

A G E N D A
JAMES CITY COUNTY BOARD OF SUPERVISORS
BUSINESS MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
June 27, 2023
1:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. PRESENTATION

1. VDOT Quarterly Update

D. CONSENT CALENDAR

1. Acceptance of Additional Fiscal Year 2024 Funding Allocation for Social Services - \$121,463
2. Contract Award - \$485,578 - James City County Marina Stage II Dredging
3. Grant Award - \$228,000 - 2023 American Rescue Plan Act Law Enforcement Equipment Grant Program
4. Grant Award-\$283,500-James City County Child Health Initiative
5. Minutes Adoption
6. Personnel Policies & Procedures Manual Chapter 5 Updates
7. Resolution of Chesapeake Bay Preservation Ordinance Violation at 2884 Chickahominy Road and 7090 Church Lane (Little Creek Reservoir)
8. Resolution of Illicit Discharge Detection and Elimination Ordinance Violation at 7103 Pocahontas Trail

E. BOARD DISCUSSIONS

F. BOARD CONSIDERATIONS

G. BOARD REQUESTS AND DIRECTIVES

H. REPORTS OF THE COUNTY ADMINISTRATOR

I. CLOSED SESSION

1. Consideration of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; specifically, the parcels located at 95 and 101 Mounts Bay Road and 6745 Humelsine Parkway.
2. Consideration of a personnel matter, the evaluation of performance of the County Administrator and the County Attorney, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia
3. Consideration of a personnel matter, the appointment of County Boards and Commissions, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia
4. Williamsburg/James City County Community Action Agency Board Appointment
5. Historical Commission Appointments
6. Staff Reappointment - Colonial Juvenile Services Commission

7. Staff Reappointment - WATA Board of Directors
8. Staff Reappointment - Williamsburg Regional Library Board of Trustees

J. ADJOURNMENT

1. Adjourn until 5 pm on July 11, 2023 for the Regular Meeting

ITEM SUMMARY

DATE: 6/27/2023
TO: The Board of Supervisors
FROM: Rossie Carroll, VDOT Williamsburg Residency Administrator
SUBJECT: VDOT Quarterly Update

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	6/20/2023 - 4:04 PM

ITEM SUMMARY

DATE: 6/27/2023

TO: Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Acceptance of Additional Fiscal Year 2024 Funding Allocation for Social Services - \$121,463

ATTACHMENTS:

	Description	Type
☐	Acceptance of Additional Fiscal Year 2024 Funding Allocation for Social Services - \$121,463	Cover Memo
☐	Acceptance of Additional Fiscal Year 2024 Funding Allocation for Social Services - \$121,463	Resolution
☐	Acceptance of Additional Fiscal Year 2024 Funding Allocation for Social Services - \$121,463	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Social Services	Vinroot, Rebecca	Approved	6/13/2023 - 9:04 AM
Publication Management	Pobiak, Amanda	Approved	6/13/2023 - 9:08 AM
Legal Review	Kinsman, Adam	Approved	6/15/2023 - 10:17 AM
Board Secretary	Saeed, Teresa	Approved	6/16/2023 - 12:00 PM
Board Secretary	Rinehimer, Bradley	Approved	6/20/2023 - 7:17 AM
Board Secretary	Saeed, Teresa	Approved	6/20/2023 - 2:59 PM

MEMORANDUM

DATE: June 27, 2023

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Acceptance of Additional Fiscal Year 2024 Funding Allocation for Social Services - \$121,463

On April 14, 2023, James City County Department of Social Services was informed that an additional funding allocation of \$121,463 would be awarded by the Virginia Department of Social Services for Fiscal Year (FY) 2024 and going forward.

The funding is specifically designated for supervisory staff and operations of the Child Protective Services program, which is mandated by the Code of Virginia for all localities to provide.

During the County's FY 2024 budget process, a personnel request was made to fund a new Child and Family Program Manager position within Social Services. The County did not fund this position. However, this new funding allocation will cover the cost of the Program Manager position, which will supervise the Child Protective Services, Foster Care, and Adoptions programs. This position requires a local match of 15.5%, which is available in the Virginia Public Assistance Fund's FY 2024 budget.

Staff respectfully requests that the Board accept the additional funding allocation in the amount of \$121,463, approve the creation of one new full-time position effective July 1, 2023, and appropriate the allocated funds in the Virginia Public Assistance Fund for the costs related to this position.

RV/md
AddFY24VDSSFds-mem

Attachments:

1. Resolution
2. Supporting Documentation

RESOLUTION

ACCEPTANCE OF ADDITIONAL FISCAL YEAR 2024 FUNDING ALLOCATION FOR

SOCIAL SERVICES - \$121,463

WHEREAS, the James City County Department of Social Services administers mandated programs for children and families, to include Child Protective Services, Foster Care, and Adoptions; and

WHEREAS, the Virginia Department of Social Services allocates funding each fiscal year for administration of the mandated programs; and

WHEREAS, the Virginia Department of Social Services has allocated an additional \$121,463 to James City County Department of Social Services for Fiscal Year (FY) 2024 specifically designated for supervisory staff and operations of the Child Protective Services program; and

WHEREAS, James City County Department of Social Services desires to create a Child and Family Program Manager to provide additional supervision of the staff and operations of the Child Protective Services program; and

WHEREAS, the Virginia Department of Social Services requires local match funding totaling 15.5% of the position costs, and this local match funding is available in the Virginia Public Assistance Fund’s FY 2024 budget.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby accepts the allocation of additional funding, approves the creation of one new full-time position effective July 1, 2023, and makes the following appropriation amendment to the Virginia Public Assistance Fund’s FY 2024 budget:

Revenue:

Virginia Department of Social Services \$121,463

Expenditure:

Child Protective Services Program \$121,463

Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

SADLER
ICENHOUR
MCGLENNON
LARSON
HIPPLE

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

Adopted by the Board of Supervisors of James City County, Virginia, this 27th day of June, 2023.

To: James City Director
Eastern Regional Director

From: Carl E. Ayers, Deputy Commissioner of Human Services

Subject: LFY 2024 Child Protective Services Staff Budget Allocations-James City

Date: April 14, 2023

The Governor's budget, introduced on December 15, 2022, included some actions of particular interest to local departments of social services regarding staff and operations funding for Child Protective Services (CPS).

Funding for Child Protective Services Staff

Beginning in SFY 2024, the Governor's budget includes \$7,318,596 (\$6,184,214 GF and \$1,134,382 local match) for 60 new CPS workers and 12 new CPS supervisor positions, to allow local departments to expand their CPS programs.

The Division of Family Services, specifically the Protection Program and the Division's Data team, collaborated with Local Engagement and Support, VDSS Budget, local departments of social services, and the VLSSE to determine the CPS allocations as recommended by the Office of the State Inspector General (OSIG) report. The following paragraph explains the process used to allocate the funds.

The two data points reviewed were the average number of referrals received per month, per worker, and the combined performance on Timeliness of First Contact with Victim Child and Timely Referral Closure. Overall performance less than 75% were ranked Very Low, 75-88% Low, 88-95% Medium, and more than 95% High. The data was then sorted descending by referrals received per month and performance. Agencies with more than ten (10) referrals per month would receive two (2) positions. Agencies with 7-9 referrals and Very Low performance would receive one (1) position, and agencies with 8-9 referrals and Low performance would receive one (1) position. For the supervisor positions, we looked at the ratio of workers to supervisor. The twelve (12) localities that had the highest worker to supervisor ratios were allocated the twelve (12) supervisor positions.

Based on the data analysis, your agency was identified as requiring additional funding for one (1) CPS supervisor position. Your LDSS's share of the total funding received is \$121,463, this includes the 15.5% local match (LM).

Contact Information

If you have questions, please Shannon Hartung, Protection Program Manager,
Shannon.Hartung1@dss.virginia.gov

ITEM SUMMARY

DATE: 6/27/2023

TO: The Board of Supervisors

FROM: Barry E. Moses, Capital Projects Coordinator

SUBJECT: Contract Award - \$485,578 - James City County Marina Stage II Dredging

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution
☐	Stage II Dredging Area	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Capital Projects	Moses, Barry	Approved	6/9/2023 - 12:01 PM
General Services	Boone, Grace	Approved	6/12/2023 - 9:11 AM
Publication Management	Pobiak, Amanda	Approved	6/12/2023 - 9:21 AM
Legal Review	Kinsman, Adam	Approved	6/13/2023 - 8:30 AM
Board Secretary	Saeed, Teresa	Approved	6/16/2023 - 12:03 PM
Board Secretary	Rinehimer, Bradley	Approved	6/20/2023 - 7:22 AM
Board Secretary	Saeed, Teresa	Approved	6/20/2023 - 3:01 PM

MEMORANDUM

DATE: June 27, 2023
TO: The Board of Supervisors
FROM: Barry E. Moses, Capital Projects Coordinator
SUBJECT: Contract Award - \$485,578 - James City County Marina Stage II Dredging

With the completion of the existing boat shed demolition in May 2023, the next step towards further improvements to the James City County Marina is dredging of the Stage II portion of the Marina. The Stage II dredging will remove sediments from the area north of the entrance channel and will prepare the area for installation of future floating docks and a new boat ramp.

An Invitation for Bids was publicly advertised, and the following four qualified firms submitted bids to be considered for contract award:

<u>Firm</u>	<u>Amount</u>
Carolina Marine Structures, Inc.	\$485,578
Kokosing Industrial, Inc.	\$544,212
Seaward Marine Corp.	\$680,000
Harbor Dredge & Dock	\$930,560

Carolina Marine Structures, Inc. was determined to be the lowest qualified, responsive, and responsible bidder. This project is part of the approved Capital Improvements Program budget with funds provided from the American Rescue Plan Act grant.

Staff recommends approval of the attached resolution authorizing the contract award to Carolina Marine Structures, Inc. in the amount of \$485,578.

BEM/md
CA-MarinaStIIDrdg-mem

Attachment

RESOLUTION

CONTRACT AWARD - \$485,578 - JAMES CITY COUNTY MARINA STAGE II DREDGING

WHEREAS, the Stage II area at the James City County Marina needs to be dredged prior to future improvements; and

WHEREAS, funds are available in the Capital Improvements Budget with funds provided from the American Rescue Plan Act grant to cover the dredging of the Stage II area at the James City County Marina; and

WHEREAS, Carolina Marine Structures, Inc. was determined to be the lowest qualified, responsive, and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby awards the contract for the dredging of the Stage II area at the James City County Marina to Carolina Marine Structures, Inc. in the total amount of \$485,578.

Michael J. Hipple
Chairman, Board of Supervisors

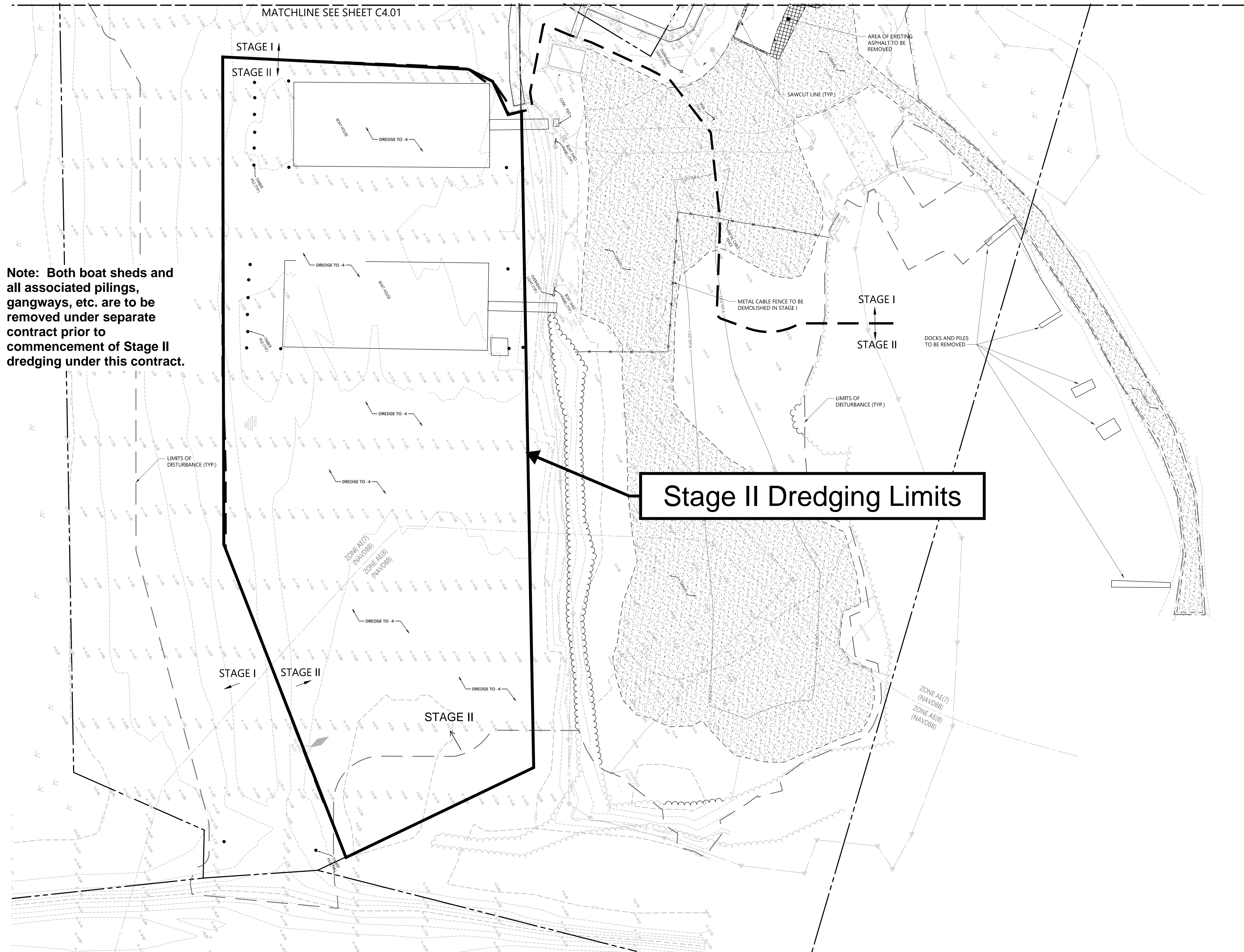
ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 27th day of June, 2023.

CA-MarinaStIIDrdg-res



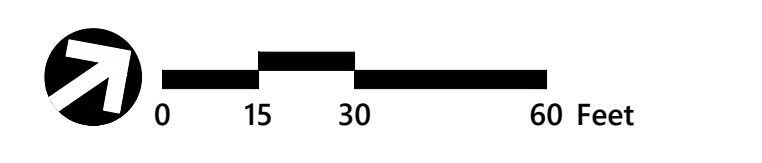
Note: Both boat sheds and all associated pilings, gangways, etc. are to be removed under separate contract prior to commencement of Stage II dredging under this contract.

Legend

- LIMITS OF DISTURBANCE
- PROPERTY LINE

NOTE: EXISTING FEATURES SHOWN IN BOLD ARE TO BE DEMOLISHED

Stage II Dredging Limits



James City County Marina Improvement Project

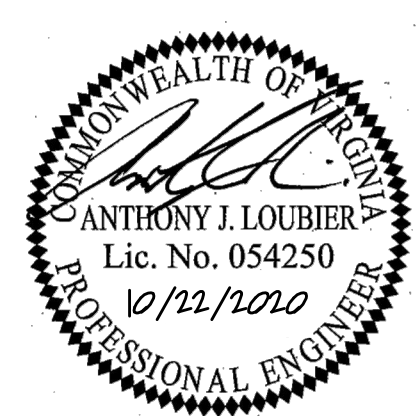
2054 Jamestown Road
Williamsburg, VA

No.	Revision	Date	App'd.
1	Value Engineering Revisions	10/22/2020	AIL

Designed by	Checked by
Issued for	Date
Bid	May 11, 2020

Approved for Construction

Demolition Plan



C4.02

Sheet 7 of 53

Project Number 34222.03
JCC Case No. SP-20-0073

ITEM SUMMARY

DATE: 6/27/2023

TO: The Board of Supervisors

FROM: Anthony G. Dallman, Interim Chief of Police

SUBJECT: Grant Award - \$228,000 - 2023 American Rescue Plan Act Law Enforcement Equipment Grant Program

ATTACHMENTS:

	Description	Type
☐	GA-23ARPALEEqPrg- mem(TonyDallman)	Cover Memo
☐	GA-23ARPALEEqPrg- res(TonyDallman)	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Police	Dallman, Tony	Approved	5/25/2023 - 6:40 AM
Police	Dallman, Tony	Approved	5/25/2023 - 6:40 AM
Publication Management	Pobiak, Amanda	Approved	5/25/2023 - 8:10 AM
Legal Review	Kinsman, Adam	Approved	5/26/2023 - 3:48 PM
Board Secretary	Saeed, Teresa	Approved	6/2/2023 - 11:01 AM
Board Secretary	Rinehimer, Bradley	Approved	6/2/2023 - 11:13 AM
Board Secretary	Saeed, Teresa	Approved	6/6/2023 - 8:57 AM

MEMORANDUM

DATE: June 27, 2023

TO: The Board of Supervisors

FROM: Anthony G. Dallman, Interim Chief of Police

SUBJECT: Grant Award - \$228,000 - 2023 American Rescue Plan Act Law Enforcement Equipment Grant Program

The James City County Police Department has been awarded an American Rescue Plan Act (ARPA) Law Enforcement Equipment Grant through the Virginia Department of Criminal Justice Services for \$228,000, of which all funds are derived federally.

The grant will be used to fund the one-time purchases of a Sea Vessel Sonar System, Polygraph machines, security cameras, ballistic shields, door rams, firearms accessories, SWAT equipment and protective apparel, and a modular training house. This allocation requires no matching funds.

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

AGD/md
GA-23ARPALEEgPrg-mem

Attachment

RESOLUTION

GRANT AWARD - \$228,000 - 2023 AMERICAN RESCUE PLAN ACT

LAW ENFORCEMENT EQUIPMENT GRANT PROGRAM

WHEREAS, the James City County Police Department has been awarded an American Rescue Plan Act (ARPA) Law Enforcement Equipment Grant through the Virginia Department of Criminal Justice Services for \$228,000 (the entire grant is federally funded); and

WHEREAS, funds will be used to make one-time purchases of essential Law Enforcement equipment for its Patrol, Investigations, Special Weapons and Tactics, Traffic, Tactical Field Force, and Marine Patrol Units; and

WHEREAS, the grant is a direct allocation and requires no match.

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

Revenue:

Federal - Fiscal Year 2023 ARPA Local Solicitation \$228,000

Expenditure:

Fiscal Year 2023 ARPA Local Solicitation \$228,000

Michael J. Hipple
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>
SADLER	___	___	___	___
ICENHOUR	___	___	___	___
MCGLENNON	___	___	___	___
LARSON	___	___	___	___
HIPPLE	___	___	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 27th day of June, 2023.

ITEM SUMMARY

DATE: 6/27/2023

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Grant Award-\$283,500-James City County Child Health Initiative

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Social Services	Vinroot, Rebecca	Approved	6/7/2023 - 4:12 PM
Publication Management	Pobiak, Amanda	Approved	6/7/2023 - 4:15 PM
Legal Review	Kinsman, Adam	Approved	6/8/2023 - 8:59 AM
Board Secretary	Saeed, Teresa	Approved	6/16/2023 - 12:01 PM
Board Secretary	Rinehimer, Bradley	Approved	6/20/2023 - 7:20 AM
Board Secretary	Saeed, Teresa	Approved	6/20/2023 - 3:00 PM

MEMORANDUM

DATE: June 27, 2023
TO: The Board of Supervisors
FROM: Rebecca Vinroot, Director of Social Services
SUBJECT: Grant Award - \$283,500 - James City County Child Health Initiative

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

Through the program, community families who need support with effectively managing health, educational, and public service systems work in partnership with a three-person Care Team. The Care Team brings professional and natural support teams together to partner with families using a two-generation (2Gen) approach, working with children and the adults in their lives together. With support, education, and navigation, children and families can build social connections, access community resources, and address their health in a more preventative way. The program focuses specifically on families who have children aging out of preschool and/or home visiting programs and who are transitioning into the public school system.

The Williamsburg Health Foundation's grant award in the amount of \$283,500 is for the continuation of the program from July 1, 2023, through June 30, 2024. During Fiscal Year (FY) 2023, Care Team staff assisted 62 individuals (38 children and 24 adults) with connecting to services and/or programs to support health and socioeconomic goals, achieving General Education Development, housing stability, system navigation, public school support and advocacy, address untreated medical and dental needs, and advocacy with service providers.

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

Staff respectfully requests that the Board accept the grant award in the amount of \$283,500 and approve the continuation of the three full-time positions for FY24.

RV/ap
GA-ChHlthInt23-mem

Attachment

RESOLUTION

GRANT AWARD - \$283,500 - JAMES CITY COUNTY CHILD HEALTH INITIATIVE

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

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

WHEREAS, the Williamsburg Health Foundation has awarded \$283,500 (the “Grant”) to James City County to continue implementation of the James City County Child Health Initiative, to include the continuation of three full-time positions under the supervision of the Department of Social Services; and

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

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

<u>Revenue:</u>	
Williamsburg Health Foundation	<u>\$283,500</u>
<u>Expenditure:</u>	
James City County Child Health Initiative	<u>\$283,500</u>

Michael J. Hipple
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>
SADLER	___	___	___	___
ICENHOUR	___	___	___	___
MCGLENNON	___	___	___	___
LARSON	___	___	___	___
HIPPLE	___	___	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 27th day of June, 2023.

ITEM SUMMARY

DATE: 6/27/2023
TO: The Board of Supervisors
FROM: Teresa J. Saeed, Deputy Clerk
SUBJECT: Minutes Adoption

ATTACHMENTS:

	Description	Type
📎	May 9, 2023 Regular Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	6/20/2023 - 3:35 PM

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
May 9, 2023
5:00 PM

A. CALL TO ORDER

Mr. Hipple called the meeting to order at approximately 5:08 p.m. following the James City Service Authority Board of Directors Regular Meeting.

B. ROLL CALL

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

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

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Camden Wall, a 5th grade student at Matoaka Elementary School and a resident of the Berkeley District

Ms. Larson gave highlights of Camden's interests and activities.

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

Mr. Hipple noted he was exercising the Chairman's Privilege to bring forward a proclamation in recognition of Public Servant Week.

Mr. Stevens thanked Mr. Hipple for the opportunity to recognize Public Servant Week May 7-13, 2023. Mr. Stevens read the proclamation and extended his thanks to County staff. He also thanked Mr. Hipple for recognition of Public Servant Week. Mr. Stevens welcomed all staff present to gather for a group photograph.

E. PUBLIC COMMENT

Mr. Hipple noted prior to opening the Public Comment portion of the meeting that he wanted to recognize Ms. Peg Boarman for her Volunteer Lifetime Achievement Award. He further noted Ms. Boarman had steadfastly worked on trash in James City County since 1979. Mr. Hipple praised Ms. Boarman for her work in other areas also.

Ms. Boarman thanked everyone. She said she was honored and humbled by the award, adding she felt volunteering was her civic duty and she was compelled to do what she could while she could.

1. Ms. Peg Boarman, 17 Settlers Lane, addressed the Board to talk trash. She cited recent activity by the Clean County Commission at its Spring Litter Clean-up on April 15, 2023. Ms. Boarman noted approximately 20 groups participated in the event. She further noted a few logistical issues which would be resolved for next year's event. Ms. Boarman highlighted several key points from the event including the Oak Tree Hunt Club's collection of over 1,000 pounds of trash. She noted the work of the many volunteers with trash pickup and glass recyclables for the O-I Glass recycling purple bins. Ms. Boarman further noted an appreciation picnic would be held at the Will Barnes Shelter on June 17 at Veteran's Park. She added Mr. Barnes had been a longtime County advocate on the Clean County Commission. Ms. Boarman stated the James City Ruritan Club was presenting a graduating senior with the Jim Robertson and Will Barnes \$1,000 scholarship. She noted she had started her work on the Clean County Commission with Mr. Robertson in 1979. Ms. Boarman reminded everyone of cigarette litter and its impact on local businesses' property appearance. She noted the \$250 litter fine, adding the Clean County Commission was trying to curtail the litter with distribution of smoke stands to businesses. Ms. Boarman thanked everyone for their comments and support.

Mr. Hipple thanked Ms. Boarman. He noted the Lifetime Achievement Award would be named in her honor for future recipients.

2. Mr. Andrew Cason, 3205 Arran Thistle, addressed the Board noting he was a teacher at Jamestown High School and the Treasurer of the Williamsburg/James City Education Association (WJCEA). He addressed the need for the \$2 million the County had set aside in its budget regardless of the state's action. Mr. Cason stressed the need for qualified and diverse staff and teachers for the Williamsburg-James City County (WJCC) School Division. He cited concerns at local schools with the teacher retention level and pending contracts. Mr. Cason reiterated the need for the funding to teachers and staff. He addressed state funding and the Standards of Quality (SOQ) requirements. Mr. Cason noted 100% of SOQ funding was not that significant in comparison to the Local Composite Index (LCI) of similar counties. He cited funding percentages from Fauquier and Albemarle Counties. Mr. Cason thanked the Board.

Mr. Hipple thanked Mr. Cason.

3. Mr. Mark Jakobowski, 33 Yeardley's Grant, Chairman of the Historical Commission, addressed the Board in reference to the submitted Historical Commission budget. He noted the lost opportunity to save a local 19th century home, previously owned by Colonel Benjamin Ewell. Mr. Jakobowski added Colonel Ewell had been instrumental in starting the College of William & Mary. He noted due to communication issues, a permit had been granted and the house had been demolished. Mr. Jakobowski further noted that situation was unfortunate, but another opportunity had arisen with the Stonehouse of the Stonehouse District. He added Mr. Alain Outlaw, resident archaeologist, had been working on the Stonehouse project for years. Mr. Jakobowski noted some archaeological aspects of the site, adding the \$22,000 earmarked in the budget covered the cost for the geotech engineer's work to locate Stonehouse. He further noted Stonehouse represented the last identifiable antiquity in the County. Mr. Jakobowski detailed the budget concerns regarding the \$11,000 allocation from the previous year. He explained the \$22,000 request would enable the work to be done on the Stonehouse location where previously the requested allocation only covered half of the necessary expenses. Mr. Jakobowski added he was available if the Board had any questions.

Mr. Hipple thanked Mr. Jakobowski.

4. Ms. Alynn Parham, 634 Chelsea Place, Newport News, addressed the Board noting she was a Social Studies teacher at Jamestown High School and the President of WJCEA. She cited challenges in the teaching profession and competitive pay. Ms. Parham referenced the

state budget delay and its impact on teacher contracts. She cited focus points within budgetary needs included: retention and recruitment, sustained necessary positions due to the pandemic and increased student needs, and support of student needs which included Individualized Education Plans (IEPs), multilingual students, and other aspects. Ms. Parham stressed the importance of funding to provide necessary resources for students and staff. She added one County school was at risk with its accreditation with several other schools possibly facing accreditation issues. Ms. Parham noted not all WJCC School staff were state funded and the SOQ implications there. She further noted the disproportion between teacher and staff pay and demands and responsibilities. She stressed the importance of the budget to WJCC teachers and staff. She thanked the Board.

Mr. Hipple thanked Ms. Parham.

5. Mr. Marco Sardi, 4008 Governor's Square, addressed the Board noting he was the Vice President of the WJCEA, a teacher at James Blair Middle School, and a County taxpayer. He cited past meetings with the Board of Supervisors, Williamsburg City Council, and the School Board regarding funding. Mr. Sardi noted custodial staff, Special Education teachers, and others were overworked and underpaid. He further noted his advocacy to the School Board for wise allocation decisions as he was likewise advocating to the Board. Mr. Sardi addressed several other points regarding funding. He thanked the Board for its time and consideration.

Mr. Hipple thanked Mr. Sardi.

Mr. Hipple closed the Public Comment as there were no additional speakers.

F. CONSENT CALENDAR

None.

G. PUBLIC HEARING(S)

He noted Mr. Tim O'Connor, Planning Commissioner, was the Planning Commission representative present.

1. ORD-22-0003. Amendments for Calculation of Residential Development Density

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

Mr. John Risinger, Senior Planner, addressed the Board citing its request at the March 8, 2022, Board Meeting, to develop an Initiating Resolution to consider amending how residential density was calculated by exploring the use of a net acreage calculation. He noted at subsequent Board meetings, additional guidance was provided by the Board which indicated the intent of the Initiating Resolution was to avoid pockets of high-density residential development and reduce impacts to the environment. Mr. Risinger further noted the various districts in the County, adding the Economic Opportunity District utilized the net acreage calculation while other districts used a stepped approach. He highlighted the details of the stepped approach in relation to non-developable and developable areas. Mr. Risinger addressed the pros and cons of the net acreage calculation. He detailed staff's draft Ordinance language which implemented a net acreage approach that used a formula based on the number of dwelling units divided by the developable parcel area with revision of the net density calculation within each district. Mr. Risinger stated the draft Ordinance language for the respective districts and cited other details as pertinent to the 2045 Comprehensive Plan. He cited the Policy Committee's recommendations for the respective districts. Mr. Risinger noted

the Planning Commission at its April 5, 2023, meeting recommended denial of the proposed Ordinance by a 3-2 vote. He further noted draft Ordinance language was provided for the Board's consideration if it was in favor of the net acreage calculation for one or more districts.

Ms. Sadler asked which districts were removed.

Mr. Risinger responded A-1, R-8, and R-6.

Ms. Sadler thanked Mr. Risinger. She asked Mr. Paul Holt, Director of Community Development and Planning, if he was available for several questions. Ms. Sadler questioned the number of potential remaining lots that were unaffected and grandfathered. She added she thought that was important information for the local real estate community.

Mr. Holt noted that like many Ordinance amendments done, developments that had already been approved would be able to claim they were vested under any changes in the Ordinance. He listed Master Plan communities with a number of units and densities such as the Stonehouse Planned Unit Development (PUD), Colonial Heritage, Ford's Colony, Kingsmill, and others. Mr. Holt noted developments with approved construction plans would also be included. He stated that number was estimated when the Comprehensive Plan was updated and based on the most recent Comprehensive Plan, the number of approved lots in Master Plan communities and by-right subdivisions with approved construction plans totaled slightly over 6,700 lots. He added a 13-17-year timeline of new development was noted already contained in those areas. Mr. Holt noted if the Ordinance was approved, new undeveloped parcels would be affected. He stated previous notifications had been sent advising people this action would not affect lots with single-family homes on them nor would it affect minor subdivisions. He added this would mostly impact future major subdivisions.

Ms. Sadler thanked Mr. Holt.

Ms. Larson noted she had spoken with Mr. Holt earlier. She asked that the affordable housing component be considered with development if this Ordinance was implemented. Ms. Larson referenced a possible bonus to developers regarding constructing affordable housing. She asked for consideration of the affordable housing component during this process.

Mr. Holt confirmed yes.

Mr. McGlennon commented on the aspect of affordable housing. He inquired when a major development had a significant portion of it dedicated to affordable workforce housing. Mr. McGlennon noted the current market was not supportive of that point.

Mr. Holt confirmed not at this time. He noted The Promenade at Williamsburg Crossing or Village at Candle Station were the most recent developments with some affordable housing units.

The Board thanked staff.

Mr. Hipple welcomed Mr. O'Connor for the Planning Commission report.

Mr. O'Connor addressed the Board noting the Planning Commission had a 3-2 split vote against favoring recommendation of the draft Ordinance. He noted extensive debate on this point had ensued from the Policy Committee to the Planning Commission. Mr. O'Connor referenced the minutes from both the Policy Committee and the Planning Commission which were included in the Board's Agenda Packet. He noted the recommendation was no changes in calculation with regard to density for the majority of the districts. Mr. O'Connor cited some concerns expressed were reduced density within the Primary Service Area (PSA) and the

increased pressure for development in rural lands, the stepped approach provided a blend of net and gross density, the absence of a housing opportunity policy with no increased density vehicle for workforce and affordable housing, the absence of a clustering Ordinance provided no vehicle to obtain the density in rural lands to minimize land disturbance, and the complete community aspect as noted in the Comprehensive Plan. He noted the complete community aspect within PSA boundaries had received great community feedback during Comprehensive Plan discussions.

Mr. Hipple opened the Public Hearing.

1. Ms. Linda Rice, 2394 Forge Road, addressed the Board noting she was speaking as an individual. She added she was President of Friends of Forge Road and Toano organization which sent comments to the Board members. Ms. Rice referenced past and future development in the Upper County. She noted Blaine Landing had 119 units with apartments and condominiums. Ms. Rice added the Hazelwood development, which was commercial and not residential, would leave a large industrial footprint in the area. She cited some statistics on the development. Ms. Rice referenced the proposed Hankins development which was adjacent to White Hall and the proposed unit breakdown for that project. Ms. Rice noted traffic concerns with the Forge Road and Richmond Road intersection. She further noted the pressure in such a relatively small geographic area and the increased impact with proposed development. Ms. Rice said the density calculation consideration could prove to be a valuable tool in managing development and growth. She added the increased development affected traffic and the school system. Ms. Rice thanked the Board for its consideration of the cumulative impacts.

Mr. Hipple thanked Ms. Rice.

2. Mr. Dean McClain, 5041 Corporate Woods Drive, Virginia Beach, addressed the Board noting he was representing the Coastal Virginia Building Industry Association, formerly known as the Peninsula Builders Association and the Tidewater Builders Association. He added the two associations combined and had approximately 700 members. Mr. McClain acknowledged challenges with residential density calculations and growth pressure for localities. He noted affordable housing and workforce housing were issues in many localities. Mr. McClain referenced an email sent to the Board members and asked for consideration on the points addressing workforce housing. He thanked the Board.

Mr. Hipple thanked Mr. McClain.

3. Mr. John Richardson, 1715 Jolly Pond Road, addressed the Board noting he owned property at the stated address in addition to his representation of Richardson Holdings Limited Partnership. He asked the Board not to pass the proposed Ordinance. Mr. Richardson cited his long-standing family ties to James City County. He noted the growth in the County and its benefits, adding this proposal would restrict familial benefit. Mr. Richardson noted Richardson Holdings Limited Partnership was the largest landowner within the Yarmouth Island Agricultural and Forestal District (AFD). He referenced the recent resolution which had reduced one house per three acres to one house per 20 acres. Mr. Richardson stated their approach had been to sustain development within the AFD and the resolution came as a surprise. He referenced earlier comments on suburban sprawl prevention and affordable housing and questioned how reduced density positively affected affordable housing. Mr. Richardson referenced Northern Virginia and its reduced density, adding that served more as an enticement for suburban sprawl. He asked the Board to reconsider the proposed change and its impact on long-standing families in the community. Mr. Richardson thanked the Board.

Mr. Hipple thanked Mr. Richardson.

4. Mr. Hunter Taylor, 999 Jolly Pond Road, addressed the Board noting he had two perspectives on the proposal. He noted he was a large landowner with 169 acres on Jolly Pond Road. Mr. Taylor further noted he was an advocate for land conservation and the environment and had recently participated in the AFD program. He recognized the importance of the AFD program and land conservation and the impact to land particularly within the PSA. Mr. Taylor noted his second perspective was he owned a small private homebuilding business that built in Hampton Roads, Charlottesville, and Raleigh, North Carolina. He further noted his tracking of land use cases by the County over the past few years. Mr. Taylor referenced the 2021 Comprehensive Plan and discussion on rural land protection and the proposed amendment to the one and 20 acres. He noted discussion had focused on growth concentration within the PSA. Mr. Taylor further noted the details involved in the proposed change and the need for the general public to understand. He stated he was unsure of the underlying goal of the proposed Ordinance and questioned if it was to control growth, or provide environmental protection, and if so, there were ways to address those points. Mr. Taylor cited statistics for home closings over the past five years in the County and the cost of developing a lot and building a home. He recognized the need for workforce housing, adding the cost was a prohibitive factor there. Mr. Taylor noted there were ways to control growth and create affordable housing, but this option was not viable.

Mr. Hipple thanked Mr. Taylor.

Mr. Hipple closed the Public Hearing as there were no more speakers.

Mr. Icenhour noted this proposed amendment was driven by several egregious examples of property with large areas of undevelopable use. He noted the stepped approach gave a false sense of what could be placed in the area. Mr. Icenhour referenced Low Density Residential with one unit per acre with a maximum of four units per acre. He noted the density per acre seemed attractive until the actual physical development on the ground was considered. Mr. Icenhour further noted what appeared to be one unit per acre actually was five to six units per acre, adding the only part of the land that was developable meant putting all the units in a confined area. He stated he asked staff how much of the County was non-developable and the answer was approximately 35%. Mr. Icenhour noted the County had a lot of wetlands, steep slopes, Resource Protection Areas, and other factors. He further noted environmental reports based on the density of development allowed in the County. Mr. Icenhour stated another area such as New Town with higher density could be considered. He referenced the 104 apartments being built on two by-right acres in New Town. Mr. Icenhour stressed that equaled 50 units per acre. He added that higher densities had occurred in areas which had exceeded expectations. Mr. Icenhour stated he felt affordable housing and density were tied together and referenced tax credits and other points.

Mr. McGlennon noted his support of this proposal as it offered the Board an opportunity for environmental impact consideration. He added another point focused on the appropriate location for density and the market forces as it related to workforce housing possibilities. Mr. McGlennon noted the benefit of tying density to affordable housing.

Mr. Hipple addressed traffic issues in the County. He noted any transportation funding would come from a shared source with competition from other localities in similar situations. Mr. Hipple stated the statistics based on the County's current population and developments, adding the need to plan ahead for infrastructure with increased population and other factors. He noted more building meant raising taxes to cover more schools, additional fire stations, and other needs. Mr. Hipple further noted the need for three traffic lights to be installed in different districts in the County. He added the cost was \$1.5 million, but it was not in the budget. Mr. Hipple noted the importance of addressing current and future needs. He referenced the past building boom that had occurred in the County. Mr. Hipple stressed the need to find a balance and have smarter development in the County.

Mr. McGlennon noted the 2045 projection of 120,000 people in James City County. He further noted that number may not be met due to choices made over the past several years regarding growth.

Mr. Hipple stated the need to manage development versus growth control for the good of all County citizens.

Ms. Sadler added the top complaint she received from citizens was traffic. She noted the 3,000 homes already in the Master Plan stage would add to the traffic issues. Ms. Sadler further noted the residential component had been removed from the Hazelwood development. She added this decision on the proposal allowed for long-range planning and its impact on everyone in the County.

Discussion ensued.

Mr. Icenhour noted he would move the motion, adding staff's proposed amendment addressed all the districts. He further noted pending discussion with staff and Board members, he recommended removal of the net density calculation language from the A-1 and R-8 Districts. Mr. Icenhour asked Mr. Kinsman if that motion was acceptable.

Mr. Kinsman noted that point was fine, but clarified if the Ordinance was being moved.

Mr. Icenhour confirmed yes to moving the Ordinance.

Ms. Sadler asked about the R-6 District.

Mr. Icenhour noted the R-6 designation would remain.

Ms. Sadler asked about the motion.

Mr. Icenhour confirmed the motion was the Ordinance, which was in the Board's Agenda Packet, would have the A-1 and R-8 net density removed with the minimum lot size remaining.

2. ORD-22-0004. Amendments to the Zoning Ordinance Regarding Community Recreation Facilities in Residential Districts

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

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

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

Mr. Holt noted a proposed Ordinance amendment was before the Board. He further noted a staff report and supporting materials were in the Agenda Packet. Mr. Holt noted staff's understanding that the Board may choose to postpone action on this item until a future meeting pending additional discussion and edits. He stated the Public Hearing had already been advertised and should be open. Mr. Holt noted if the Board chose to postpone this item, staff recommended keeping the Public Hearing open until a later time. He thanked the Board.

Ms. Larson thanked Mr. Holt, staff, and the Planning Commission for all their work. She noted additional notes needed to be made and she felt additional time on this matter was needed. Ms. Larson further noted this item could be addressed in June.

Mr. Hipple opened the Public Hearing. He stated anyone wishing to speak on this item could do so at this meeting, but not at the meeting when this item would be addressed.

Mr. Kinsman asked Mr. Hipple the postponement date on this item.

Ms. Larson stated June 13, 2023.

Ms. Sadler made the postponement motion for June 13, 2023.

3. ORD-23-0001. Amendments to the Zoning Ordinance Regarding Vape and Smoke Shops

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

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

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

Ms. Christy Parrish, Zoning Administrator, addressed the Board noting adoption of an Initiating Resolution at the Board's January 24, 2023, meeting. She stated the Initiating Resolution was to consider possible amendments to the County's Zoning Ordinance requiring vape and smoke shops to obtain a Special Use Permit (SUP). Ms. Parrish noted numerous citizen calls regarding concerns over the shops' proximity to schools and the Toano Commercial Historic District. She cited complaints to staff regarding noncompliant lights on the exterior of windows or buildings. She added complaints had also been received of individuals smoking outside the retail store near other businesses. Ms. Parrish noted the Ordinance amendment was to define vape and smoke shops as standalone, specially permitted use with assurance that all accessory uses were addressed. She further noted the permitted uses per district was allowed by-right or with an SUP. Ms. Parrish highlighted specific uses within different districts as well as conforming status and other points. She referenced the City of Williamsburg's Ordinance amendment in January 2023 in addition to a staff survey of other localities and permitted uses. Ms. Parrish noted changes to address the amendment were presented to the Policy Committee which approved the changes with minor revisions for the Planning Commission's review. She added the Policy Committee had favored inclusion of a compliance review condition for any future SUP similar to short-term rentals to address any noncompliant activity. Ms. Parrish noted the Planning Commission recommended approval with a 5-0 vote.

Ms. Sadler expressed her appreciation for all the help on this Ordinance amendment.

Mr. Hipple asked if a vape shop business was located in a building and chose to relocate, but another business came in did the two-year nonconforming period apply. He asked that point since the second business was a different type of business.

Ms. Parrish noted if an existing vape smoke business moved out of a building, but a year later another vape smoke business opened in that same location, then that business would be permitted to do so. She added if a two-year span occurred between the first business leaving and the second business occupying the area then the second business would be required to obtain an SUP.

Mr. Hipple asked if during one year, another type of company, potentially a doughnut shop, moved in then how did that affect the two-year timeline.

Ms. Parrish responded when that tenant moved out and relocated elsewhere in the County then that tenant would automatically need an SUP within the new location. She noted if the doughnut shop moved into the location and stayed for two years, then a vape smoke shop could not occupy that location.

Mr. Hipple asked about the doughnut shop only staying four months in the location and if another vape smoke shop could move into that location and operate without an SUP.

Ms. Parrish confirmed that was correct. She noted a two-year span would have to lapse for the business to lose its nonconformity.

Mr. Hipple asked about other possibilities and changing the use of the business.

Ms. Parrish noted the possibility of another Ordinance amendment, adding she was unsure if State Code allowed the County to adopt a shorter nonconforming compliance section with the County Code. She further noted the need to confer with the County Attorney on that point. Ms. Parrish pointed out the two-year nonconforming compliance covered all businesses and not specifically vape smoke shops. She noted research would need to be done to that point.

Ms. Sadler asked if the Ordinance could be passed tonight, but an amendment be made later.

Ms. Parrish noted the amendment would address the nonconforming section of the Ordinance. She further noted the Ordinance could be passed and then she would follow up with the County Attorney's Office.

Discussion ensued.

Mr. McGlennon mentioned the legalization of cannabis and how that point could impact Board decisions.

Ms. Parrish noted the proposed definition would likely contain cannabis products in it.

Mr. McGlennon asked about the window lighting reference and if that was regulated by the County's Sign Ordinance.

Ms. Parrish said no if the lights were interior to the building or the window itself. She noted if any lights were fastened to the outside of the building, then those situations fell under the County's Lighting Ordinance. Ms. Parrish stated several citations had been issued.

Ms. Sadler asked about interior lights that were bright or shone out and projected into the community.

Ms. Parrish responded the current Ordinance was not able to enforce that point. She noted future amendments to address window signage or lights then those points could be implemented. Ms. Parrish further noted those points could be addressed as directed by the Board to staff.

Mr. O'Connor addressed the Board thanking Ms. Parrish and her team for their responsiveness on this concern. He noted the Planning Commission voted 5-0 in favor of this amendment.

Mr. Hipple opened the Public Hearing.

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

4. SUP-22-0021. 8401 Hicks Island Road Tourist Home

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

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

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

Ms. Terry Costello, Senior Planner, addressed the Board noting the specifics of this SUP for short-term rental. She noted the property was outside the PSA with both private well and sewer. Ms. Costello further noted staff was not in favor of recommending the application and the Planning Commission had recommended denial of the application by a 5-1 vote.

Mr. O'Connor noted this application was noncompliant on several issues with the short-term rental standards in the 2045 Comprehensive Plan. He further noted while he was not present at the December 7, 2022, Planning Commission meeting, the vote was for denial of the SUP.

Ms. Sadler asked if the vote was unanimous.

Mr. O'Connor noted one Commissioner voted in favor of the SUP.

Mr. Hipple noted the Public Hearing was open. He stated the applicant had requested a postponement until the July 11, 2023, Regular Meeting.

Ms. Sadler asked about the postponement request.

Mr. Hipple called Mr. Vernon Geddy to the podium.

1. Mr. Vernon Geddy, Geddy, Harris, Franck & Hickman, LLP, 1177 Jamestown Road, addressed the Board noting he was present on behalf of the applicant. He noted there were some Chesapeake Bay issues on the property. Mr. Geddy stated the applicant had met with the County's Stormwater and Resource Protection Division staff regarding remediation actions to take place. He added LandTech Resources, Inc., Matt Roth of Roth Environmental, LLC, and a landscaping company had been hired. Mr. Geddy noted no physical work had begun on the property. He further noted the applicant wanted the work completed prior to coming before the Board. Mr. Geddy requested deferment until the Board's August meeting.

Mr. Hipple noted the Public Hearing would remain open, adding there were no additional speakers.

Mr. Icenhour stated this situation had been ongoing since January 2023. He noted the applicant needed to be aware when this SUP appeared before the Board in September one of two things would occur. Mr. Icenhour further noted one option was the Board would deal with the issue one way or another and the second option was for the applicant to withdraw the SUP request. He stated he did not want to get to September with another deferral request.

Mr. Geddy concurred.

Ms. Larson noted her motion was for postponement until September 12, 2023.

5. SUP-23-0004. Chickahominy Riverfront Park Master Plan Amendment

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

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

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

Ms. Suzanne Yeats, Planner, addressed the Board with the specifics of the SUP submitted by Mr. Alistair Perkinson, Parks Administrator for James City County's Parks & Recreation Department. She highlighted the 2020 Master Plan changes compared to the 2023 Master Plan changes. Ms. Yeats noted the Planning Commission voted 5-0 in favor of approval at its April 5, 2023, meeting. She further noted staff's recommendation that the Board approve this SUP application subject to the proposed conditions. Ms. Yeats stated the applicant was in

attendance.

Mr. O'Connor asked the Board if he could address the four Master Plan amendments collectively.

Mr. Hipple replied yes.

Mr. O'Connor noted the Chickahominy Riverfront Park, the Jamestown Beach Event Park, the Upper County Park, and the Warhill Sports Complex Master Plans amendments were all before the Board. He further noted the Planning Commission voted in favor 5-0 for approval of these Master Plans, adding these Master Plans were consistent with the 2045 Comprehensive Plan. Mr. O'Connor stated one comment had been made pertaining to bicycle safety at the Chickahominy Park entrance at the Freedom to Freedom Trail crossing.

Mr. Hipple opened the Public Hearing.

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

6. SUP-23-0005. Jamestown Beach Event Park Master Plan Amendment

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

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

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

Mr. Ben Loppacker, Planner, addressed the Board with the specifics of the SUP submitted by Mr. Alister Perkinson, Parks Administrator for James City County's Parks & Recreation Department. He highlighted the 2020 Master Plan changes compared to the 2023 Master Plan changes. Mr. Loppacker noted the Planning Commission voted 5-0 in favor of approval at its April 5, 2023, meeting. He further noted staff's recommendation that the Board approve this SUP application subject to the proposed conditions. Mr. Loppacker stated the applicant was in attendance.

Mr. Hipple opened the Public Hearing.

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

7. SUP-23-0006. Upper County Park Master Plan Amendment

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

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

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

Mr. Ben Loppacker, Planner, addressed the Board with the specifics of the SUP submitted by Mr. Alister Perkinson, Parks Administrator for James City County's Parks & Recreation Department. He highlighted the 2021 Master Plan changes compared to the 2023 Master Plan changes. Mr. Loppacker noted the Planning Commission voted 5-0 in favor of approval at its April 5, 2023, meeting. He further noted staff's recommendation that the Board approve this SUP application subject to the proposed conditions. Mr. Loppacker stated the applicant was in attendance.

Mr. Hipple opened the Public Hearing.

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

8. SUP-23-0007. Warhill Sports Complex Master Plan Amendment

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

Ms. Suzanne Yeats, Planner, addressed the Board with the specifics of the SUP submitted by Mr. Alistair Perkinson, Parks Administrator for James City County's Parks & Recreation Department. She highlighted the 2021 Master Plan changes compared to the 2023 Master Plan changes. Ms. Yeats noted citizen feedback regarding proposed amenities for 2023 and the removal of amenities from the 2021 Master Plan. She further noted the Planning Commission voted 5-0 in favor of approval at its April 5, 2023, meeting. She further noted staff's recommendation that the Board approve this SUP application subject to the proposed conditions. Ms. Yeats stated the applicant was in attendance.

Mr. Hipple opened the Public Hearing.

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

Mr. Hipple extended his appreciation to the Parks & Recreation staff for their great work. He noted the citizens were pleased with the work.

H. BOARD CONSIDERATION(S)

1. FY2024 Budget Adoption & Resolution of Appropriation

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

Ms. Sharon McCarthy, Director of Financial and Management Services, addressed the Board noting a resolution to appropriate the Fiscal Year (FY) 2024 Budget was before it. She noted the resolution reflected the County Administrator's Proposed Budget with the incorporation of changes made since its release. Ms. McCarthy further noted those changes were only to the General Fund and represented a position move from the Office of Economic Development to the Planning Department, several departmental budget shifts, increases to two outside agencies for adjustment to the most current population figures, and moving the budget for the revenue received by the County for animal-friendly license plates from miscellaneous revenue to state revenue. She added that funding was provided to Heritage Humane Society in support of its spay and neuter efforts. Ms. McCarthy noted there were no other budget changes, and the total budget remained the same.

Ms. Sadler asked Mr. Stevens for clarification on the Historical Commission budget.

Mr. Stevens noted the budget included the remediation regarding the Stonehouse site. He further noted the FY23 budget included the \$11,000 previously mentioned with the FY24 budget recommended for \$28,400 which included the \$22,000 for the ground-penetrating radar study the Historical Commission had requested.

Ms. Sadler thanked Mr. Stevens.

Mr. McGlennon noted clarification on school funding. He asked if the resolution contained language with a provision which allowed the County Administrator the authority to transfer up

to \$2 million from the Contingency Fund to the School Division if the state failed to provide funding necessary for a 7% salary increase.

Ms. McCarthy confirmed yes.

Mr. McGlennon referenced the teacher who spoke earlier and assurances regarding the availability of the 7% increase for contracts. He noted with the adoption of the resolution that assurance was essentially given.

Mr. Stevens noted discussion with the WJCC School Superintendent, Dr. Olwen Herron, had occurred last week. He clarified a \$4 million appropriation to the School Division with an additional \$2 million at the County Administrator's authority if needed. He further noted that allowed the School Division to issue the contracts this week with the 7% raise to its staff. Mr. Stevens noted revised language to Paragraph No. 19 was included in the resolution which addressed the \$2 million if needed.

Mr. McGlennon thanked Mr. Stevens. He referenced the SOQ percentages and noted the County actually provided 200% of the requirement. Mr. McGlennon noted the state set that amount and the County was able to exceed that amount. He further noted a shift in responsibility for SOQ-funded positions and the County's 200% required payment. Mr. McGlennon noted the 7% increase would be there regardless of state action.

Ms. Larson referenced an earlier comment on the SOQ and non-SOQ positions regarding state and local levels paying those positions. She asked if a non-SOQ position was 100% funded by the local level.

Ms. McCarthy confirmed yes.

Ms. Larson noted SOQ positions and discussion that had taken place at a School Liaison meeting. She further noted the School Division budget appropriated for 11 Assistant Principals, but the SOQ appropriated for one position. Ms. Larson added the County was then covering the other 10 positions. She noted schools in the Commonwealth were not able to operate at the SOQ level. Ms. Larson further noted more funding should come from the Commonwealth. She referenced the nine elementary Teacher Assistant (TA) positions that were SOQ, but the School Division had 84 TA positions. Ms. Larson noted the importance of TAs in schools and this point was particularly seen this past year with their repositioning to assist in classes with substitute teacher shortages and one-on-one Special Education student time. She added 12 Special Education positions were funded by the state while the School Division needed 104 Special Education aides, adding that number was required by the IEPs. Ms. Larson noted the importance of addressing staffing shortages throughout the County and the School Division and the budget impacts. She thanked staff for all the hard work with the budget.

Mr. Hipple noted the national issue with employment. He further noted the requested changes should not be part of the second year of a budget but addressed with the new budget. Mr. Hipple added this budget was set two years ago. He noted a percentage to be applied to all staff and detailed the process.

Ms. Sadler responded to earlier comments about supporting staff, adding the Board supported School staff and had indicated that point during the Joint Meeting with the WJCC School Board and the Williamsburg City Council. She noted the importance of adequate funding by the School Division for staff positions.

Mr. McGlennon echoed earlier comments regarding appreciation for staff's hard work on the budget.

Mr. Icenhour inquired about an item under the Capital Projects Fund. He noted the Capital Improvement expenditure and the \$98,000 for the Business-Ready site program which was set for FY24. Mr. Icenhour further noted \$148,000 was set in FY23. He explained these funds were set aside to prepare for review of business-ready sites. Mr. Icenhour referenced three sites and asked if the Stonehouse Commerce Park site was owned by the County.

Mr. Stevens confirmed yes. He added the other two properties were privately owned.

Mr. Icenhour noted one property was the Hazelwood property with the second property owned by the Hornsby family. He further noted this was new territory as previous ventures had involved County-owned property and he questioned the cost-sharing aspect with the private owners. Mr. Icenhour stated he wanted confirmation that the respective funding of \$148,000 and \$98,000, when expended, would come before the Board for determination on that spending.

Mr. Stevens confirmed that was the case. He noted the approximately \$250,000 was identified as a match for the Hazelwood grant awarded by the state several months prior. Mr. Stevens further noted that grant paperwork was in the process and discussion on the grant acceptance would hopefully be part of the May Business Meeting. He stated no expenditure obligation had taken place nor would it until after the paperwork and approval.

Mr. Icenhour noted he wanted to confirm in relation to the budget adoption. He further noted the budget adoption was not a commitment to the properties at this point.

Mr. Stevens confirmed that was the case. He noted if the Board decided at a future meeting not to pursue those properties, then that option would not be pursued. He further noted the budget's adoption was not a commitment.

Mr. Icenhour thanked Mr. Stevens. He then referenced Paragraph No. 19 in the resolution. He asked if the language was already included or was that a separate adoption.

Mr. Stevens stated if the adoption of the resolution was inclusive of the new language, then the motion could be made.

Mr. McGlennon asked if the Board collectively had any issues with Paragraph No. 19.

Board members stated their agreement for the inclusion of Paragraph No. 19.

Mr. McGlennon noted when the Board approved the motion it would be amended for inclusion of the paragraph into the resolution.

2. Moses Lane - Community Development Block Grant Application

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

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

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

Mr. Vaughn Poller, Administrator, Neighborhood Development, addressed the Board detailing the funding application. He noted Moses Lane was the site of six developed properties by Habitat for Humanity Peninsula and Greater Williamsburg. Mr. Poller further noted the residents asked if road work could be done for the western end of the development for inclusion into the Virginia Department of Transportation system. He added the street was currently gravel and was experiencing degradation with potholes. Mr. Poller noted \$50,000 in

grant funding in 2021 to study the area and hire an engineer to develop road plans. He stated he was seeking Board approval for a grant of \$1,562,236 for development at the street's end, overtopping of the existing street, regrading of ditches, and some drainage improvements. Mr. Poller added housing rehabilitation for three units, removal of existing derelict structures, and the opportunity for development of at least one site for affordable housing within the neighborhood. He noted discussion with the landowner which could mean possibly three sites. Mr. Poller detailed the grant funding, adding staff recommended approval of the application.

Ms. Sadler asked the County's portion.

Mr. Poller stated \$291,582.

Mr. McGlennon noted discussion with the Scattered Site Housing Committee and the project team working on affordable housing options. He congratulated Mr. Poller for his innovative ways to attract resources. Mr. McGlennon noted Moses Lane presented an opportunity to have additional affordable housing in the community for people earning service industry wages. He further noted this funding would upgrade an existing neighborhood that lacked streetlights and other aspects.

I. BOARD REQUESTS AND DIRECTIVES

Ms. Sadler noted she had nothing to report.

Mr. Icenhour noted his attendance with Sun Tribe at a meeting in Norge. He further noted a presentation was made to share public information. Mr. Icenhour stated Mr. Frank Polster, Planning Commissioner, was also in attendance. He added the opportunity to view the site in the future. Mr. Icenhour referenced the Teacher of the Year Award ceremony and credited both the School Division and the School Foundation for a well-done presentation.

Mr. McGlennon noted May 9 was Teacher Appreciation Day. He expressed support of teachers. Mr. McGlennon stated Virginia was one of the top 10 wealthiest states in the country with an average teacher salary across the Commonwealth which was \$5,000 below the national average. He noted the need for the Commonwealth to take ownership on its share of teacher compensation. Mr. McGlennon referenced the School Liaison meeting which was held the previous week where budget and pre-Kindergarten center issues were discussed. He noted the topics of persistent absenteeism and proper rules of conduct in schools would be addressed at the next School Liaison meeting. Mr. McGlennon referenced his attendance at the Habitat for Humanity's Home Builders Blitz opening with Ms. Larson. He noted both he and Ms. Larson also attended the Blessing of the Ancestors event at Cedar Grove Cemetery on May 6. Mr. McGlennon also attended the 10-year anniversary of Riverside Doctors' Hospital. He stated he would hold a Grove Community Meeting on May 18 at 6 p.m. for residents to voice concerns. He added the event would take place at Little Zion Baptist Church on Pocahontas Trail.

Ms. Larson noted her attendance at the Cedar Grove Cemetery service, adding it involved many County citizens and was a very moving service. She further noted the Berkeley District Community Meeting on May 10 at 6 p.m. would take place at Billsburg Brewery. Ms. Larson encouraged residents to attend the meeting. She added Mr. Stevens would also be in attendance with budget, marina improvements, tourism, and other discussion topics. Ms. Larson noted some Williamsburg Youth Baseball League news courtesy of Mr. Chris Basic regarding April 15. She further noted April 15 was Jackie Robinson Day as well as Opening Day for the Williamsburg Youth Baseball League. Ms. Larson stated Mr. Basic worked with several James City County employees, Mr. Ernest Byrd and Mr. Matt Austin from General Services Department, and Mr. Tyler Cobb from Parks & Recreation Department to have the

number 42 (Jackie Robinson's jersey number) painted on the field. She stated the Opening Day event was a huge success and was promoted on social media, adding Mr. Basic was very appreciative of staff's help. Ms. Larson noted the attendance of the Honorable United States Senator Rob Wittman, the Honorable Virginia Senator Montgomery Mason, and the Honorable Virginia Delegate Amanda Batten at the Teacher of the Year Award ceremony Mr. Icenhour had referenced. She expressed her appreciation for their attendance and recognition of local teachers. Ms. Larson acknowledged the hard work of County staff and representatives at the Habitat for Humanity's Home Builders Blitz event. She noted the homeowner worked side-by-side with staff. Ms. Larson further noted Mr. Poller, Mr. Keith Denny, Ms. Barbara Watson, Mr. Holt, and family members of Mr. Denny and Mr. Holt participated in the event. She extended her appreciation to staff, Habitat for Humanity, and the many volunteers. Ms. Larson sent a personal shoutout to her soon to be 81-year-old mom, a full-time nurse, during Nurses Month.

Mr. Hipple noted the Toano Fire Station was hosting its fish fry over the weekend, but a family wedding would prevent his attendance.

J. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens noted the New Town Tunes event in partnership with the County's Parks & Recreation Department, New Town, and CultureFix. He further noted the After Hours Concert Series was slated for most Wednesdays in May with dates on May 10, 17, and 24 at 5:30 p.m. in Sullivan Square at 4301 New Town Avenue. Mr. Stevens stated the Family Fun Fest, hosted by Parks & Recreation, was May 20, 11 a.m.-3 p.m. at Chickahominy Riverfront Park.

1. Proclamation - Public Service Recognition Week

This Agenda Item was addressed earlier in the meeting.

K. CLOSED SESSION

None.

L. ADJOURNMENT

1. Adjourn until 1 pm on May 23, 2023 for the Business Meeting

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

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

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

At approximately 7:43 p.m., Mr. Hipple adjourned the Board of Supervisors.

ITEM SUMMARY

DATE: 6/27/2023
TO: Board of Supervisors
FROM: Patrick O. Teague, Director of Human Resources
SUBJECT: Updates for Chapter 5 Benefits

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution
☐	Chapter 5 Updates	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Human Resources	Teague, Patrick	Approved	6/5/2023 - 3:05 PM
Publication Management	Pobiak, Amanda	Approved	6/5/2023 - 4:19 PM
Legal Review	Kinsman, Adam	Approved	6/7/2023 - 11:37 AM
Board Secretary	Saeed, Teresa	Approved	6/16/2023 - 12:02 PM
Board Secretary	Rinehimer, Bradley	Approved	6/20/2023 - 7:24 AM
Board Secretary	Saeed, Teresa	Approved	6/20/2023 - 3:03 PM

MEMORANDUM

DATE: June 27, 2023

TO: The Board of Supervisors

FROM: Patrick O. Teague, Director of Human Resources

SUBJECT: Revisions to Chapter 5 of the James City County Personnel Policies and Procedures Manual

To remain competitive in the marketplace, adjustments to our benefits package can be an important tool.

Staff proposes revisions to Chapter 5 of the James City County Personnel Policies and Procedures Manual to revise Section 5.4 B, No. 4, to increase sick leave payout at retirement for employees who retire with 20 or more years of consecutive service, up to a maximum of \$20,000.

Revision of Section 5.4 B, adding No. 10, to provide two personal days to all staff to bring the County's total number of holidays closer to competitors in the market.

Lastly, several small updates were made to correct grammar and formatting or for legal compliance.

A copy of the proposed changes is attached.

Staff recommends approval of the proposed changes.

POT/ap
JCC-Ch5RevPPP-mem

Attachment

RESOLUTION

REVISIONS TO CHAPTER 5 OF THE JAMES CITY COUNTY

PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, the James City County Personnel Policies and Procedures Manual (the “Manual”) is an important document that guides decisions; and

WHEREAS, it is the practice of the County to revise and update the Manual to reflect changes and improvements; and

WHEREAS, updating the County’s benefit offerings in the Manual improves the County’s competitiveness in recruitment and retention of staff; and

WHEREAS, staff recommends revisions to Chapter 5 of the Personnel Policies and Procedures Manual to increase the sick leave payout tiers under retirement; and to provide County staff two personal days per year.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that revisions to the Personnel Policies and Procedures Manual listed above and set forth in the staff memorandum are adopted, effective July 1, 2023.

Michael J. Hipple
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>
SADLER	_____	_____	_____	_____
ICENHOUR	_____	_____	_____	_____
MCGLENNON	_____	_____	_____	_____
LARSON	_____	_____	_____	_____
HIPPLE	_____	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 27th day of June, 2023.

CHAPTER 5

EMPLOYEE BENEFITS

[Section 5.1 Policy - General](#)

[Section 5.2 Eligibility - General](#)

[Section 5.3 Holidays](#)

[Section 5.4 Leave](#)

[Section 5.5 Family and Medical Leave Act \(FMLA\)](#)

[Section 5.6 Health Related Benefits](#)

[Section 5.7 Retirement, Disability, and Life Insurance](#)

[Section 5.8 Workers' Compensation \(Policy\) \(Procedures\)](#)

[Section 5.9 Tax-Related Benefits](#)

[Section 5.10 Employer Assisted Home Ownership Program](#)

[Section 5.11 Optional, Employee-Paid Benefits](#)

Chapter 5
Employee Benefits

Section 5.1 Policy - General

It is the policy of James City County to provide employee benefits that complement the County’s values and strategic direction, that help meet certain needs of County employees and their families, and that help the County to attract and retain quality employees. The County strives to offer high quality benefits, at a reasonable cost to both employees and the County, which prove valuable and useful to employees.

Given the range of benefits and eligibility requirements, the County will communicate the availability of these benefits to eligible individuals and will provide assistance in understanding and using them.

Section 5.2 Eligibility - General

Position Type	Benefit Eligibility
Full-time regular and limited-term positions	All benefits available; VRS Plan 1, 2, or Hybrid eligibility depending on VRS service criteria; leave plan eligibility depending on VRS Plan 1, 2, or Hybrid.
Part-time regular and limited-term positions	Benefits available where specifically indicated in the policy; eligibility is dependent on date of hire into the part-time position and authorized annual hours.
Temporary positions, on call positions, former employees, and retirees	Benefits available where specifically indicated in the policy.
Other positions	Benefits eligibility varies by organization; contact the Human Resource Department.
Affordable Care Act Benefits Eligible	Eligible for group health insurance coverage in compliance with the shared responsibility provision of section 4980H of the Internal Revenue Code, enacted by the Patient Protection and Affordable Care Act.

Section 5.3 Holidays

The County observes the following designated holidays:

New Year's Day	January 1
Martin Luther King Day	3rd Monday in January
Presidents’ Day	3rd Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	1st Monday in September
Veterans Day	November 11

Thanksgiving Day
 Day After Thanksgiving
 Christmas Eve
 Christmas Day

4th Thursday in November
 Friday following Thanksgiving
 December 24
 December 25

The Board of Supervisors may declare any other day an additional holiday.

- A. Eligibility for and Calculation of Holidays. Employees in full-time and part-time regular and limited-term positions are eligible for paid holidays or compensatory leave as listed in the eligibility charts below.

IF an employee is in a Full-Time Position (2,080 or more Annual Authorized Hours)	
AND the employee participates in VRS Plan 1 or 2	THEN paid holidays or compensatory leave is based on the employee's monthly sick leave accrual rate (see Section 5.4.B.9.) Section 5.4.B.4.)
AND the employee participates in the VRS Hybrid Plan	THEN paid holidays or compensatory leave is 8 hrs.

IF an employee is in a Part-Time Regular or Limited-Term Position (fewer than 2,080 Annual Authorized Hours)		
AND the employee was hired into a part-time regular or limited-term position before 1/1/2014	AND authorized to work fewer than 2,080 hrs.	THEN the employee's paid holidays or compensatory leave is based on the employee's monthly sick leave accrual rate (see Section 5.4.B.9.) Section 5.4.B.4.)
AND the employee was hired into a part-time regular or limited-term position on or after 1/1/2014	AND authorized to work 1,040-2,079 hrs.	THEN the employee's paid holidays and compensatory leave is 6 hrs.
AND the employee was hired into a part-time regular or limited-term position on or after 1/1/2014 but before 12/1/2019	AND authorized to work 780-1,039 hrs.	THEN the employee's paid holidays and compensatory leave is 3 hrs.

AND the employee was hired into a part-time regular or limited-term position on or after 1/1/2014	AND authorized to work fewer than 780 hrs.	THEN the employee is not eligible for paid holidays or compensatory leave
AND the employee was hired into a part-time regular or limited-term position on or after 12/1/2019	AND authorized to work fewer than 1,040 hrs.	THEN the employee is not eligible for paid holidays or compensatory leave

B. Observance of Holidays

1. If a holiday falls on a Saturday, the preceding Friday shall be observed as the holiday; if a holiday falls on a Sunday, the following Monday shall be observed as the holiday. County operations which are open on holidays shall observe the actual holiday for purposes of holiday pay.
2. If an observed holiday falls on a day an employee is not otherwise scheduled to work, the employee shall earn compensatory leave for the observed holiday for the number of holiday hours listed in the eligibility chart above. In cases where this would present a hardship because of workload, the department director may authorize payment in lieu of the compensatory leave if the budget permits.
3. An employee who is on approved leave with pay during a period in which a holiday falls, shall not be charged leave for the observed holiday for the number of holiday hours listed in the eligibility chart above.
4. An employee who is on military leave with pay during a period in which a holiday falls shall not receive any additional pay or compensatory leave for the holiday.
5. An employee forfeits eligibility to be compensated for the holidays observed by the County unless the employee works the last scheduled workday before the holiday and the first scheduled workday after the holiday or is on approved leave with pay.

C. Working on Holidays

1. If an employee is required to work on an observed holiday, he shall receive holiday pay as outlined in Chapter 4, Section 4.15.

2. Certain employees who are called to work on a County-observed holiday on which they are not scheduled to work may be eligible for premium pay as outlined in Chapter 4, Section 4.17.

Section 5.4 Leave

A. General

1. Policy Statement - James City County recognizes the importance of balancing the productivity needs of the County with the needs of County employees and their families by providing employees with time away from work. It is the policy of the County to provide employees with continued income and benefits during certain approved absences of specified durations.
2. Eligibility - *Employees in full-time regular and limited-term positions are eligible for leave outlined in each section.* Employees in part-time regular and limited-term positions are eligible for leave on a pro-rated basis ~~with the exception of~~ *except for* those hired on or after January 1, 2014, into positions with fewer than 780 annual authorized hours and those hired on or after December 1, 2019, into positions with fewer than 1,040 annual authorized hours.
3. Definitions
 - a. Day

Full or Part Time	Characteristics	Annual Authorized Hours	Day
Full-Time	VRS Plan 1 or 2 Member	2,080 or more	Monthly sick leave accrual rate
Full-Time	VRS Hybrid Plan Member	2,080	8 hours
Part-Time	Hired before 1/1/2014	Fewer than 2,080	Monthly sick leave accrual rate 6 hours
Part-Time	Hired on or after 1/1/2014	1,040-2,079	6 hours
Part-Time	Hired on or after 1/1/2014 but before 12/1/2019	780-1,039	3 hours
Part-Time	Hired on or after 1/1/2014	Fewer than 780	None; ineligible

	but before 12/1/2019		
Part-Time	Hired on or after 12/1/2019	Fewer than 1,040	None; ineligible

- b. Immediate Family - The immediate family is defined as: spouse, parent, son, daughter, brother, sister, grandparents, grandchildren, stepchildren, stepparents, *stepsiblings*, guardian, spouse's parent and grandparents, and any persons residing in the same household as the employee.
- c. Week - A week is defined as the annual authorized hours of the employee's position divided by 52.

B. Types of Leave

The County offers the following types of leave. An overview of eligibility, purpose and guidelines is listed below.

1.

Type	Annual Leave																																																							
Eligibility	Employees in full-time regular and limited-term positions who are members of VRS Plan 1 or 2, and employees in part-time regular and limited-term positions who were hired into those positions before January 1, 2014.																																																							
Purpose	Any purpose																																																							
Guidelines	<u>Accrual</u> Annual leave shall be accrued in accordance with the chart below:																																																							
	<table border="1" style="width: 100%;"> <thead> <tr> <th colspan="4">Monthly Accrual Rate In Hours</th> </tr> <tr> <th>Annual Authorized Hours</th> <th><5 years of service</th> <th>5<15 years of service</th> <th>>15 years of service</th> </tr> </thead> <tbody> <tr><td>< 261</td><td>1</td><td>1.5</td><td>2</td></tr> <tr><td>261-520</td><td>2</td><td>3.0</td><td>4</td></tr> <tr><td>521-780</td><td>3</td><td>4.5</td><td>6</td></tr> <tr><td>781-1,040</td><td>4</td><td>6.0</td><td>8</td></tr> <tr><td>1,041-1,300</td><td>5</td><td>7.5</td><td>10</td></tr> <tr><td>1,301-1,560</td><td>6</td><td>9.0</td><td>12</td></tr> <tr><td>1,561-1,820</td><td>7</td><td>10.5</td><td>14</td></tr> <tr><td>1,821-2,080</td><td>8</td><td>12.0</td><td>16</td></tr> <tr><td>2,081-2,340</td><td>9</td><td>13.5</td><td>18</td></tr> <tr><td>2,341-2,600</td><td>10</td><td>15.0</td><td>20</td></tr> <tr><td>2,601-2,860</td><td>11</td><td>16.5</td><td>22</td></tr> </tbody> </table>				Monthly Accrual Rate In Hours				Annual Authorized Hours	<5 years of service	5<15 years of service	>15 years of service	< 261	1	1.5	2	261-520	2	3.0	4	521-780	3	4.5	6	781-1,040	4	6.0	8	1,041-1,300	5	7.5	10	1,301-1,560	6	9.0	12	1,561-1,820	7	10.5	14	1,821-2,080	8	12.0	16	2,081-2,340	9	13.5	18	2,341-2,600	10	15.0	20	2,601-2,860	11	16.5	22
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	>2,860	12	18.0	24
<p>The maximum amount of leave that an employee may accumulate <u>carryover each fiscal year</u> is the amount of leave the employee can earn in a two-year period.</p> <p>The employee's leave balance must be within the maximum accumulation <u>not exceed the carryover amount as of July 1</u> of each year or the excess shall be forfeited.</p> <p><u>Payment for Accumulated Leave Upon Separation from Employment:</u></p> <p>Employees shall receive the monetary equivalent of their annual leave balance up to the annual maximum accumulation. If two weeks' notice is not given by an employee, the equivalent of one day shall be deducted from the leave payments for each day that the employee failed to give notice of termination up to a two-week maximum. Exceptions may be made by the department director.</p>				

2.

Type	Civil Leave
Eligibility	All employees in full-time and part-time regular and limited-term positions except those hired on or after 1/1/2014 <u>January 1, 2014</u> into part-time and limited-term positions which have annual authorized hours fewer than 780 and those hired on or after December 1, 2019, who work a minimum of 1,040 annual hours.
Purpose	May be used by an employee to provide paid absences while serving on a jury or attending court as a witness under subpoena.
Guidelines	<p><u>Compensation</u> An employee compensated for civil duties, as by jury or witness fees, shall either take annual or compensatory leave, or turn over <u>any</u> compensation received to the County.</p> <p><u>Return to Work</u> Any employee serving four or more hours (including travel time) is not required to start any shift that begins between 5 p.m. and 3 a.m. following the court appearance. The time will be charged to Civil Leave.</p> <p><u>Exclusion</u> In those circumstances where a County employee is not subpoenaed and is acting as an expert witness in a court proceeding which is not directly related to his duties for the</p>

	County, the employee shall be charged annual or compensatory leave, or leave without pay.
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3.

Type	Paid Time Off (PTO)					
Eligibility	Employees in full-time regular and limited-term positions who are members of the VRS Hybrid Plan, and employees in part-time regular and limited-term position of 1,040 or more annual authorized hours who were hired into the part-time position on or after January 1, 2014.					
Purpose	May be used by an employee to provide paid absences for any purpose including illness and supplementing short-term disability payments.					
Guidelines	<u>Accrual</u>					
	PTO shall be accrued in accordance with the chart below:					
	PTO Monthly Accrual Rate in Hours					
	Annual Authorized Hours	<5 Years of Service	5-10 Years of Service	10-15 Years of Service	15-20 Years of Service	20+ Years of Service
	<780	Ineligible - no PTO accrued	Ineligible - no PTO accrued	Ineligible - no PTO accrued	Ineligible - no PTO accrued	Ineligible - no PTO accrued
	780 - 1,039 If hired before 12/1/19	3.0	3.5	4.0	4.5	5.0
	1,040-2,079	6.0	7.0	8.0	9.0	10.0
	2,080	12.0	14.0	16.0	18.0	20.0
<1,040 If hired after 12/1/19	Ineligible - no PTO accrued	Ineligible - no PTO accrued	Ineligible - no PTO accrued	Ineligible - no PTO accrued	Ineligible - no PTO accrued	
<p>Employees do not accrue leave while on short-term or long-term disability.</p> <p>The maximum amount of PTO that an employee may accumulate <i>carryover each fiscal year</i> is the amount of leave the employee can earn in an 18-month period.</p> <p>The employee's PTO leave balance must be within the</p>						

	<p>maximum accumulation amount on <i>not exceed the carryover amount as of</i> July 1 of each year or the excess shall be forfeited.</p> <p><u>Use</u></p> <p>a. <u>Scheduled Absences</u> - PTO should be scheduled in advance for time off for vacations, personal leave appointments or other reasons. It is subject to supervisor approval, department staffing needs and established department procedures.</p> <p>b. <u>Unscheduled Absences</u> - While sometimes unavoidable, unscheduled absences can adversely affect the operations of the department. The supervisor may request the employee provide documentation in accordance with department policy or County procedures or regulations.</p> <p>c. <u>Supplement to Short-Term Disability Payments</u> - Accrued PTO may be used by full-time employees wishing to increase STD payments up to 100% or full pay.</p> <p><u>Payment for Accumulated Leave Upon Separation from Employment</u> Employees shall receive the monetary equivalent of their PTO balance up to the annual maximum accumulation. If two weeks' notice is not given by an employee, the equivalent of one day shall be deducted from the leave payments for each day that the employee failed to give notice of termination up to a two-week maximum. Exceptions may be made by the department director.</p>
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4.

<u>Type</u>	Sick Leave
<u>Eligibility</u>	Employees in full-time regular and limited-term positions who are members of VRS Plan 1 or 2 and employees in part-time regular and limited-term positions who were hired into their positions before January 1, 2014. VRS Hybrid Plan employees and Part-time regular and limited-term positions of 1,040 or more annual authorized hours who were hired into their position on or after January 1, 2014, are eligible for sick leave at varying accrual rates.
<u>Purpose</u>	May be used by an employee to provide paid absences for health-related reasons as outlined below. Accumulated sick leave provides continued income for employees during

	periods of disability.																										
Guidelines	<p>Sick leave provides paid absences for the following reasons:</p> <ol style="list-style-type: none"> A personal illness, injury, and/or disability not incurred in the line of duty, which incapacitates the employee from being able to perform assigned duties. Appointments for examination and/or treatment related to health when approved in advance by the department director and when such appointments cannot reasonably be scheduled during nonwork hours. An illness or appointment for examination and/or treatment related to the health of an immediate family member requiring the attendance of the employee and approved by the department director, not to exceed twelve (12) days per fiscal year. A day is defined in Section 5.4.A.3.a. Use of additional sick leave in excess of the permitted allowance may be approved if recommended by the department director and approved by the Human Resource Director. <p><u>Accrual</u></p> <ol style="list-style-type: none"> VRS Plan 1 and 2 employees accrue sick leave in accordance with the chart below: <table border="1" data-bbox="760 1129 1193 1753"> <thead> <tr> <th>Annual Authorized Hours</th> <th>Monthly Accrual Rate In Hours</th> </tr> </thead> <tbody> <tr><td><261</td><td>1</td></tr> <tr><td>261-520</td><td>2</td></tr> <tr><td>521-780</td><td>3</td></tr> <tr><td>781-1,040*</td><td>4</td></tr> <tr><td>1,041-1,300</td><td>5</td></tr> <tr><td>1,301-1,560</td><td>6</td></tr> <tr><td>1,561-1,820</td><td>7</td></tr> <tr><td>1,821-2,080</td><td>8</td></tr> <tr><td>2,081-2,340</td><td>9</td></tr> <tr><td>2,341-2,600</td><td>10</td></tr> <tr><td>2,601-2,860</td><td>11</td></tr> <tr><td>>2,860</td><td>12</td></tr> </tbody> </table> <ol style="list-style-type: none"> There is no limit to the amount of sick leave an employee may accrue. VRS Hybrid Plan employees accrue 3 hours of sick 	Annual Authorized Hours	Monthly Accrual Rate In Hours	<261	1	261-520	2	521-780	3	781-1,040*	4	1,041-1,300	5	1,301-1,560	6	1,561-1,820	7	1,821-2,080	8	2,081-2,340	9	2,341-2,600	10	2,601-2,860	11	>2,860	12
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leave per month.

- d. Part-time regular and limited-term position of 1,040 or more annual authorized hours who were hired into their part-time position on or after January 1, 2014, accrue 1.50 hours of sick leave per month.

Payment for Accumulated Leave Upon Separation from Employment

Employees with two (2) years or more of continuous service with the County shall be compensated for their sick leave balance at the rate of one hour's pay for every four hours of accrued sick leave or the maximum amount listed below, whichever is less. If two weeks' notice is not given by the employee, or if the employee is discharged for disciplinary reasons, sick leave payments shall be forfeited. Exceptions may be made by the department director.

Years of Service	Maximum Payment
2-14	\$1,000
15-24	\$2,500
25 or more	\$5,000

Payment for Accumulated Leave Upon Retirement from Employment

Employees who retire with 20 or more of continuous years of service with James City County or Affiliate who follows Chapter 5 of the Personnel Policies & Procedures Manual are eligible to receive \$15 per hour of sick leave, in whole hours, up to a maximum of \$20,000. Employees reinstated within the last 5 years prior to retirement will be ineligible.

Sick Leave Bank

VRS Plan 1 and 2 employees may elect to pool accumulated sick leave into a sick leave bank for the purpose of providing participating employees additional leave for extended illness or injury. Such a bank shall be supported by employees and shall cease to exist should there be insufficient employee interest.

5.

Type	Funeral Leave
Eligibility	All employees in full-time and part-time regular and limited-term positions except those hired on or after

	1/1/2014 <i>January 1, 2014</i> , into part-time and limited-term positions which have annual authorized hours fewer than 780 and those hired on or after December 1, 2019, which have annual authorized hours fewer than 1,040.
Purpose	May be used by an employee to provide paid absences upon the death of a member of an employee's immediate family.
Guidelines	<u>Amount of Leave</u> Funeral leave, if requested by the employee, shall be granted by the supervisor for up to three (3) days as defined in Section 5.4.A.3.a. per death of an employee's immediate family member. Exceptions may be granted by the department director.

5.

Type	Funeral Leave
Eligibility	All employees in full time and part time regular and limited term positions except those hired on or after 1/1/2014 into part time and limited term positions which have annual authorized hours fewer than 780 and those hired on or after December 1, 2019 which have annual authorized hours fewer than 1,040.
Purpose	May be used by an employee to provide paid absences upon the death of a member of an employee's immediate family.
Guidelines	<u>Amount of Leave</u> Funeral leave, if requested by the employee, shall be granted by the supervisor for up to three (3) days as defined in Section 5.4.A.3.a. per death of an employee's immediate family member. Exceptions may be granted by the department director.

6.

Type	Leave Without Pay
Eligibility	All employees in full-time and part-time regular and limited-term positions who are eligible to accrue leave. See Section 5.4.A.2.
Purpose	May be used by an employee to provide unpaid absences for a variety of reasons outlined below including any mutually agreeable reason.
Guidelines	<p>An employee shall be on leave without pay under the following circumstances:</p> <ol style="list-style-type: none"> a. Approved absence for which the employee has insufficient accrued leave, or for which the employee elects, with the concurrence of the department director, not to use accrued leave. b. Absences authorized as a condition of employment. c. Unapproved absence from the job during a scheduled work period. d. Suspension without pay as defined in Section 7.5.C.; e. Furlough or required unpaid time off for a defined group of employees, directed by the County Administrator due to fiscal constraints. <p><u>Impact on Other Benefits and Conditions of Employment</u></p> <ol style="list-style-type: none"> a. PTO or sick and annual leave shall not be earned for any pay period during which an employee takes leave without pay that is not approved prior to use or which exceeds one full workday. b. An employee's first performance increase after returning to work shall be pro-rated for each period of thirty (30) consecutive calendar days the employee is on leave without pay. Exceptions for qualified FMLA absences. c. The County shall pay its share of County health and life insurance premiums during approved leave without pay unless otherwise provided in writing to the employee. d. Should an employee fail to return to work by the date the employee agreed to in writing, the County Administrator may declare the employee to have terminated voluntarily as of the expected return to work date, except where the employee requires additional time off under the Family and Medical Leave Act, Section 5.5, or is on short-term disability. An employee who accepts employment elsewhere while on leave without pay, unless approved, shall be

	considered to have terminated employment with the County without notice as of the original date the leave was begun.
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7.

Type	Military Leave						
Eligibility	All employees in full-time and part-time regular and limited-term positions who are eligible to accrue leave. See Section 5.4.A.2.						
Purpose	May be used by an employee who is a member of one of the covered military, security, or recovery organizations listed below to provide paid absences for the reasons and duration outlined below:						
Guidelines	<p><u>Legal Basis</u> James City County is committed to ensuring that our Personnel Policies are in compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) Title 38 and as amended by Title 42.</p> <p>Certain activated employees in organizations other than the uniformed service are intermittent federal employees and are considered members of the uniformed service for purposes of USERRA.</p> <p><u>Covered Organizations and Qualifying Reasons</u></p> <table border="1"> <thead> <tr> <th>Covered Organizations</th> <th>Qualifying Reason</th> </tr> </thead> <tbody> <tr> <td>The organized reserve forces of any of the armed services of: The United States National Guard Naval Militia</td> <td>Annual active duty for training. Called to active duty. Called forth by the Governor during a disaster. Other reasons covered by USERRA.</td> </tr> <tr> <td>Members of the Department of Homeland Security/Federal Emergency Management Agency's (FEMA) Disaster Medical System, to include: Disaster Medical Assistance Team (DMAT) Disaster Mortuary Operational Response Team (DMORT) Other groups as required by law</td> <td>Federal deployment and/or training during regularly scheduled work hours.</td> </tr> </tbody> </table>	Covered Organizations	Qualifying Reason	The organized reserve forces of any of the armed services of: The United States National Guard Naval Militia	Annual active duty for training. Called to active duty. Called forth by the Governor during a disaster. Other reasons covered by USERRA.	Members of the Department of Homeland Security/Federal Emergency Management Agency's (FEMA) Disaster Medical System, to include: Disaster Medical Assistance Team (DMAT) Disaster Mortuary Operational Response Team (DMORT) Other groups as required by law	Federal deployment and/or training during regularly scheduled work hours.
Covered Organizations	Qualifying Reason						
The organized reserve forces of any of the armed services of: The United States National Guard Naval Militia	Annual active duty for training. Called to active duty. Called forth by the Governor during a disaster. Other reasons covered by USERRA.						
Members of the Department of Homeland Security/Federal Emergency Management Agency's (FEMA) Disaster Medical System, to include: Disaster Medical Assistance Team (DMAT) Disaster Mortuary Operational Response Team (DMORT) Other groups as required by law	Federal deployment and/or training during regularly scheduled work hours.						

Amount of Leave

Up to 15 days during each federal fiscal year, which is October 1 through September 30, for qualifying reasons.

~~Weekend drills are not a qualifying reason.~~

Duration of Leave and Associated Pay and Benefits

Length of Absence	Salary and Benefits
Up to 15 days per federal fiscal year	Full pay and all benefits and benefit accruals continue.
More than 15 days in a federal fiscal year	Employee coordinates with department director to use other applicable leave or leave without pay.

Special Circumstances

Employees who are members of the force listed above and are involuntarily called to federally funded military active duty shall receive the following:

- a. A Military Pay Differential in the amount of the difference between the employee's military base pay plus basic allowances for housing and subsistence, and the employee's regular County base pay. If the employee's military pay plus allowance exceeds the County pay, no differential shall be paid.

Employee Responsibility

- a. The employee must submit a copy of the valid written orders when requesting military leave and a copy of the release from active duty upon return.
- b. The employee cannot accept other employment while on military leave without the prior approval of the department director.

Return to Work

- a. The employee may use up to five years of cumulative service and still retain reemployment rights as provided by USERRA.
- b. The position that the employee is eligible to return to after active duty service depends on the length of that service as provided by USERRA.

	<p>c. The employee’s terms of employment are controlled by the Personnel Policies and Procedures Manual and applicable USERRA provisions.</p> <p>d. If the employee does not return to work after deactivation as prescribed by law, the County Administrator may declare the employee to have terminated voluntarily as of the expected return to work date.</p> <p><u>Urban Search and Rescue</u> Members of the Department of Homeland Security/FEMA’s Urban Search and Rescue Team (US&R) are not considered intermittent federal employees or members of the uniformed services under USERRA. These employees when activated will be paid according to the Mutual Aid Agreement Memorandum of Understanding concerning US&R team membership and FEMA reimbursement policies in effect at the time of activation.</p>
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8.

Type	Volunteer and School Leave
Eligibility	Employees in full-time and part-time regular and limited-term positions except those hired on or after 4/1/2014 January 1, 2014 into part-time regular and limited-term positions which have fewer than 780 annual authorized hours. Part-time regular employees hired after December 1, 2019, who work a minimum of 1,040 annual hours.
Purpose	<p>School Leave may be used by an employee to provide paid absences to perform volunteer work in a school, to meet with a teacher or administrator concerning the employee’s children, stepchildren, or children over whom the employee has custody, or to attend a school function in which such a child is participating. School leave may be used for these purposes in a public or private elementary, middle, or high school, or a licensed preschool or daycare center.</p> <p>Volunteer Leave may be used by an employee to provide paid absences to perform volunteer work as part of an organized service project through a recognized nonprofit or governmental organization.</p>
Guidelines	<p>Employees in full-time regular and limited-term positions may take up to eight (8) hours of School Leave per fiscal year and up to eight (8) hours of Volunteer Leave per fiscal year.</p> <p>Employees in part-time regular and limited-term positions</p>

	may take up to one day as defined in Section 5.4.A.3.a.
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9.

Type	Short-Term Disability (STD)
Eligibility	Employees in full-time regular and limited-term positions who are VRS Hybrid Plan members.
Purpose	May be used by an employee to provide paid absences for illnesses or injuries including Workers' Compensation meeting the criteria set forth in the Code of Virginia.
Guidelines	Details of coverage are available from the Human Resource Department.

10.

<i>Type</i>	<i>Personal Days</i>
<i>Eligibility</i>	<i>All employees in full-time and part-time regular and limited-term positions except those hired on or after January 1, 2014 into part-time and limited-term positions which have annual authorized hours fewer than 780 and those hired on or after December 1, 2019, into positions with fewer than 1,040 annual authorized hours.</i>
<i>Purpose</i>	<i>May be used by an employee for leave on holidays that are not recognized County holidays, for workdays adjacent to a recognized County holiday, or for other days of personal significance.</i>
<i>Guidelines</i>	<i>Employees in full-time and part-time regular and limited-term positions may take two personal days per fiscal year as defined in Section 5.4.A.3.a. The employee's personal days must be used by June 30 of each year, or the excess shall be forfeited. Personal Days require supervisory approval prior to use and are not eligible to be paid out at time of termination.</i>

Section 5.5 Family and Medical Leave Act (FMLA)

- A. Policy Statement - James City County policy complies with the Family and Medical Leave Act (FMLA) of 1993 (as revised January 16, 2009). The function of this policy is to provide employees with a general description of their FMLA rights. This policy summarizes the key provisions of the Act; employees should refer to the Act itself or contact Human Resources if more specific detail is needed. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law. Under this policy, James City County will grant up to 12 weeks of time away from work (or up to a total of 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness incurred in the line of duty while on active duty) during a 12-month period to eligible employees.

The leave taken under FMLA may be paid, unpaid or a combination of paid and unpaid leaves, depending on the circumstances of the leave and in accordance with Sections 5.4 and 5.5. A request for determination of eligible leave under FMLA may be initiated by the employee, the supervisor, or the Human Resource Department in accordance with their respective responsibilities outlined in Sections 5.5.F, 5.5.G, and 5.5.H.

B. Eligibility - To qualify for FMLA under this policy, the employee must meet all of the following conditions:

1. The employee must have worked for the County for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive.
2. The employee must have worked at least 1,250 hours during the 12-month period immediately before the date the leave is requested to begin. Hours actually worked will be counted in determining the 1,250 hours; paid or unpaid time off will not be counted.

C. Definitions

1. Day - See Section 5.4.A.3.a.
2. Rolling Year - 12-month period measured backward from the date an employee uses any FMLA leave.
3. In loco parentis - Acting as a temporary guardian of a child.
4. Next of Kin - The closest blood relative of the injured or recovering service member.
5. Parent - The biological, adoptive, step, or foster parent or other person who stands “in loco parentis” to the employee.
6. Qualifying Exigency - One of the following:
 - a. short-notice deployment,
 - b. military events and activities,
 - c. child care and school activities,
 - d. financial and legal arrangements,
 - e. counseling,
 - f. rest and recuperation,
 - g. post-deployment activities and
 - h. additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.
7. Serious Health Condition - An illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. The “continuing treatment” test for a serious health condition under the regulations may be met through:
 - a. a period of incapacity of more than three consecutive, full calendar days plus treatment by a health care provider twice, or once with a continuing regimen of treatment,

- b. any period of incapacity related to pregnancy or prenatal care,
 - c. any period of incapacity or treatment for a chronic serious health condition,
 - d. a period of incapacity for permanent or long-term conditions for which treatment may not be effective, or
 - e. any period of incapacity to receive multiple treatments (including recovery from those treatments) for restorative surgery, or for a condition which would likely result in an incapacity of more than three consecutive, full calendar days absent medical treatment.
8. Son or Daughter - A biological or adopted child or foster child, a stepchild, a legal ward, or a child of a person standing “in loco parentis” who is under 18 years of age. FMLA leave may apply to a son or daughter defined in this section who is over 18 if either of the following two situations apply:
- a. The child is incapable of self-care because of mental or physical disability.
 - b. Leave is requested and approved for a qualifying exigency.
9. Spouse - A husband or wife.

10. 12-month period -
 - a. For military caregiver leave, the 12-month period begins on the first day that leave is taken and ends 12 months later.
 - b. For determining the 1,250-hour eligibility provision, the 12-month period begins 12 months prior to the start of the FMLA leave.
11. Week - The annual authorized hours of the employee's position divided by 52.

D. Reasons for FMLA Absences - To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

1. To care for a spouse, child or parent with a serious health condition.
2. The serious health condition of the employee.
3. The birth of a child and in order to care for that child.
4. The placement of a child for adoption or foster care and to care for the newly placed child.
5. Qualifying exigency leave for an employee whose spouse, son, daughter or parent is a member of the National Guard or Reserves when the covered military member either has been notified of an impending call or order to active military duty or who is already on active duty in support of a contingency operation. The leave may begin as soon as the individual receives the call-up notice.
6. Military caregiver leave (also known as covered service member leave) to care for a spouse, son, daughter, parent or next of kin who is a covered service member with a serious illness or injury incurred in the line of duty while on active duty.

E. Amount of Allowable FMLA Leave

1. Allows eligible employees to take leave from work for up to 12 work weeks of paid, unpaid or a combination of paid and unpaid leaves during a rolling year. Each time an employee takes leave that qualifies under FMLA, the County will compute the amount of leave the employee has taken under this policy during the fiscal year and subtract it from the 12 weeks of available leave. The balance remaining is the amount of FMLA leave the employee may take until the end of that rolling year.
2. An eligible employee may take up to 12 weeks paid, unpaid or a combination of paid and unpaid leave for the birth of a child or the placement of a child for adoption or foster care, to care for a spouse, child or parent with a serious health condition, or where the employee suffers from a serious health condition. FMLA leave to bond with a child must be taken within one year of the child's birth or placement and must be taken as a continuous block of leave.

3. An eligible employee may take up to 26 weeks of military caregiver leave during a single 12-month period beginning the first day the eligible employee takes leave and ends 12 months after that date. During this single 12-month period, the employee may also take leave for a different eligible FMLA-related event, but the employee is entitled to a combined total of 26 workweeks of military caregiver leave and leave for any other FMLA-qualifying reason in this single 12-month period. Under this policy, up to a total of 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness incurred in the line of duty while on active duty during the fiscal year for eligible employees.
4. If a husband and wife both work for the County and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, the husband and wife may take a combined total of 12 weeks of FMLA leave during the rolling year. If a husband and wife both work for the County and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may take a combined total of 26 weeks of FMLA leave during a 12-month period.
5. An employee who uses accrued paid leave to cover some or all of the FMLA leave must take it in accordance with County policy as defined in Section 5.4.F of this policy.
6. If paid leave is used, such time will also be counted concurrently toward the 12 weeks granted under FMLA. Disability leave for the birth of a child and for an employee's own serious health condition, will be designated as FMLA.
7. Worker's Compensation injuries or illnesses will be designated as FMLA after 6 months of date of injury.
8. Employees in VRS Plan 1 or Plan 2 will be afforded an additional 14 weeks upon the completion of the original FMLA designation. This will provide employees the same benefit as those covered under the VRS Hybrid plan for short-term disability.

F. Employee Responsibilities - An eligible employee requesting time off for eligible FMLA reasons must comply with their department's usual and customary notice and procedural requirements for requesting leave. When an employee does not comply with James City County's usual notice and procedural requirements, and no unusual circumstances justify the failure to comply, FMLA-protected leave may be delayed, denied, or rescheduled.

1. Employee requests FMLA paperwork from Human Resources and informs supervisor the purpose for leave. Notice should be provided 30 days in advance if leave is foreseeable. When advance notice is not possible, the employee must provide notice within 5 working days of event or as soon as practicable and must comply with the Department's absence notification procedures.

2. An employee must work with the supervisor to identify the type of County leave(s) which will be taken during the absence.
3. Provide medical certification within 15 calendar days of the request for leave if the situation necessitating the absence and anticipated duration of leave if foreseeable. Medical certification will be provided using the appropriate Department of Labor form obtainable from Human Resources or the DOL website.
4. An employee must advise their supervisor and the Human Resource Department if leave is to be taken intermittently, or on a reduced work schedule basis.
5. An employee should contact Human Resources to make benefit payments if necessary.
6. Employees should keep their supervisor and the Human Resources informed of the status of the absence, including any change in the circumstances for which the leave is being taken, and the employee's anticipated return to work.
7. Prior to returning to work, an employee must provide to the Human Resource Department a fitness for duty certification from their a physician if the leave was taken for the employee's own serious health condition. Human Resources will notify supervisor of the return to work date and if the employee has any restrictions.

G. Supervisor Responsibility - If an employee requests leave for an eligible FMLA event, or when an employee has been absent for more than five (5) consecutive workdays for reasons which may make the employee eligible for FMLA, the supervisor must inform Human Resources of the absence so that Human Resources may inform the employee in writing, of their rights and responsibilities under FMLA.

1. Supervisor must inform Human Resources of any contact with the employee regarding the extension of FMLA leave or if the employee has been released to return to work sooner than expected.
2. Supervisor must not allow the employee to return to work until a Return to Work Form has been provided to Human Resources.

H. Human Resource Responsibilities:

1. Post and provide general notice to all employees of their FMLA rights and responsibilities.
2. Upon learning of the employee's absence, notify the employee within five (5) workdays that the leave may qualify for and be designated as leave under FMLA.
3. Review the employee-submitted documentation to determine if the employee's absence qualifies under FMLA.
4. If the absence does not qualify for FMLA, confirm that in writing to the employee including the reason(s) the employee is not eligible.

5. If the absence does qualify for FMLA:
 - a. Confirm the employee's eligibility for FMLA in writing including ending date of leave.
 - b. Maintain group health benefits as if the employee continued to work instead of taking leave.
 - c. Notify the employee concerning the status of benefits while on leave. ~~and~~
 - d. Notify the employee's supervisor of the qualified FMLA absence so tracking of leave may begin.
 - e. Upon completion of an employee's absence under FMLA:
 - 1) Notify supervisor of return to work date any restriction upon receipt.
 - 2) Ensure the employee is returned to the same or equivalent position based upon the FMLA provisions. ~~and~~
 - 3) Track the employee's remaining available time and the remaining eligible time period.

- I. Recertification/Second Opinion - James City County may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the employee or the County receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the County may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with the FMLA absence. The County may provide the employee's health care provider with the employee's attendance records and ask if the need for leave is consistent with the employee's serious health condition. If the County has reason to doubt the validity of the medical certification, the County, at its own expense, may require the employee to obtain a second opinion and, if the employee's health care provider's certification and the second opinion certification conflict, a third opinion certification.

- J. Additional Information - Employees seeking more detailed information may contact the Human Resource department or consult the Family and Medical Leave Act itself and/or the appropriate areas of the Department of Labor web site.

Section 5.6 Health Related Benefits

- A. Policy Statement - James City County recognizes the importance of the physical and mental health of employees and their dependents to the employees' quality of life and productivity at work. It is the policy of James City County to provide employees with assistance to care for their physical and mental health.

B. Health Insurance

1. Group Health Insurance Plan - The County shall provide at least one group health insurance option.

2. Eligibility and Cost

a. Employees in full-time regular and limited-term positions and employees identified as eligible under the Affordable Care Act, their spouses, and dependent children are eligible for group health insurance coverage. The County shall pay at least a portion of the cost of the group health insurance coverage for active employees.

b. Retirees, at least 50 years of age, who have worked for the County for at least 15 years or who have worked for the County fewer than 15 years but have retired because of a Line of Duty Act injury, are eligible to continue group health insurance for themselves and their dependents until they are eligible for Medicare, if they elect to participate prior to leaving County employment. The County bears none of the cost for this coverage; however, the retiree may be eligible for a VRS Retiree Health Insurance Credit. See Sections 5.7.B.2.b and 5.7.C.3.

c. Employees who are terminating employment or reducing their hours to part-time may elect to continue the group insurance coverage for themselves and their dependents at that time. This option is available only for as long as the employee or eligible family member is not covered by another group plan and only for designated periods of time. The County bears none of the cost of this coverage and an administrative charge is added to the premium.

3. Medicare - Both the County and the employee contribute to the Medicare account of employees in full-time and part-time regular, limited-term, temporary, and on-call positions as required by law. All questions regarding Medicare coverage should be directed to the Social Security Administration.

C. Employee Assistance Program - The County shall offer a program to provide confidential counseling and referral services.

1. Eligibility - Employees in full-time and part-time regular and limited-term positions, their spouses, and dependent children are eligible for counseling and referral services.

2. Cost - The County shall bear the cost of short-term counseling and referral services. The Employee Assistance service provider shall refer the employee and dependents to an affordable community resource, including coordination with the employee's health insurance plan, for longer-term counseling.
- D. Fitness Program - The County shall assist employees in accessing at least one fitness center and in obtaining educational materials on wellness.

Section 5.7 Retirement, Disability and Life Insurance

- A. Policy Statement - James City County recognizes the importance of income after retirement and in the event of disability, and the financial needs of surviving family members in the event of death. It is the policy of the County to assist employees in meeting these needs through financial contributions to retirement and insurance plans or by providing group plans in which employees may choose to participate at their own expense.
- B. Retirement - James City County believes that an employee is best served by having retirement income from more than one source. It is the policy of the County to contribute towards Social Security (FICA) and the Virginia Retirement System (VRS), on behalf of the employee. The County also provides an IRS Section 457 Deferred Compensation Plan to which the employee may choose to contribute. The County may match a portion of those contributions as outlined in Section 5.7.B.3.b.
 1. Social Security (FICA) - Both the County and the employee contribute to the social security account of employees in full-time and part-time regular, limited-term, temporary, and on-call positions as required by law. All questions, including those regarding estimated retirement income, account balances, and the like, should be directed to the local Social Security Administration Office.
 2. VRS Service Retirement
 - a. The County's retirement plan is administered by the Virginia Retirement System (VRS). VRS Plans 1 and 2 are defined benefit plans qualified under the Internal Revenue Service Code. The VRS Hybrid Plan has both a defined benefit and defined contribution component. The VRS is governed by the Code of Virginia, and changes to the law can be made by an act of the General Assembly. Some items are optional to local governments.

The VRS outlines the factors used to determine the defined benefit retirement benefit such as whether the employee is in Plan 1, 2, or

the Hybrid Plan, age, average final compensation, and years of VRS service.

- b. Generally, a credit of up to a maximum of \$45 per month is available to employees who retire with at least 15 years of VRS service to help defray the cost of health insurance premiums. The amount of the credit varies based on factors such as the number of years of VRS service. This reimbursement for health insurance premiums is included in the VRS retirement payment and is non-taxable. (Effective 7-1-2006)

3. Deferred Compensation

- a. *The County sponsors a pre-tax 457 Deferred Compensation plan and a post-tax Roth IRA 457 to allow County employees to save a portion of their salary for retirement purposes. The plans are is voluntary and is administered in accordance with appropriate Federal and State laws. Employees in full-time and part-time regular and limited-term positions are eligible to participate.*

- b. The County may match 50 percent of the employee contribution in the deferred compensation plan up to a maximum County contribution established by the Board of Supervisors in the budget. The maximum match for part-time employees will be half that of full-time employees. Employees who have at least two years of County service will be vested for purposes of the match funds. (Effective 7-1-2006)

~~c.~~

- ~~a.~~ Employees age 45 or older with 15 years or more of service on July 1, 2006, may be eligible for an additional match upon retirement if they have contributed continuously to deferred compensation from July 1, 2006, and if they contribute at least some of their final leave payments to their deferred compensation account. (Effective 7-1-2006)

~~b. The County provides a Roth plan to allow County employees to save a portion of their salary for retirement purposes. The plan is voluntary and is administered in accordance with appropriate Federal and State laws. Employees in full-time and part-time regular and limited-term positions are eligible to participate.~~

C. Disability

1. VRS Plan 1 and 2 Members - The VRS provides an employee with disability retirement if the employee becomes mentally or physically unable to perform the employee's present duties, the disability is likely to be permanent, and the employee is under age 65. Employees are eligible from the first day of employment, provided the disability did not exist at the time of employment, and regardless of whether the cause of the disability is work-related or is compensable under Workers' Compensation.
2. VRS Hybrid Plan Members - are eligible for Long-Term Disability (LTD) coverage in accordance with the provisions implemented under the Code of Virginia. If benefits are approved by the LTD insurance carrier, benefits may continue until service retirement age.
3. Health Insurance Credit - ~~Generally, a VRS provides a health insurance credit of \$45 per month is available to~~ employees who retire on disability regardless of the years of VRS service to help defray the cost of health insurance premiums. This reimbursement for health insurance premiums is included in the VRS retirement payment and is non-taxable. (Effective 7-1-2006)

D. Life Insurance

1. VRS ~~Standard Basic Group~~ Life Insurance - Provides payment to an employee's designated beneficiary in the event of the employee's death or to the employee in the event of his dismemberment. A medical examination is not required in order to be covered by this insurance. The County pays the full cost of the coverage. The insurance continues at a reduced amount for employees who retire and receive VRS payments and may be converted to an individual policy by employees who are terminating employment.
2. VRS Optional ~~Group~~ Life Insurance - Employees may, at their own expense, purchase additional life insurance for themselves as well as coverage for their spouses and dependent children through a VRS-sponsored program. A medical examination is not required for some levels of coverage.

Section 5.8 Workers' Compensation

A. Policy Statement

When an employee experiences an employment-related injury or illness as defined in the Workers' Compensation Act of the Code of Virginia, the County provides medical reimbursement, lost wage payments, and fixed awards as outlined in the Code of Virginia. The County also provides a salary supplement to help offset the difference between the lost wage payment and the employee's

normal net pay, after taxes. Employees do not accrue leave while on Workers' Compensation. Where the injury or illness is outside the scope of the Code, employees are encouraged to contact the Human Resource Department to determine what other benefits may apply.

B. Eligibility

Employees in full-time and part-time regular, limited-term, temporary, and on-call positions are eligible for Workers' Compensation benefits.

Section 5.9 Tax-Related Benefits

- A. Policy Statement - James City County recognizes the value of paying certain expenses outlined in IRS Code Section 125 with pretax dollars, *also called Premium Conversion. It is the policy of the County to offer such opportunities where there are a sufficient number of interested employees.*
- B. Pretax Health Insurance Premiums - *Also called Premium Conversion, allows Employees who choose to enroll in the pay a portion of their County sponsored group health insurance, to pay their portion of the premiums on a pretax basis. plan premiums to pay them before taxes. Employees are automatically enrolled unless they waive participation.*
- C. Pretax Dental Insurance - *Employees who choose to enroll in the County sponsored dental insurance, pay their portion of the premiums on a pretax basis.*
- D. Reimbursement Accounts - Also called Flexible Spending Accounts, allow eligible employees in full-time and part-time regular and limited-term positions who enroll in the program to pay for eligible health care or dependent care expenses with pretax dollars on a reimbursable basis.

Section 5.10 Employer Assisted Home Ownership Program

- A. Policy Statement - James City County recognizes the value of having employees live in the community they serve when possible economically and considering family circumstances. It is the policy of the County to assist employees who meet eligibility requirements to purchase a home in the community.
- B. Legal Basis - County Code Section 2-15.2 authorizes the County program in accordance with Code of Virginia Section 15.2-958.2.
- C. Benefits - eligible employees may receive matching funds up to the maximum allowed by the Program if they purchase a primary residence in James City County or the City of Williamsburg and they meet all program terms and conditions.

- D. Repayment of Matching Funds - In accordance with the terms of the Program, employees are required to repay ~~some or~~ *all or part* of the funds received if they do not remain in County employment and live in the residence for an amount of time specified in the program terms and conditions.

Section 5.11 Optional, Employee Paid Benefits

From time to time the County may offer optional benefits that it deems of value to employees, and which are 100 percent employee paid.

Chapter5

ITEM SUMMARY

DATE: 6/27/2023

TO: The Board of Supervisors

FROM: Michael Woolson, Section Chief - Resource Protection

SUBJECT: Resolution of Chesapeake Bay Preservation Ordinance Violation at 2884 Chickahominy Road and 7090 Church Lane (Little Creek Reservoir)

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution
☐	Notice of Violation	Backup Material
☐	Notice of Violation - Newport News Waterworks	Backup Material
☐	Location Map	Backup Material
☐	Consent Agreement	Backup Material
☐	Restoration Agreement	Backup Material
☐	Restoration Plan	Backup Material
☐	1999 Civil Charge Policy	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Engineering & Resource Protection	Small, Toni	Approved	6/16/2023 - 12:22 PM
Development Management	Holt, Paul	Approved	6/16/2023 - 2:43 PM
Publication Management	Pobiak, Amanda	Approved	6/16/2023 - 3:19 PM
Legal Review	Kinsman, Adam	Approved	6/20/2023 - 3:52 PM
Board Secretary	Saeed, Teresa	Approved	6/20/2023 - 3:53 PM
Board Secretary	Purse, Jason	Approved	6/20/2023 - 3:54 PM
Board Secretary	Saeed, Teresa	Approved	6/20/2023 - 4:00 PM

MEMORANDUM

DATE: June 27, 2023

TO: The Board of Supervisors

FROM: Michael D. Woolson, Section Chief - Resource Protection
Liz Parman, Deputy County Attorney

SUBJECT: Chesapeake Bay Preservation Ordinance Violation - Civil Charge - Mario Medina and Gloria Suarez - 2884 Chickahominy Road and 7090 Church Lane (Little Creek Reservoir)

Attached is a resolution for consideration by the Board of Supervisors (the "Board") involving a violation of the County's Chesapeake Bay Preservation Ordinance (the "Ordinance") on property located at 2884 Chickahominy Road and further identified as James City County Real Estate Tax Map Parcel No. 2230100007 and on property located at 7090 Church Lane and further identified as James City County Real Estate Tax Map Parcel No. 2120100001, also known as Little Creek Reservoir (the "Property"). The case involved the clearing of vegetation and installation of structures within the Resource Protection Area on the Property. This work was done without first obtaining an exception to the Ordinance.

On or about May 5, 2023, County staff received a report of unauthorized activity on the Property. Following the site visit, staff performed research on the Property using County records and discovered that there had been an exception to the Ordinance for the work.

In accordance with provisions of the Ordinance, the owner and County mutually came to terms to resolve and settle the violation through the County's civil charge process. The owner voluntarily signed a Consent Agreement and entered into a Chesapeake Bay Restoration Agreement with the County on June 6, 2023.

The resolution and attachments present additional specific details of the violation. Under the provisions of the Ordinance, the Board may accept civil charges for each violation of up to \$10,000. The owner has agreed to the recommended civil charge of \$500 for violation of Section 23-10 of the County's Chesapeake Bay Preservation Ordinance.

The Chesapeake Bay Preservation Ordinance Civil Penalty Procedures Policy, endorsed by the Board in August 1999, was used by staff as guidance in determining the civil charge amount. The Policy considers the degree of water quality impact and the degree of noncompliance involved in the case. The civil charge amount of \$500 is based on a minor water quality impact and a minor degree of noncompliance.

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

MDW/LP/md
CBPAViol-2884ChkRd-mem

Attachments:

1. Resolution
2. Location Map
3. Consent Agreement
4. Restoration Agreement
5. Restoration Plan
6. 1999 Civil Charge Policy

RESOLUTION

CHESAPEAKE BAY PRESERVATION ORDINANCE VIOLATION - CIVIL CHARGE -

MARIO MEDINA AND GLORIA SUAREZ - 2884 CHICKAHOMINY ROAD AND

7090 CHURCH LANE (LITTLE CREEK RESERVOIR)

WHEREAS, Mr. Mario Medina and Ms. Gloria Suarez are the owners of a certain parcel of land commonly known as 2884 Chickahominy Road, Toano, Virginia, designated as Parcel No. 2230100007 within the James City County Real Estate Tax Map system (the “Property”); and

WHEREAS, on or about May 5, 2023, Mr. Mario Medina and Ms. Gloria Suarez cleared vegetation within a defined Resource Protection Area (“RPA”) on the Property without prior approval of a Chesapeake Bay exception, impacting the RPA in violation of the County’s Chesapeake Bay Preservation Ordinance; and

WHEREAS, Mr. Mario Medina and Ms. Gloria Suarez executed a Consent Agreement to remedy the violation of the County’s Chesapeake Bay Preservation Ordinance; and

WHEREAS, Mr. Mario Medina and Ms. Gloria Suarez agreed to a Chesapeake Bay Restoration Agreement to restore vegetation on the Property to a condition that protects the natural resources of the Property, the County, and the Chesapeake Bay watershed; and

WHEREAS, Mr. Mario Medina and Ms. Gloria Suarez agreed to pay a total of \$500 to the County as a civil charge pursuant to the County’s Chesapeake Bay Preservation Ordinance; and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to accept the \$500 civil charge from Mr. Mario Medina and Ms. Gloria Suarez as full settlement of the Chesapeake Bay Preservation Ordinance violations at the Property occurring on or about May 5, 2023.

Michael J. Hipple
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>
SADLER	___	___	___	___
ICENHOUR	___	___	___	___
MCGLENNON	___	___	___	___
LARSON	___	___	___	___
HIPPLE	___	___	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 27th day of June, 2023.



General Services

107 Tewning Road
Williamsburg, VA 23188
P: 757-259-4080

General.Services@jamescitycountyva.gov

jamescitycountyva.gov

Capital Projects

107 Tewning Road
Williamsburg, VA 23188
757-259-4080

Fleet

103 Tewning Road
Williamsburg, VA 23188
757-259-4122

**Stormwater and
Resource Protection**

101-E Mounts Bay Road
Williamsburg, VA 23185
757-253-6670

Facilities & Grounds

113 Tewning Road
Williamsburg, VA 23188
757-259-4080

Solid Waste

1204 Jolly Pond Road
Williamsburg, VA 23188
757-565-0971

May 12, 2023

Mr. Mario Medina and Ms. Gloria Suarez
2884 Chickahominy Road
Toano, Virginia 23168

Re: Resource Protection Area – 2884 Chickahominy Road
SRP-23-0007

Mr. Medina and Ms. Suarez:

On May 5, 2023, representatives of the James City County Stormwater and Resource Protection Division became aware of unauthorized vegetation removal and encroachment into the resource protection area (RPA) that has occurred at the rear of 2884 Chickahominy Road. Upon site inspection, it was confirmed that work had occurred within the RPA. There are no active requests on file for work within the RPA with the Stormwater and Resource Protection Division.

Section 23-7 of the James City County Chesapeake Bay Preservation Ordinance (CBPO), which regulates activities within the RPA, prohibits the removal of vegetation and the creation of a sightline without approval from the Stormwater and Resource Protection Division. This activity is a violation of the CBPO, subject to a Civil Penalty of up to \$5,000.00 for each day of the violation or a Civil Charge of up to \$10,000.00 per property.

To remedy these violations, you must take the following actions:

- (1) The cleared/maintained area, approximately 500 square feet, must be replanted with 10 shrubs.
 - Shrubs are defined as a woody plant smaller than 15 feet at maturity, usually having multiple permanent stems branching from or near the ground and may be evergreen or deciduous. Shrubs must be a minimum of 24” tall and a minimum of a 5-gallon pot when planted.
 - A surety in the amount of \$500.00 to guarantee the plantings.
 - There shall be a minimum of 90% survivability of all planted material 1 year post planting before the surety would be returned.
- (2) Payment of a one-time \$500.00 civil charge to the County.

Note that under Section 23-17 of the James City County Code, the “owner of property subject to an administrative decision, order or requirement under this chapter may appeal by submitting a written request for review to the [Chesapeake Bay] board no later than 30 days from the rendering of such decision, order or requirement.”

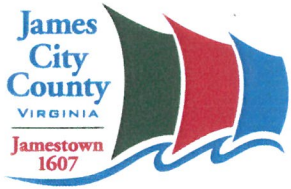
Please contact our office at 757-253-6823 to discuss this matter within the next 30 days. After 30 days from the date of this letter, the matter is no longer appealable to the Chesapeake Bay Board.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Woolson", with a long, sweeping underline.

Michael Woolson
Section Chief, Stormwater and Resource Protection Division
757-253-6823
Michael.Woolson@jamescitycountyva.gov

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



General Services
107 Tewning Road
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P: 757-259-4080
General.Services@jamescitycountyva.gov
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757-253-6670

Facilities & Grounds
113 Tewning Road
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757-259-4080

Solid Waste
1204 Jolly Pond Road
Williamsburg, VA 23188
757-565-0971

May 12, 2023

Newport News Waterworks, Department of Public Utilities
c/o Andrew Rich, Watershed Administrator
700 Town Center Drive, Suite 400
Newport News, Virginia 23606

Re: Resource Protection Area – behind 2884 Chickahominy Road, Little Creek Reservoir
SRP-23-0008

Mr. Rich:

On May 5, 2023, representatives of the James City County Stormwater and Resource Protection Division became aware of unauthorized vegetation removal and structure encroachment into the resource protection area (RPA) that has occurred behind 2884 Chickahominy Road on Little Creek Reservoir property. Upon site inspection, it was confirmed that work had occurred within the RPA. There are no active requests on file for work within the RPA with the Stormwater and Resource Protection Division.

Section 23-7 of the James City County Chesapeake Bay Preservation Ordinance (CBPO), which regulates activities within the RPA, prohibits the removal of vegetation, the creation of a sightline and the installation of steps and a landing without approval from the Stormwater and Resource Protection Division. These activities are a violation of the CBPO, subject to a Civil Penalty of up to \$5,000.00 for each day of the violation or a Civil Charge of up to \$10,000.00 per property.

To remedy these violations, you must take the following actions:

(1) The cleared/maintained area, approximately 1,000 square feet, must be replanted with 4 understory trees and 20 shrubs.

- Understory trees may be planted no closer than 10 feet from each other and no closer than 5 feet from canopy trees. Understory trees are defined as those trees that reach a height between 15 and 35 feet at maturity and may be evergreen or deciduous. Understory trees must be a minimum of 0.75" in caliper and a minimum of 5 feet tall when planted.
- Shrubs are defined as a woody plant smaller than 15 feet at maturity, usually having multiple permanent stems branching from or near the ground and may be evergreen or deciduous. Shrubs must be a minimum of 24" tall and a minimum of a 5-gallon pot when planted.
- A surety in the amount of \$1,000.00 to guarantee the plantings.
- There shall be a minimum of 90% survivability of all planted material 1 year post planting before the surety would be returned.

(2) Payment of a one-time \$3,000.00 civil charge to the County.

Note that under Section 23-17 of the James City County Code, the “owner of property subject to an administrative decision, order or requirement under this chapter may appeal by submitting a written request for review to the [Chesapeake Bay] board no later than 30 days from the rendering of such decision, order or requirement.”

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

Sincerely,



Michael Woolson
Section Chief, Stormwater and Resource Protection Division
757-253-6823
Michael.Woolson@jamescitycountyva.gov

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



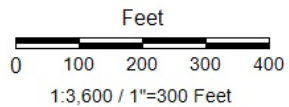
Legend

- Parcels
- Street Names
- Resource Protection Area RPA



Title: Location Map

Date: 6/7/2023



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



Chesapeake Bay Preservation Civil Charge Consent Agreement

THIS AGREEMENT, made on this 5 day of June 2023, by and between Mario Medina and Gloria Suarez, residing at 2884 Chickahominy Road, ("OWNER") and the COUNTY OF JAMES CITY, VIRGINIA, ("COUNTY").

WHEREAS, the Owner of that certain parcel of land known and identified as 2884 Chickahominy Road, Parcel Identification Number 2230100007, has violated or has caused a violation of the James City County Chesapeake Bay Preservation Ordinance, Chapter 23 of the County Code, by removing understory vegetation on that aforementioned parcel.

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

1. The Owner hereby agrees to provide for the payment of a civil charge in the amount of \$500.00 (Five hundred dollars), for the violation of the ordinance described above.
2. In consideration of the Owner's payment of the civil charge, the County agrees to accept the civil charge as the final resolution of this violation and in consideration of this executed agreement the County will not prosecute the Owner under the civil penalty provision provided for within the ordinance.

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

OWNER:

By: *Gloria Suarez / Mario Medina*

~~COUNTY OF JAMES CITY, VIRGINIA~~

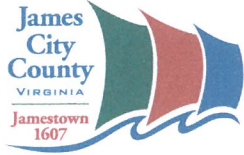
By: *James Carter Esq*

Approved as to form:

Adan Kusman
County Attorney

County of James City, Virginia

By: *[Signature]*



Chesapeake Bay Restoration Agreement

THIS AGREEMENT by and between Mario Medina and Gloria Suarez (collectively, the “Owner”), residing at 2884 Chickahominy Road, and the County of James City, Virginia, a political subdivision of the Commonwealth of Virginia (the “County”).

WHEREAS, the Owner is the owner of a certain tract of land located at 2884 Chickahominy Road, (the “Property”) located in the County; and

WHEREAS, restoration of vegetation within portions of the Property is the responsibility of the Owner and required by the County as shown on a plan designated as 2884 Chickahominy Road Restoration Plan, dated June 4, 2023.; and

WHEREAS, removal of improvements within portions of the adjacent Newport News Waterworks Property, also known as Little Creek Reservoir is the responsibility of the Owner and required by the County as shown on a plan designated as 2884 Chickahominy Road Restoration Plan, dated June 4, 2023.; and

WHEREAS, the Owner has posted sufficient bond, letter of credit, certified or cashier’s check, or escrow fund (collectively the “Security Instrument”), pursuant to existing ordinances, approved as to form by the County Attorney, and with surety satisfactory to the County in the amount of five hundred dollars (\$500.00) guaranteeing the implementation of the restoration plan before December 31, 2023.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH that for and in consideration of the premises and the covenants and agreements herein contained, the parties agree as follows:

1. The Owner does covenant and agree that it will, without cost to the County on or before December 31, 2023, construct to the approval of the County all physical improvements as required by the Chesapeake Bay Preservation Ordinance of the County, or shown on the restoration plan approved by the County. If, in the sole judgment of the County, circumstances beyond the control of the Owner prevent the Owner from completing the improvements in the time set forth herein, then the County may, at its sole discretion, grant an extension of time for completion of said improvements and in such instance the County shall require an amended Security Instrument approved as to form by the County Attorney, and with surety satisfactory to the County in an amount to guarantee the installation of the aforementioned improvements.

2. It is mutually understood and agreed that in the event the Owner fails to properly complete the physical improvements provided hereinabove, the County may complete, or cause to have completed, the same and render a bill therefore to the Owner who shall be liable to the County for all proper costs so incurred by the County, or the County may draw the amount necessary from the surety to complete or cause to have completed the same. The Owner hereby grants the County, its agents and contractor, access to the property to install any improvements required under this Agreement.

3. In the event the County calls, collects, or otherwise draws on the Security Instrument pledged under this Agreement, the Owner agrees to either pay, or have the County use the proceeds of the draw to pay a reasonable administrative fee of \$35.00, plus any costs actually incurred by the County in drawing on the Security Instrument. The charge for an administrative fee plus costs shall apply regardless of whether the County later accepts a renewal or amendment of the Security Instrument.

4. It is mutually understood and agreed that this Agreement does not relieve the Owner of any responsibilities or requirements placed upon them by the various ordinances of the County applicable to such development of the property, and the development of the Property will be done in strict accordance with such ordinances.

5. It is mutually understood and agreed that if the Owner shall faithfully execute each and all requirements of the Chesapeake Bay Preservation Ordinance and the provisions of this Agreement, and shall indemnify, protect, and save harmless the County from all loss, damage, expense, or cost by reason of any claim, suit, or action instituted against the County or its agents or employees thereof, on account of, or in consequence of any breach on the part of the Owner, then the Security Instrument shall be released by the County to the Owner.

IN WITNESS WHEREOF, the parties hereto, being first duly authorized, have affixed their signatures on the date first above written.

ATTEST:

Jerry Carter, Esq.
(Signature)

Owner: MARIO MEDINA
(Print Name & Title)

By: [Signature]
(Signature)

Owner: Gloria Suarez
(Print Name & Title)

By: [Signature]
(Signature)

Approved as to form:

COUNTY OF JAMES CITY, VIRGINIA

Adan Kusman
County Attorney

By: [Signature]
County Agent

DATE: 6/13/23



Legend

- Parcels
- Contours
- Resource Protection Area RPA

Planting Area

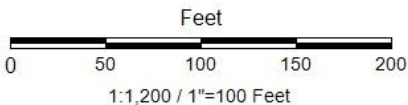
- 10 shrubs, minimum 24" tall, 5 gallon pot. Shrubs are defined as a woody plant smaller than 15 feet when mature, usually having multiple permanent stems branching from or near the ground and may be evergreen or deciduous.

- 90% plant survivability after one growing season.

Structure Removal

- Stairs, including treads, stringers and handrails. Posts to be flush cut at ground level. Portion of each post below ground to remain.

- Pallets to be removed from wetland system.



Title: 2884 Chickahominy Road Restoration Plan

Date: 6/4/2023

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

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

Principle

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

Process

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

Penalty

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

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

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

Water Quality Impact

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

Degree of Non-compliance

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

ITEM SUMMARY

DATE: 6/27/2023

TO: The Board of Supervisors

FROM: Michael Woolson, Section Chief - Resource Protection

SUBJECT: Resolution of Illicit Discharge Detection and Elimination Ordinance Violation at 7103 Pocahontas Trail

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution
☐	Location Map	Backup Material
☐	Consent Agreement	Backup Material
☐	Notice of Site Visit	Backup Material
☐	Civil Charge Matrix	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Engineering & Resource Protection	Small, Toni	Approved	6/7/2023 - 10:55 AM
Development Management	Holt, Paul	Approved	6/7/2023 - 11:14 AM
Publication Management	Pobiak, Amanda	Approved	6/7/2023 - 11:18 AM
Legal Review	Kinsman, Adam	Approved	6/7/2023 - 11:37 AM
Board Secretary	Saeed, Teresa	Approved	6/16/2023 - 12:01 PM
Board Secretary	Rinehimer, Bradley	Approved	6/20/2023 - 7:25 AM
Board Secretary	Saeed, Teresa	Approved	6/20/2023 - 3:04 PM

MEMORANDUM

DATE: June 27, 2023

TO: The Board of Supervisors

FROM: Michael D. Woolson, Section Chief - Resource Protection
Liz Parman, Deputy County Attorney

SUBJECT: Illicit Discharge Ordinance Violation - Civil Charge - Los Paisanos - 7103 Pocahontas Trail

Attached is a resolution for consideration by the Board of Supervisors (the "Board") involving a violation of the County's Illicit Discharge Ordinance (the "Ordinance") on property located at 7103 Pocahontas Trail and further identified as James City County Real Estate Tax Map Parcel No. 4130650001 (the "Property"). The case involved the pumping of raw sewage from the restaurant into a storm drain inlet.

On July 22, 2022, County staff received a report of potential illicit discharge activity on the Property. During the site visit, staff confirmed that a hose was discharging liquid into a drop inlet at the rear of the Property. The hose was connected to a broken grinder pump and pumping raw sewage into the storm drain.

In accordance with provisions of the Ordinance, the renter and County mutually came to terms to resolve and settle the violation through the County's civil charge process. The renter voluntarily signed a Consent Agreement and entered into an Illicit Discharge Detection and Elimination Civil Charge Consent Agreement with the County on June 1, 2023.

The resolution and attachments present additional specific details of the violation. Under the provisions of the Ordinance, the Board may accept civil charges for each violation of up to \$1,000. The renter has agreed to the recommended civil charge of \$1,000 for violation of Section 18A-22(a)(2) of the County's Illicit Discharge Ordinance.

Staff recommends adoption of the attached resolution, establishing the civil charge for the Illicit Discharge Ordinance violation presented.

MDW/LP/md
IllctDschOrdViol-mem

Attachments:

1. Resolution
2. Location Map
3. Consent Agreement

RESOLUTION

ILLICIT DISCHARGE ORDINANCE VIOLATION - CIVIL CHARGE -

LOS PAISANOS - 7103 POCAHONTAS TRAIL

WHEREAS, Los Paisanos are the renters of a certain parcel of land commonly known as 7103 Pocahontas Trail, Williamsburg, Virginia, designated as Parcel No. 4130650001 within the James City County Real Estate Tax Map system (the “Property”); and

WHEREAS, on or about July 22, 2022, Los Paisanos pumped raw sewage into the storm drain system (“System”) on the Property, in violation of the County’s Illicit Discharge Ordinance; and

WHEREAS, Los Paisanos executed a Consent Agreement to remedy the violation of the County’s Illicit Discharge Ordinance; and

WHEREAS, Los Paisanos agreed to pay a total of \$1,000 to the County as a civil charge pursuant to the County’s Illicit Discharge Ordinance; and

WHEREAS, the James City County Board of Supervisors accepts the civil charge in full settlement of the Illicit Discharge Ordinance violation, in accordance with Section 18A-22(a)(2) of the Code of the County of James City.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to accept the \$1,000 civil charge from Los Paisanos as full settlement of the Illicit Discharge Ordinance violation at the Property occurring on or about July 22, 2022.

Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

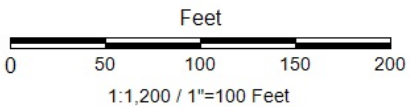
	VOTES			
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
SADLER	___	___	___	___
ICENHOUR	___	___	___	___
MCGLENNON	___	___	___	___
LARSON	___	___	___	___
HIPPLE	___	___	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 27th day of June, 2023.



Legend

- Parcels
- Street Names



Title: Location Map

Date: 6/6/2023

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



Illicit Discharge Detection and Elimination Civil Charge Consent Agreement

THIS AGREEMENT, made on this 15th day of June, 2023, by and between [Los Paisanos], residing at 7103 Pocahontas Trail, (“OWNER”) and the COUNTY OF JAMES CITY, VIRGINIA, (“COUNTY”).

WHEREAS, the Owner owns that certain parcel of land located at Pocahontas Trail and also identified as James City County Tax Map Parcel Identification Number 4130650001; and

WHEREAS, the Owner has violated or has caused a violation of the James City County Code, Chapter 18A, Article II, by discharging raw sewer into the storm sewer; and

WHEREAS, the Owner and the County wish to resolve this matter without resorting to litigation.

NOW, THEREFORE, the County and the Owner agree as follows:

1. The Owner agrees to pay a civil charge in the amount of \$1,000.00 for the above-described violation of Chapter 18A of the James City County Code.
2. In consideration of the Owner’s payment of the civil charge, the County agrees to accept the civil charge payment as the final resolution of this violation; in consideration of this executed consent agreement, the County will not prosecute the Owner under the civil penalty provision of Chapter 18A of the James City County Code.

Once this consent agreement is executed, the County will proceed with processing the civil charge in accordance with the provisions of Section 18A-24 of the James City County Code. This includes scheduling the case on the consent calendar at an upcoming Board of Supervisors regular meeting.

OWNER:

ROLDAN DO SALASAR

COUNTY OF JAMES CITY, VIRGINIA

By: [Signature]

Approved as to form:

[Signature]
County Attorney



James City County Stormwater and Resource Protection Division

101-E Mounts Bay Rd
Williamsburg, VA 23185
www.jamescitycountyva.gov

Phone: (757)253-6670
Fax: (757)259-4032
Email: stormwater@jamescitycountyva.gov

NOTICE OF SITE VISIT

On 7/27/2022, James City County received the following complaint regarding the discharge of waste into the storm sewer system or receiving waterways in violation of James City County Code § 18A-22:

Description: Sewage discharge into the storm sewer system or receiving waterways

Location: 7103 Pocahontas Trail, PIN No. 4130650001 (the "Property")

James City County staff observed the following conditions at the Property:

The Stormwater and Resource Protection Division received a complaint on July 27, 2022, regarding the potential discharge of raw sewage into the storm system at the Property. Upon investigation, staff found a hose discharging liquid into a drop inlet to the rear of the Property. Staff followed this hose to a pump behind the restaurant located on the Property.

Staff contacted the James City Service Authority (the "JCSA"), which maintains the sewage system in James City County, and set up a field meeting on July 29, 2022, to discuss next steps and determine what remedial actions should be taken. During this meeting it was determined that the pump in question was a broken grinder pump. Staff confirmed that the liquid entering the storm system was raw sewage.

Staff directed the owner of the restaurant to remove the hose from the drop inlet and redirect the line into the cleanout for the grease trap. Staff from the JCSA directed restaurant staff to hire a Plumber to remedy the situation.

These conditions currently constitute non-compliance with James City County Code § 18A-25:

(a) It shall be a violation of this ordinance to:

- (1) Discharge, or cause or allow to be discharged, sewage, industrial wastes or other wastes into the storm sewer system, or any component thereof, or onto driveways, sidewalks, parking lots or other areas draining to the storm sewer system; or
- (2) Connect, or cause or allow to be connected, any sanitary sewer to the storm sewer system, including any sanitary sewer connected to the storm sewer system as of the date of adoption of this article.

To avoid legal action against you, contact the Stormwater and Resource Protection Division to discuss the payment of a civil charge in the amount of \$1,000.00.

Inspector: Trevor Long

Site Visit Date: 7/27/2022

Acknowledgement of on-site receipt (if available):

Signed Name: _____

Signature Date: _____

Civil Charge Determination Matrix

(Illicit Discharge Detection and Elimination)

Water Quality Impact

Significant \$700 \$850 \$1,000

Moderate \$350 \$550 \$750

Minor \$200 \$300 \$500

Minor

Moderate

Major

Degree of Non-Compliance

ITEM SUMMARY

DATE: 6/27/2023

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Consideration of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; specifically, the parcels located at 95 and 101 Mounts Bay Road and 6745 Humelsine Parkway.

REVIEWERS:

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	6/7/2023 - 11:43 AM
Publication Management	Daniel, Martha	Approved	6/7/2023 - 11:47 AM
Legal Review	Kinsman, Adam	Approved	6/8/2023 - 8:59 AM
Board Secretary	Saeed, Teresa	Approved	6/16/2023 - 12:00 PM
Board Secretary	Rinehimer, Bradley	Approved	6/20/2023 - 7:18 AM
Board Secretary	Saeed, Teresa	Approved	6/20/2023 - 3:00 PM

ITEM SUMMARY

DATE: 6/27/2023

TO: The Board of Supervisors

FROM: Scott Stevens, County Administrator

SUBJECT: Consideration of a personnel matter, the evaluation of performance of the County Administrator and the County Attorney, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	6/20/2023 - 4:11 PM

ITEM SUMMARY

DATE: 6/27/2023

TO: The Board of Supervisors

FROM: Teresa Saeed, Deputy Clerk

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

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	6/20/2023 - 4:12 PM

ITEM SUMMARY

DATE: 6/27/2023

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Williamsburg/James City County Community Action Agency Board Appointment

ATTACHMENTS:

Description Type

REVIEWERS:

Department	Reviewer	Action	Date
Social Services	Vinroot, Rebecca	Approved	6/6/2023 - 10:57 AM
Publication Management	Daniel, Martha	Approved	6/6/2023 - 11:16 AM
Legal Review	Kinsman, Adam	Approved	6/7/2023 - 11:37 AM
Board Secretary	Saeed, Teresa	Approved	6/16/2023 - 12:02 PM
Board Secretary	Purse, Jason	Approved	6/20/2023 - 3:53 PM
Board Secretary	Saeed, Teresa	Approved	6/20/2023 - 4:00 PM

ITEM SUMMARY

DATE: 6/27/2023
TO: The Board of Supervisors
FROM: Ben Loppacker, Planner
SUBJECT: Historical Commission Appointments

ATTACHMENTS:

Description Type

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	6/9/2023 - 2:59 PM
Development Management	Holt, Paul	Approved	6/9/2023 - 2:59 PM
Publication Management	Daniel, Martha	Approved	6/9/2023 - 3:03 PM
Legal Review	Kinsman, Adam	Approved	6/13/2023 - 8:30 AM
Board Secretary	Saeed, Teresa	Approved	6/16/2023 - 12:01 PM
Board Secretary	Rinehimer, Bradley	Approved	6/20/2023 - 7:21 AM
Board Secretary	Saeed, Teresa	Approved	6/20/2023 - 3:01 PM

ITEM SUMMARY

DATE: 6/27/2023
TO: Board of Supervisors
FROM: Rebecca Vinroot, Director of Social Services
SUBJECT: Staff Reappointment - Colonial Juvenile Services Commission

ATTACHMENTS:

Description Type

REVIEWERS:

Department	Reviewer	Action	Date
Social Services	Vinroot, Rebecca	Approved	6/7/2023 - 4:15 PM
Publication Management	Daniel, Martha	Approved	6/7/2023 - 4:18 PM
Legal Review	Kinsman, Adam	Approved	6/8/2023 - 8:59 AM
Board Secretary	Saeed, Teresa	Approved	6/16/2023 - 12:00 PM
Board Secretary	Rinehimer, Bradley	Approved	6/20/2023 - 7:18 AM
Board Secretary	Saeed, Teresa	Approved	6/20/2023 - 2:59 PM

ITEM SUMMARY

DATE: 6/27/2023
TO: The Board of Supervisors
FROM: Teresa Saeed, Deputy Clerk
SUBJECT: Staff Reappointment - WATA Board of Directors

ATTACHMENTS:

Description Type

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	6/20/2023 - 3:49 PM

ITEM SUMMARY

DATE: 6/27/2023
TO: The Board of Directors
FROM: Teresa Saeed, Deputy Clerk
SUBJECT: Staff Reappointment - Williamsburg Regional Library Board of Trustees

ATTACHMENTS:

Description	Type
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REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	6/20/2023 - 3:59 PM

ITEM SUMMARY

DATE: 6/27/2023
TO: The Board of Supervisors
FROM: Teresa Saeed, Deputy Clerk
SUBJECT: Adjourn until 5 pm on July 11, 2023 for the Regular Meeting

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	6/20/2023 - 4:13 PM