideration of the James City County Natural and Cultural Assets Plan

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

4. Contract Award - \$515,195 - Construction Services for the Clara Byrd Baker Safe Routes to School Sidewalk Project

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, McGlenon, Sadler

5. Contract Award - \$220,234.66 - Roll Off Truck

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, McGlenon, Sadler

6. Grant Award - \$32,478 - Bulletproof Vest Partnership

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, McGlenon, Sadler

7. Grant Award - \$183,260 - Commonwealth Attorney - Victims Witness Assistance Program

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, McGlenon, Sadler

8. Grant Award - \$11,818 - Fiscal Year 2022 Edward Byrne Memorial Justice Assistance Grant

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, McGlenon, Sadler

9. Grant Award - \$2,000 - Virginia Capital Trail Foundation Grant

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, McGlenon, Sadler

10. Grant Award - \$313,963 - Virginia Fire Programs Fund

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, McGlenon, Sadler

11. Hiring Incentive Adjustments for County Personnel

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, McGlenon, Sadler

12. Minutes Adoption

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, McGlenon, Sadler

The Minutes Approved for Adoption included the following:

-September 13, 2022, Regular Meeting
-September 27, 2022, Business Meeting

E. BOARD DISCUSSIONS

1. Financial Updates, FY2022 Year-end and FY2023 1st Quarter

Ms. Sharon McCarthy, Director of Financial and Management Services, addressed the Board noting she would provide an update on the County's finances for Fiscal Year (FY) 2022 which ended on June 30, 2022. She further noted she would also provide an update on the first quarter of FY2023 which ended on September 30, 2022. Ms. McCarthy reminded the Board these numbers did not include any COVID-19 relief funding, specifically the American Rescue Plan Act (ARPA) funds. She noted the ARPA funds were set aside in a separate fund for special projects and some Capital Projects, and not part of the County's ongoing operations. Ms. McCarthy highlighted the General Funds Revenue in a PowerPoint presentation, adding the numbers represented were considered preliminary as the County was still in the process of its year-end financial audit. She stated the audit was expected to be completed within the next month or so with a presentation to the Board at its December 13, 2022, meeting. Ms. McCarthy continued the PowerPoint presentation highlighting the comparison of the 2022 actual revenue to the budget and to the 2021 revenue. She noted the general property taxes was the largest revenue source representing approximately two-thirds of the County's overall revenue. Ms. McCarthy noted the reduction on personal property taxes on used cars in relation to the increased values during 2021, adding the Board had adopted taxpayer relief for June bills with the 100% assessment reduced to 75% of the assessed value. Ms. McCarthy continued the PowerPoint presentation highlighting other local taxes, adding the Cigarette Tax was new for FY2022. She indicated the increase in the Use of Money & Property category was reflective of rent collected on the Williamsburg/James City Courthouse properties, adding that revenue was not part of the County's original budget as that property acquisition was not known at the time. Ms. McCarthy added once the County purchased the property and became the landlord, then the rental income increased. She highlighted the state and federal category decrease noting the sales tax for education was still in the 2021 actual revenues. Ms. McCarthy noted that money was no longer coming to the County but was instead being directly deposited to the Williamsburg-James City County (WJCC) School Division. She further noted other revenue sources and increases from Parks and Recreation programs during the post-pandemic, economic recovery phase. Ms. McCarthy highlighted the sale of some properties in FY2022 accounted for the revenue in the Miscellaneous & Transfers category. She noted the Fund Balance varied from year to year depending on the County's need to use the fund. Ms. McCarthy further noted those uses for 2022 included payment on outstanding purchase orders from the previous year (approximately \$1.5 million), budgeted use for the FY2022 Capital Program (approximately \$6.4 million), purchase of the WJCC Courthouse properties (approximately \$7 million), support for school year-end spending plan (approximately \$6.4 million), and the advance purchase of a fire pumper (approximately \$800,000) originally slated for the 2023 plan, but purchased several months early to avoid a significant price increase. Ms. McCarthy continued the presentation highlighting the expenditures. She noted while these figures were tentative as the audit was not complete, all departments came in under budget. Ms. McCarthy noted the Public Safety Department was an area where typically higher savings were seen. She noted FY2022 presented some unusual challenges, adding the Police and Fire Departments had vacancies which elevated overtime costs for several months. She further noted record-high fuel prices contributed to expenditures, adding those prices were not included at the time of the FY2022 budget development. Ms. McCarthy stated Public Safety was still able to come under budget by approximately 1%. She highlighted the savings indicated in Financial Administration with \$1.3 million of the amount attributed to the County's health claims. Ms. McCarthy noted that surplus amount was set aside for future claim payments. She continued noting the School

Division savings was due to a delayed planned borrowing during uncertain economic times. She highlighted the overall revenues and expenditures which resulted in a surplus of approximately \$24 million. Ms. McCarthy detailed the breakdown of the reserve account and stated the County's fiscal policy in relation to the unassigned fund balance requirements of 15% or greater of the overall general governmental expenditures. She added prior to 2023, the requirement had been 12%. Ms. McCarthy noted that 3% difference equated to approximately \$7 million. She further noted at the end of FY2022, the 15% requirement would equal approximately \$39 million as an unreserved balance. Ms. McCarthy stated the County's current balance was \$64 million or 25%, adding the balance was a very healthy reserve. She noted some fund balance reserve had been used during the COVID-19 pandemic to cover expenditures during budget cuts and uncertain economic impacts. Ms. McCarthy further noted fund balance use was avoided for operational costs. She noted the Board's adoption of a conservative budget approach in recent years in conjunction with the economic uncertainty during the pandemic, adding spending had also been curtailed. Ms. McCarthy further noted for FY2023 the budget had been adjusted to align more with the pre-pandemic levels, adding this continued level of year-end surplus was not expected. She stated the need to strategically plan accordingly. Ms. McCarthy continued the presentation highlighting the FY2023 General Funds Revenue for the July-September 2022 timeframe. She noted an overall recovery in County revenues was seen. Ms. McCarthy noted another property sale was reflected in the Miscellaneous & Transfers category, adding the property was in the Green Mount area of the County. She further noted approximately \$1.8 million of the fund balance was set aside in FY2022 for outstanding purchase orders at the end of that fiscal year, adding the normal amount was approximately \$1 million to \$1.5 million. She stated the difference was reflective of supply chain issues with items purchased but delivery delays. Ms. McCarthy added some items were strategically purchased in advance to maximize discounted pricing. She continued the presentation focused on the spending side of the budget, which typically was around 25% or one-fourth through the year if all expenses came in evenly, but it was around 31%. Ms. McCarthy noted the last category, Contributions to Outside Entities and Transfers to Other Funds, was skewing the percentage, which was 65%. She further noted she would address that point later in the presentation. Ms. McCarthy continued the presentation using a line graph to highlight departmental spending. She noted Financial Management was required to pay the insurance premium in full at the beginning of the year as was the case with Information Technology and its respective software contracts and other requirements. Ms. McCarthy further noted this trend tracked higher in the beginning of the year due to these factors, adding the trend normalized as more time passed. She added payments to nonprofit organizations were also made during this time as well as a significant number of purchase orders at the beginning of the fiscal year. Ms. McCarthy stated when purchase orders were issued, those purchases were deducted from the budget immediately while the actual payments occurred throughout the year. She noted two areas were being observed with one being the Courts at 27%. Ms. McCarthy further noted the factors which had skewed other numbers were not pertinent in this area and staff had noted that point. She stated after conversation with the judges and the courts, this was due to the backlog in jury cases during the pandemic as those cases were put on hold. Ms. McCarthy noted the backlog was being actively processed so a record-high number of juror payments. She further noted this was an area to watch where potential adjustments may need to be made if the trend remained high. Ms. McCarthy stated the second area was Public Safety with fuel prices being monitored as the prices affected Police and Fire predominantly. She added overtime was also a factor. Ms. McCarthy noted the past few years had been unusual along with the economic volatility. She further noted monitoring the interest rate market regarding future budgets and Capital Projects and cash versus borrowing. Ms. McCarthy added staffing shortages were presenting challenges and the budget impacts as well as some supply chain issues. She noted the high cost of construction remained an issue.

Mr. McGlenon thanked Ms. McCarthy. He asked if any Board member had questions.

Mr. Hipple referenced the school money, which now went directly to the School Division, and if there was a decrease or a general increase with each year.

Ms. McCarthy noted the Sales Tax for Education was trending higher than previous years. She further noted this was a nationwide trend. Ms. McCarthy stated some of the local regional updates cautioned the trend was beginning to flatline, particularly with inflation.

Mr. Hipple noted trends and how the amounts were tracking. He further noted that information and possible future changes regarding costs from the County's portion to the School Division.

Ms. McCarthy noted the School Division's conservative approach when the economic unknowns. She further noted the Sales Tax for Education had been higher than expected. Ms. McCarthy added the School Division budget had been adjusted as had the County to address that point. She noted the Sales Tax on Internet Procurement had contributed to the increase.

Mr. Hipple thanked Ms. McCarthy.

Ms. Larson thanked Ms. McCarthy for the thorough presentation.

Mr. McGlenon questioned the total for the Cigarette Tax receipt.

Ms. McCarthy noted approximately \$600,000 was budgeted for the first quarter with a collection of approximately \$150,000. She further noted if that rate continued, the \$600,000 mark would be met.

Mr. McGlenon thanked Ms. McCarthy and noted the approach was prudent in the uncertain economic times.

2. Schools' FY2022 year-end spending plan

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, McGlenon, Sadler

Ms. McCarthy addressed the Board noting the WJCC School Board at its September 20, 2022, meeting adopted a spending plan for FY2022 year-end funds totaling \$5.4 million. She added the School Division estimated the total year-end surplus would be \$6 million with the remaining \$600,000 returned to the funding locality for future Capital Improvement Plan (CIP) projects. Ms. McCarthy noted the County's share of total local spending for FY2022 was 90.32% which would result in approximately \$5.4 million being returned to the County. She further noted the highlights of the WJCC School Board adopted spending plan included: school bus replacements (\$850,000), Warhill High School gym emergency shelter (approximately \$1.6 million), safety and security enhancements (\$2.4 million), and CIP projects (already in the County's FY2023 CIP; approximately \$600,000). Ms. McCarthy noted additional documentation the School Division had been supplied additional documentation on the request with the resolution in the Board's Agenda Packet. She further noted the resolution, if adopted, approved the School Board's requested spending plan with appropriation funded in the County's budget. Ms. McCarthy stated School Board members were present.

Mr. McGlenon asked about the school bus funding and the future plans regarding that request. He noted that request would be an annual one from the School Division. Mr. McGlenon further noted this year the request came as a year-end expenditure but asked if future requests would be considered as part of the operating budget.

Ms. McCarthy confirmed that was correct. She noted communication with Ms. Rene Ewing, Chief Financial Officer (CFO) for the School Division, and the CFO for the City of Williamsburg regarding the best approach for school bus replacements as the buses were large ticket items. Ms. McCarthy further noted the plan was similar to the County's plan for replacement of medic units and fire trucks as replacements were part of the CIP and not part of the operating budget. She added that point allowed for a planned replacement. Ms. McCarthy noted the School Division would submit the replacements as part of its CIP going forward.

Mr. Stevens noted this year-end spending plan should be the last one presented to the Board as a new contract plan with the City of Williamsburg set the year-end money aside for the School Division. He further noted it would be incorporated into the County budget process more to aid with the school bus funding issue. Mr. Stevens noted one exception would be if the School Board deemed an urgent need to come before the Board, adding this year-end spending plan would probably be the last presented to the Board.

Mr. McGlenon sought a motion for approval of the school year-end spending plan resolution. Mr. McGlenon thanked the School Board and acknowledged the surplus despite challenging times.

3. 2023 Legislative Agenda Discussion

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, McGlenon, Sadler

Mr. Kinsman addressed the Board noting the draft 2023 legislative program was before its members. He noted he would present the final version for adoption at the Board's November 8, 2022, meeting. Mr. Kinsman further noted the legislators would then join the Board at the November 22, 2022, Business meeting. He stated items 1 through 1-6 were the same items from last year's legislative agenda. Mr. Kinsman noted the first two items could possibly be removed. He further noted the first item addressed changing the school funding index, which no legislators had sponsored. Mr. Kinsman noted the second item, the Hampton & Peninsula Health District, had no interest or sponsorship either. He further noted items 1, 3, 4, and 5 addressed impact fees regarding the legislative programs for the Virginia Municipal League (VML), Virginia Association of Counties (VACo), High Growth Communities, and state funding. Mr. Kinsman added these items have been on the Board's legislative agenda for several years and he found them helpful going through the General Assembly in addressing the County's endorsements of VML and VACo. He noted qualified immunity had been an important point several years back, adding he was unsure of its frequency under the current administration. Mr. Kinsman further noted the new items were garnered from the Board's comments over the past year and included: any replacement of the grocery tax had assurance of replacement funding for localities (important points for both VML and VACo agendas); and ensure localities retained full zoning control over short-term rentals. Mr. Kinsman stated the second point had been presented every year with a possible bill from last year that would have removed the County's local zoning control. He added that bill, while tabled last year, was likely to reappear this year per indicators from VML and VACo, and the County was considered the poster child for that point.

Ms. Larson questioned why.

Mr. Kinsman noted the County was one of a few localities that required a full-on Special Use Permit (SUP) process for certain Airbnbs. He further noted the County charged the same cost

for other SUPs, but certain Airbnb approvals through the County were more expensive than other localities in the Commonwealth. Mr. Kinsman stated some localities charged \$50, but a full-on SUP could cost \$1,000 in the County. He noted he sent information to VML and VACo explaining 40% of the locality allowed for Airbnbs as a matter of right, which included the R-4, Mixed Use, and possible one other zoning district. He added that was a significant area of the County. Mr. Kinsman further noted the only area the Board required an SUP was generally in older neighborhoods with no homeowners association (HOA) with the County serving as the HOA in that case. Mr. Kinsman stated Airbnb lobbyists would be seeking to remove the County's ability to seek SUPs. He recommended inclusion of the second item on the County's agenda. Mr. Kinsman addressed the last two items which included an amendment to the Virginia Retirement System (VRS) regulations to add Police Officers and School Resource Officers to the critical shortage positions list which allowed them to return from retirement without negatively affecting their VRS. He noted the second item, received from Fire Chief Ryan Ashe, addressed support of Colonial Behavioral Health's effort to seek state funding to expand a building on its Merrimac Trail campus to provide for crisis service operations. Mr. Kinsman further noted crisis service operators assisted County Police Officers and with the increased use, it would assist the Police Officers. Mr. Kinsman indicated Chief Ashe felt this item would probably be carried by one or more legislators and having this item on the agenda served as backup. He noted this item might not be specific to James City County, but a show of support. Mr. Kinsman further noted he was open to suggestions.

Ms. Sadler asked if the first two items Mr. Kinsman discussed could be removed.

Mr. Kinsman confirmed yes, adding there was no interest last year and he anticipated the same for this year.

Mr. Hipple asked if VACo was interested in those items.

Mr. Kinsman noted speaking with Ms. Michelle Gowdy at VML, the school funding index had been addressed by VML. He further noted the complexity of the funding was an issue, but he would reach out to VML to address the point.

Mr. Hipple noted retaining the two items with hopes that VACo would move forward on those items. He further noted his support of the County's system for short-term rentals and its effectiveness. Mr. Hipple stated the County should serve as an example of how to do business in Virginia.

Mr. Kinsman noted the Board had approved 75% of the SUP applications last year. He further noted the majority of the County allowed the short-term rentals as a matter of right.

Mr. McGlenon stated a more proactive approach on companies conducting business within the state by providing reports of overnight stays and other information. He noted that data would indicate if the correct amount of revenue was being collected by the County.

Mr. Kinsman noted the Community Development Department was reviewing the number of Airbnbs and short-term rentals were in the County. He further noted Mr. Paul Holt, Director of Community Development and Planning, would provide information on that point to the Board at a later date.

Mr. McGlenon noted the continuation of the grocery tax support for local governments or a reliable permanent substitute. He questioned the need to ensure schools were not negatively impacted by the grocery sales tax reduction.

Mr. Kinsman noted he could include that point.

Mr. Icenhour stated that point was being discussed by VACo's Finance Committee. He noted that point should be included in the County's agenda.

Mr. McGlenon noted the County would need to find a replacement funding source.

Mr. Icenhour noted the last two items Mr. Kinsman addressed appeared to have endorsement.

Mr. Kinsman confirmed the Colonial Behavioral Health item had endorsement, but he was unsure on the VRS item.

Mr. Hipple questioned if James City County Police Officers could retire and go to work at Lowe's without affecting their retirement.

Mr. Kinsman confirmed yes.

Mr. Hipple noted those retirees were not able to come back and assist the County in times of need. He further noted that point made no sense particularly since the Officers were already trained and the same with Emergency Medical Technicians. Mr. Hipple cited statistics for the City of Richmond and the need to hire more firefighters. He noted supporting the retirees without penalty for returning to County work.

Mr. Kinsman noted he did not think James City County was the only locality in that position this year.

Mr. McGlenon noted the potential for support for this proposal particularly in light of retired teachers and sports staff having the opportunity to return to schools without the loss of retirement benefits. He further noted Mr. Kinsman's involvement with organizations such as VML and VACo, and suggested flexibility for involvement with Hampton Roads Planning District Commission (HRPDC) and Hampton Roads Transportation Planning Organization (HRTPO) as both HRPDC and HRTPO adopted legislative programs last week.

Mr. Kinsman confirmed yes. He reiterated he would return to the Board's next meeting with a final version and the legislator meeting was already slated for the final meeting in November.

The Board thanked Mr. Kinsman.

F. BOARD CONSIDERATION(S)

1. Contract Award - \$2,172,186 - US 60 Bicycle, Pedestrian, and Safety Improvements Project

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

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

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

Mr. Rick Koehl, Capital Projects Coordinator, addressed the Board noting the Board's Agenda Packet contained a resolution for a construction contract award. He noted the contract award was for the US 60 Bicycle, Pedestrian, and Safety Improvements Project which was awarded to Henry S. Branscome, LLC. Mr. Koehl further noted the project began improvements on Richmond Road beginning at Forge Road and ending just before Toano Middle School with a total project length of 0.48 miles. He stated the improvements included landscaping, drainage, sidewalk and Americans with Disabilities Act (ADA) improvements, and other elements.

Ms. Sadler asked if the drainage improvements would address the ponding in the area as one would approach Toano Middle School.

Mr. Koehl confirmed yes, adding a parallel drainage system would be installed.

Ms. Sadler thanked Mr. Koehl.

Ms. Larson asked about the location of the school on the drawing.

Mr. Koehl noted the school was in the right upper corner.

Ms. Larson asked if there was an adjoining sidewalk.

Mr. Koehl confirmed yes. He noted an existing sidewalk was in that area, but damaged sidewalks were being addressed along with ADA ramps.

Ms. Larson asked if an individual came onto Richmond Road, would the individual be able to use this sidewalk either on foot or bicycle to go all the way to Toano Middle School.

Mr. Koehl confirmed yes.

Ms. Larson thanked Mr. Koehl.

Mr. Hippel noted bicyclists and safe routes on roads. He referenced the bicycle fatality at Anderson's Corner and expressed concerns for bicyclists. Mr. Hippel noted bicycle lanes were implemented, but bicyclists were not always using them. He suggested a legislative item could include any new road would have a bicycle trail. Mr. Hippel noted bicyclists on back roads in the County.

Ms. Sadler questioned if wider lanes was the answer.

Mr. Hippel noted it allowed for more room for bicyclists. He added the back roads had bicyclists frequently occupying one lane width at times. Mr. Hippel noted the concerns regarding passing bicyclists and maintaining distance and traffic laws.

Ms. Sadler stated bicycle lanes were great, but there was a need to figure out how to make them work effectively.

Mr. Hippel noted bicyclists should use appropriate roads with bike lanes. He further noted dump trucks and such on back country roads.

Mr. McGlenon asked Mr. Hippel if he was suggesting multi-modal, off-road bicycle trails when considering projects such as this one.

Mr. Hippel confirmed yes, adding he wanted bicyclists to remain safe. He noted sending the message to the General Assembly in Richmond regarding roads and bicyclist safety. Mr. Hippel further noted there would be a cost to achieve need with new roads.

Mr. McGlenon noted the project submittal contained standardized bicycle lanes in the bid.

Mr. Koehl confirmed yes. He added the bicycle lanes are five feet wide on either side of the road through the entire project corridor.

The Board thanked Mr. Koehl.

G. BOARD REQUESTS AND DIRECTIVES

A motion to Designate Ms. Larson as the voting delegate for the VACo meeting was made by John McGlennon, the motion result was Passed.

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

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

Mr. McGlennon noted the Board needed to designate its voting member at the November VACo meeting. He further noted Ms. Larson was a VACo officer and asked if she would be in attendance for the meeting.

Ms. Larson confirmed yes.

Mr. Icenhour noted his attendance at a Williamsburg Health Foundation Panel with several nonprofit organizations. He further noted the invitation to tour the Lackey Free Clinic in York County, adding he had never visited the facility. Mr. Icenhour stated it was an informative trip where he learned approximately one-third of the Clinic's customers were from the WJCC area. He added he was impressed with the facility and its staff and recommended a tour if any Board member had not been there. Mr. Icenhour noted the Clinic benefited County citizens significantly.

Mr. McGlennon noted his recent attendance at the Williamsburg Day of Healing Reconciliation event, which was held outside of The Ambler House. He further noted concerned citizens met to discuss the process of achieving racial reconciliation in the greater Williamsburg area and nationally. Mr. McGlennon extended his appreciation to all the attendees.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens addressed the Board with a reminder for the Halloween with Heroes event at the Law Enforcement Center on October 26, 2022, at 6 p.m. He noted the success of last year's event and encouraged participation this year.

Mr. McGlennon noted Parks and Recreation had a recent successful Halloween event.

Mr. Stevens noted the Boo Bash event took place several weeks earlier with increased attendance from the past years. He further noted great community participation for a successful event.

Mr. McGlennon noted he had received correspondence from the Home Builders Association of Virginia. He further noted the Association was working with the state's United States Senators on a proposal to increase funding of the U.S. Army Corps of Engineers for additional employees regarding proposals involving wetlands. He further noted the wetlands and other areas which required the Army Corps of Engineers' approval or performance evaluation. Mr. McGlennon noted the Association asked the Board if it was interested in supporting the additional funding for that federal program. He indicated his inclination was to support the request. Mr. McGlennon asked if any Board members had questions, reservations, or comments.

The Board members expressed no concerns.

I. CLOSED SESSION

A motion to Enter a Closed Session for discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility,

building or structure, pursuant to Section 2.2-3711(A)(19) of the Code of Virginia; and discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3) of the Code of Virginia and pertaining to property along Olde Towne Road; and 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 appointment to the Chesapeake Bay Board and Wetlands Board was made by Ruth Larson, the motion result was Passed.

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

At approximately 1:49 p.m., the Board of Supervisors entered a Closed Session.

At approximately 2:23 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, McGlenon, Sadler

1. Discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure, pursuant to Section 2.2-3711(A)(19) of the Code of Virginia
2. Discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3) of the Code of Virginia and pertaining to property along Olde Towne Road.
3. 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
4. Appointment - Chesapeake Bay Board and Wetlands Board

A motion for Appointment for the Chesapeake Bay Board and the Wetlands Board of Alternate Scott Maye to be appointed to fill the balance of the Full Member term vacated by Mr. Lukens, effective November 10, 2022, and expiring on February 28, 2027, and the appointment of Leslie Bowie to fill the balance of Mr. Maye's vacated Alternate Member term, effective November 10, 2022, and expiring on February 28, 2027, was made by James Icenhour, the motion result was Passed.

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

J. ADJOURNMENT

1. Adjourn until 5 pm on November 8, 2022 for the Regular Meeting

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

At approximately 2:24 p.m., Mr. McGlenon adjourned the Board of Supervisors.

AGENDA ITEM NO. D.10.**ITEM SUMMARY**

DATE: 11/22/2022
TO: The Board of Supervisors
FROM: Scott A. Stevens, County Administrator
SUBJECT: Opioid Settlement Funding - \$150,670

ATTACHMENTS:

	Description	Type
□	Memorandum	Cover Memo
□	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	11/9/2022 - 9:55 AM
Board Secretary	Purse, Jason	Approved	11/14/2022 - 2:16 PM
Board Secretary	Saeed, Teresa	Approved	11/14/2022 - 2:16 PM
Publication Management	Pobiak, Amanda	Approved	11/14/2022 - 2:28 PM
Legal Review	Kinsman, Adam	Approved	11/14/2022 - 2:36 PM
Board Secretary	Saeed, Teresa	Approved	11/14/2022 - 2:53 PM
Board Secretary	Rinehimer, Bradley	Approved	11/14/2022 - 2:57 PM
Board Secretary	Saeed, Teresa	Approved	11/15/2022 - 7:07 AM

MEMORANDUM

DATE: November 22, 2022
TO: The Board of Supervisors
FROM: Scott A. Stevens, County Administrator
SUBJECT: Opioid Settlement Funding - \$150,670

The Board approved participation in a nationwide settlement (“Settlement”) with certain opioid distributors at its November 23, 2021, meeting. Settlement funds are meant to address opioid use and related problems including opioid addiction, abuse, death, and impacts on families and the community.

In Fiscal Year (FY) 2023, the County has received settlement disbursements in the amount of \$150,670. The County will continue to receive settlement funds for the next 18 years; however, because one of the larger defendants in the Settlement frontloaded its payments, the amounts will be less in future years. Funds received in future years will be appropriated in the budget as the amounts are known. The County plans to use these funds to help families, victims, and others impacted by opioid use and addiction in James City County.

I recommend that the Board adopt the attached resolution to appropriate the amount received in FY 2023 of \$150,670.

SAS/md
OpioidStlmtFund-mem

Attachment

RESOLUTION

OPIOID SETTLEMENT FUNDING - \$150,670

WHEREAS, the James City County Board of Supervisors (the “Board) previously approved participation in a nationwide settlement (“Settlement”) against several distributors and producers of opioids; and

WHEREAS, the County has received disbursements totaling \$150,670 in Fiscal Year 2023 from the Settlement; and

WHEREAS, additional funding is expected from this Settlement in future years and will be appropriated as the amounts are known; and

WHEREAS, Settlement funds are intended for opioid “abatement” efforts and the County will be utilizing this funding to help families, victims, and others negatively impacted by the opioid epidemic.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby appropriates this funding in the Grants/Special Projects Fund for this purpose as follows:

Revenue:

National Opioid Settlement	<u>\$150,670</u>
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Expenditure:

National Opioid Settlement	<u>\$150,670</u>
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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 22nd day of November, 2022.

AGENDA ITEM NO. D.11.

ITEM SUMMARY

DATE: 11/22/2022

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Assistant County Administrator

SUBJECT: Purchase of Property Located at 5300 Olde Towne Road

ATTACHMENTS:

	Description	Type
□	Memorandum	Cover Memo
□	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	11/15/2022 - 4:07 PM

MEMORANDUM

DATE: November 22, 2022

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Assistant County Administrator

SUBJECT: Purchase of Property Located at 5300 Olde Towne Road

Mr. Whit Richardson, representing Philip O. Richardson Limited Liability Partnership, has offered to sell a 1.07-acre parcel immediately adjacent to Fire Station 4 off Olde Towne Road. While there is not an immediate need for this property, there could be a possible future use for public safety purposes. Mr. Richardson has offered to sell the property to the County at a cost of \$135,000. The parcel is located at 5300 Olde Towne Road and is further identified as James City County Real Estate Tax Map No. 3240100027A. The parcel is an undeveloped piece of property containing a mature forest and is currently assessed at \$148,000.

I recommend adoption of the attached resolution authorizing the County Administrator to execute those documents necessary to complete the purchase and authorizes an appropriation of \$145,000 from the General Fund's Unassigned Fund Balance towards the costs associated with purchase of the property and any related closing costs.

BJR/md
Purch5300OTwneRd-mem

Attachment

RESOLUTION

PURCHASE OF PROPERTY LOCATED AT 5300 OLDE TOWNE ROAD

WHEREAS, Philip O. Richardson Limited Liability Limited Partnership (“Richardson”) currently owns an undeveloped, 1.07-acre parcel of real property at 5300 Olde Towne Road and further identified as James City County Real Estate Tax Map No. 3240100027A (the “Property”); and

WHEREAS, the Property is adjacent to James City County (the “County”) Fire Station 4 (the “Fire Station”), which has no further area for expansion or parking; and

WHEREAS, the Property has been identified by County staff for future public safety use; and

WHEREAS, Richardson has offered to sell the Property to the County for \$135,000.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize the County Administrator or his designee to execute all documents necessary to acquire the Property and authorizes the following appropriation of \$145,000 to pay for the purchase of the Property and closing costs and fees.

General Fund:

Revenue - Unassigned Fund Balance	<u>\$145,000</u>
Expenditure - Transfer to Capital Projects Fund	<u>\$145,000</u>

Capital Projects Fund:

Revenue - Transfer from General Fund	<u>\$145,000</u>
Expenditure - Property Acquisition	<u>\$145,000</u>

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 22nd day of November, 2022.

AGENDA ITEM NO. D.12.**ITEM SUMMARY**

DATE: 11/22/2022

TO: The Board of Supervisors

FROM: Patrick Page Director of Information Resources Management

SUBJECT: Replacement of Uninterrupted Power Supply at the Emergency Communications Center at 3131 Forge Road, Toano, Virginia 23168

ATTACHMENTS:

	Description	Type
□	Memo	Cover Memo
□	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Information Resources	Page, Patrick	Approved	11/7/2022 - 7:41 AM
Publication Management	Pobiak, Amanda	Approved	11/7/2022 - 8:46 AM
Legal Review	Kinsman, Adam	Approved	11/7/2022 - 9:26 AM
Board Secretary	Saeed, Teresa	Approved	11/10/2022 - 3:19 PM
Board Secretary	Purse, Jason	Approved	11/14/2022 - 2:16 PM
Board Secretary	Saeed, Teresa	Approved	11/14/2022 - 2:18 PM

MEMORANDUM

DATE: November 22, 2022

TO: The Board of Supervisors

FROM: Patrick N. Page, Director of Information Resources Management

SUBJECT: Replacement of Uninterrupted Power Supply at the Emergency Communications Center at 3131 Forge Road, Toano, Virginia 23168

The Uninterrupted Power Supply (UPS) located at the Emergency Communications Center (ECC) needs replacing after 19 years of service. Installed in 2003, the current UPS is at the end of its reliable use. The UPS maintains power to critical systems during power outages and during the transfer of power to generators on-site. The UPS allows for 24/7, 365-day operation of the ECC in support of public safety to citizens.

In September of 2022, a Request for Quotation (RFQ) from Electronic Systems Inc. (ESI) was issued through the Virginia Information Technology Agency state contract. Based on evaluation by Information Resources Management staff and the equipment manufacturer Vertiv, the ESI contract was determined the best fit for James City County.

The contract will include the removal and proper disposal of the current equipment, the delivery, installation, and startup of the new system and first-year preventative maintenance. A state contract cost of \$119,572.63 was determined through the RFQ process and funding is available through the Fiscal Year 2023 Capital Improvements Plan budget.

Staff recommends approval of the attached resolution.

PNP/md
ReplUPS_ECCtr-mem

Attachment

RESOLUTION

REPLACEMENT OF UNINTERRUPTED POWER SUPPLY AT THE EMERGENCY

COMMUNICATIONS CENTER AT 3131 FORGE ROAD, TOANO, VIRGINIA 23168

WHEREAS, the Emergency Communications Center Uninterrupted Power Supply (UPS) has reached the end of its reliable use after 19 years of service; and

WHEREAS, the UPS for the Emergency Communications Center is vital to the operation of the County's public safety operations, specifically the 911 Center; and

WHEREAS, upon the evaluation of staff and the equipment manufacturer, Electronic Systems Inc. was determined to be a fully qualified vendor to meet the needs of the County, and a contract cost of \$119,572.63 was negotiated and met budget.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute a contract with Electronic Systems Inc. for the replacement of the UPS at the James City County Emergency Communications Center.

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 22nd day of November, 2022.

ReplUPS_ECCtr-res

AGENDA ITEM NO. E.1.

ITEM SUMMARY

DATE: 11/22/2022

TO: The Board of Supervisors

FROM: Scott A. Stevens, County Administrator

SUBJECT: American Rescue Plan Act (ARPA) Funding Update

ATTACHMENTS:

	Description	Type
□	Presentation	Presentation
□	Exhibit	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	11/15/2022 - 7:08 AM



American Rescue Plan Act (ARPA) Financial Update

Board of Supervisors Business Meeting: November 22, 2022



ARPA Overview

- Approved by Congress on March 10, 2021
- Signed by President Biden on March 11, 2021
- \$1.9 Trillion Relief Package
 - Provided \$65.1 billion of direct aid to counties
 - VA counties estimated to receive \$1.2 billion
 - Allocations based on population
 - James City County allocation was \$14.8 million





ARPA – Allowable Uses

- Responding to the COVID-19 public health emergency or its negative economic impacts
- Providing premium pay to essential workers of local government
- Providing government services to the extent of revenue reductions due to the public health emergency
- Making necessary investments in water, sewer, or broadband infrastructure



American Rescue Plan Act (ARPA) Financial Update

Board of Supervisors Business Meeting: November 22, 2022

ARPA Update November 22, 2022

Project	Description	Approved Allocation	Changes	Revised Allocation	Status
Grant/Special Project Analyst	Temp. position to provide support for the ARPA programs and other grants. Funding provided for 4 years and then re-evaluated.	\$ 288,000	\$ -	\$ 288,000	Position hired 4/16/2022
Housing Specialist I/II	Temp. position for the mgmt. and implementation/oversight of Housing programs. Funding provided for 3 years and then re-evaluated.	190,000	-	190,000	Position hired 5/16/2022
CONECT Program Medical Case Manager	Temp. Medical Case Manager to work with CONECT referrals. Funding provided for 2 years (including a vehicle and equipment) and then re-evaluated.	240,000	-	240,000	Position hired 4/1/2022
Non-Profit Grant Program	Provide assistance to non-profits.	500,000	(32,055)	467,945	Award notifications sent to agencies; disbursing funds as certifications and supporting docs are received and verified by FMS.
ECC Generator Replacement	Installation of an additional emergency generator to supply power to JCC's Emergency Communications Center (ECC).	234,000	-	234,000	Delivery of generator expected in December 2022.
Marina Structural Improvements	Structural improvements to the marina bldg. to safely serve our citizens and visitors.	75,000	-	75,000	Design complete; contract awarded; work expected to start in December and to be completed in February.
Chickahominy Riverfront Park Well Facility	Existing well is outdated and has met its life expectancy. Its replacement will provide a safe and reliable source of water for the park and is critical to effectively operate the outdoor facilities.	1,570,000	-	1,570,000	Drilling portion began November 1 and completion is expected mid-February. Well facility design to start shortly thereafter.
Local Housing Choice Voucher Program	Establish a 3 year Local Voucher Pilot Program designed to provide up to 2 yrs. of subsidy per household. Recommendation of the 2019 Workforce Housing Taskforce and would provide assistance to 25 households per year.	350,000	-	350,000	Local Housing Voucher Program (HVP) guidelines, application, and agreement are complete; hired Housing Specialist (Program Coord.); notices and applications were sent to 71 households from the HCV program waiting list; Housing is reviewing applications.
Satellite Office Renovation	Re-design of the counter to allow for social distancing and renovations to be ADA compliant.	500,000	(237,210)	262,790	Safe purchased \$1,322; design in process \$61,468; estimate for ADA compliance \$200K.
Transportation Match - Revenue Recovery	Support building roads and transportation infrastructure.	175,000	-	175,000	Fully obligated to Richmond Rd. Sidewalk, Old Stage Rd., Lake Powell Rd., Longhill Rd., Rt. 30/Barnes Rd.
Replacement Phone System	Replacement of phone system used by all depts. that is a vintage 1990's Nortel no longer manufactured.	560,000	-	560,000	RFP in development between IRM and Purchasing dept.
Capital Projects Coordinator	To manage ARPA projects and other CIP projects including broadband expansion, fiber maintenance and extension, and the replacement of the County's phone system. Funding provided for 3 yrs., including a vehicle and then re-evaluated	353,000	(67,000)	286,000	Vehicle received; position has not been filled due to lack of qualified applicants; portion of funds re-allocated for a Procurement Specialist to assist with solicitations, contract mgmt., and vendor relations.
Fiber Optic	Fiber optic cabling maintenance previously included in CIP to expand the cabling and complete loops in the fiber infrastructure for redundancy; includes the replacement of aging communication equipment to meet modern high-speed needs	450,000	-	450,000	IRM is working on the statement of need for RFP.

Project	Description	Approved Allocation	Changes	Revised Allocation	Status
Affordable Housing - Revenue Recovery Due to State Repayment Moratorium	Per the Dept. of Housing and Community Development, effective November 1, 2020, monthly program income from homeowners under CDBG and Indoor Plumbing Repair (IPR) programs must be forgiven; estimated loss of program income to Housing programs is \$170K through ARPA timeframe of Dec. 2026.	170,000	-	170,000	Potential projects are in the beginning stages of planning, researching, determining eligibility, etc.
Affordable Housing – Acquisition of Property to Develop New Affordable and Workforce Housing	Acquisition of property to develop new affordable and workforce housing. Funding is to develop a new neighborhood with homes for sale/rent that are affordable to those families with low to moderate incomes.	540,000	-	540,000	Community Development and County Attorney are working on this initiative.
Affordable Housing – Implementation of Workforce Housing Task Force Recommendations	Funding for Workforce Housing Task Force recommendations that were "highly" feasible, did not require additional staff resources, and were recommended in the short and medium timeframes.	125,000	-	125,000	One task force order in development; kick-off meetings for 2-3 others in Sept. and to be scoped by mid-Nov.
Marina Infrastructure to Support Restaurant	Infrastructure improvements at the marina to support a new restaurant that will be privately funded and operated. Improvements include utilities, stormwater, landscaping, and parking.	1,120,000	-	1,120,000	On hold until the public private partnership is finalized to build a restaurant at the marina.
Tourism Related - Landscaping and Underground Utilities	Ambler House: underground electric \$125K and landscaping \$50K; portable bathrooms \$75K and stage \$200K.	450,000	(275,000)	175,000	Portable bathrooms and stage funded by separate grant; Ambler House improvements on hold until public/private partnership agreement is completed or decide to rent the property for weddings and other events.
Lower County Park	Need for a lower County park was identified in P&R Master plans; proposed park would include a walking trail, picnic shelter, swimming pool with water features, restrooms and related infrastructure to support.	6,310,000	-	6,310,000	Conducted a feasibility study on potential park locations; proposed site was selected; public input process done; evaluating use of ARPA for this project.
Elimination of Bathroom Touch Points	Conversion of faucets and toilets to touch free restroom fixtures at County facilities.	100,000	(6,450)	93,550	Project complete.
Tourism and Hospitality Grant Program	Grants for tourism and hospitality industries.	500,000	(500,000)	-	Separate grant awarded.
	Funding not needed for original intent		(1,117,715)		
Procurement Specialist	Assist with increase in solicitations, contract awards, and mgmt. due to ARPA projects and compressed CIP. Funding provided for balance of FY2023 and then re-evaluated.	-	67,000	67,000	Funding provided from vacant Cap. Proj. Coord. position; BOS approved on 10/25/2022; recruitment in process .
Police Dept. Compensation Adjustments	Approved by BOS on 9/13/2022 and effective 10/1/2022	-	530,000	530,000	Setting up tracking and coding with Human Resources and Payroll
Fire Dept. Compensation Adjustments	Approved by BOS on 9/13/2022 and effective 10/1/2022	-	360,000	360,000	
Unallocated	Reserve / contingency	63,696	160,715	224,411	Uses to be determined.

Total Approved Projects \$ 14,863,696 \$ 14,863,696

AGENDA ITEM NO. E.2.

ITEM SUMMARY

DATE: 11/22/2022

TO: The Board of Supervisors

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

SUBJECT: Short Term Rentals

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	11/15/2022 - 7:08 AM

AGENDA ITEM NO. I.1.

ITEM SUMMARY

DATE: 11/22/2022

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney & Christopher Johnson, Director of Economic Development

SUBJECT: Discussion of a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities, pursuant to Section 2.2-3711(A)(5) of the Code of Virginia

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	11/10/2022 - 3:12 PM

AGENDA ITEM NO. J.1.

ITEM SUMMARY

DATE: 11/22/2022

TO: The Board of Supervisors

FROM: Teresa J. Saeed, Deputy Clerk

SUBJECT: Adjourn until 9 am on December 2, 2022 for the Joint Meeting with the Williamsburg City Council and the WJCC School Board at JCC Recreation Center, 5301 Longhill Road, Williamsburg, VA

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	11/10/2022 - 3:15 PM