

AGENDA
JAMES CITY COUNTY BOARD OF SUPERVISORS
BUSINESS MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
March 25, 2025
1:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. PRESENTATION(S)

1. Proclamation Honoring Service - Tim O'Connor
2. Colonial Soil and Water Conservation District Annual Update
3. Stormwater Program Advisory Committee Presentation

D. CONSENT CALENDAR

1. Acceptance of Funds - \$6,189 - Federal Asset Forfeiture Program
2. Appointment of Assistant Fire Marshal and Authorization of Fire Prevention Powers
3. Contract Award - \$265,599 - James City County Library Natural Playground
4. Contract Award-\$448,715-Recreation Center Office Renovation Project
5. Floodplain Management Plan Annual Report
6. Grant Award - \$9,183 - Circuit Court Records Preservation Program
7. Minutes Adoption
8. Resolution of Chesapeake Bay Preservation Ordinance Violation at 110 River Bluffs

E. BOARD DISCUSSIONS

1. Update from the General Registrar
2. FY 2026 - 2030 CIP Project Discussion
3. Government Center Update

F. BOARD CONSIDERATION(S)

1. Appeal of Notice of Violation, Erosion and Stormwater Management Ordinance, at 110 River Bluffs
2. Change Order - Second Interim Agreement, Consolidated Government Center

G. BOARD REQUESTS AND DIRECTIVES

H. REPORTS OF THE COUNTY ADMINISTRATOR

I. CLOSED SESSION

1. Consideration of personnel matter, the appointment of individuals to County Boards and/or Commissions pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia
 - a. Colonial Behavioral Health Board - Staff Appointment
2. Consultation with legal counsel and briefings by staff members pertaining to actual litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; specifically, the case entitled County of James City, Virginia v. Fidelity and Deposit Company of Maryland, et al, pursuant to Section 2.2-3711 (A)(7) of the Code of Virginia
3. Discussion or 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, pursuant to Section 2.2-3711 (A)(3) of the Code of Virginia and pertaining to 1206, 1207, and 1211 Jolly Pond Road, Williamsburg, VA.
4. Certification of Closed Session

J. ADJOURNMENT

1. Adjourn until 5 pm on April 8, 2025 for the Regular Meeting

James City County Board of Supervisors Report

James
City
County
VIRGINIA
Jamestown
1607

2025

COLONIA

SWCD

SOIL & WATER
CONSERVATION DISTRICT

COLONIAL SWCD

One of 47 SWCD
Districts in Virginia

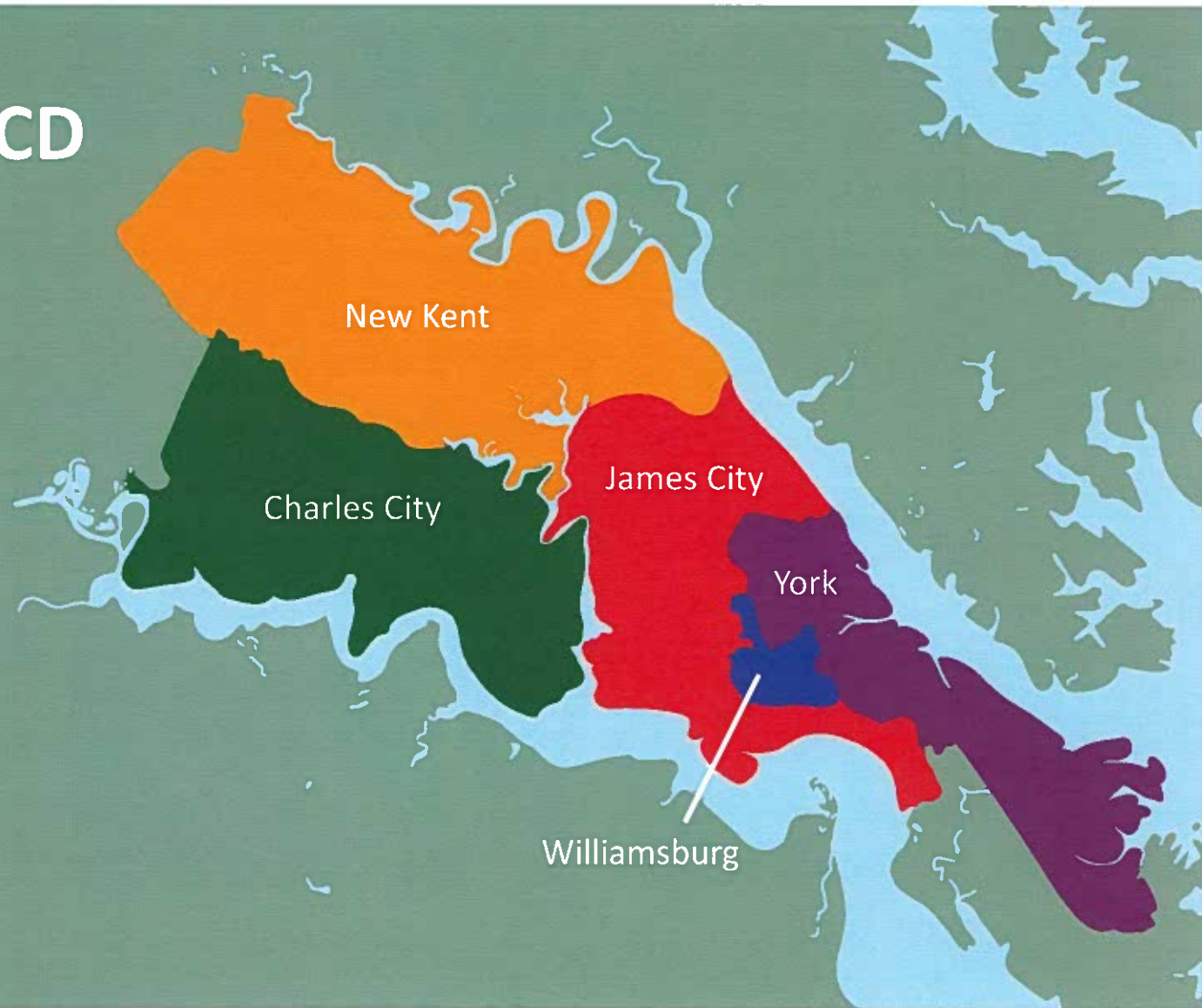


© Virginia DCR

COLONIAL SWCD

~60% of annual funding comes from the VA Department of Conservation and Recreation.

Most funding is obligated and tied to specific efforts.



AGRICULTURAL PROGRAMS



VA Agricultural Cost Share Programs



AGRICULTURAL PROGRAMS



VA Agricultural Cost Share Program

Last five years: \$268,814 on cropland

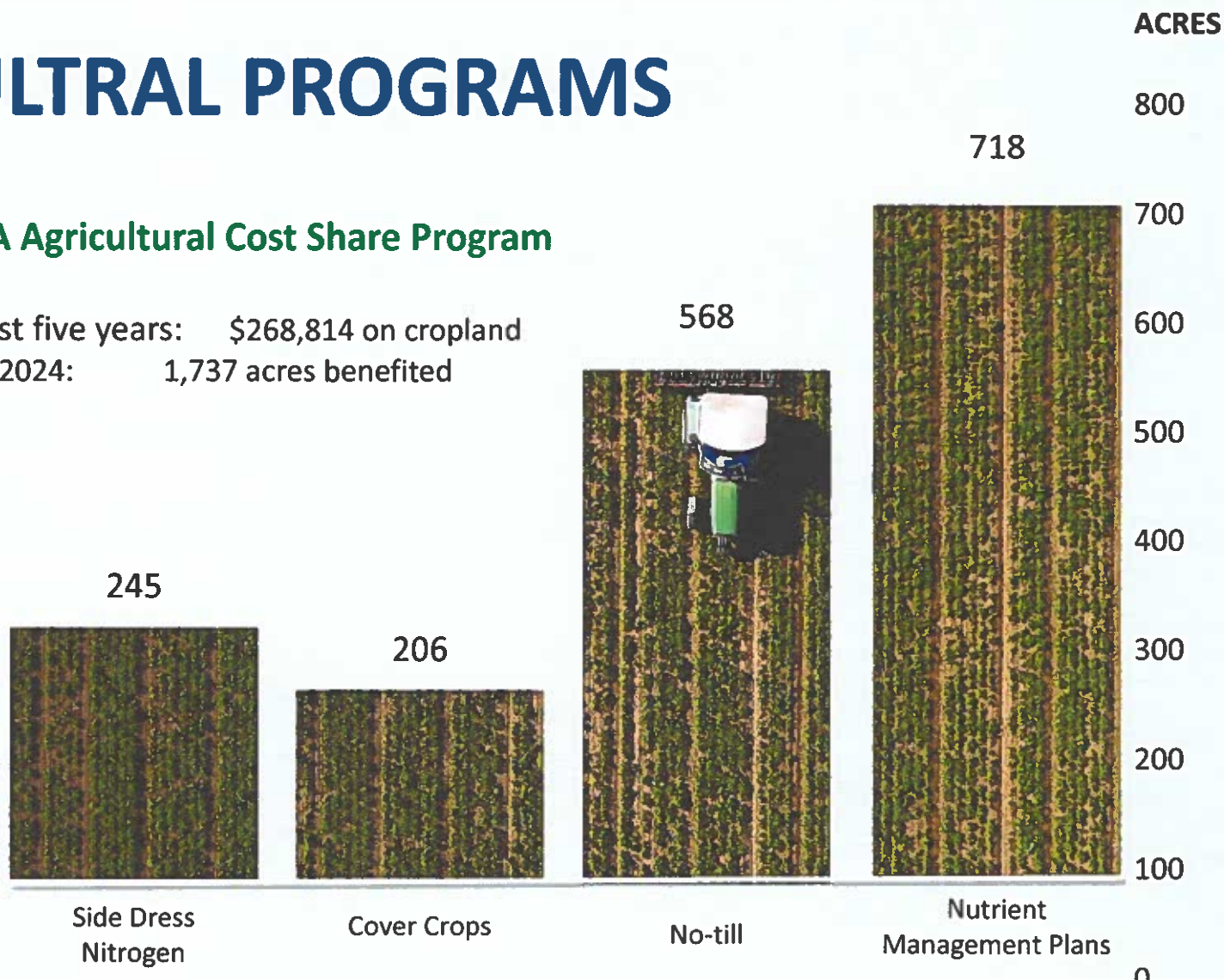


AGRICULTURAL PROGRAMS



VA Agricultural Cost Share Program

Last five years: \$268,814 on cropland
In 2024: 1,737 acres benefited



AGRICULTURAL PROGRAMS



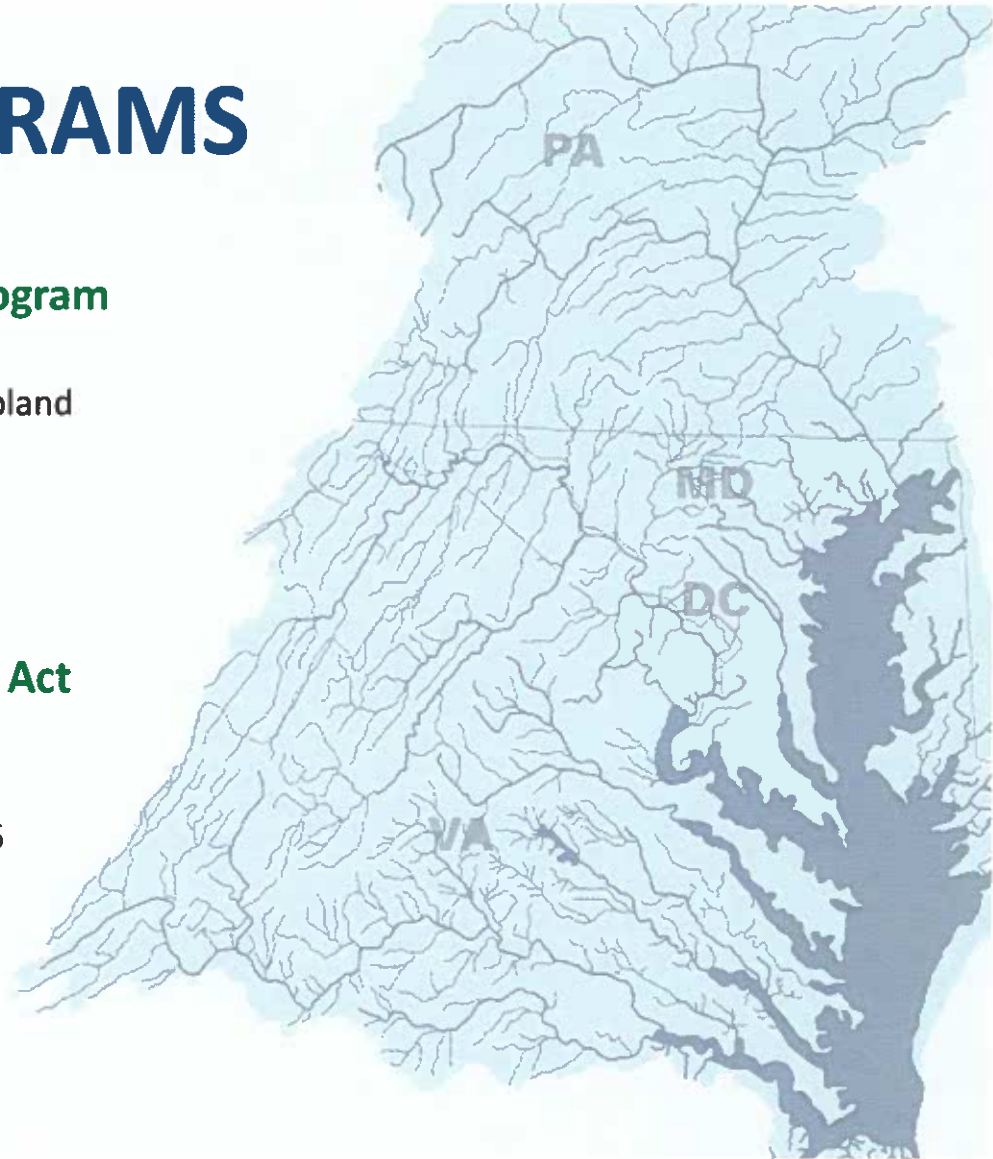
VA Agricultural Cost Share Program

Last five years: \$268,814 on cropland
In 2024: 1,737 acres benefited



Chesapeake Bay Preservation Act

Number of annual assessments
on agricultural lands in 2024: 5



AGRICULTURAL PROGRAMS



EDUCATIONAL PROGRAMS

Envirothon



Sponsored:

Jamestown High School team

Champions:

2024 State

2023 State

2019 National

URBAN PROGRAMS

**VA Conservation
Assistance Program
Since Fiscal Year 2020**

\$76,433

JCC Homeowners

HOAs

Schools



TURF LOVE

Certified nutrient management
plans completed in 2024



80

Privately owned
properties



10

County owned
properties

Fiscal Year
2025

BUDGET FOR CSWCD SERVICES



\$12,500

Technical assistance for the agricultural provisions of the JCC CBPA Ordinance.



\$42,000

Administer Turf Love Program in JCC.



\$7,250

Supplemental support for the administration of VCAP.

\$61,750

Provided through Stormwater and Resource Protection Department and JCSA.

Fiscal Year
2026

2025

BUDGET REQUEST FOR CSWCD SERVICES



\$12,500

Technical assistance for the agricultural provisions of the JCC CBPA Ordinance.



\$42,000

Administer Turf Love Program in JCC.



\$12,500

Supplemental support for the administration of VCAP.

\$67,000

Provided through Stormwater and Resource Protection Department and JCSA.

CONSERVATION OPPORTUNITIES



**Virginia Conservation
Assistance Program**

Supplemental funds
sustain an expanded
District effort.

Leveraging opportunity
for JCC Environmental
Program funds.



**Alliance to Advance
Climate-Smart Agriculture**

Provide technical and/or
financial support for
small farm operations
that do not qualify for
VA Agricultural Cost
Share program
assistance.

COLONIAL CONTACT INFORMATION

Directors Elected to Represent James City County

Robert E. Lund, Jr.

(757) 645-3510

Robert.Lund@colonialswcd.org

Steven Zabinski

Associate Directors from James City County

(508) 216-3435

Darryl.Cook@colonialswcd.org

Robert Jeremiah

rjj47va@gmail.com

District Programs Manager

Jim Wallace

(757) 645-4895

Jim.Wallace@colonialswcd.org

Website Specialist

Robyn Woolsey

Robyn.Woolsey@colonialswcd.org

The Commonwealth of Virginia supports the Colonial SWCD through financial and administrative assistance provided by the Virginia Soil & Water Conservation Board and the Department of Conservation and Recreation.





Stormwater Capital Improvement Program (CIP) and Clean Water Heritage Grant Program

Stormwater Capital Improvement Program (CIP) Budget

- Continued investment in multiyear projects spanning all districts
 - Berkeley
 - Jamestown
 - Powhatan
 - Roberts
 - Stonehouse



2016 – 2024 CIP Projects

- Brook Haven Subdivision Drainage Improvements
- Grove Drainage and Water Quality Improvements
- Toano Drainage and Water Quality Improvements
- The Foxes Stream Restoration
- Yarmouth Tributaries Stream Restoration
- James Terrace Stormwater Improvements
- Cooley Road Stream Restoration
- Deere Cir Regen Outfall (Woodland Farms Ph 1)
- Essex Court Stream Restoration
- Brook Haven Subdivision Stream Restoration
- Winston Terrace Stream Restoration
- Jamestown Road Stream Restoration
- Wilderness Lane Regenerative Outfall
- JCC Library BMP/Water Quality Upgrades
- Oxford Road Stream Restoration
- Forest Glen Subdivision Drainage Improvements
- Woodland Farms Phase II Stream Restoration
- Grices Run Stream Restoration
- CRP Living Shoreline Stabilization
- Tewing Road Stormwater BMP Retrofit (In design)
- Ney Court Stream Restoration (Under construction)
- Collington Court Stream Restoration (Under construction)



Stormwater CIP and Clean Water Heritage Grant Program

District	Stormwater CIP Number of Projects FY16-FY24	Total Cost	Outside Funding (SLAF/VDOT/VEE)	Clean Water Heritage Number of Projects FY16-FY24	Clean Water Heritage Program Total Cost	Clean Water Heritage Grant Funding
Berkeley	5	\$2,882,882	\$1,475,096	59	\$1,133,801	\$555,577
Jamestown	3	\$2,631,116	\$1,048,175	46	\$2,206,822	\$902,740
Powhatan	3	\$560,348	\$136,578	18	\$265,119	\$86,275
Roberts	7	\$5,548,626	\$2,290,899	20	\$680,308	\$282,187
Stonehouse	8	\$4,883,092	\$2,006,451	47	\$954,686	\$379,446
Total	26	\$16,506,064	\$6,957,199	190	\$5,040,736	\$2,206,225

•Note - 2024 Neighborhood Drainage Program costs are estimates

Stormwater CIP/ Operational Initiatives – Strategic Plan Next 5-10 Years

The combined 5 Watershed Management Plans listed below had a total of 355 projects that are classified as either stream restoration projects, associated stream corridor projects, BMP retrofits projects, New BMPs

(Diascund 31, Powhatan 164, Skimino 11, Ware 28, Yarmouth 121)



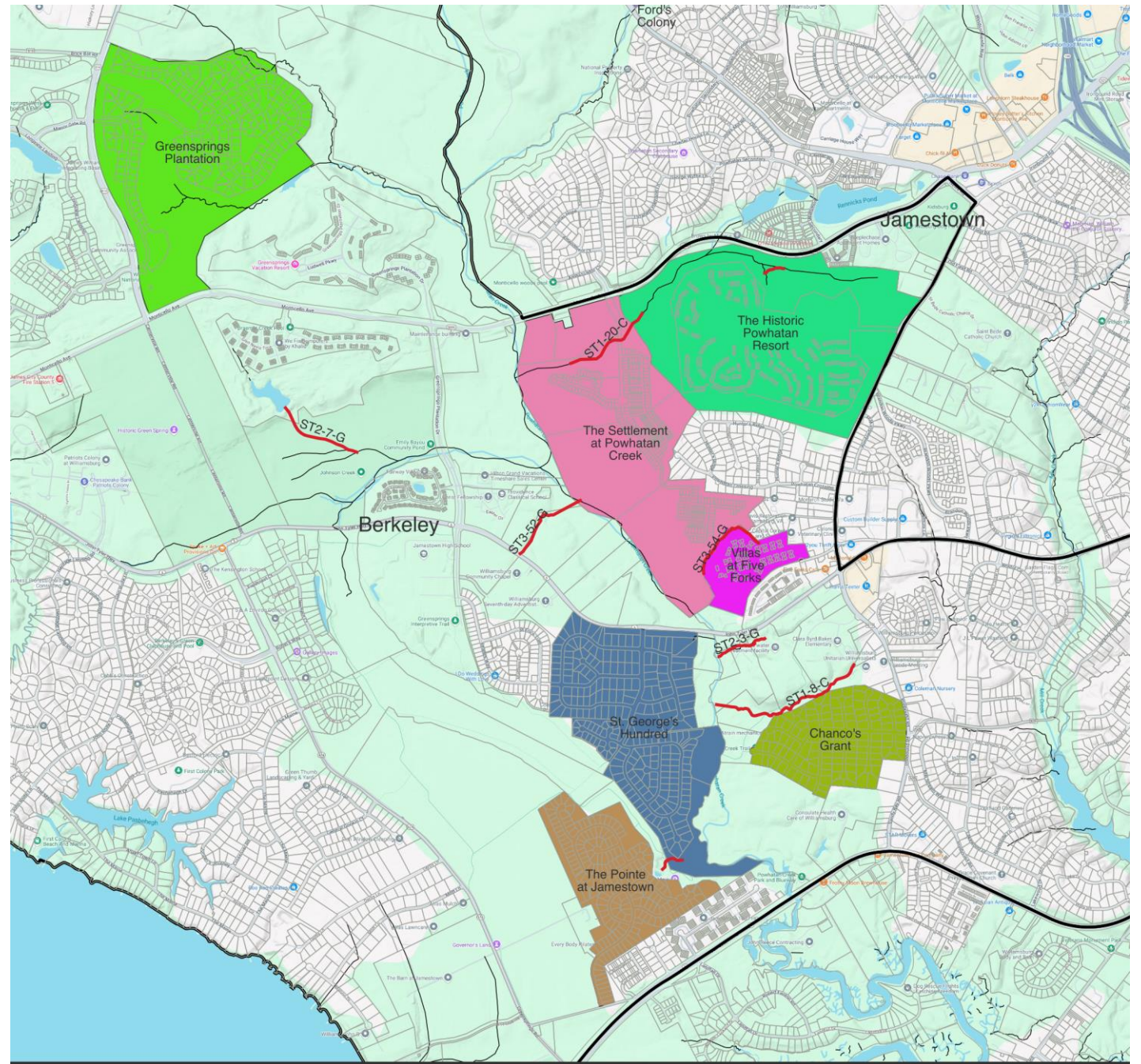
Stream Restoration Candidate Projects Powhatan, Yarmouth, Diascund, Ware, and Skimino Watersheds

93 Stream Restoration
projects were prioritized
based on 8 Prioritization
Factors

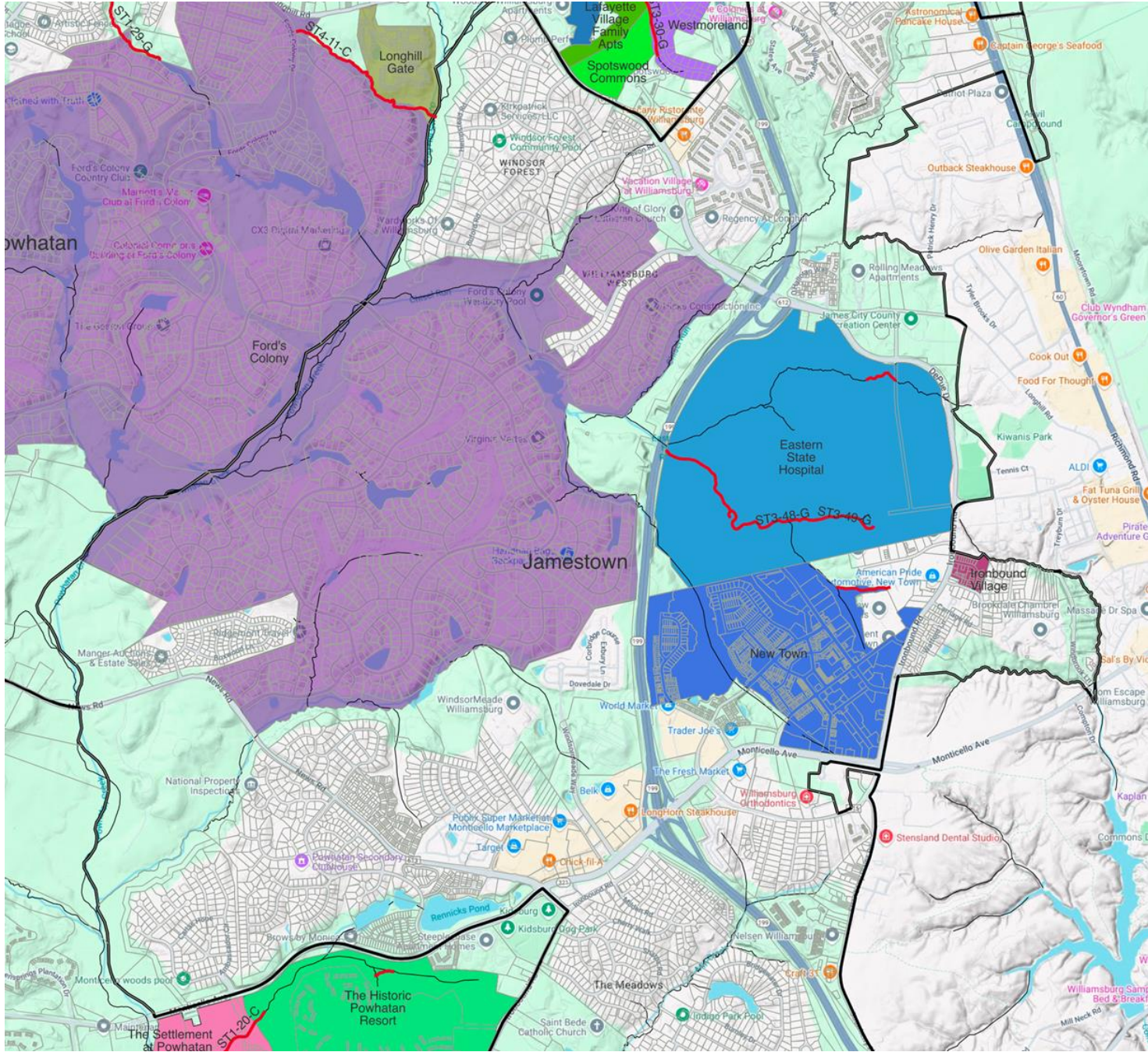
Watershed and Sub-Watershed	Reach ID	Recommended Action	Estimated Cost	Priority Factors	Possible Conflicts	Net Score for all 5 Watersheds	All Watersheds 1-N Priority List	Staff's Proposed FY 25 - 26 CIP
Ware Creek/ Upper Ware Creek	UWC-5L-B Bird Swamp Creek Old Stage & I64	Restoration	\$234,271	29	4	25	1	
Ware Creek/ France Swamp	FRS-23L-B Francis Swamp Creek Whitehall North	Restoration	\$205,073	27	3	24	2	
Ware Creek/ France Swamp	FRS-D Swamp Creek (CSX Railroad)	Restoration	\$193,555	29	6	23	3	
Ware Creek/ Upper Ware Creek	UWGS-L-2R-A	Restoration	\$167,416	26	4	22	4	
Ware Creek/ France Swamp	FRS-21L-2R-A Bird Swamp Creek Old Stage & I64	Restoration	\$41,714	24	2	22	5	4
York River/ Barlow's Mill Pond	BMP-A2	Restoration	\$330,328	30	8	22	1	4
Ware Creek/ France, Swamp	FRS-21L-3L-A	Restoration	\$29,279	25	4	21	6	3 Combined w/FRS-18R-3L-B
Ware Creek/ France Swamp	FRS-23L-3R-A	Restoration	\$63,467	27	6	21	7	
Ware Creek/ France Swamp	FRS-23L-1R-A	Restoration	\$67,933	27	6	21	8	
Ware Creek/ France Swamp	FRS-23L-2R-A	Restoration	\$69,990	27	6	21	9	
Ware Creek/ France Swamp	FRS-IL-A	Restoration	\$85,375	24	4	20	10	1
Ware Creek/ France Swamp	FRS-14R-SR-1R-A	Restoration	\$98,695	28	8	20	11	
Powhatan 208	ST3-50-G	Restoration	250-500k	29	10	19	1	



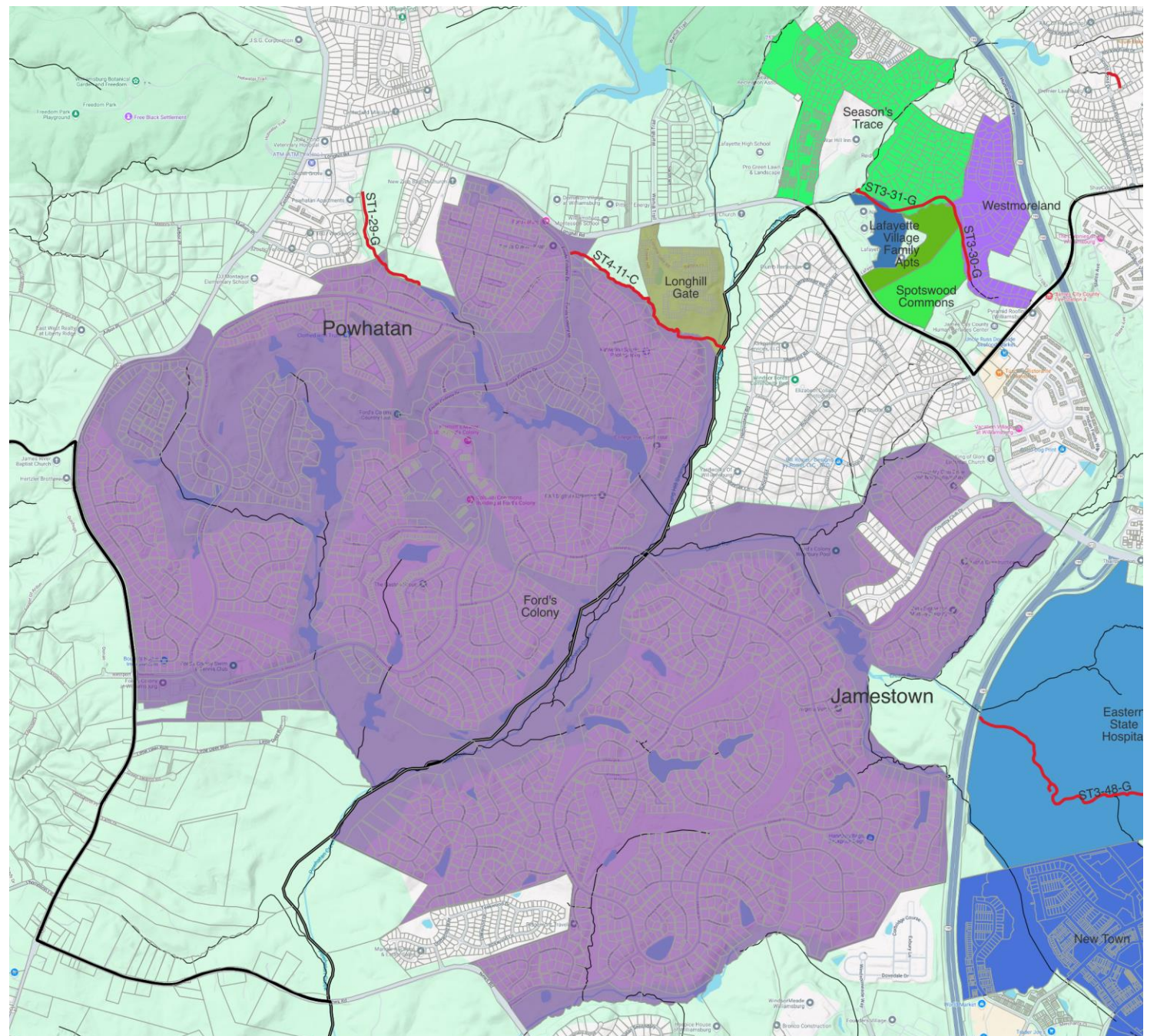
Berkeley District Stream Restorations



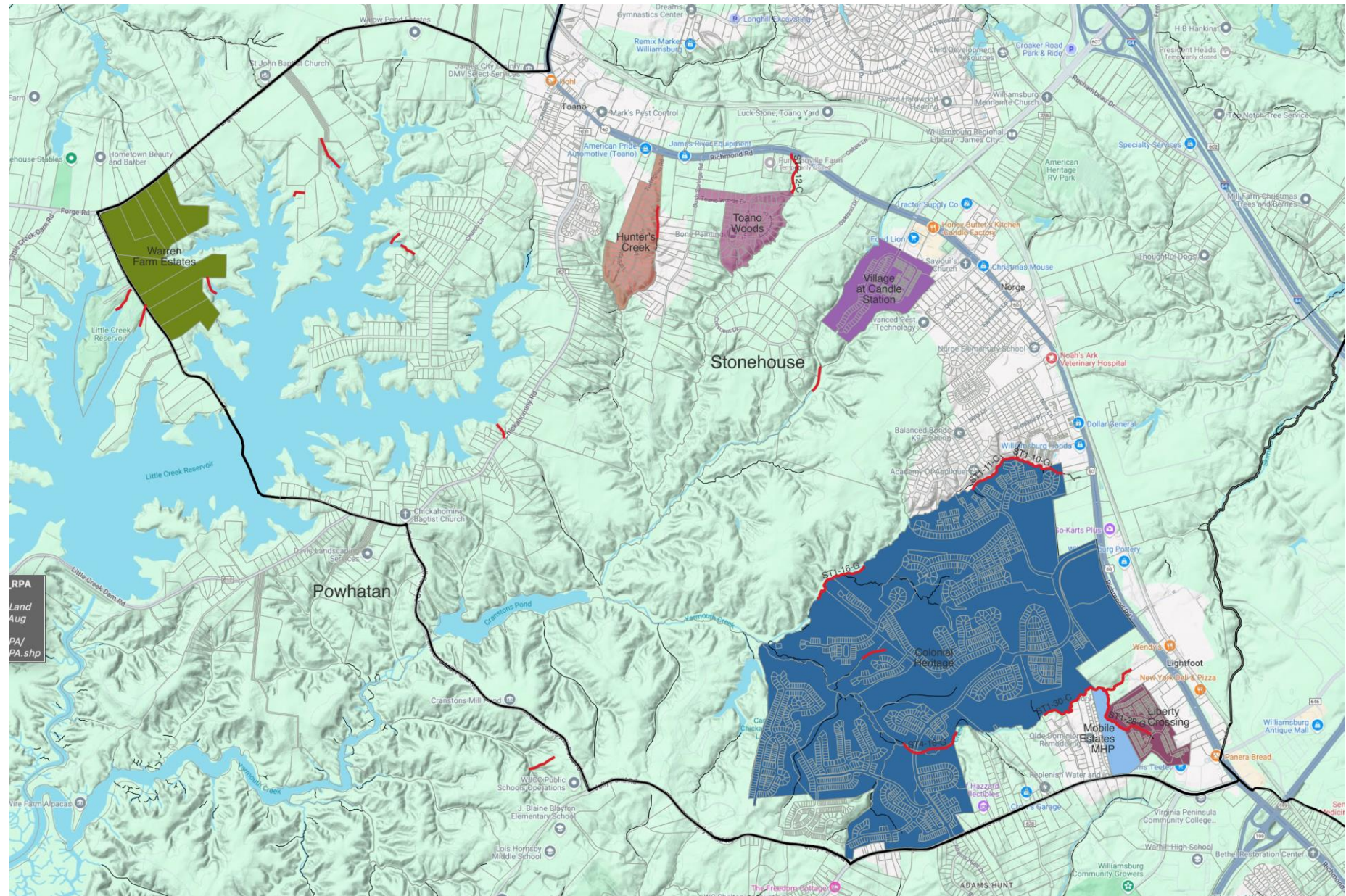
Jamestown District Stream Restorations



Powhatan District Stream Restorations

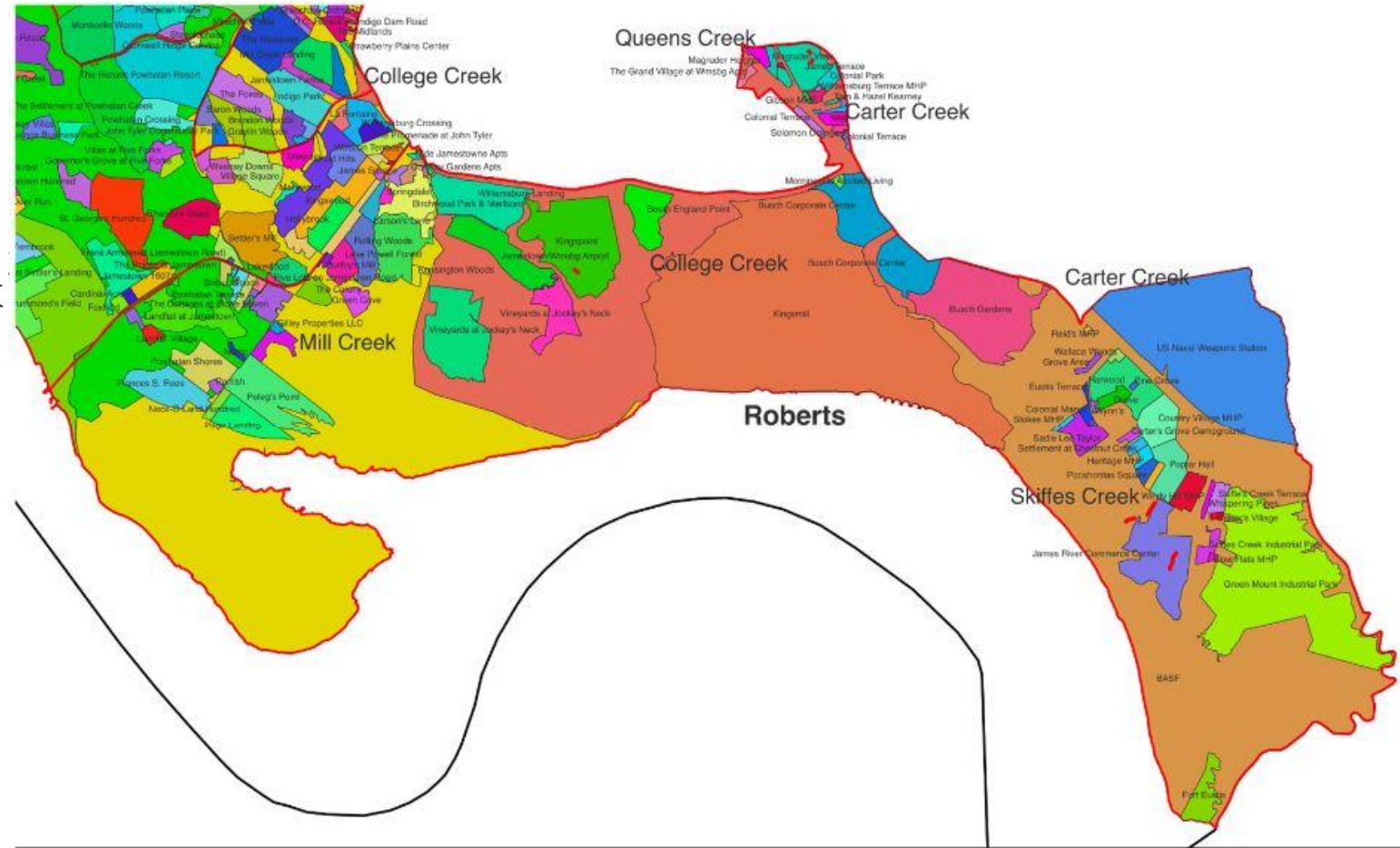


Stonehouse District Stream Restorations



Roberts District Stream Restorations

TBD based on RFP for the
development of a College Creek
and Skiffes Creek Watershed
Management Plans



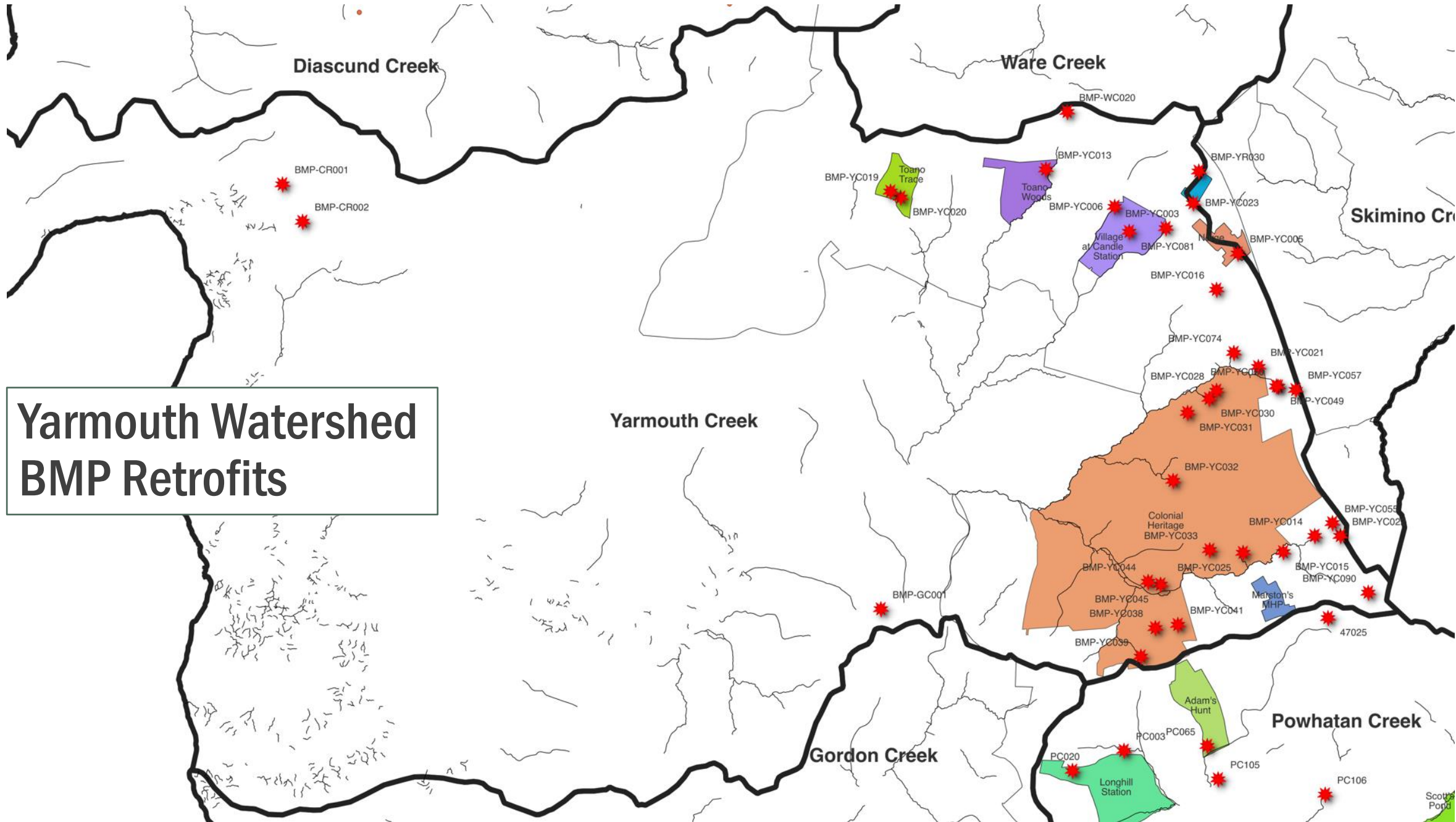
BMP Retrofits Candidate Projects Powhatan, Yarmuth, and Diascund Watersheds

- 112 projects
- 19 were prioritized

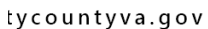
Priority	Sub Watershed	BMP ID	Facility Name	Facility Type	Drainage Area (acres)	Proposed Treatment	Cost Range	Net Score	WS Wide Rank
1	P 207	PC074	JCCRC Parking Expansion Dry Pond	Dry Pond	6	Retrofit - CW	< 100k	19	1
2	P 207	PC010	Human Services Center Dry Pond	Dry Pond	22	Rehabilitate/ Upgrade	< 100k	17	2
3	P 208	PC144	Courthouse Green Dry Pond	Dry Pond	12	Retrofit - CW	< 100k	17	3
4	P 207	PC- 175	Williamsburg Plantation Section 5	Dry Pond	40	Retrofit - CW	\$250-500K	16 BMP Inspection Score 4	5
5	P 207	PC007	Captain George's Dry Pond	Dry Pond	5	Retrofit - CW	< 100k	15	6
6	P 207	PC185	Williamsburg Plantation Dry Pond	Dry Pond	24	Retrofit - CW	100 - 250k	15 BMP Inspection Score 4	7
7	P 208	PC180 (J34)	Courthouse Biofilter	Bioretention	5	Bioretention	< 100k	14	8
8	P 209	PC238	Windsor Meade Villas Wet Pond	Wet Pond	2	Retrofit - CW	< 100k	14	8
9	P Nontidal	PC049	Powhatan Office Park Dry Pond	Dry Pond	2	Retrofit - CW	< 100k	14	10
10	P Nontidal	PC049	Powhatan Office Park Dry Pond	Dry Pond	2	Retrofit - CW	< 100k	11 BMP Inspection Score 3	2 of 13
11	DC - 102	BMP-DC004	Upper County Park Timber Walls	Erosion and Sediment Control Level 1	5.2	Retrofit - CW/ Wet Pond	\$100- 250k Construct/convert to some combination of detention and water quality treatment. May be sized to accommodate the proposed community gym at Upper County Park as well.	11 BMP Inspection Score 3	2 of 13
12	P 207	PC110	Jehovah's Witness Dry Pond	Dry Pond	2	Retrofit - CW	< 100k	11	23
13	P 209	PC075	Powhatan Secondary Phase 4A Dry Pond	Dry Pond	5	Outfall Enhancement	< 100k	11	24
14	P 209	PC136	Powhatan Secondary Dry Pond	Dry Pond	123	Retrofit - CW	> 500k	11	25
15	P 210	PC131	Cromwell Ridge Dry Pond	Dry Pond	5	Retrofit - CW	< 100k	11	26
16	YC - 102	BMP-WC020	Allan Myers Dry Pond	Dry Extended Detention Ponds	9.3	Retrofit - CW/ Wet Pond	\$100- 250k	11	1 of 35
17	YC - 105	BMP-YC055	The Candy Store Dry Pond	Dry Extended Detention Ponds	3	Retrofit - CW/ Wet Pond	\$100- 250k	10	2 of 35
18	DC - 103	BMP-DC003	Hirsh Ceramic Shop	Dry Extended Detention Ponds	0.3	Bioretention	\$50- 100k	10	4 of 13
19	DC - 103	BMP-DC018	Anderson's Corner Animal Hospital	Infiltration Trench	1.04	Rehabilitate/ Upgrade	\$50- 100k	10	4 of 13



Yarmouth Watershed BMP Retrofits

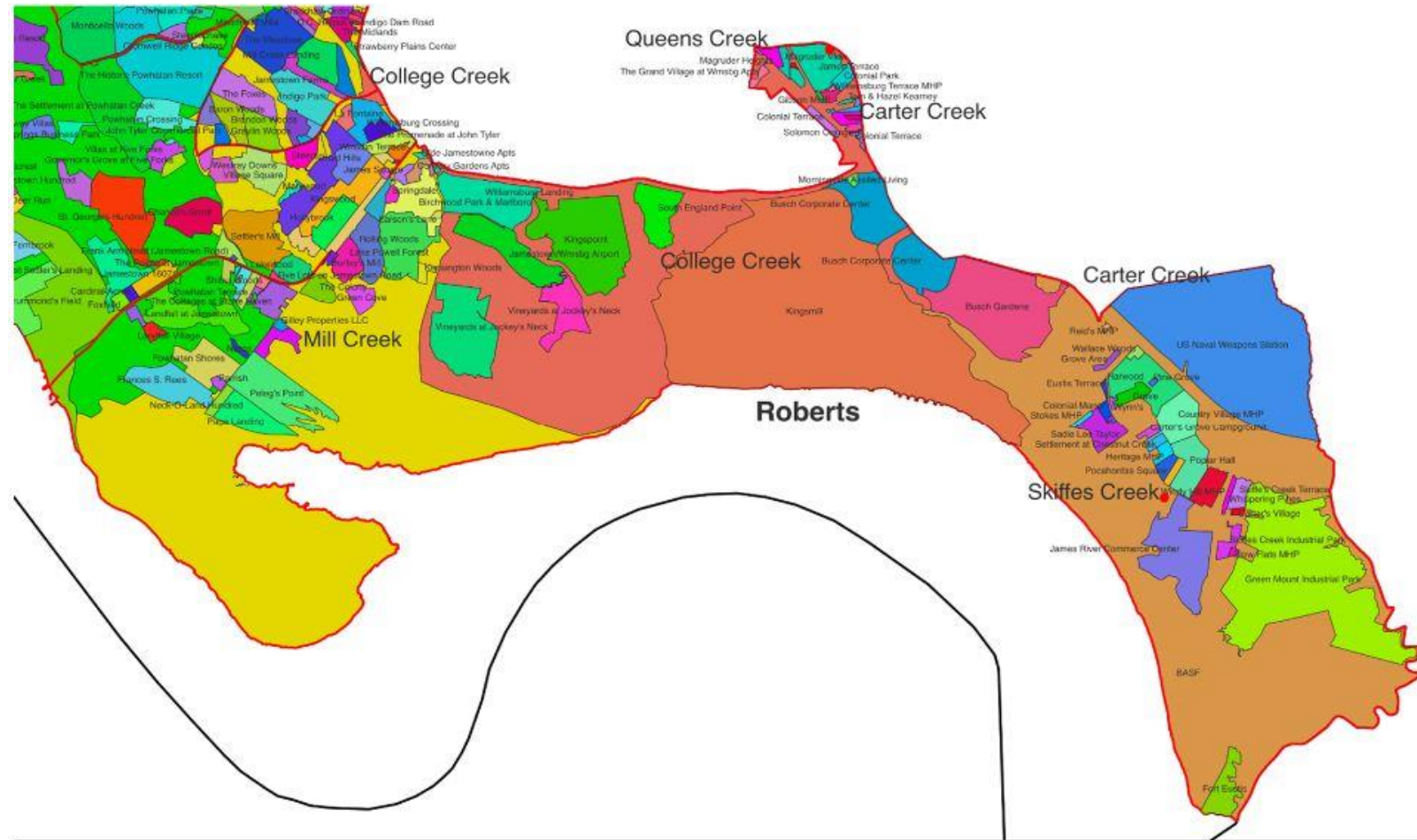


JAMES CITY COUNTY, VA



Roberts District BMP Retrofits

TBD based on RFP for the development
of a College Creek and Skiffes Creek
Watershed Management Plans



New Capital Projects and Operational Initiatives

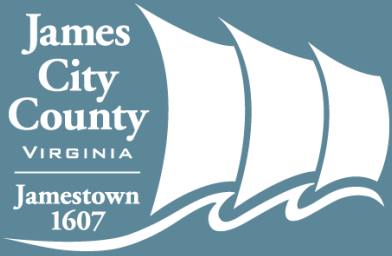
Diascund, Yarmouth, Powhatan, Ware, and Skimino

- 1) Resource two new staff positions to manage stormwater CIP projects: 1 Stormwater position as the CIP staff lead and grant writer; 1 watershed planner position to manage engineering execution of the CIP project. Currently, 12 programmed CIP project executions are based on matching funds.
- 2) Develop a countywide resilience plan to expand the review across watershed boundaries and build off of the analysis performed (*Board Approved, 14 Jan 2025, a Grant Application to the Community Flood Preparedness Fund to develop a county Resiliency Plan*)

New Capital Projects and Operational Initiatives

Diascund, Yarmouth, and Powhatan, Ware, and Skimino

- 3) Operational Initiatives Identified in the Watershed Management Plans to be included in the Resiliency Plan
 - a. Conduct an assessment of approach roads for Hick's Island Road Bridge access to residences in the floodplain of Diascund Creek.
 - b. Perform more quantitative flood modeling to better understand interior drainage flash flooding and riverine risks outside of just the tidal surge flooding.
 - c. Encourage private landowners within the floodplains to raise the elevations of the first finished floors, HVAC systems, critical utility features, etc. of their buildings and/or employ other floodproofing measures.



Stormwater Capital Improvement Program (CIP) and Clean Water Heritage Grant Program

Questions?



MEMORANDUM

DATE: March 25, 2025

TO: The Board of Supervisors

FROM: Mark L. Jamison, Chief of Police

SUBJECT: Acceptance of Funds - \$6,189 - Federal Asset Forfeiture Program

The James City County Police Department participates in the Asset Forfeiture Program (AFP) managed by the Department of Justice (DOJ). The Comprehensive Crime Control Act of 1984 (P.L. 98-473), codified in 28 U.S.C. § 524(c), established the Assets Forfeiture Fund as a special fund within the Treasury to receive the proceeds of forfeiture. The statute further allows for payments to local law enforcement agencies for assistance in forfeiture cases. The expenditure of forfeited funds is restricted to law enforcement activities specified by the DOJ.

AFP allows the James City County Police Department to receive disbursements from the Bureau of Alcohol, Tobacco, Firearms and Explosives, Drug Enforcement Administration, Federal Bureau of Investigation, Money Laundering and Asset Recovery Section, Organized Crime Drug Enforcement Task Forces, United States Marshals Service, United States Attorneys' Offices, Food and Drug Administration, Defense Criminal Investigative Service, Department of State, Bureau of Diplomatic Security Service, United States Department of Agriculture, Office of the Inspector General, or United States Postal Inspection Service.

Funds have been dispersed to the James City County Police Department in the amount of \$6,189.

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

MLJ/md
AccFds-FAFProg25-mem

Attachment

RESOLUTION

ACCEPTANCE OF FUNDS - \$6,189 - FEDERAL ASSET FORFEITURE PROGRAM

WHEREAS, the James City County Police Department participates in the Asset Forfeiture Program managed by the Department of Justice; and

WHEREAS, the Comprehensive Crime Control Act of 1984 (P.L. 98-473), codified in 28 U.S.C. § 524(c), established the Assets Forfeiture Fund as a special fund within the Treasury to receive the proceeds of forfeiture; and

WHEREAS, the statute allows payments to local law enforcement agencies for assistance in forfeiture cases; and

WHEREAS, funds have been dispersed to the James City County Police Department in the amount of \$6,189.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby accepts these funds and authorizes the following appropriation to the Special Projects/Grants Fund.

Revenue:

Federal - Police Department Federal Asset Forfeiture Funds \$6,189

Expenditure:

Police Department Federal Asset Forfeiture Funds \$6,189

James O. Icenhour, Jr.
Chair, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

HIPPLE
NULL
LARSON
MCGLENNON
ICENHOUR

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 25th day of March, 2025.

AccFds-FAFProg25-res

MEMORANDUM

DATE: March 25, 2025

TO: The Board of Supervisors

FROM: Ryan T. Ashe, Fire Chief

SUBJECT: Appointment of Assistant Fire Marshal and Authorization of Fire Prevention Powers

Firefighter Dwayne E. Adams has completed all the necessary training and certification requirements to be appointed as an Assistant Fire Marshal in accordance with the Code of Virginia Section 27-30, et. seq. An Assistant Fire Marshal is responsible for fire prevention, code enforcement, and fire investigations.

Assistant Fire Marshal training includes certification as a Fire Inspector and Fire Investigator through the Virginia Department of Fire Programs as well as the Core Code Academy through the Department of Housing and Community Development to enforce the Virginia Statewide Fire Prevention Code.

James City County Fire Department utilizes several Firefighters meeting the training requirements for Assistant Fire Marshals to augment the Fire Marshal's Office. Firefighter Adams previously served the City of Newport News as an Assistant Fire Marshal.

This appointment must be authorized by the Board of Supervisors.

A resolution is attached that complies with all Commonwealth of Virginia requirements.

RTA/md
ApptAsstFMAdams-mem

Attachment

RESOLUTION

APPOINTMENT OF ASSISTANT FIRE MARSHAL AND AUTHORIZATION OF

FIRE PREVENTION POWERS

- WHEREAS, Section 27-34.2 of the Code of Virginia, 1950, as amended, provides that the County may authorize the Fire Marshal and his assistants to have the authority to arrest, procure, and serve warrants of arrest, and to issue summons in the manner authorized by the general law for violation of fire prevention and fire safety laws and related Ordinances; and
- WHEREAS, Section 27-34.3 of the Code of Virginia, 1950, as amended, provides that the County may authorize the local Fire Marshal to exercise the powers authorized by the Fire Prevention Code; and
- WHEREAS, Section 27-37.1 of the Code of Virginia, 1950, as amended, provides that the County may authorize the local Fire Marshal to investigate releases of hazardous material, hazardous waste or regulated substances; and
- WHEREAS, Section 27-36 of the Code of Virginia, 1950, as amended, provides that the County may appoint one or more assistants, who, in the absence of the Fire Marshal, shall have the powers and perform the duties of the Fire Marshal; and
- WHEREAS, Dwayne E. Adams has completed all the minimum training and certification requirements of the Virginia Department of Fire Programs and the Department of Housing and Community Development.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby appoints Dwayne E. Adams as a James City County Assistant Fire Marshal with all such fire prevention powers as provided in Virginia Code Sections 27.30, et. seq. and those contained in Virginia Code Sections 27-34.2, 27-34.3, and 27-37.1.

James O. Icenhour, Jr.
Chair, 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>
HIPPLE	_____	_____	_____	_____
NULL	_____	_____	_____	_____
LARSON	_____	_____	_____	_____
MCGLENNON	_____	_____	_____	_____
ICENHOUR	_____	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of March, 2025.

MEMORANDUM

DATE: March 25, 2025

TO: The Board of Supervisors

FROM: Joan Towers, Capital Projects Coordinator

SUBJECT: Contract Award - \$265,599 - James City County Library Natural Playground

The work for this project consists of an exterior natural playground, which includes three constructed earthen mounds, an embankment slide with rock scramble, two wooden caves built into the earthen mounds, and a sand play area, as well as a gazebo. The project will also include a retrofit of the existing gravel path towards the gazebo, and landscaping and sodding around the area. The bid amounts included Bid Alternate A for sod.

The following two construction firms submitted bids to be considered for contract award:

<u>Firm</u>	<u>Amount</u>
GC Commercial Incorporated	\$265,599
Henderson, Inc.	\$407,169

GC Commercial Incorporated was determined to be the lowest qualified, responsive, and responsible bidder. This project is part of the approved Capital Improvement Program budget for the James City County Library and funds are available to fund this project.

Staff recommends approval of the attached resolution authorizing the contract award to GC Commercial Incorporated.

JT/md
CA-LibNatPlygrd-mem

Attachment

RESOLUTION

CONTRACT AWARD - \$265,599 - JAMES CITY COUNTY LIBRARY

NATURAL PLAYGROUND

WHEREAS, James City County received competitive bids for the James City County Library Natural Playground Project; and

WHEREAS, two bids were considered for award and GC Commercial Incorporated was the lowest qualified, responsive, and responsible bidder; and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the contract award in the amount of \$265,599 to GC Commercial Incorporated for the James City County Library Natural Playground.

James O. Icenhour, Jr.
Chair, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

HIPPLE
NULL
LARSON
MCGLENNON
ICENHOUR

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 25th day of March, 2025.

CA-LibNatPlygrd-res

MEMORANDUM

DATE: March 25, 2025

TO: The Board of Supervisors

FROM: Mark Abbott, Capital Projects Coordinator

SUBJECT: Contract Award - \$448,715 - James City County Recreation Center Office Renovation Project

The James City County Recreation Center Office Renovation project involves a comprehensive overhaul designed to enhance functionality and comfort. The renovation will include expanding from the current office space into the existing lobby area to create a total of nine office spaces, providing more room for staff and operations. In addition to the office expansion, the project will address critical building sealing issues to improve energy efficiency and maintain a comfortable indoor environment. New windows will be installed to increase natural light and enhance the building's aesthetic appeal, while the HVAC system will be balanced to ensure optimal climate control throughout the offices. This renovation will create a more efficient and welcoming environment for both staff and visitors.

General Services, in consultation with the Purchasing Division, and under the Job Order Contract for Construction Services (20240155A), determined that The Matthews Group, Inc. proposal to renovate the offices at the Recreation Center at a proposed cost of \$448,715 is reasonable in comparison to other current County construction projects and current cost indices. This project is part of the Parks & Recreation Capital Improvement Program budget.

Staff recommends approval of the attached resolution authorizing the contract award to The Matthews Group, Inc.

MA/ap
CA-RecCtrOffReno-mem

Attachment

RESOLUTION

CONTRACT AWARD - \$448,715 - JAMES CITY COUNTY

RECREATION CENTER OFFICE RENOVATION PROJECT

WHEREAS, the James City County Recreation Center Office Renovation will occur; and

WHEREAS, it has been determined by General Services, in consultation with the Purchasing Division, that under the Job Order Contract for Construction Services (20240155A), that The Matthews Group, Inc. will renovate the Recreation Center Offices; and

WHEREAS, The Matthews Group, Inc. submitted a proposal to perform the required services, the proposed rates have been determined to be reasonable, and adequate funds are available in the Parks & Recreation Capital Improvement Program budget.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the contract award in the amount of \$448,715 to The Matthews Group, Inc. for renovation of the James City County Recreation Center Offices.

James O. Icenhour, Jr.
Chair, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

HIPPLE
NULL
LARSON
MCGLENNON
ICENHOUR

VOTES

AYE NAY ABSTAIN ABSENT

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of March, 2025.

CA-RecCtrOffReno-res

MEMORANDUM

DATE: March 25, 2025

TO: The Board of Supervisors

FROM: Michael D. Woolson, Section Chief, Resource Protection, Stormwater and Resource Protection Division

SUBJECT: Floodplain Management Plan Annual Report

James City County participates in the National Flood Insurance Program (NFIP) which is administered by FEMA. The County's participation allows citizens to obtain flood insurance coverage through the NFIP. FEMA also administers a program called the Community Rating System (CRS) which provides incentives for communities to go beyond the minimum requirements of the NFIP. These incentives are in the form of premium discounts for insurance policy holders.

The County participates in the CRS program and effective October 1, 2020, the County was upgraded to a Class 5 community, providing a 25% premium discount to flood insurance policy holders. As part of the CRS program, the County is required to undergo a more rigorous cycle visit every five years which started on August 22, 2024. To date, we have not received word on our latest Class standing. Also, as part of the CRS program, the County is required to have the building code adopted by the County to be analyzed. On September 16, 2024, the result of this analysis, called the Building Code Effectiveness Grading Classification (BCEGS), is a score of 3 for one- and two-family residential properties and a score of 3 for commercial and industrial properties. On November 22, 2024, the County passed the annual recertification process with a construction certification correctness rate of 100%.

One of the activities that the County receives credit for is the preparation of a Floodplain Management Plan. This plan is contained in the Hampton Roads Hazard Mitigation Plan, which was adopted by the Board on June 28, 2022. One of the requirements of the activity is to prepare an annual report regarding the plan's implementation and submit it to the governing body and the media. A press release has been prepared regarding the annual report and the submission of the report to the Board as a Consent Calendar item fulfills the other notification requirement.

MDW/ap
FMPAnnualRpt24-mem

Attachment



FLOODPLAIN MANAGEMENT PLAN - FY 2024 ANNUAL REPORT

Background

Activity 510 of the National Flood Insurance Program's (NFIP) Community Rating System (CRS) requires the development of a Floodplain Management Plan and an annual report on the progress made in implementing the Plan. James City County's Floodplain Management Plan is contained within the ***Hampton Roads Hazard Mitigation Plan 2022 Update***. This updated Plan, which is a revision of the 2017 plan, was adopted by the James City County Board of Supervisors on June 28, 2022, making it a governing document for the topic. The Plan identifies the potential hazards facing the region and the County including hazards such as flooding, tropical/coastal storms, sea level rise and land subsidence, tornados, wildfires, winter storms, earthquakes, and hazard material incidents. The Plan includes an assessment of the risks involved with these hazards and potential mitigation efforts that can be undertaken to minimize the losses associated with these hazards. In the Plan, flooding was identified as the hazard with the highest hazard level affecting the region.

The updated plan includes some Mitigation Action Items specifically developed to improve the floodplain management activities in the County. This report will present overall Goals related to hazard mitigation and Objectives related to floodplain management as well as Mitigation Actions developed specifically for James City County with recent accomplishments related to those Mitigation Actions.

Mitigation Plan Goals and Objectives

Goals, Objectives, and Mitigation Actions were formulated after the risks from and vulnerabilities to natural hazards were identified in the Plan. The updated Goals and Objectives are presented below.

Goal 1 - Increase community resiliency by reducing vulnerability to hazards

Objective 1.1: Reduce damage to all repetitively flooded properties, not just NFIP-insured structures

Objective 1.2: Protect existing and future development

Objective 1.3: Protect critical facilities/infrastructure, including High Hazard Potential Dams

Objective 1.4: Maintain diverse, equitable and inclusive government functions and services throughout the duration of hazard events

Objective 1.5: Reduce hazard-related impacts on daily routines

Objective 1.6: Preserve and enhance benefits of natural areas

Goal 2 - Educate the public about hazard vulnerabilities and ways to reduce risk

Objective 2.1: Encourage citizens and businesses to assume responsibility for reducing vulnerability

Objective 2.2: Ensure that information and hazard education opportunities are available to all elements of the community

Objective 2.3: Pursue public/private partnerships that help facilitate access to hazard-related educational opportunities and gather feedback from citizens

Goal 3 - Strengthen and develop partnerships for mitigating hazard impacts

Objective 3.1: Integrate mitigation concepts into the local and regional government plans, policies, and actions

Objective 3.2: Improve and standardize hazard data collection and mapping

Objective 3.3: Leverage shared resources in pursuit of funding for hazard mitigation projects

Objective 3.4: Develop partnerships among private, local, regional, national, and international organizations

Mitigation Actions for James City County

There were nine Mitigation Actions identified for implementation in James City County to increase community resiliency. Not all of the Action Items are directly related to increasing resiliency related to flooding. Recent accomplishments related to Mitigation Actions directed at improving flooding resiliency are presented below.

Action 1 - Protect critical facilities, including refuges, while increasing potential refuge capacity and/or protected areas. Protection measures may include emergency generators or other power sources, wind or flood retrofits, elevation, relocation, or reconstruction.

A study was completed in 2017 that reviewed County facilities to study existing and potential shelter areas within those facilities. Actions that could be taken to strengthen any of those shelter areas were identified in the study. In addition, the James City Service Authority floodproofed the sewage lift station at 7213 Merrimac Trail by adding a second floor and elevating all the controls and the generator above flood levels. (*Schedule – completed 2019*)

Action 2 - Mitigate flooding problems identified in the flood studies performed for Powhatan Creek watershed. Measures may include but are not limited to improvements to road crossings by increasing flow capacity or installing over-topping protection, and stream restoration.

Work has not begun on implementation of study recommendations to date. (*Schedule – the Powhatan Creek Flood Study and the News Road Armoring Flood Mitigation Project are programmed in the FY26-30 Capital Improvement Plan Budget Stormwater Project List for FY28 and FY30 respectively*) The County recently submitted a grant application to the Community Flood Preparedness Fund (CFPF) for development of a local resilience plan, which is the next logical step in addressing flooding following the County's watershed management planning efforts and is a required first step in acquiring additional CFPF funding.

Action 3 - Conduct an annual meeting with the Virginia Department of Transportation (VDOT) and utilities to identify hazard areas and potential projects to mitigate those areas.

Activity 510

Communication is maintained with VDOT and various utilities throughout the year as needed to discuss any hazards identified and ways to address those hazards. An annual meeting was not considered necessary in 2024.

Action 4 - Elevate, acquire, relocate, retrofit, or floodproof structures in flood-prone areas. Flood protection may include minor localized flood reduction projects as well. Wind retrofit measures are also included and may be appropriate for some structures, especially publicly-owned structures. This action includes Mitigation Reconstruction projects.

The County developed a Flood Mitigation Grant program for implementation of small-scale flood mitigation projects. Property owners can apply for funds to implement eligible flood mitigation measures such as installation of flood vents, protection of service and mechanical equipment by elevating or relocating the equipment, or for funds to analyze their property to identify cost effective mitigation measures. A pilot program was developed in 2019, and the full program became operational during 2020. A total of two grants have been given to JCC homeowners for this purpose since the implementation of the program, one in FY23. They were both in the Chickahominy Haven subdivision. Priority will be given to repetitively flooded properties. (Schedule - ongoing)

Action 5 - Continue strengthening the County's Floodplain Management Program with the following actions:

1) Review Floodplain Ordinance regularly for appropriateness of higher standards and necessary updates;

The Ordinance was last updated on January 9, 2018, to bring it into compliance with state requirements.

2) Provide specialized training and support for Certified Floodplain Manager (CFM) certification for floodplain plan reviews, inspectors, and permit processors;

Training is provided for CFM staff members through professional, regional, and state training opportunities.

3) Continue to assess repetitive loss data annually for loss accuracy, geographic accuracy, and determination whether structure(s) on property have been mitigated and if so, by what means. Provide corrections as necessary using FEMA AW-501;

Assessment was completed for 2019. No update for 2020, 2021, 2022, 2023, or 2024.

4) Maintain current CRS Class 5 rating or better; and

The County has received annual compliance for the CRS program in 2020, 2021, 2022, and 2023 to maintain our current Class 5 CRS rating. The County completed a 5-year cycle review in 2024. At the time of this report, we have not received word on our newest CRS class rating.

5) Building Safety and Permits plans examiners to provide information and resources to help builders evaluate hydrostatic (flood) vent options. Material to be available on the Department's website. Request FEMA QuickGuide for Virginia from DCR.

Information on code compliant flood vents is available on the Building Safety and Permits website. Questions about flood vents may be emailed to the division at: buildingsafetyandpermits@jamestowncitycountyva.gov.

6) Continue outreach efforts through “Flood Fluent” web site, hurricane and winter weather preparedness activities through FEMA and NOAA, and the social media outreach activities of Emergency Management.

The County continues to participate in outreach efforts when the needs arise.

7) Conduct an annual Hazard Mitigation Workshop to update and share hazard mitigation information and discuss potential projects. Invite County departments, non-profit agencies, and other stakeholders. Develop an annual Hazard Mitigation Potential Project List with ready packages for submittal as funding becomes available.

A Continuity of Operations Plan and an updated Point of Distribution plan were created in 2019.

8) Implement regulations and procedures to ensure that site development projects, including those initiated by the County, are consistent with the protection of environmentally sensitive areas and the maintenance of the County’s overall environmental quality so that development projects do not exacerbate current or future flooding in flood prone areas.

Updates to the Powhatan Creek Watershed Management Plan were completed in 2023. Updates to the Yarmouth Creek Watershed Management Plan were completed in 2024. These plans include flooding as one of the components of the overall watershed management plan. On June 11, 2024, the County updated Chapter 8 of the County Code to reflect the Department of Environmental Quality’s consolidated regulation for erosion and sediment control and stormwater management, called the Virginia Erosion and Stormwater Management Program.

9) Finalize, fund, and implement the County’s Flood Resiliency Plan and associated projects, which are adopted herein by reference. Projects are expected to include shoreline erosion and stream restoration projects among others. Three watershed management plans are also expected to begin in the near future, which will prioritize stream restoration needs and outline priorities for CIP funding.

The Powhatan Creek and Yarmouth Creek Watershed Management Plan updates have been completed, and a new plan for Diascund Creek has been completed. The County recently submitted a grant application to the Community Flood Preparedness Fund (CFPF) for development of a local resilience plan, which is the next logical step in addressing flooding following the County’s watershed management planning efforts and is a required first step in acquiring additional CFPF funding.

Other County Actions in Support of Floodplain Management

1. A flood study of the Route 5 (John Tyler Highway) culvert located near Jamestown High School and the Fieldcrest subdivision was completed in December 2008 to identify improvements that could lessen flooding in this area.

Activity 510

2. A flood study in the Chisel Run area of the Powhatan Creek watershed was completed in November 2009 to better identify flood risks and drainage improvements that may be necessary in that area.
3. A study has been completed in March 2011 that identifies and evaluates flood mitigation alternatives in the lower Powhatan Creek watershed.
4. Watershed management plans have previously been completed for the Powhatan, Yarmouth, Mill, Gordon, Skimino, and Ware Creek watersheds. Work has been completed on the updated Powhatan Creek and Yarmouth Creek Plans. Work has been completed on a new Watershed Management Plan for Diascund Creek.
5. The Stormwater Division has spent approximately \$15,457,000 on construction projects to mitigate flood, drainage, and erosion problems throughout the County since 2007.
6. The Flood Insurance Rate Maps for the County were updated and adopted by the Board of Supervisors on December 16, 2015.
7. The SRP Division and the IRM Department have provided more accurate elevation data for the entire County using 2018 LIDAR data to create a new 1-foot and 5-foot contour layer available on the Property Information System website.

MEMORANDUM

DATE: March 25, 2025

TO: The Board of Supervisors

FROM: Elizabeth E. O'Connor, Clerk of Circuit Court

SUBJECT: Grant Award - \$9,183 - Circuit Court Records Preservation Program

The Library of Virginia has awarded Williamsburg/James City County Circuit Court a Circuit Court Records Preservation grant in the amount of \$9,183.

The grant will be used to repair and preserve City of Williamsburg Deed Book 14 from 1929-1931, City of Williamsburg Deed Book 30 from 1939, Williamsburg and James City County Chancery Order Book 9 from 1936-1942, City of Williamsburg Will Book 1 from 1858-1892, and City of Williamsburg Will Book 2 from 1892-1921 for historical and genealogical purposes.

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

EEO/md
GA-CirCtRecPresv-mem

Attachment

RESOLUTION

GRANT AWARD - \$9,183 - CIRCUIT COURT RECORDS PRESERVATION PROGRAM

WHEREAS, the Williamsburg/James City County Circuit Court has been awarded a Circuit Court Records Preservation Program (CCRP) grant from the Library of Virginia in the amount of \$9,183; and

WHEREAS, the funding will be used for preservation of Williamsburg Deed Book 14 from 1929-1931, City of Williamsburg Deed Book 30 from 1939, Williamsburg and James City County Chancery Order Book 9 from 1936-1942, City of Williamsburg Will Book 1 from 1858-1892, and City of Williamsburg Will Book 2 from 1892-1921 for historical and genealogical purposes; and

WHEREAS, the grant requires no local match.

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

Revenue:

State - CCRP Program Grant	<u>\$9,183</u>
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Expenditures:

CCRP Program Grant	<u>\$9,183</u>
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James O. Icenhour, Jr.
Chair, 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>
HIPPLE	_____	_____	_____	_____
NULL	_____	_____	_____	_____
LARSON	_____	_____	_____	_____
MCGLENNON	_____	_____	_____	_____
ICENHOUR	_____	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of March, 2025.

GA-CirCtRecPresv-res

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
RETREAT
FIRE ADMINISTRATION BUILDING TRAINING ROOM
5077 JOHN TYLER HIGHWAY
WILLIAMSBURG, VA 23185
February 7, 2025
12:00 PM

A. CALL TO ORDER

Mr. Icenhour called the Board of Supervisors Retreat to order at approximately 12:06 p.m.

B. ROLL CALL

Michael J. Hipple, Powhatan District
Barbara E. Null, Stonehouse District
Ruth M. Larson, Berkeley District
John J. McGlennon, Vice Chair, Roberts District
James O. Icenhour, Chair, Jamestown District

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

Mr. Icenhour sought a motion to Amend the Agenda to add a Closed Session regarding the Williamsburg-James City County (WJCC) School Contract.

A motion to Amend the Agenda was made by Barbara Null, the motion result was Passed.

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

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

C. PRESENTATION(S)

1. Staffing Update

Mr. Stevens addressed the Board noting the County had spent considerable time regarding compensation adjustments over the past few years. He noted the various implementations and the positive effects as a result. Mr. Stevens stated several department directors would speak to the Board regarding staffing. He noted these directors had previously spoken to the Board of staffing challenges, adding these directors were present to provide updates.

Ms. Grace Boone, Director of General Services, addressed the Board noting that at the time of her last discussion with the Board, General Services staffing was struggling. She cited massive turnover, employee burnout, and a decline in some service qualities. Ms. Boone noted some necessary actions included outsourcing for property and other areas to maintain a basic service level which the community expected. She referenced prior discussion with the Board regarding onboarding and training and the associated costs over the past several years. Ms. Boone recognized the department's tenured staff, adding that collective institutional knowledge had served as a stabilizer in General Services. She provided a statistical breakdown on staff. Ms. Boone noted the increased compensation and applicant response rate were favorable staffing factors. She stated the three divisions near full staffing included Grounds, Custodial Services,

and Solid Waste Management. Ms. Boone stated the areas where staffing struggles continued included technical positions such as engineers, project coordinators, automobile technicians, and some trades. She noted the difficulty of getting people to apply, but she added that once they experienced the James City County culture, they wanted to be part of it. Ms. Boone further noted General Services focused on those points.

Ms. Larson asked Ms. Boone about the reasons regarding those groups that she had mentioned. She asked if there were not enough qualified candidates or if pay was an issue.

Ms. Boone responded she thought pay and competition. She noted the County was competing with consultants paying engineers. Ms. Boone further noted some consultants could pay more despite the County's benefit package. She stated she felt that would continue to be a struggle for a while.

Ms. Null asked about the number of openings in mechanics and engineering.

Ms. Boone answered one in mechanics, but that an additional position had been requested. She noted it had taken over eight months to get a qualified candidate. Ms. Boone stated plan reviewer or engineer positions had been open for six to eight months. She added that the project coordinator positions had approximately the same timeline.

Ms. Null asked the total number of those vacant positions.

Ms. Boone responded four for those specialty positions.

Ms. Null thanked Ms. Boone.

Ms. Arlana Fauntleroy, Director of Parks & Recreation, addressed the Board highlighting an improved staffing picture since that of 2020. She noted Parks & Recreation staff were happier and healthier due to less stress with the improved staffing levels. Ms. Fauntleroy noted a 96% full-time staffing level. She added that the department was down 20 full-time positions in 2020 at a 70% staffing level. Ms. Fauntleroy acknowledged the compensation study efforts impacted staffing in relation to recruitment and retention. She thanked the Board for its ongoing support. Ms. Fauntleroy noted ongoing initiatives and the challenges to fill positions that were typically special nature. She cited lifeguards and the aquatic facility technician were two such positions. Ms. Fauntleroy highlighted other positions which were more challenging to fill. She cited the pay increases to various departmental positions, adding the lifeguard position paid \$10.37 in 2020, but paid \$18.68 currently which equated to an 80% increase. Ms. Fauntleroy noted a shift in departmental needs and competition with the community to maintain the County's pools. She highlighted these positions particularly as they represent front line positions. Ms. Fauntleroy noted these positions were seen more frequently and very essential to daily operations. She further noted the improvements in her department and thanked the Board.

The Board thanked Ms. Fauntleroy.

Ms. Sharon McCarthy, Director of Financial and Management Services (FMS), addressed the Board noting several years prior she had spoken to the Board about the struggles in FMS regarding both recruitment and retention. She noted at that time, FMS had 36 employees and was down 13 employees, adding that level had remained so for two years. Ms. McCarthy further noted FMS staff was not front line in terms of serving the residents other than the Real Estate Assessments Division, but rather a back-office operation. She stated the need to continue payments to vendors and paychecks to staff which required the remaining two-thirds working continual overtime during nights and weekends. Ms. McCarthy noted the burnout level for staff. She stated FMS was currently fully staffed, adding the majority of the year had only seen the staff number down with one vacancy. She stated the Accounting Division continued to have staffing struggles as the number of college accounting graduates had decreased over the years.

with the switch to degrees in technology and more appealing areas. Ms. McCarthy noted the change in the nature of the job with more data analytics which required a different skill set. She further noted FMS had fared well in the employee engagement survey with many of her staff receiving substantial pay increases. Ms. McCarthy attributed the fact that her employees were happy both with the pay and the improved work-life balance was reflected in the retention level. She thanked the Board.

Ms. Larson noted these department directors, as well as others in attendance, should be commended. She further noted compensation was important, but so was management and the work environment. Ms. Larson addressed Mr. Stevens' leadership and his relationship with County management.

Mr. Stevens thanked Ms. Larson. He noted the department directors were a great group that worked well together and with their staff.

D. BOARD DISCUSSIONS / GUIDANCE

1. Community Development Authority

Mr. Kinsman addressed the Board noting the presentation addressed the Community Development Authority (CDA) which had been considered by various applications across the years in the County. He added some recent applications had also considered this option. Mr. Kinsman noted the County's one experience with the CDA had likely taken place when he was first hired at the County, and it involved the Route 5 area. He further noted applicants were essentially told the concept would not be viable in James City County. Mr. Kinsman stated he wanted to present the pros and cons of the CDA for consideration. He noted he was joined by Mr. Daniel Siegel, Group Leader of the Local Government practice group for Sands Anderson, PC, to give a presentation on a CDA, adding Mr. Siegel had hired him fresh from law school in 2003.

Mr. Siegel noted a copy of his presentation was included in the Agenda Packet. He stated a CDA was another political subdivision, adding it was another entity created under the Virginia Water and Wastewater Authorities Act. Mr. Siegel stated the CDA was comprised of a five-member board with its members appointed by the Board of Supervisors. He provided an explanation of the CDA's powers, adding roads and bridges were examples as well as infrastructure such as fire stations and schools. Mr. Siegel cited other examples included with CDAs. He noted developers really liked CDAs referencing the use of someone else's money. Mr. Siegel further noted his firm generally did not represent developers but instead represented mainly localities. He spoke on those points in more detail. Mr. Siegel noted when developers worked on planned unit developments, they were interested in CDAs completing the work on infrastructure like roads, sidewalks, lighting, stormwater, and other components as those projects were later paid with landowner taxes and not the developer. He addressed the different levels and timeframes within planned developments and other considerations by the developer, adding the CDA was able to allocate the funding upfront for those infrastructure projects. Mr. Siegel continued the presentation highlighting the formation of a CDA which required no referendum but was comprised of a series of Ordinances. He explained the cash boundary and bond specifics, adding 51% of landowners were required for the petition presented to the Board of Supervisors. Mr. Siegel noted later in the process an Ordinance with a Memorandum of Understanding was presented regarding the Bond Issue. He further noted the collection of taxes, and the process involved. Mr. Siegel continued the presentation with a series of recommendations followed by examples. He noted the Board of Supervisors should elect residents to the CDA Board, adding developers wanted to elect their own representatives regardless of County residency status. Mr. Siegel stated that developers had adopted that approach in the establishment of older CDAs for various reasons. He noted that Supervisors

were allowed to be on the CDA Board under the Board of Supervisors' purview. Mr. Siegel also recommended County staff be involved with the CDA. He addressed other bond issues where the CDA retained control and not the developer. Mr. Siegel cited the Farms of New Kent development located in New Kent County as an example. He noted with the CDA, if the developer wanted approval, then the list of items deemed important by the CDA had to be met by the developer before approval occurred. Mr. Siegel further noted this approach offered more power and control. He discussed the requirement of the special tax on the property, per unit, which had to be paid off by the builder or developer prior to the sale to the homeowner. Mr. Siegel noted the developers wanted 25- to 30-year installments instead. He addressed the importance of the developer paying the special tax rather than passing it on to the homeowners who would question the different rate for their properties versus other County residents, with the developer no longer there. Mr. Siegel noted the residents' concerns would then be directed to the Board, adding that the developer paying off the special tax avoided that situation. He addressed potential pitfalls in the presentation. Mr. Siegel also suggested a specific financial threshold for operations, legal, and financial advice be included in the original Bond Issue to cover costs. He noted the importance of these independent review areas and not just from the developer's aspect. Mr. Siegel stated when a CDA did a Bond Issue, it was an unrated bond. He explained an unrated bond's interest rate would be higher than that of the County based on the County's credit history where the CDA had no credit history. He spoke on that point in more detail. Mr. Siegel referenced a project in the City of Portsmouth, New Port CDA, and its feasibility and absorption rates. He highlighted the issues with the land value and later the developer's default. Mr. Siegel noted the special tax rate and its CDA association, adding a mathematical formula was incorporated. He explained the various components of the process such as debt service and special taxes. Mr. Siegel noted CDAs were a valuable tool with proper structuring and County control. He further noted another option was a Service District, which had similar powers to a CDA except for the ability to issue bonds. Mr. Siegel recommended large developments voluntarily proffer to request a Service District for their respective development to cover infrastructure costs initially. He added that once the developer was gone the Service District remained. Mr. Siegel noted the ease of the process, usually by Ordinance, with the Service District controlled by the Board as its governing body. He cited another example was the establishment of the Bottoms Bridge Service District to pay for utilities landowners wanted in that area which were unobtainable from neighboring counties. Mr. Siegel noted those rates fluctuated, but with a CDA there was a one-time special tax payable in installments but no fluctuation. He referenced development in Spotsylvania County and the Service District there. Mr. Siegel addressed debt with a tax sale in relation to a CDA and a Service District in more detail during the presentation.

Ms. Null noted a large development in the County where residents were stating the developers were not doing what they had promised and what recourse was available to address that point. She asked if this was a situation for a CDA.

Mr. Siegel responded that a CDA would make the developer(s) have accountability without the County paying for it.

Ms. Null mentioned the homeowners association.

Mr. McGlennon stated the homeowner would have to absorb additional costs for repairs or improvements.

Mr. Siegel noted the County could contribute.

Mr. McGlennon noted difficulty in fairly applying that contribution within the County.

Mr. Hipple stated the CDA was an advantage to the developer. He noted he wanted an advantage to County citizens, not the developer. Mr. Hipple addressed the pros and cons. He stated if a developer were coming into the County, then that developer needed to bring the

funding to make it happen. Mr. Hipple noted a Special District was not a favorable option with increased cost to build infrastructure and other elements put on the citizens.

Ms. Larson acknowledged Mr. Hipple's opinion, but stated she favored the idea. She noted the County was 25 years too late in addressing the major developments already in the County. Ms. Larson referenced the Stonehouse Subdivision as an example, adding it needed a school. She noted as a citizen she would pay for that school though she lived in another part of the County. Ms. Larson questioned future decisions particularly as the current Board had implemented moves to curtail large development. She asked if the Service District was beneficial to the County now.

Mr. Siegel noted the Service District acted more like an insurance policy. He further noted the setup was already established and not a future consideration.

Discussion ensued on the impact to developers and residents.

Mr. McGlennon referenced his work on the Lake Powell Dam restoration and the desire to be in a tax district. He noted 90% of residents in the area signed a petition in agreement of a tax district with a \$0.08 tax increase to repair the dam. Mr. McGlennon stated then the owner changed their mind.

Mr. Hipple noted his agreement with that situation and the collective agreement on the tax. He referenced a similar approach to transportation and road improvements, adding a certain amount was allocated but results were visible. Mr. Hipple noted the bonds would be reflected in the County's bookkeeping records.

Mr. Siegel noted the bonds were not County debt nor moral obligation debt. He further noted that was not County debt, but isolated to just that development.

Discussion ensued.

Mr. Icenhour questioned the lifespan on the creation of the entity. He asked the parameters for its duration.

Mr. Siegel responded if the entity was a Service District, it could go on forever. He noted if the entity was a CDA, it ceased to exist once bonded.

Mr. Icenhour asked if it ceased to exist once the bond was paid.

Mr. Siegel confirmed yes.

Mr. Hipple asked about the term limits for the CDA.

Mr. Siegel noted the Board determined the term.

Discussion ensued.

The Board thanked Mr. Siegel.

2. CIP Funding Capacity

Mr. David Rose, Manager of Public Finance and Senior Vice President, Davenport & Company, LLC, addressed the Board noting he was present for educational purposes as no decisions were needed at this time. He noted his presentation was a precursor to the upcoming Capital Improvements Program (CIP) discussion. Mr. Rose stated he was joined by Mr. Courtney Rogers, Senior Vice President, and Mr. Stephen Geisz, Associate Vice President, Davenport &

Company, LLC. He noted Davenport & Company, LLC, served as the County's financial advisor. Mr. Rose noted the presentation would address the impacts of what the County did and wanted to do. He noted for Fiscal Year (FY) 2026-2030, the County had a significant amount of money. Mr. Rose stated the County was in a good position, was well run, and well respected, which was reflected in the County's AAA bond rating. He addressed the expense of the Government Center, adding the project was very doable over time. Mr. Rose continued with a focus on projects and ratio. He referenced the market update and the borrowing several months back with a highly desirable fixed rate for its entirety as well as a tax exemption. Mr. Rose noted two markets existed and the market germane to the County or cities was very good. He further noted some market fluctuations from the COVID-19 pandemic time to current time, adding it was still a good borrowing environment. Mr. Rose discussed credit ratings and the significance of Moody's Investors Service and Standard & Poor's (S&P) and their perspective of James City County. He noted the County was at the highest rating possible. Mr. Rose further noted these companies considered the County as management with conservative budgeting practices. He stated the fiscal policies were created by the County and not imposed as part of state regulations. Mr. Rose noted liquidity and that reserves were strong in the near-term. He explained the significance of near-term in relation to each fiscal year and the County's ability to stay or stray from its financial course. Mr. Rose acknowledged the County's ability to continue on course. He referenced the County's large and diverse economic base which had been smaller in the past and a concern in years past for the credit rating agencies. Mr. Rose noted factors that impacted the AAA bond rating included funds set aside as well as too much debt too quickly. He stated it was his job to monitor the County's moves to avoid upsetting the AAA rating. Mr. Rose noted if the County moved to the AA rating, the interest rate varied little with marginal impact, but he acknowledged the psychological implications. He noted that certain projects were necessary and a short-term hit could be a reality and it was the job of both he and his colleagues to alert the County. Mr. Rose noted the three rating agencies, Moody's Investors Service, S&P, and Fitch Ratings were reporting basically the same thing in each of their reports. He further noted the presentation would focus on capital funding.

Ms. Larson noted she had a question. She asked how difficult the climb was back up if the rating dropped.

Mr. Rose responded it was dependent on the reason the rating dropped. He noted the decision to spend more cash than usually recommended with the fund balance was a factor. Mr. Rose further noted if the agencies viewed the debt as too substantial then it could take some time. He explained major economic losses were slow recoveries.

Ms. Larson thanked Mr. Rose.

Mr. Rose noted that after the presentation, a CIP discussion would follow. He stated Davenport & Company, LLC, had been asked to review the debt funding part of the CIP. Mr. Rose noted the pay-as-you-go option which the County had used successfully. He further noted Mr. Rogers met with the rating agencies regarding the County's CIP debt and additional debt. Mr. Rose addressed allocation for priority projects and cost adjustments as other factors were considered. He noted the \$260 million of capital funding priorities, the ratings impact, and the projected funding over the next five years. Mr. Rose further noted the need to assess priorities in relation to debt affordability. He noted identification of some opportunities for new revenue in the future years was also a consideration. Mr. Rose addressed the borrowing timeline for the \$260 million with two issuances, adding that the first would occur in FY 2026 followed by the second in several years. He continued the presentation focusing on the County's debt profile, adding that the rating agencies considered the County's principal and interest numbers to be very affordable and manageable. Mr. Rose highlighted several positive numbers and addressed those points in more detail. He noted that as the County's financial advisors, a percentage threshold had been recommended on the General Fund, adding that the County was lower than that recommendation. Mr. Rose highlighted the County's existing debt with the two layers of upcoming debt mentioned previously. He addressed strategies to monitor that debt responsibly

in relation to the three bond agencies and their parameters. Mr. Rose spoke to the amenities and expectations of the community, adding that the costs of projects had escalated. He noted discussion on revenue sources, other than real estate, could be scheduled at a future date. Mr. Rose addressed the 1% local option sales tax legislation that focused solely on school construction. He spoke on that point in more detail.

Mr. Icenhour questioned the \$260 million debt and its CIP impact over the next five years.

Mr. Rose responded that some revenue sources currently unavailable could become options in the future and change the numbers represented. He cited several local examples.

Discussion ensued.

Mr. Rose commented that County staff showed potential debt-funded projects to give a clear picture for discussion. He complimented staff on that point. Mr. Rose commented on future funding structures and strategies for possible use.

The Board thanked Mr. Rose and Davenport & Company, LLC, for the great presentation.

At approximately 1:34 p.m., Ms. Null left the Retreat due to illness.

3. FY 2026-2030 CIP Project Discussion

Mr. Stevens noted Ms. Cheryl Holland, Budget Manager, would provide a CIP presentation similar to the one given to the Board at its January 28, 2025, Business Meeting. He stated department heads would then deliver brief overviews of their CIP requests.

Ms. Holland addressed the Board noting the costs and funding presented reflected original requests. She noted the information was preliminary and subject to change during the budget process. Ms. Holland stated the upcoming five-year CIP covered FY 2026-FY 2030 and the CIP included both capital projects and capital maintenance. She noted 35 capital project requests totaling \$441.3 million and 94 capital maintenance requests totaling \$125.3 million were submitted.

Mr. Brad Rinehimer, Assistant County Administrator, addressed the Board noting that at the time of the CIP requests, the figure presented reflected both the Government Center and the addition. He stated the addition was not designated for the WJCC School Division nor the Williamsburg Regional Library (WRL) at present and those figures could change based on those decisions.

Mr. Alister Perkinson, Assistant Director of Parks & Recreation, addressed the Board noting the previous five-year requests were very similar to the current CIP requests. He stated some top ranked projects for FY 2026 included moving the design of the Grove Area Park to FY 2026 with its construction slated for FY 2027. Mr. Perkinson added the Grove Area Park had been on the County's radar since the 1980s as a project. He noted the Skate Park location would be impacted with the construction of the new Government Center. Mr. Perkinson discussed considerations for the JCC Marina with a breakdown on essential components for repair or replacement, particularly parking and stormwater. He addressed the splash pad at Upper County Park and trail restrooms at Greensprings Interpretative Trail. Mr. Perkinson noted the ranking for the Warhill Sports Complex and the softball/baseball fields. He further noted some available funding for that project and spoke on that point in more detail.

Ms. Larson asked for additional information regarding the \$13 million request in FY 2028 for the JCC Marina.

Mr. Perkinson noted the \$13 million represented the full scope of work. He stated that FY 2026

reflected critical needs such as stormwater infrastructure and parking. Mr. Perkinson noted that FY 2027 included a potential partnership for dry stack storage with the remaining balance reflecting previously discussed items such as dredging.

Discussion ensued on the dredging area.

Mr. McGlennon asked if the Grove Area Park was slated for FY 2026 with construction in FY 2027.

Mr. Perkinson confirmed yes.

Mr. Stevens followed up with more information on the property agreement.

Mr. McGlennon expressed his appreciation for the information.

Mr. Stevens explained that the Board would be ranking the 35 projects during the Retreat. He noted the prioritization of projects would assist in the CIP planning and budget process.

Ms. Joanna Ripley, Assistant Director of General Services, addressed the Board noting discussion on the Administration Operations Facility. She noted General Services currently had 132 authorized positions, adding the facility had been requested during the Space Needs Study conducted by Moseley Architects. Ms. Ripley further noted that study identified the need for additional space for staff throughout the County. She cited statistics for the increased needs of the population by 2040. Ms. Ripley stated the funding request included a 50,000-square-foot space for General Services staff rather than the current dispersion of staff at various locations.

Ms. Toni Small, Director of Stormwater and Resource Protection (SRP) Division, noted the \$2.63 million request for FY 2026 and approximately \$12.54 million from FY 2026-FY 2030. She stated the FY 2026 funding addressed the Skimino Creek Retrofit project. Ms. Small spoke to various watershed management plans in more detail and potential funding based on work with the United States Army Corp of Engineers. She addressed funding sources such as grants like the Stormwater Local Assistance Fund to supplement stormwater projects in the County.

Ms. Ripley noted General Services had requested a warehouse for use by all County departments. She further noted that currently 8,000 square feet of storage was available at Jamestown Beach Event Park. Ms. Ripley stated approximately 4,000 square feet of storage was available at Fire Station 2 with an additional 1,200-square-foot facility adjacent to the Solid Waste Center. She addressed revisions to the request for greater efficiency. Ms. Ripley noted space concerns at the Williamsburg/JCC Courthouse with the need for an additional 30,000 square feet of space in the future. She further noted the \$4 million request reflected the architectural and engineering services only.

Mr. Icenhour questioned the location of the warehouse. He asked if it would be part of the new facility.

Ms. Ripley replied there was no definite space to date, though the warehouse was on the General Services facility plan.

Discussion ensued.

Ms. Larson asked if the City of Williamsburg had funding on its CIP budget for the Williamsburg/JCC Courthouse. She questioned if the expansion would be located in the County or the City.

Ms. Holland noted that generally the City of Williamsburg contributed its proportionate share to Courthouse CIP expenditures. She further noted that share was based on population and usually

equated to 16%-17% of the cost. Ms. Holland stated the figure reflected the total cost minus the credit, adding that adjustment would be made later.

Ms. Ripley noted the expansion location was unknown at this early stage.

Mr. Icenhour asked about the funding across different fiscal years.

Ms. Ripley replied that the initial funding for design and construction was followed by FY 2028 funding for fixtures, equipment, and furniture upon completion of the facility.

Mr. Icenhour thanked Ms. Ripley for the explanation.

Ms. McCarthy referenced the Davenport & Company, LLC presentation and explained the borrowing aspect in reference to the General Services Administration building. She also clarified funding as it related to the Government Center and the library.

Mr. Icenhour thanked Ms. McCarthy for the clarification.

Fire Chief Ryan Ashe addressed the Board regarding Fire Station 3 replacement and factors impacting the costs. He encouraged the Board to tour the facility to observe current space constraints. Chief Ashe also addressed the funding for Fire Station 6 in FY 2030, which included design and engineering, as well as apparatus such as Fire engines and ambulances. He added the lead time for apparatus was four years so early planning was necessary.

Ms. Larson questioned the concept of the new building and previous challenges for maneuvering vehicles and equipment.

Chief Ashe addressed past concerns regarding the original design. He spoke on that point in more detail. Chief Ashe noted the \$17 million allowed for a range of options, adding that Moseley Architects had provided five options for consideration.

Ms. Larson thanked Chief Ashe.

Police Chief Mark Jamison addressed the Board regarding the Firing Range expansion, adding it was a project which was four years in the making. He stated land clearing was currently taking place. Chief Jamison noted the various stages of the 100-yard range which also included a tower. He further noted the tower also served as a storage area. Chief Jamison addressed funding for covered parking which was part of the original Law Enforcement Center concept. He noted other Police projects and provided additional details on those requests.

Ms. Holland addressed WJCC School requests, adding the numbers presented reflected the County's proportional share based on last year's enrollment numbers for the formula. She noted the numbers would be updated as needed if there were changes. Ms. Holland addressed the projects which included a bus canopy at Clara Byrd Baker Elementary School, additional funding for the Pre-Kindergarten (Pre-K) space, centralized storage facility, and the design phase for the Jamestown High School expansion in FY 2030.

Mr. Icenhour asked if the amount shown for the Pre-K facility was the School Division's additional request.

Ms. Holland confirmed yes.

Discussion ensued on surplus funding and other school-related items.

Ms. Sandy Towers, Director of WRL, addressed the Board noting WRL's two CIP requests. She reiterated the County library and theater project, if included in the design and construction

at the Government Center, eliminated this project as a duplicate on the CIP project list. Ms. Towers noted the second project was a Grove Area library and services in the Grove Area community. She further noted the 10,000-square-foot facility would provide digital capabilities and other features.

Mr. Stevens asked Ms. Towers to talk about library circulation.

Ms. Towers stated no additional library space had been added at the James City County Library since 1996 when it opened. She noted the community's population had increased over the years. Ms. Towers addressed the state and national standards per capita which equated to one square foot per capita, adding the local libraries were falling short of that number. She noted this request was to address that state standard in serving the community positively.

Mr. McGlennon asked Ms. Towers if there had been discussion with the WRL Board of Trustees regarding a joint location.

Ms. Towers confirmed yes. She noted that Mr. Stevens had made a presentation to the WRL Board at the end of 2024. Ms. Towers stated that a library co-located at the Government Center where there was an abundance of people helped to create a positive environment.

Mr. McGlennon asked about the Natural Playground and a rebid.

Ms. Towers noted it was a privately funded project with support from County staff. She stated the intent was for a Natural Landscape Playground to be placed at the James City County Library and the project went out for bid last year. She added no qualified bids were received by the due date. Ms. Towers noted the bid request was reworded and was currently out to bid with a February 25 bid deadline. She added there was considerable interest for the project.

Mr. McGlennon thanked Ms. Towers.

Mr. Paul Holt, Director of Community Development, addressed the Board highlighting the continuation of Transportation Match which provided a local match for leveraging the Virginia Department of Transportation (VDOT) funding for transportation projects. He noted funding ranged from 50%-80%, provided gap funding, and other aspects. Mr. Holt provided the Board with a list of current traffic projects as well as several upcoming projects such as intersection improvements and sidewalk improvements around schools in the County. He noted a continuation of funding to address Open Spaces. Mr. Holt further noted necessary work on the 98 bus stops in the County. He added that the Williamsburg Area Transit Authority (WATA) had no capital budget. Mr. Holt stated that WATA was only able to apply for discretionary grants. He addressed a five-year plan to establish basic improvements to the 98 bus stops and provided more details on those improvements.

Discussion ensued on various transportation projects.

Ms. Holland noted that regarding the Transportation Match there was no plan amount. She further noted this would be the first year the Transportation Match was reflected in the CIP where previously it had been reflected in the Special Projects Fund. She continued the presentation noting the requested Capital Maintenance projects totaled \$25.3 million in FY 2026 with a five-year total of \$125.3 million. Ms. Holland presented the ongoing work as it related to the CIP, adding many of these projects could potentially be ongoing until FY 2026 or FY 2028.

Mr. Icenhour noted the Board would take a short break and then address the CIP project list.

At approximately 2:16 p.m., the Board recessed for a short break.

At approximately 2:25 p.m., the Board reconvened.

Mr. Icenhour noted open discussion on the CIP project process and Board involvement. He spoke on that point in more detail.

Mr. Stevens noted the use of a ranking system for the Board to individually rank CIP projects. He stated the rankings would give staff some guidance on the Board's priorities with respect to the budget. Mr. Stevens noted he would ask Department Directors to do a similar ranking separate from that of the Board's rankings.

Discussion ensued.

Mr. Stevens addressed questions regarding the Fund Balance.

Discussion ensued on WJCC School budget, Planning Commission review of CIP requests, and other considerations.

The Board and Department Directors individually ranked the CIP projects.

Mr. Stevens noted he would get Ms. Null's input and then compile the Board's rankings along with the Department Directors' rankings to assess the projects. He further noted he would provide a follow-up in approximately two weeks.

4. Government Center Discussion

Mr. Rinehimer addressed the Board noting two key points focused on an addition and a library. He noted Mr. Stevens had recently signed the second interim agreement with the Henderson-Gilbane Group. Mr. Rinehimer explained the architectural costs based on the Board's decision. He added the schematic costs would be submitted as an addendum to the second interim agreement. Mr. Rinehimer noted the schematic cost and design for a library was approximately \$925,000. He further noted that cost was already programmed into the CIP in relation to a possible addition at the proposed Government Center site.

The Board expressed interest in the library.

Discussion ensued.

Mr. Rinehimer noted a public input meeting regarding the library. He recommended the meeting occur after library renderings were available for the public to view as had been done with the Government Center.

The Board concurred with Mr. Rinehimer's recommendation.

Mr. Rinehimer provided the Board with a timeline of the Government Center project. He acknowledged Mr. Holt's assistance. Mr. Rinehimer noted that the longer the timeline, the higher the cost for the project.

Discussion ensued.

5. Addressing Property Owners without Approvals

Mr. Holt addressed the Board with an overview of the County Code in relation to enforcement where development or construction occurred without having the necessary plan or permit approvals already in place. He noted potential fees, fines, and penalties could vary depending on the required plan or permit so he would identify various groupings. Mr. Holt further noted he would also address plans and approvals reviewed by Community Development, adding that

included site plans, and permits for zoning, building, Chesapeake Bay, and Stormwater permits. He noted information from outside state agencies such as the Virginia Department of Health, VDOT, and the Department of Environmental Quality, as well as the James City Service Authority, was not included in his PowerPoint presentation. Mr. Holt stated he would obtain that information if anyone was interested. He began the discussion on permits required for work regulated by the Virginia Uniform Statewide Building Code (USBC). Mr. Holt noted this requirement included the typical building, mechanical, plumbing, and electrical permits, as well as operational permits for amusement devices and elevators. He further noted other types of improvements covered under the umbrella of the Building Safety & Permits Division and the County's building official. Mr. Holt stated Mr. Tom Coghill, Director of the division, was present along with other divisional representatives. Mr. Holt noted the work under the Building Code followed the same process: once staff was aware of work that was being performed then staff sent multiple rounds of communication/notices which if left unanswered or unresolved, then prompted a formal notice of violation from the building official. He further noted that if compliance or resolution remained unsuccessful, then the matter was referred to the County Attorney's Office, where injunctive or civil penalties would be assessed by the courts with a maximum \$4,000 fine per violation. Mr. Holt spoke on that point in more detail, adding that if staff had multiple site visits, a multi-tiered approach was implemented regarding fines.

Discussion ensued on scenarios and fines.

Mr. Holt noted the \$4,000 fine per violation was determined by State Code, not County Code. He further noted the challenge came after the property was sold as action was enforced on the property owner and not the previous owner who may have built without the necessary permits.

Mr. Hipple addressed the importance of balance.

Mr. Holt agreed, adding Mr. Coghill and his staff were effective in identifying such cases. He noted in cases where homeowners built something and then covered it, Mr. Coghill and his staff would reply no inspection would occur if there was no visibility. Mr. Holt recognized staff's work with homeowners regarding resolution. He addressed challenges regarding contractors and other involved parties with permits and determining who was really doing the work. Mr. Holt noted those were areas to review. He further noted determining a way to shift the responsibility from the property owner and the challenges of putting the responsibility on a third party. Mr. Holt stated the challenges of adequate staffing to review cases.

Discussion ensued.

Mr. Holt noted the significance of placing a letter of violation in the Williamsburg/JCC Courthouse records. He further noted if a title search was conducted prior to a property sale, the unresolved information would be conveyed in the letter from the County's Attorney and staff.

Discussion ensued.

Ms. Larson asked if the fines were higher for commercial properties.

Mr. Holt replied the fines were the same. He addressed agricultural exemptions and a revised form to gather more detailed information regarding the property and uses. Mr. Holt noted false affidavits allowed staff to work with the County Attorney's Office to pursue the lack of necessary permits.

Mr. Hipple asked about the house being built in the County over the past 20 years.

Mr. Holt explained the permit process and timeline for inspections. He noted the six-month reset on rejected inspections and the implementation of reinspection fees. Mr. Holt stated similar provisions had to be implemented in the County Code for stormwater provisions. He

noted Chesapeake Bay Ordinances and land disturbances were covered by the SRP Division, adding the division covered a broad spectrum of permitting and plan review. Mr. Holt addressed impacts to the Resource Protection Area, assessment of civil charges, and other factors. He noted the maximum fine was \$10,000 depending on the severity, adding wetlands disturbance could be elevated to the state level agencies. Mr. Holt addressed the additional recourse if the restoration plan was incomplete. Mr. Holt noted the additional criteria the SRP was also responsible for within any recorded open space easements. He provided additional information in the PowerPoint presentation. Mr. Holt addressed requirements of the Zoning Ordinance. He added that the Zoning Division was led by Ms. Christy Parrish, Zoning Administrator, who determined what uses required a Special Use Permit or a site plan. Mr. Holt noted the Board was unable to assess civil charges for civil violation enforcements. He addressed Zoning charges and staff processes in more detail.

Discussion ensued on sign fines.

6. Addressing Property Deterioration

Mr. Holt provided the Board with an update on the Property Maintenance Code. He noted the last discussion on this topic occurred in 2022 so he would be providing additional information. Mr. Holt stated the Property Maintenance Code was one of three parts of the existing USBC. He noted this Part Three of the USBC was completely optional with enforcement by the locality as a whole or in parts as adopted by the governing body. Mr. Holt referenced various chapters and their respective material in the presentation. He stated receipt of citizen requests for staff to mandate corrective actions on new homes or new improvements against the builder or contractor. Mr. Holt added that generally this falls well after staff had completed inspections and closed out the new construction process under the USBC. He noted the time could range from one to five years after the home was occupied and included aesthetic items such cracks in the driveway or nail popping in the drywall. Mr. Holt referenced a 20-year-old request recently brought to staff's attention. He recommended several verbiage revisions and spoke to that point in more detail. Mr. Holt presented a list of localities that had adopted the Property Maintenance Code in its entirety. He noted Hanover County had adopted the Property Maintenance Code in full, but it had qualified the application only to the suburban surface area which included the area of public sewer and water availability. Mr. Holt further noted Chesterfield County's full adoption and specifics to its use. He stated he had benchmarked counties which had a Board of Supervisors form of government, adding cities had a situational difference. Mr. Holt noted unincorporated towns were also not presented in the findings. He continued stating he found a fairly equal number of localities that adopted portions of the Property Maintenance Code. Mr. Holt added that most of those localities focused primarily on unsafe and vacant structures and occupancy limitations. He spoke on several points in more detail including possible staffing for a Property Maintenance Division. Mr. Holt noted staff recommended against the latter with estimated costs involved and additional staffing needs. He referenced data from York County as a benchmark in his review. Mr. Holt noted the County also had an Unsafe Structures Policy in place as well as a variety of other Board-approved Ordinances and policies to address outdoor clutter, inoperable vehicles, and such. He further noted those policies and Ordinances were valuable tools for staff.

Discussion ensued.

Mr. McGlennon referenced a home which had been left vacant for 15 years and its state of disrepair. He questioned if the home's roof rehabilitation could be possible and if so the possibility that the repaired structure could become available housing. Mr. McGlennon noted the neighbors' frustration with the home.

Ms. Larson noted the unsightly building in front of Toano Middle School that was eventually removed.

Discussion ensued on options.

Mr. Holt noted the County's existing inspectors were certified under the USBC. He stated the Virginia Property Maintenance Code was very specific with completely different sets for requirements and certifications. Mr. Holt noted options with consideration of some points addressing property within the Primary Service Area.

Discussion ensued.

Mr. Holt stated he would review additional information and analysis for a Board presentation at a later date.

Discussion ensued.

The Board thanked staff for their input and comments.

E. CLOSED SESSION

A motion to Enter a Closed Session was made by Michael Hipple, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon

Absent: Null

At approximately 4:01 p.m., the Board of Supervisors entered Closed Session.

At approximately 4:20 p.m., the Board re-entered Open Session.

1. Discussion of the award of a public contract involving the expenditure of public funds, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(29) of the Code of Virginia and pertaining to the contract for the joint operation of schools between the County and the City of Williamsburg

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

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon

Absent: Null

F. ADJOURNMENT

1. Adjourn until 5 pm on February 11, 2025 for the Regular Meeting

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

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon

Absent: Null

At approximately 4:22 p.m., Mr. Icenhour adjourned the Board of Supervisors.

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
February 11, 2025
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

Michael J. Hipple, Powhatan District
Barbara E. Null, Stonehouse District
Ruth M. Larson, Berkeley District
John J. McGlennon, Vice Chair, Roberts District
James O. Icenhour, Jr., Chair, Jamestown District

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

Mr. Icenhour advised the Pledge Leader was unable to attend the meeting. He indicated Mr. Drew Williams would lead the Board and citizens in the Pledge of Allegiance.

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Josiah Robinson, 3rd grade student at Norge Elementary and a resident of the Jamestown District

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

E. PRESENTATIONS

1. James City County Police Department K9s

Police Chief Mark Jamison addressed the Board introducing two new members of the County's Police Department, K9 Maverick (right) and K9 Bailey (left). He mentioned K9 Officer Bailey was almost a two-year-old female Labrador Retriever, adding her specialties included human tracking and narcotics odor detection. Chief Jamison indicated K9 Officer Bailey and K9 Handler Ryan Ellis trained approximately 8-10 hours per day for six weeks. He remarked K9 Officer Bailey's abilities were impressive. Chief Jamison mentioned K9 Officer Maverick was a two-and-a-half-year-old male German Shorthaired Pointer, adding his specialties also included human tracking and narcotics odor detection. He advised K9 Officer Maverick and K9 Handler Drew Crockett also trained 8-10 hours per day for six weeks. Chief Jamison commented K9

Officer Maverick was strong-willed, independent, and a confident problem-solver. He advised in order to maintain K9 certification K9 Officers Bailey and Maverick were required to complete 16 hours of training per month. Chief Jamison noted the K9's Swearing-In Ceremony was held on December 20, 2024. He further noted in a month and a half K9 Officers Bailey and Maverick had assisted with three open-air sniff operations with the Tri-Rivers Drug Task Force, deployed in human tracking in relation to criminal offenses, conducted 27 narcotic scent deployments, and two tracking deployments resulting in 11 alerts for illegal narcotics which led to arrest. Chief Jamison thanked the Board, Mr. Stevens, and Mr. Brad Rinehimer, Assistant County Administrator, for this opportunity. He welcomed any questions the Board might have.

Mr. Icenhour thanked Chief Jamison. He noted the Board was thrilled to have the K9s join the County's Police Department, adding he was highly impressed.

Ms. Larson mentioned K9 Officer Maverick's assistance today in locating a missing juvenile in the County. She asked how long it took for a K9 to initiate a scent detection.

Mr. Crockett addressed the Board noting it depended on when the missing person was last seen and a possible location of travel. He further noted once that information had been established the K9 would then smell an article of clothing belonging to the missing person in order to track their scent and locate the individual.

Chief Jamison stated he also trained with K9 Officer Maverick. He mentioned a training session in the woods was conducted and K9 Officer Maverick located him within approximately 7-8 minutes. He expressed the phenomenal K9 work and recent results confirmed that.

Ms. Larson asked Mr. Ellis if K9 Officer Bailey was a part of his family.

Mr. Ellis confirmed that K9 Officer Bailey goes home with him every day. He noted she stayed in a kennel most of the time; however, she does get to interact with his personal dog and daughter at times. He explained that K9s were working dogs and had to be treated differently than a house dog.

Mr. Icenhour expressed his thanks.

Mr. McGlennon thanked the Officers and acknowledged the amount of time and work that went into this program.

Ms. Null noted the Board appreciated all efforts.

Mr. Icenhour noted Supervisor Larson of the Berkeley District would present the award for Presentation No. 2.

2. Life-saving Recognition

Ms. Larson asked Anna, Alexa, and Collin to come to the podium. Ms. Larson stated on the afternoon of January 25, 2025, in Greensprings West, Collin Fitzgerald, Anna Hugh, and Alexa Hugh became local heroes when they rescued two 10-year-old boys who had wandered approximately 30 feet from the shore of a nearby icy pond within the neighborhood. She mentioned the recent frigid weather conditions. Ms. Larson noted the boys broke through the icy pond, adding the rescuers saw the event and immediately ran to their aid. She further noted the rescuers had notified the boys' parents and then called 911. Ms. Larson advised all five young individuals were in the frigid waters of the pond battling the ice cold waters and the threat of hypothermia. She noted the acknowledged dangers at-hand resulted in a collaborative effort of parents, family, and neighbors who created a makeshift tow rope out of extension cords to provide the necessary lifeline allowing the rescuers to pull the two stranded boys, Collin, Anna, and Alexa to shore. Ms. Larson further noted that by the time Emergency Services

arrived all five individuals had been brought to safety and were warming up in the shelter of someone's home. Ms. Larson stated the quick thinking, resourcefulness, and teamwork demonstrated during this rescue not only averted a potential tragedy but also emphasized the spirit of community and heroism. She highlighted details of the rescuers.

Ms. Larson thanked the parents of Collin, Anna, and Alexa. Ms. Larson asked the public not to go on frozen bodies of water. She spoke highly of Collin, Anna, and Alexa's life-saving actions and presented each of them with their awards.

The Board and audience applauded.

Mr. Icenhour noted Fire Chief Ashe would present the award for Presentation No. 3.

3. Fire Department Rescue Recognition

Chief Ashe stated on January 27, 2025, two dogs had walked on an icy pond, specifically Richardsons Mill Pond in the Stonehouse subdivision. He further stated the County's Fire Department was dispatched to the location. Chief Ashe recognized some of the First Responders who assisted in the incident: Fire Captain Blake Hudgins who entered the ice-cold waters, Fire Captain Matt Mitchell who was part of the rescue crew, and Fire Captain Brian Heinsman. He advised upon arrival one of the dogs had made it safely off the icy pond; however, the other dog was still in the water and Fire Captain Hudgins entered the water to rescue the dog. Chief Ashe also recognized Dan Irby, Firefighter, who was the first on-scene and Assistant Fire Marshall Jared Randall who carried the dogs to shelter. He noted both dogs were rescued and collaborated with the dog owners to get emergency care. Chief Ashe echoed Ms. Larson's point of staying off frozen bodies of water. He expressed his appreciation to all involved in the rescue.

Mr. Icenhour extended his sincere thanks to everyone involved in the rescue.

The Board and audience applauded.

Mr. Icenhour reminded all public speakers to state their name and address for public record purposes.

F. PUBLIC COMMENT

1. Mr. Doug Wisniewski, 4740 Westhampton, addressed the Board noting he was in attendance to represent Triangle Stepping Stones. He noted Triangle Stepping Stones was the host for 12-Step recovery groups in James City County. Mr. Wisniewski further noted the organization was located off Route 199 on Lake Powell Road. He stated the organization hosted 22 12-Step recovery group meetings each week. Mr. Wisniewski highlighted the various groups hosted to include Alcoholics Anonymous, Narcotics Anonymous, Eating Disorders Anonymous, Al-Anon Family Groups, and Crystal Meth Anonymous. He touched on the importance of this facility. Mr. Wisniewski further noted the organization had been in its current location for 14 years and recently purchased the facility after renting for many years. He recognized Mr. Rinehimer and Ms. Barbara Watson, Director of Social Services, for their time and advice as the organization transitioned into the unfamiliar property ownership aspect and collaborations with other agencies and entities. Mr. Wisniewski indicated the organization was run by all volunteers and yearly expenses equated to approximately \$40,000. He noted a grant request was submitted for Board consideration; however, more importantly, he wanted to share the mission of the organization to the community. Mr. Wisniewski concluded his remarks.

2. Mr. Ed Sadler, 4909 Westmoreland Drive, addressed the Board noting he was in attendance to represent the Williamsburg British and Import Car Club. He expressed the desire to host events in James City County. Mr. Sadler spoke about the County's Special Events Permit requirement and the costs associated with the permit. He noted hosting these car events did not bring in much profit and most of the time the organization broke even. Mr. Sadler elaborated on his point and encouraged Board consideration on an exemption.

Mr. Icenhour replied to Mr. Sadler stating the Board received the documentation he provided. He noted the Board would speak with the County Administrator and someone would be in contact with him.

Mr. Sadler thanked Mr. Icenhour.

3. Mr. Andy Cason, 3205 Arran Thistle, addressed the Board noting he was a teacher at Jamestown High School and Treasurer for the Williamsburg/James City Education Association (WJCEA). He remarked he was in attendance to speak about the upcoming budget and school funding. Mr. Cason noted that the Williamsburg-James City County (WJCC) School Division conducted a compensation study and found some alarming pay disparities with other regional school divisions. He mentioned the December 10, 2024, WJCC School Board meeting, for reference purposes. Mr. Cason noted that WJCC teachers, on average, were approximately 4.6% below the 50th percentile for the region in terms of pay. He further noted in evaluating the entire pay scale and the breakdown a 20-year teacher teaching at WJCC Public Schools was making 8% less than other school divisions. Mr. Cason advised education support staff had an even larger pay gap of 11% on average. He expressed the importance of high-quality education and appropriate compensation for WJCC School Division employees. Mr. Cason questioned additional County revenue but the share to WJCC School Division continued to decrease and spoke on that point in further detail. He pleaded with the Board to fund the school budget to the fullest extent and thanked the Board for its time.

Mr. Icenhour thanked Mr. Cason.

4. Mr. Paul Scott, 150 Point O Woods, addressed the Board noting he was present on behalf of Child Development Resources (CDR). He thanked the Board for consideration of CDR's funding request for programming and continued renovation efforts of 312 Waller Mill Road. Mr. Scott reported a quarter of the renovations had been completed with an anticipated occupancy date of February 2026. He noted these efforts would allow for service enhancement and expansion. Mr. Scott highlighted various programs offered at CDR to include early intervention services for babies, young children, and their families in addition to services for expectant mothers, fathers, childcare providers, and training for early childhood professionals. He thanked the Board for its time.
5. Ms. Sarah Tuohy, 203 Elmwood Lane, addressed the Board to tell her story and the impactful experience she had with CDR. She mentioned she was a mother of three premature babies, two of which are identical twins who were born in 2020 during the peak of the COVID-19 pandemic. Ms. Tuohy stated she was unfamiliar with CDR until she was referred to the organization. She touched on the challenges from transitioning from the NICU to home life. Ms. Tuohy mentioned that on her first visit to CDR she felt a sense of comfort as there was an abundance of support from staff and other mothers. She highlighted some of the CDR programs she and her children utilized. Ms.

Tuohy commented CDR was like family to her and expressed the importance of bringing awareness to the community about the services available.

6. Mr. Chris Henderson, 101 Keystone, addressed the Board noting the 250th Anniversary of the United States Declaration of Independence was forthcoming in 2026. He mentioned he was uncertain of the County's plans regarding the anniversary but encouraged the Board to host a large-scale event for recognition purposes. Mr. Henderson inquired about the compensation approved last budget cycle for County personnel and if it had helped with filling vacancies and improving retention. He requested the County Administrator provide the data on that point. Mr. Henderson touched on funding for the WJCC School Division. He expressed his belief that funds should be allocated for teachers and other vital components; however, he did not agree with the WJCC School Board and its consideration on a possible name change for James Blair Middle School. Mr. Henderson requested an update on the new proposed municipal government complex and noted the importance of monthly updates for citizen transparency. He requested Board consideration on Board meetings being held at later times to allow the public more opportunity to attend. Mr. Henderson expressed concern with traffic at the Route 199 and Jamestown Road intersection and highlighted various suggestions to alleviate some of that traffic. He thanked the Board for its time.
7. Mr. Richard Timberlake, 4147 Wiffet Way, addressed the Board noting he was present to oppose the potential name change of James Blair Middle School. He expressed his belief that it was an unnecessary cost to taxpayers equating to approximately \$120,000. He spoke in great detail of the history of Mr. James Blair and his contributions to this community.
8. Mr. Marco Sardi, 4008 Governors Square, addressed the Board noting he was an Orchestra teacher at James Blair Middle School and President of WJCEA. He advised he was present in support of WJCC Public Schools and funding for the upcoming budget. Mr. Sardi encouraged the Board to fund the school budget to the fullest extent. He touched on the compensation study and the pay disparities found. Mr. Sardi expressed the challenges with recruitment and retainment. He discussed the value of education, personnel, and the premier school status noting compensation was needed to maintain high-quality education. Mr. Sardi thanked the Board for its time.

G. CONSENT CALENDAR

None.

H. PUBLIC HEARING(S)

Mr. Icenhour indicated there was no Planning Commission representative for the meeting due to inclement weather. He advised staff would provide a joint presentation on Public Hearing Item Nos. 1 and 2 to include separate public hearings for each.

1. AFD-24-0004, 120 & 121 Ivy Hill Road, Mill Creek AFD Withdrawal

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

AYES: 3 NAYS: 2 ABSTAIN: 0 ABSENT: 0

Ayes: Icenhour Jr, Larson, McGlennon

Nays: Hipple, Null

Ms. Roberta Sulouff, Planner, addressed the Board noting that Ms. Ester Reckhelman of Hexagon Energy had applied for a Special Use Permit (SUP) to permit a 3-megawatt solar facility, proposed to be located at 101 and 121 Ivy Hill Road. She cited the specifics of the SUP application included in the staff report in the Agenda Packet. Ms. Sulouff explained that both

properties were currently included in the Mill Creek Agricultural and Forestal District (AFD) and the project area must be withdrawn from the AFD to allow for the operation of a specially permitted use. She stated that the applicant had applied to withdraw 60.6 acres of the properties from the AFD, leaving 40.46 acres enrolled. Ms. Sulouff further stated that AFD withdrawal requests outside of the renewal period were considered based on the criteria of the Board of Supervisors' policy governing the withdrawal of property from AFDs. She noted that staff reviewed the application and found that the application was not consistent with the withdrawal policy as the proposal was not caused by an unforeseen change in circumstances and the request would not serve a public purpose. Ms. Sulouff advised that due to all criteria not being met in the Board's policy, staff could not support this request and recommended denial of the withdrawal request. She stated at its October 17, 2025, meeting, the AFD Advisory Committee voted unanimously to recommend denial of this application to the Planning Commission and Board of Supervisors. Ms. Sulouff further stated the SUP request proposed the operation of a 3-megawatt solar facility to be developed on approximately 47.5 acres of the 101.36 acres of property. She noted that the site would be accessed via Richmond Road, with internal service roads that provided access to Best Management Practices and other site features. Ms. Sulouff discussed the property history. She indicated the project was intended to operate for a duration of 40 years, adding at the end of the project term, the owner would cease operation of the facility and execute a final decommissioning plan. Ms. Sulouff advised that the Comprehensive Plan Land Use Map designated the property as Rural Lands. She noted that staff found the use appropriate in Rural Lands, as solar farms tend to be low intensity after their initial construction phase. Ms. Sulouff further noted that the proposed use was temporary and was intended to return to agricultural use at the end of the lease term and decommissioning measures. She stated that this recommendation was consistent with staff's Comprehensive Plan recommendation for nearby permitted solar facilities. Ms. Sulouff further stated that on December 10, 2024, the Board of Supervisors adopted a Solar Facilities Policy to address application requirements, siting, and performance standards for solar facility development applications. She mentioned that the application had been filed prior to the adoption of the policy; however, the applicant was aware of its development and collaborated with staff to address potential conflicts with the policy. Ms. Sulouff advised that staff found this application to be consistent with the policy. She further advised at its January 8, 2025, meeting, the Planning Commission voted 6-1 to recommend approval of both the AFD withdrawal and SUP proposal request. Ms. Sulouff noted that staff found this proposal to be compatible with surrounding development and consistent with the Comprehensive Plan and Zoning Ordinance. She further noted staff recommended approval of this application, subject to the proposed conditions. Ms. Sulouff concluded her remarks and welcomed any questions the Board might have, adding a member of the applicant team was available as well.

Mr. Icenhour asked if any Board members had questions.

Mr. Hipple questioned why staff supported the SUP but not the AFD withdrawal request.

Ms. Sulouff replied that staff had to evaluate these applications based on the Board's policies and the criteria within those policies. She added if the criteria was not met staff could not support approval. Ms. Sulouff elaborated on her point in greater detail.

Mr. Hipple asked about the clearing of trees component regarding the Board's adopted Solar policy and staff consideration on that point.

Ms. Sulouff replied yes. She mentioned Policy Criteria No. 11 in the Board's adopted Solar policy indicated that solar facilities should avoid the use of forested land. She requested the Board provide further guidance regarding restrictions for that condition. Ms. Sulouff stated that staff conducted a site visit and looked through historical Geographical Information System (GIS) and satellite imagery to determine there were large, cleared areas and the existing vegetation on the property included understory trees and scrub vegetation opposed to a traditional forest.

Mr. Hipple continued discussion about clearing of trees and areas of the property that had mature vegetation and trees. He noted based on a site visit conducted it appeared the whole site was not cleared in 2022, adding he would address his concern with the applicant regarding that point.

Mr. Icenhour explained that the Board of Supervisors' policy governing the withdrawal of property from AFDs was a preventative measure for pre-intensive residential development. He touched on the interpretation of the various criteria within that policy and spoke to that point in greater detail.

Mr. McGlennon agreed to Mr. Icenhour's point.

Mr. Hipple asked about various uses that could be considered public benefit. He asked Ms. Sulouff how long had the property owners owned the land.

Ms. Sulouff stated she would allow the applicant to speak to the definitive number of years; however, she indicated several generations of ownership.

Mr. Icenhour mentioned a discrepancy regarding property addresses in relation to this application and the Board's Agenda Packet. He clarified the correct addresses were 101 Ivy Hill Road and 121 Ivy Hill Road. Mr. Icenhour noted the public hearing advertised for this application had the correct property addresses listed and would ensure the resolution for the application also had the correct addresses.

Mr. Icenhour opened the Public Hearing.

1. Ms. Ester Rekhelman, Applicant, Hexagon Energy, LLC, 321 E Main Street, Suite 500, Charlottesville, VA, addressed the Board to provide an overview of the project and the beneficial factors. She touched on the size and design of the solar farm and the impact the facility would have on the surrounding environment. Ms. Rekhelman provided a brief overview of Hexagon Energy in the PowerPoint presentation. She touched on the owner and land history. Ms. Rekhelman noted the project proposed a 3-megawatt solar facility. She advised less than 30 acres of the 101-acre parcel would be cleared and 16.5 acres would be under panel within the fenceline as depicted on the PowerPoint presentation. Ms. Rekhelman stated the rest of the specially permitted area would include stormwater basins, open fields, internal roads, and protected viewshed buffers and wetlands. She further stated the site was currently screened by existing vegetation on all sides and would be preserved and supplemented where needed for the lifetime of the project. Ms. Rekhelman noted the facility would not generate any off-site noise and there would be virtually no traffic generated during the 30-40-year lifespan of the project outside of the first few months of construction during which deliveries and traffic schedules would be controlled. She further noted the project would not use the County's public services and the facility would be decommissioned at the end of the project lifespan. Ms. Rekhelman reiterated the public benefits and indicated that the project would utilize Dominion Energy distribution lines that ran through the property and connected back to the Toano substation on Chickahominy Road. She advised the applicant team intended to submit this project for eligibility into Dominion Energy's Shared Solar Program and if selected approximately 30%-50% of its capacity would be awarded to low-income residents in the County. Ms. Rekhelman mentioned Hexagon Energy, LLC, had actively engaged with the community throughout the entire development process reaching out to nearby property owners along Hill Lane, Ivy Hill Road, and Richmond Road. She highlighted numerous outreach efforts were made to the nearest property owner approximately 250 feet away from the proposed project site. Ms. Rekhelman indicated the applicant team received no communication from this neighbor. She touched on the community meeting held in July of 2024, adding

approximately 10 neighbors attended and received general support for the project. Ms. Rekhelman touched on the AFD withdrawal request and the Board's AFD withdrawal policy. She explained that the project operated on a strict grid interconnection timeline governed by state and Dominion Energy regulations. Ms. Rekhelman advised an Interconnection Agreement was anticipated by mid-year and a decision needed to be made now or the opportunity for this project would be lost. She continued to highlight the public benefits, project's conformance with local regulations, diligence and other required approvals, and construction timeline, operation, and decommissioning of the project. Ms. Rekhelman encouraged the Board to support the AFD withdrawal and SUP request.

Mr. Icenhour asked if the Board had any questions.

Ms. Larson mentioned a couple of site visits and forms of communication through the process and thanked Ms. Rekhelman.

Mr. McGlennon stated he had an opportunity to speak to the applicant early in the process during site evaluation.

Mr. Icenhour asked about the total acreage pertaining to the installation of panels.

Ms. Rekhelman replied it was approximately 7.5 acres on the western side and approximately 9 acres on the eastern side of the property for a total of 16.5 acres. She noted an additional 13.5 acres would need to be cleared near the stormwater retention ponds on-site and elaborated on that point in further detail.

Mr. Icenhour asked of those 30 acres how many mature trees were ready for timbering.

Ms. Rekhelman replied approximately 15 acres.

Mr. Icenhour expressed his desire to open the Public Hearing for Public Hearing Item No. 2., adding he would then close both Public Hearings for discussion on each item separately.

2. SUP-24-0016, 120 & 121 Ivy Hill Road--Hedera Solar Facility

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

AYES: 3 NAYS: 2 ABSTAIN: 0 ABSENT: 0

Ayes: Icenhour Jr, Larson, McGlennon

Nays: Hipple, Null

Mr. Icenhour opened the Public Hearing.

He noted Ms. Rekhelman did not need to speak again.

1. Mr. Ahmed Khalil, Kaufman & Canoles, P.C., 4801 Courthouse Street, Suite 300, addressed the Board noting he was present representing Ms. Ellen Lightman, one of the property owners of the subject property. He cited Ms. Lightman's written correspondence to the Board since she was unable to attend the meeting. Mr. Khalil discussed the family's history noting Ms. Lightman's father purchased the property in the 1950s alongside a few business partners whose children were now part owners of the property as well. He indicated Ms. Lightman had moved out of state; however, she continued to hold family ownership of the property as a way to carry on her father's legacy. Mr. Khalil noted the Lightman family and Silverman family had been collaborating with Hexagon Energy for over a year. He highlighted various reasons for choosing Hexagon Energy for the project. Mr. Khalil noted the families desired to be

good neighbors and stewards of the property, adding it was vital to maintain ownership of the property for future generations. He further noted the Lightman family requested the Board approve the AFD withdrawal and SUP applications.

2. Ms. Meghan Hekl, 827 Chimborazo Boulevard, Richmond, VA, did not speak before the Board.
3. Mr. Donald Hazelwood, 8819 Hicks Island Road, Lanexa, VA, addressed the Board noting his support of the project. He stated he owned property on Hill Lane which was adjacent to the property. Mr. Hazelwood noted he attended the community meeting for this project and was pleased with the site plan. He expressed his belief that this was a good use of the property. Mr. Hazelwood encouraged the Board to support the project.
4. Mr. Chris Henderson, 101 Keystone, addressed the Board noting the uncertainty of the solar array aspect and for consideration on that point. He mentioned Type A and Type B soils within the County and encouraged consideration on local farmers working the land as there may come a time when it might be necessary. Mr. Henderson suggested County staff look into subsidizing that specific type of land use and spoke on that point in greater detail. He expressed his concern with stormwater runoff and encouraged stormwater infiltration Best Management Practices. Mr. Henderson touched on County revenue for this project and questioned if it was a sufficient amount based on the lifetime of the project. He expressed his concern whether this project relied on federal subsidies regarding green energy initiatives as President Donald Trump had indicated those would no longer be available. Mr. Henderson expressed his support for more affordable housing opposed to more solar farms.

Mr. Icenhour closed both Public Hearing Item Nos. 1 and 2.

Mr. Hipple noted the AFD Advisory Committee voted against supporting the application while the Planning Commission voted in support of it. He mentioned the importance of having these representatives present as the Board relied on the feedback from these various committees to aid in the decision-making process. Mr. Hipple expressed his concern with approving too many solar farms within the County and land limitations. He questioned the most appropriate use for the land. Mr. Hipple touched on the many waterways connected to this particular property and the potential impacts to those waterways. He discussed solar energy technology was still very new to the County and with various unknowns. Mr. Hipple elaborated on his point in further detail.

Ms. Null noted she agreed with Mr. Hipple's points. She noted the importance of the County's agriculture and forested land. Ms. Null expressed her concern of those aesthetically pleasing views being diminished. She noted the importance of the Board's policy governing the withdrawal of property from AFDs and to not deviate from those standards. Ms. Null spoke about the nearby house that was less than 400 feet away in addition to another solar development less than a mile away from this proposed solar development. She expressed her opposition to the proposed solar farm development.

Ms. Larson noted she had not supported all solar farm proposals that had come before the Board, adding there have been some flexibility regarding AFD withdrawals in the past. She mentioned the landowners and their desire to utilize the land as a solar farm. Ms. Larson expressed her belief that solar farms were not going to address the County's energy needs and elaborated on that point in greater detail. She mentioned her belief that proposed solar developments should be debated at the local level. Ms. Larson highlighted that the landowners had already timbered the land, the property had not been utilized as farmland, and the landowners were finding an alternative use for the land in order to maintain the property.

Mr. McGlennon referred to Mr. Icenhour's point earlier regarding the implementation of the Board's policy was not to simply limit it to a public facility but also the public benefit component. He stated this developer had intended on becoming a part of the Dominion Energy's Shared Solar Program to help low-income residents in the County. Mr. McGlennon mentioned Ms. Null's concerns regarding the aesthetic views which he felt the site plan addressed very well. He noted by approving this project there would be no further disturbance for approximately 40 years. Mr. McGlennon further noted if the application was not approved the landowners could apply in a year to have the property removed from the AFD for an alternative use. He discussed his point in greater detail and expressed his support for the application.

Mr. Icenhour noted he would not support this application if he felt the aesthetic views would be compromised, adding the property's topography and buffering would take care of those concerns. He mentioned the landowners' desire to utilize the land as a solar farm, adding it seemed there was support for this proposal and it served a public benefit.

I. BOARD CONSIDERATION(S)

None.

J. BOARD REQUESTS AND DIRECTIVES

Mr. Hipple noted he would not support planting trees in James City County if AFD properties were going to be removed just to clear more trees. He expressed his belief that was counterproductive.

Ms. Null asked if a referendum was possible for the new proposed County government center.

Mr. Kinsman noted Virginia was not a referendum state.

Ms. Larson asked Mr. Stevens about the data that Mr. Cason had presented during Public Comment regarding County funds to the WJCC School Division. She asked if that number decreased based on funds now going directly to the WJCC School Division. Ms. Larson expressed her belief that the County had continued to increase its funding to the WJCC School Division. She looked to Mr. Stevens for a figure on that point.

Mr. Stevens noted at this time he did not have that verified number. He further noted Ms. Larson was correct that in the five-year period the sales tax for education that used to come through the County's budget showed a higher cents per dollar. Mr. Stevens explained that allocation was now sent directly to the WJCC School Division and confirmed that the County's contributions to the WJCC School Division had continued to increase annually. He mentioned the County contributed significantly last year and to date the County had not received the school's budget request yet; however, he indicated the County would do its best to support their request. Mr. Stevens indicated a future Board discussion would be forthcoming.

Ms. Larson thanked Mr. Stevens.

Mr. Hipple expressed his concern with an educator not being as informed or aware of the County's contributions and/or changes implemented.

Ms. Larson stated she wanted to ensure the data point was made. She noted she did review the WJCC School Division's compensation study and confirmed there were some pay disparities. Ms. Larson touched on the possible name change of James Blair Middle School explaining that decision was not at the Board's discretion but ultimately the WJCC School Board. She noted the Board had a great Retreat last week and highlighted topics of discussion. Ms. Larson thanked County staff for their efforts.

Mr. McGlennon mentioned this past weekend Olde Towne Medical and Dental Center held its Give Kids a Smile event. He noted over 100 children were signed up for oral care. He further noted many dentists and dental hygienists volunteered their time to participate in the event. Mr. McGlennon recognized the recent passing of Ms. Edith “Cookie” Heard. He highlighted additional details of Ms. Heard and advised her Memorial Service would be held next Tuesday, February 18 at 11 a.m. at Williamsburg Community Chapel.

Mr. Hipple expressed his desire to recognize the recent passing of Mr. Gary Doxtater, a County resident and a large animal veterinarian. He highlighted additional details of Mr. Doxtater.

Mr. Icenhour echoed Mr. McGlennon’s comments regarding Ms. Heard, adding she was one of his constituents and heard from her daily. He remarked she would be greatly missed. Mr. Icenhour announced a Town Hall Meeting would be held on February 27 at 7 p.m. at the James City County Recreation Center. He noted it was an informal discussion and highlighted topics to include: WJCC Schools contract, the proposed County Government Center, the Fiscal Year 2026 County budget, Strategic Plan update, and more. Mr. Icenhour encouraged citizens to attend. He asked Mr. Stevens for additional information regarding Mr. Sadler’s concern addressed earlier.

K. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens noted he had no updates to report. He thanked the Board for its time at the Retreat.

Ms. Larson asked if Mr. Stevens could acknowledge the recent grant awarded to the County for approximately \$1 million.

Mr. Stevens noted it had not officially come through yet; however, there was a notice confirming a Community Development Block Grant was awarded to the County for approximately \$1.1 million for the continuation of improving Moses Lane. He noted it was a great announcement, and that item would be forthcoming for Board approval soon.

L. CLOSED SESSION

A motion to Enter a Closed Session was made by Ruth Larson, the motion result was Passed.

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

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

At approximately 7:07 p.m., the Board entered Closed Session.

At approximately 7:18 p.m., the Board re-entered Open Session.

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

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

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

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

- a. Planning Commission

A motion to Appoint Ms. Crystal Haskins to the Planning Commission for a term that would end on January 31, 2029, was made by Ruth Larson, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

2. Certification of Closed Session

M. ADJOURNMENT

1. Adjourn until 1 pm on February 25, 2025 for the Business Meeting

A motion to Adjourn was made by Barbara Null, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

At approximately 7:19 p.m., Mr. Icenhour adjourned the Board of Supervisors.

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
BUSINESS MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
February 25, 2025
1:00 PM

A. CALL TO ORDER

B. ROLL CALL

Michael J. Hipple, Powhatan District
Barbara E. Null, Stonehouse District
Ruth M. Larson, Berkeley District
John J. McGlennon, Vice Chair, Roberts District
James O. Icenhour, Chair, Jamestown District

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

C. PRESENTATION(S)

1. James City Clean County Commission 2024 Annual Report

Ms. Peg Boarman, Vice Chair of the James City Clean County Commission, addressed the Board noting she would present the Commissions' 2024 Annual Report. She extended her appreciation and recognized staff members: Ms. Andrea Case, Environmental Sustainability Coordinator, and Ms. Regina Jackson, Administrative Coordinator. Ms. Boarman acknowledged the Clean County Commissioners in the PowerPoint presentation: Ms. Rachel West, Chair (Litter Programs), Ms. Boarman (Community Cleanups), Mr. Kevin Radcliffe (Recycling), Mr. Charles Loundermont (Beautification Grants), Mr. Heath Richardson (Youth Education), Mr. Tim Stanley (Green Business), and Mr. David Patterson (Gardens & Pollinators). She noted a minimum of three cleanups were planned annually. Ms. Boarman identified the Great American Cleanup, the Annual County-wide Cleanup, and the Clean the Bay Day, adding that other trash pickups occurred throughout the year. She noted various events throughout the County where the Clean County Commission completed outreach service which included Harvest Fest at the Chickahominy Riverfront Park, Boo Bash at the Beach at Jamestown Beach Event Park, and Halloween with Heroes at the Law Enforcement Center. Ms. Boarman highlighted other events which included the Arbor Day Plant-A-Tree Ceremony with the Williamsburg Botanical Garden Club at the Freedom Park Arboretum, the Repair Fair and Recycling Expo, the Will Barnes Day Picnic, and others in the PowerPoint presentation. She shared that many events were coordinated with the County's Parks & Recreation Department. Ms. Boarman provided details on the Good Neighbor Grant program and the Clean County Commission's work in partnership with the Cities of Hampton and Newport News and York County to support the Virginia Peninsula Clean Business Forum Awards quarterly. She spoke about the award program in more detail. Ms. Boarman extended her appreciation to all the volunteers and encouraged people to get involved. She addressed a new program in which a maximum of five tree seedlings could be reserved online. Ms. Boarman provided additional

information on the program and highlighted the information in the PowerPoint presentation. She recognized the General Services Department's Grounds Division and the Parks & Recreation Department for all their help. Ms. Boarman provided a video that promoted the Clean County Commission and encouraged new members. She extended her appreciation to the County's Video Team for its help with videos for both the Clean County Commission and the Repair Fair and Recycling Expo. Ms. Boarman noted the County's Video Team won the Community Awareness Award for the Clean County Commission video and an Honorable Mention in Event/Program Promotion for the Repair Fair and Recycling Expo video at the National Association of Telecommunications Officers and Advisors (NATOA). She congratulated the Video Team on the NATOA awards.

Mr. McGlennon thanked the Clean County Commission for all its work. He noted the latest Repair Fair and Recycling Expo and the gentleman who repaired bicycles. Mr. McGlennon further noted the other volunteers repaired jewelry, clothing, and other items.

Ms. Larson spoke to her love for the County and applauded Ms. Boarman's dedication to the beautification of the County. She noted the commitment was no small feat and she acknowledged Ms. Boarman's unwavering stance against litter in the County.

Ms. Boarman stated she was pleased to talk trash and the cleanup efforts in the County. She thanked the Board for its support.

Ms. Null noted she was ready for the next cleanup event.

Mr. Icenhour thanked Ms. Boarman for the report. He noted the Board's responsibility to share the word in the community for Clean County Commission volunteers.

Ms. Boarman thanked the Board.

2. Ed Harris, CEO, Williamsburg Tourism Council

Mr. Ed Harris, CEO of the Williamsburg Tourism Council, addressed the Board noting he was joined by his colleague, Mr. Josue Ayala, Executive Assistant. He noted his presentation agenda focused on three points: 1) Where We've Been, 2) Where We Are, and 3) Where We're Going. Mr. Harris highlighted data on the transient tax, also known as lodging tax or the \$2 tax, which guests paid on overnight stays in the Historic Triangle. He noted the broad range of overnight accommodations to which the transient tax applied, adding that \$1 of the tax was collected for the municipalities with the remaining \$1 going to Visit Williamsburg. Mr. Harris further noted an increase in the transient tax over the past two years. He provided an occupancy breakdown highlighting the motel and hotel partners, adding that partnership was positive as shown for year-end data. Mr. Harris presented data on the number of rooms and the demand increase from the last quarter of 2023 to the same time in 2024. He noted though that business was flat for the calendar year, adding that was a trend across the country for destination sites. Mr. Harris further noted visitors were staying in a variety of accommodations such as Airbnb, timeshares, and other rentals. He stated the importance of continued growth across the motels and hotels in the Historic Triangle. Mr. Harris noted further evaluation of evolving trends to address that point. He continued the presentation highlighting data on local hotel/motel weekend performance for December across various localities. Mr. Harris stated Williamsburg, Virginia was at the top, specifically for Saturday occupancy. He noted the challenge to increase that ranking for other weekdays. Mr. Harris stated the Historic Triangle, as a destination, fared as strongly as other state tourism destinations for weekend occupancy. He addressed the mobile pass program, Historic Holiday Pass, which was implemented during the last quarter of 2024's holiday season. Mr. Harris spoke to the program in more detail, adding over 2,000 downloads were recorded. He noted the mobile app was a concept to be built upon in the future. Mr. Harris highlighted data which identified the downloads by states for visitors to maximize the deals promoted on the pass. He noted the data also captured the more popular sites or attractions offered with the

promotions, adding the app would be accessible in 2025. Mr. Harris stated more modern ways to enhance the visitor experience were being explored. He spoke on that point in more detail. Mr. Harris continued the presentation with a comparison of the local hotel and motel occupancy rate from January 2024 and January 2025, adding positive growth was noted. He stated he was hopeful the trend continued, adding February could trend differently due to the recent snowstorms. Mr. Harris highlighted a slide that posted all the outdoor sports events for April-August in the area. He noted that very few weekends were not already slated with major tournaments. Mr. Harris stated the economic significance of these sporting events which sometimes had 100 teams competing along with coaches, family members, and other attendees in the area who required overnight lodging, meals, activities, and such. He noted the spring-summer timeline looked very promising, adding this point was due to the hard work of Ms. Morgan Cordle, Sports Sales Manager with Visit Williamsburg, and Parks & Recreation staff from the Historic Triangle localities. Mr. Harris spoke on the Greater Williamsburg Sports and Event Center and the secured bookings scheduled for 2027. He stated he was hopeful the center would open within 16 to 17 months based on the construction timeline. Mr. Harris noted active conversation with other event groups was ongoing. He spoke on the economic impacts associated with this facility. Mr. Harris noted Visit Williamsburg was working with a Virginia-based advertising agency, WHITE64, and was in the initial phase of reviewing branding options for Sports Williamsburg. He highlighted various renderings of the Sports Center in the presentation which included conference space at the facility for use by sports teams or non-sport groups. Mr. Harris addressed the benefits of the Sports Center for the community and spoke on that point in more detail. He noted the facility could also host tradeshow and such which could create additional economic opportunities for the area. Mr. Harris spoke on an upgrade for [VisitWilliamsburg.com](https://www.visitwilliamsburg.com), which would partner with Ripe, a company that provided booking engines to destinations that wanted visitors to book hotels on specific destination websites. He highlighted other locations using the Ripe platform in the presentation. Mr. Harris noted Ripe offered travelers an easy, yet comprehensive way to view rates, locations, lodging, and other travel aspects. He further noted that Ripe offered the functionality for customization of landing pages for events, adding that customization could include any event in the Historic Triangle. Mr. Harris highlighted Busch Gardens Williamsburg's The Big Bad Wolf, The Wolf's Revenge, and the impact of this newest rollercoaster at the park. He noted the excitement surrounding the promotion of this asset to the area's tourism. Mr. Harris addressed the sister property, Water Country USA, was opening a new facility called High Tide Harbor. He noted these grand openings were part of Busch Garden's 50th Anniversary with special programming coordinated to coincide with the events. Mr. Harris highlighted area events in the presentation which included America 250, the 250th anniversary of the United States. He noted the new Visit Williamsburg tagline, "Where American's Journey Begins", which featured Williamsburg, Jamestown, and Yorktown on the logo. Mr. Harris further noted the momentum and excitement over the coming year for the 2026 anniversary event in relation to tourism. He stated the 250th branding was introduced in January at the Annual American Bus Association conference in Philadelphia where motorcoach companies and other travel representatives were hosted. Mr. Harris showed some highlights of that trip in the presentation as well as several displays of the various branding options for the 250th event. He noted getting the branding out to travelers as a must-see destination in 2026.

Ms. Larson noted Mr. Harris had been actively engaged from the beginning with addressing tourism, the Greater Williamsburg Sports and Event Center, America 250, and other events. She acknowledged Mr. Harris' leadership and thanked him for the update to the Board. Ms. Larson noted the importance of tourism to the County, adding that providing more information to the community was paramount. She thanked Mr. Ayala for his work and attendance at the meeting.

Mr. Stevens noted Mr. Harris had been actively engaged. He further noted working with Mr. Harris on tourism. Mr. Stevens spoke to that point in more detail. He extended his appreciation to Mr. Harris for his participation at the Board meeting.

Mr. McGlennon asked if the data presented was based primarily on hotel/motel booking in

comparison to those of timeshares. He also asked about timeshares in the community.

Mr. Harris responded that hotel/motel bookings accounted for the majority of overnight stays. He noted the timeshare industry was larger than people realized, and his organization was reviewing that information as much as possible. Mr. Harris further noted that both hotels and motels provided their sales data to the Smith Travel Research Company, considered to be the industry leader in hospitality data reporting. He stated that timeshares chose not to share their information which made data collection more difficult. Mr. Harris noted indicators showed the transient tax and people's choices to use Airbnb rentals, timeshares, campgrounds, traditional bed and breakfast lodging, and other types.

Mr. McGlennon thanked Mr. Harris. He congratulated Mr. Harris on the success to date.

Ms. Larson noted Mr. Harris' plan to work with the hotel/motel community and have conversations on future plans for marketing local tourism.

Mr. Harris confirmed yes that he was working on those points. He noted a stronger presence to stakeholders, adding a meeting would be held on March 5 with area hotel general managers and sales directors. Mr. Harris stated this meeting would involve information sharing with the goal of quarterly meetings with the group. He added more frequent meetings could occur in the future. Mr. Harris referenced an upcoming Sports Advisory Committee meeting on March 19. He noted the need to ensure the Historic Triangle groups were aligned in relation to the Greater Williamsburg Sports and Event Center. Mr. Harris thanked the Board.

Ms. Larson noted that all of the Visit Williamsburg Board meetings were open to the public. She further noted that the next meeting was scheduled for 1 p.m. on March 18 at the American Revolution Museum at Yorktown. She stated the finance meetings were also open to the public and that she was available to provide further information. Ms. Larson noted that information and meeting agendas were available on the Williamsburg Tourism Council website.

Mr. Icenhour thanked Ms. Larson for the information.

D. CONSENT CALENDAR

Mr. Icenhour asked if any Board member wished to pull any item(s).

1. Acceptance of Funds - \$4,167 - Virginia Forfeited Asset Sharing Program

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

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

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

2. Grant Award - \$86,000 - Fort Monroe Defense Base Closure and Realignment Act Funding Homeless Support Services Funds

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

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

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

3. Grant Award - \$369,852 - Virginia Stormwater Local Assistance Fund

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

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

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

4. Agreement to Purchase 8736 and 8744 Pocahontas Trail

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, Null

5. Initiation of Consideration of Amendments to the Zoning Ordinance Regarding Sexually Oriented Businesses

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, Null

6. Minutes Adoption

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

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

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

The Minutes Approved for Adoption included the following meetings:

- o January 14, 2025, Regular Meeting
- o January 28, 2025, Business Meeting

7. Remote Participation Policy

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, Null

E. BOARD DISCUSSIONS

1. Financial Update, FY2025 Second Quarter

Ms. Cheryl Holland, Budget Manager, addressed the Board noting she would provide a financial update on the second quarter of Fiscal Year (FY) 2025 which ended December 31, 2024. She noted the presentation only focused on the General Fund which covered the County's normal operations. Ms. Holland highlighted the County's General Fund revenues in a PowerPoint presentation. She noted the County's FY 2025 revised budget and the actual revenues through December 31, 2024 with a breakdown of categories and the prior year's amounts. Ms. Holland stated general property taxes were the County's largest revenue source, adding those taxes represented approximately two-thirds of the total revenue. She noted real estate and personal property taxes were included in this category. Ms. Holland stated that the December Actual data reflected collections from the first regular property tax billing from the fiscal year. She added the information presented allowed for a halfway viewpoint. Ms. Holland noted the second billing was June 5, 2025. She noted the FY 2025 increase in this category was based primarily on the real estate reassessment, adding that the other revenue categories displayed in the presentation were not reflective of the same collection or billing frequency as the general property taxes. Ms. Holland stated other local taxes included local sales taxes, which were received two months in arrears, and the sales and lodging taxes, which were received one month in arrears. She continued the presentation highlighting other categories, adding the state and federal category remained relatively steady in comparison to last fiscal year's numbers. Ms. Holland stated the increase in charges for FY 2025 was partly due to the increase in the recycling fee from \$7/month to \$10.50/month. She noted the increase was effective in October 2024 and implemented to assist with offsetting the recycling program's costs. Ms. Holland further noted the miscellaneous and transfers line item amount varied year to year, adding this category included proceeds from vehicle and property sales. She stated that the Fund Balance

had approximately \$24.6 million spent in FY 2025 which included the \$6.5 million real estate tax credit, support for FY 2025 Capital Improvement Program (CIP) and debt service of approximately \$12.5 million, outstanding FY 2024 purchase orders of \$1.9 million, \$2.74 million of road improvements for Settlers Market, \$500,000 for property purchase, and \$287,000 for one-time leave payout to staff. Ms. Holland noted the difference between the Fund Balance for FY 2024 and FY 2025 was the one-time real estate tax credit effective in FY 2025. She highlighted the General Fund spending breakdown, adding that the Actual data reflected expenditures and encumbrances through December 2024. Ms. Holland stated if all expenses came in evenly, then 50% of expenses would be expected. She noted the percentage was 53% for overall budget use as variations existed among the different departments. Ms. Holland presented a line graph indicating the various departments and their respective spending. She noted that not all expenses were incurred evenly throughout the fiscal year citing Information Technology as an example. Ms. Holland further noted the equipment maintenance and software contracts were often due at the beginning of the fiscal year. She highlighted that contributions and transfers included funding to outside agencies which were also due at the start of the year. Ms. Holland stated encumbrances were also high due to the volume of purchase orders at the beginning of the year. She noted this pattern was generally normal and eased out over the year.

Ms. Larson thanked Ms. Holland for her work on the updates. She noted the information was very helpful.

2. FY 2026 - 2030 CIP Project Discussion

Mr. Stevens addressed the Board regarding the budget process and its development. He stated he had asked Ms. Holland and Ms. Sharon McCarthy, Director of Financial and Management Services (FMS), to clarify or add information as needed. Mr. Stevens highlighted the FY 2026-FY 2030 CIP project requests as identified by departments in the PowerPoint presentation. He noted the Board's handout provided more detail behind the departmental requests. Mr. Stevens addressed the Board's Retreat on February 7 when each member received six stickers and ranked the various projects. He explained the color codes for priority levels, adding that the Executive Leadership Team (ELT) comprised of department directors was completing a similar ranking of the projects. Mr. Stevens noted he employed the same prioritization at a large staff meeting on February 13 which was comprised of 80-100 mid-level managers and administrative staff. He further noted this information was in the Board's Agenda Packet for review. Mr. Stevens stated he then compiled the ranking feedback from the three groups as well as including it in the PowerPoint presentation. He noted the Consolidated Government Center was marked as a top priority with strong support. Mr. Stevens further noted the question of funding to support that ranking. He stated the Grove Community Park was another project with strong support. Mr. Stevens noted despite the popularity of the James City County Marina, the project received nearly equal yes to more work/no to more work responses while the large staff meeting numbers reflected a fairly high response to no more work on that project. He added that some projects, such as the Marina, had subparts, like parking, which were not broken down into subcategories. Mr. Stevens stated the ranking exercise was interesting as evidenced by the overall strong support from the three groups for the General Services Administration Building and the warehouse. He noted there was overall support amongst the groups for Fire Station 3, the Police firing range expansion, and strong staff support for the Grove Area library. Mr. Stevens addressed support for the transportation match, open space match, and the transit stop improvements. He highlighted the CIP requests as presented by Ms. Holland at the Retreat. Mr. Stevens noted those requests totaled \$441 million over a five-year period if all were funded. He added that while only FY 2026 was being discussed for the budget process, a funding plan was in place which, at the time the proposed budget was presented, could fund the next five years on a one year at a time basis. Mr. Stevens referenced the first draft breakdown in the presentation and noted it represented a first pass of projects thought to be available for funding. He noted that the unfunded total of approximately \$110 million over the next five years could change annually depending on available funds. Mr. Stevens emphasized the numbers presented were a raw draft, adding it was a starting point prior to the proposed budget. He highlighted several

differences from the numbers presented at the Board's Retreat. Mr. Stevens noted the full funding of the Williamsburg-James City County School CIP for school properties within the County. He stated previously a 90/10 split had been implemented. Mr. Stevens noted joint facilities such as the Pre-Kindergarten would be funded based on an enrollment share. He addressed changes to the Marina request and the General Services Administration Building cost in FY 2027.

Ms. Larson noted the decrease in the Parks & Recreation funding and asked how it related to the Marina.

Mr. Stevens stated under the Notes section, the funding was identified for different items such as the Grove Park design, the Warhill Sports Complex Skate Park and baseball/softball complex and design.

Ms. Larson expressed her appreciation, adding she wanted to speak to this point. She stressed the need to have softball fields at the Warhill Sports Complex as that point had been long discussed. Ms. Larson noted baseball fields already existed.

Mr. Stevens noted additional information was in the Agenda Packet. He spoke to that point in more detail. He continued the presentation highlighting projects that were either not included or had reduced funding in the first draft. Mr. Stevens noted projects that kept the County's use of its existing cash funding without substantial borrowing needs. He addressed the \$3.5 million for Fire Station 6 which included the replacement of a fire truck and ambulance as well as design. Mr. Stevens noted approximately \$1.6 million was for design, which he hoped to include in the five-year plan. He added if the Board differed on that point, then he would make changes as directed. Mr. Stevens spoke about the new library and included it as an addition at the Government Center. He noted that for the proposed budget to be available at the end of March then the budget needed to be finalized in the upcoming weeks. Mr. Stevens further noted this information was a follow-up to the Retreat CIP discussion.

Mr. Icenhour thanked Mr. Stevens for this information. He noted the requests versus budget constraints and the process. Mr. Icenhour further noted the juggling of the budget puzzle pieces over the next few weeks to get the maximum use of available funding. He spoke on the importance of timing for projects. Mr. Icenhour welcomed comments from the Board.

Ms. Larson asked Mr. Stevens for the other material.

Mr. Stevens noted it would be sent before the Board members left for the day.

Ms. Larson asked if the removal of the Marina improvements included additional slips, parking, and other items.

Mr. Stevens confirmed yes at this point. He reminded the Board that if he put an item back in requiring more funding, then another item would be removed. Mr. Stevens stated some increased costs were cash funded while others were debt funded with both having impacts. He noted the cash funding was approximately \$10 million annually on projects with an addition of approximately \$20-\$25 million on capital maintenance. Mr. Stevens further noted a deeper look at capital maintenance for one-time expenditures also.

Ms. Larson noted the difficulty of public safety projects being unfunded. She referenced a red dot for a Williamsburg/James City County Courthouse project and questioned what would happen with the need for expansion.

Mr. Stevens noted the agreement with the City of Williamsburg was very good. He further noted if additional costs were required, the City of Williamsburg had paid its proportionate share. Mr. Stevens stated a funding formula existed with both parties having conversations. He

noted space needs for the courthouse and spoke on that point in more detail. Mr. Stevens recognized the importance of the projects, adding some may move out past the five-year mark to seven years.

Mr. Hipple noted the importance of the projects while also considering the County's financial capability. He further noted moving projects out several years and the associated costs to do so. Mr. Hipple stated the importance of maintaining the County's bond rating which assisted in borrowing money. He spoke favorably on the process and the transparency for the citizens.

Mr. Stevens stated this scenario was not a gloom and doom one. He noted this was part of the process. Mr. Stevens referenced conversations with other Hampton Roads managers who noted this year's CIP portion of their budgets was more difficult due to the inflationary costs of the projects. He stated the process was similar to that of the Operating budget and CIP budget annually which equated to making choices with the available money. Mr. Stevens noted the strength of FMS regarding conservative estimates and commended FMS on that point.

Mr. Hipple echoed the need to take care of the community, but within the budget.

Mr. McGlennon noted this was a five-year CIP which changed every year. He further noted the shuffling around of projects, adding the softball complex was considered a long overdue expectation by many people.

Mr. Stevens reiterated the presentation was not a recommendation, only a first draft as part of the proposed budget development process. He noted the schedule included finalization of numbers in the coming weeks with a proposed budget by the end of March. Mr. Stevens further noted a Community Budget meeting was scheduled for April 1 at 6 p.m. in the Board Room. He added if there was a large attendance then other meetings would be offered to ensure residents were informed. Mr. Stevens noted the Budget Public Hearing was slated for April 8 with May 13 as the proposed target date for adoption of the budget.

Mr. Icenhour reiterated this document was preliminary. He noted the importance of citizens understanding the process and ensuing decisions.

3. Solid Waste Updates

Mr. Bob Dittman, Solid Waste Director, addressed the Board with an update on three items: County trash consolidation; proposed opt-in trash consolidation program in Grove; and Grove Convenience Center. He noted the decision to move forward with solid waste consolidation at the Board's April 9, 2024, meeting. Mr. Dittman highlighted the three components: public hearing; notice to current trash haulers; and resolution for displacement. He referenced the Virginia Code regarding possible County action to take measures necessary to provide service within one year after the public hearing. Mr. Dittman noted satisfaction regarding this point was not clearly defined. He further noted work on an Ordinance amendment to the County Code, Chapter 10. Garbage and Refuse that would permit a County-managed collection program. Mr. Dittman stated he had met with other localities also going through this process as well as discussion about a regional approach with neighboring localities which should satisfy the requirement. He addressed the steps, prior to actual displacement, to be completed over the next four years would include amendment of the Garbage and Refuse Ordinance to regulate the collection and transportation of refuse within the County. Mr. Dittman noted a final determination on whether a County-owned system or a County-managed refuse collection system would be used. He stated other determinations were the regional approach, role of the County Transfer Station and Convenience Centers in waste consolidation, and development of the necessary Request for Proposals (RFP). Mr. Dittman addressed the opt-in trash consolidation program in the Grove area. He noted the area was selected based on its designation by the Federal Government as disadvantaged in addition to high incidents of illegal dumping and litter in the area. Mr. Dittman said the goal was to determine if the County could

provide lower trash rates via a County-negotiated trash collection system. He stated the current collection rate in the Grove area ranged from \$28.50 to \$33.50 per month per household. Mr. Dittman noted partnership with a refuse company provided the benefit of the County as the sole point of contact. He further noted benefits included the County as the billed entity, dependable invoice payments without the need for a collection agency, increased service density with route efficiency and profitability. Mr. Dittman stated the program could be expanded if the Board deemed the program successful. He noted several hurdles included the fact that it was an opt-in program and not a County requirement and existing contracts could not be voided during the five-year window. Mr. Dittman stated two trash companies in addition to homeowner associations/management entities currently serviced approximately 50% of the area. He noted no savings could be mandated or passed to residents or tenants if the contract was controlled by a management entity. Mr. Dittman further noted the Board's guidance regarding moving forward on this matter as an Ordinance would be required to permit a County-managed opt-in trash collection program. He stated this Ordinance would be similar to the Recycling Ordinance. Mr. Dittman noted the Ordinance would allow the County to have the ability to manage and bill the residents. He further noted the consideration of mobile home parks for service, adding that mobile home parks due to their commercial zoning were excluded from opt-in recycling. Mr. Dittman stated that after those decisions were made then an RFP would be developed and prices reviewed. He addressed the Grove Convenience Center, adding that currently the closest Convenience Center to the area was approximately 15 minutes away by car. Mr. Dittman identified the potential area in the presentation, but noted the landlocked area caused stormwater management issues. He noted the newly proposed location was the current location of Fire Station 22. Mr. Dittman further noted preparation of the building for demolition included removal of salvageable materials, utility disconnections, fuel pedestal removal, and other factors. He stated access from Dominion Energy property was being secured for an egress to the property. Mr. Dittman noted improved fire truck access to the fuel island as he highlighted additional points regarding the location. He stated that the Grove Convenience Center would be similar to the center on Tewning Road. Mr. Dittman noted he would appear before the Planning Commission in March with the Special Use Permit (SUP) application, which pending approval, he would appear before the Board for SUP approval. He stated the next step would hopefully be the Master Plan review in August with the bid documents for construction slated for late 2025/early 2026. Mr. Dittman noted approximately \$600,000 was still available for the Grove Convenience Center project.

Mr. Hipple asked if two projects were taking place in Grove.

Mr. Dittman confirmed yes.

Mr. Hipple questioned the two projects. He noted the Grove Convenience Center, but also the trash pickup program and why both were needed.

Mr. Dittman noted approximately 90% of Grove residents currently used curbside trash pickup service, yet the trash and litter issue still remained in the area. Mr. Dittman stated if the County was able to partner with a private vendor to lower the trash rates then that partnership could serve as a way to curtail the litter and illegal dumping. He noted a trash compactor would be on-site and other uses of the center.

Mr. Hipple addressed added costs to private haulers particularly with insurance. He spoke on that point in more detail.

Mr. Dittman noted the variable of the County's requirement regarding insurance. He stated there was no mechanism to obtain the insurance information on current haulers.

Discussion ensued.

Mr. Hipple questioned the timing.

Mr. Dittman noted getting preliminary input. He further noted response from the waste haulers regarding pricing, adding the goal was to save the residents money prior to the end of the five-year timeline.

Mr. Hipple questioned services provided by smaller trash haulers and the impact on elderly citizens.

Mr. Dittman responded that those points, such as backdoor services, could be incorporated into the RFP and designated with a percentage of customers receiving those specialized services. He noted front porch service for recycling was noted on the application as it aided elderly citizens with recycling pickup. Mr. Dittman further noted there was a limit on those services.

Mr. Hipple noted the need to maintain the benefits currently in place while looking for lower costs with the use of one hauler versus multiple haulers.

Mr. Dittman confirmed yes.

Discussion ensued.

Mr. Stevens noted concerns regarding the Grove Convenience Center and the County's involvement in the garbage business. He stated Mr. Dittman felt the Convenience Centers had value. Mr. Stevens noted the Convenience Center could potentially be just a recycling center. He referenced Mr. Hipple's point about the two projects at the same time. Mr. Stevens noted the project made sense if the site had future potential, adding Mr. Dittman felt the site had potential which moved the project forward. He further noted Fire Station 22 was a storage facility and not representative of the County. Mr. Stevens stated there was value in removal of the building though storage capacity would be diminished. He noted that if the property was not used for Solid Waste, then the potential for use by the Fire Department existed. Mr. Stevens spoke about the stormwater considerations in more detail. He addressed the contracted trash service in Grove, adding one of the existing providers would likely be used. Mr. Stevens noted the opportunity to enter the trash service over the next four years and become established as the provider. He further noted the potential for expansion across the County with Grove as the starting point. Mr. Stevens stated the need for a good price initially and then the RFP could be structured around a customer base that increased and in year four that trash provider would likely service that area for the County. He noted the incentive of serving all the households in the future could result in a good price from a potential bidder, adding there would be further evaluation going forward. Mr. Stevens stated exemptions existed such as medical ones for assistance with trash pickup. He noted the possibility of other services which could be offered. Mr. Stevens addressed cost efficiency, adding that five providers serviced the County. He noted if that number was reduced to the County as the sole provider, then there would likely be more efficiency with the routes. Mr. Stevens made the comparison of the garbage world to the cable world with varying prices. He noted with the County as the sole provider there would be one price with a price structure that would be easier to understand. Mr. Stevens referenced the Waste Collection and Consolidation Study prepared by Gershman, Brickner & Bratton, Inc. in 2021. He noted trash trucks were driving approximately 6,000 miles per week, but if the County were the provider, then the amount would be reduced to 2,000 miles per week. Mr. Stevens addressed other points such as customer service and litter in the community.

Mr. Dittman noted that some items would not be acceptable with curbside pickup, but the Convenience Center would be available for those items. He further noted those items were frequently the ones picked up from the roadside.

Mr. Hipple thanked Mr. Dittman for the explanations. He noted it helped him as well as citizens at home to have a better understanding. Mr. Hipple further noted the Fire Station was set up as a temporary building.

Ms. Larson noted the General Services Building was also a temporary building that was still standing. She referenced the volume of traffic on Tewning Road. Ms. Larson noted the pleasant workers at both the Tewning Road and the Jolly Pond Road Convenience Centers and extended her appreciation to the workers. She referenced the five providers, adding some providers were more careful about covering the back of their trucks to avoid litter from those trucks. Ms. Larson noted that maintenance point for inclusion in the RFP.

Mr. Dittman noted some standards existed in the Garbage and Refuse Ordinance about the transportation of waste. He further noted a review could take place and necessary revisions be made. Mr. Dittman stated a condition of the RFP could also address covered loads and any applicable penalties. He added that contractual conditions were easier to enforce than just an Ordinance as an Ordinance could be appealed.

Ms. Larson noted she was a long-time user of one trash company and her rates had recently risen from \$33 per month to \$38 per month. She further noted there was no negotiation on the rate. Ms. Larson cited concerns with customer service, adding the County as a provider could prove beneficial particularly after storms. She referenced a program in some localities where water meters were converting to smart meters. Ms. Larson noted such a program would require a partnership with the County and the James City Service Authority. She further noted a transmitter on the trash trucks would obtain the pickup information while also reducing other vehicular use.

Mr. Dittman clarified that the County wanted to pursue the opt-in program in Grove. He asked if mobile homes were to be included in the Ordinance rewrite. Mr. Dittman noted approximately 50% of the Grove residents lived in mobile homes.

Mr. Stevens noted the Ordinance amendment would require a vote though it was not required at this meeting. He further noted he had not thought of the mobile home piece and would like to review that point. Mr. Stevens addressed that consideration during the opt-in phase and over the four years as the program developed.

Ms. Null asked if mobile home parks used dumpsters.

Mr. Dittman responded one park used dumpsters with the other parks using individual carts.

Ms. Larson noted those residents could not participate in recycling.

Mr. Dittman confirmed that statement was correct. He noted it was based on how the property was zoned.

Ms. Null expressed she favored Mr. Dittman's suggestion, but that she was opposed to the County purchasing trash trucks and providing trash pickup services. She noted working with the haulers regarding conformance with the County.

Mr. Stevens noted putting in a bid for the garbage pickup contract. He stated an area for further discussion regarding trucks was the possibility of purchasing additional knuckle boom trucks. Mr. Stevens noted with the additional trucks with the County providing bulk pickup and storm damage pickup. He further noted he envisioned six or less trucks. Mr. Stevens stated the weekly garbage collection should be operated with a contractor. He noted the medical exemptions would not apply to the use of the mechanized one-arm garbage trucks.

Discussion ensued.

Mr. McGlennon thanked Mr. Dittman for all the information. He noted the Grove Convenience Center had been part of the CIP for numerous years and he was pleased to see the project

moving forward. Mr. McGlennon addressed the challenge regarding litter in the Grove area. He noted the area had been federally recognized as a lower-income neighborhood in need of additional attention. Mr. McGlennon acknowledged moving forward on these points.

Ms. Larson questioned if people were driving down to Grove for dumping as it was at the end of the County. She stated the Convenience Centers were a great value. Ms. Larson noted no one should dump their trash in a neighborhood.

Mr. Dittman replied that most of the litter along Pocahontas Trail was likely the result of unsecured loads. He noted one bag of trash hit by several cars spread the trash. Mr. Dittman added that while one bag was not a large quantity, the trash was spread over a large area. He cited an instance where a dump truck backed up and dropped its load on Whiting Avenue.

The Board thanked Mr. Dittman.

4. Government Center Update

Mr. Brad Rinehimer, Assistant County Administrator, addressed the Board with his monthly update on the Government Center. He noted Mr. Stevens had signed the second interim agreement. Mr. Rinehimer stated a kickoff meeting was scheduled for the following week with the builder group. He noted Henderson/Gilbane, a Joint Venture (HGJV), had begun work on schematic design and programming for the library as a potential addition to the Government Center site. Mr. Rinehimer stated that work would be shown to the Board in the next few months. He noted he and Mr. Paul Holt, Director of Community Development, were meeting regularly with HGJV about the Traffic Impact Analysis (TIA), adding Mr. Holt was very involved with those meetings. Mr. Rinehimer referenced the TIA in relation to the library as the projected addition with regards to traffic numbers overall. He added a higher number was used with library use versus general office space. Mr. Rinehimer noted the possibility of other traffic requirements as the project moved forward. He stated he was not anticipating any major changes regarding the library to the site plan. Mr. Rinehimer noted he had sent an email to department heads for subgroups of County employees to give feedback on outside space, lobby space, and other features to give guidance and input.

Mr. Hipple asked if the monthly updates would be ongoing.

Mr. Rinehimer confirmed yes.

Mr. Hipple referenced several comments that had been made to that point. He noted the importance of the monthly updates.

The Board thanked Mr. Rinehimer.

F. **BOARD CONSIDERATION(S)**

1. Appeal of Notice of Violation, 110 River Bluffs

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

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

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

Mr. Icenhour noted the property owner's attorney was unable to attend and was requesting a deferral to the March 25, 2025, Business Meeting.

Ms. Larson noted staff's suggestion was denial of the appeal.

Mr. Icenhour noted details regarding the County's position on this case was available, but insufficient information regarding the appeal basis. He further noted due process and allowing the property owner to present the information to the Board prior to a decision.

2. Contract Award - \$1,368,000 - James City County Recreation Center Gymnasium Envelope Repair Project

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, Null

Mr. Mark Abbott, Capital Projects Coordinator, addressed the Board requesting approval of a resolution regarding the repair of the envelope at the James City County Recreation Center gymnasium. He provided details on the enhancement and repair project, adding the project would address the water intrusion issues at the gymnasium.

Ms. Null asked how long the Recreation Center would be closed.

Mr. Abbott replied that the Recreation Center would not be closed at all. He noted several interruptions could occur during the window replacement phase. Mr. Abbott further noted some changes in the parking lot could occur also.

Mr. McGlennon asked if the water intrusion issues had produced any mold.

Mr. Abbott replied there was no mold. He noted the major issue was interior paint peeling in several locations. Mr. Abbott further noted some floor buckling toward the edges, adding that matter had been addressed.

Mr. McGlennon noted no mold issues.

Mr. Abbott confirmed there were no mold issues.

3. Regional Board Representative to the Hampton Roads Workforce Council

A motion to Appoint Mr. Icenhour as the Regional Board Representative to the Hampton Roads Workforce Council was made by John McGlennon, the motion result was Passed.

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

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

Mr. Icenhour noted Ms. Null had been appointed as the regional representative at the Board's Organizational Meeting; however, she had a conflict between her appointments with the Virginia Peninsula Regional Jail and the Hampton Roads Workforce Council. He noted he would assume the representative role on the Hampton Roads Workforce Council. Mr. Icenhour further noted a formal vote would be required for the change.

G. BOARD REQUESTS AND DIRECTIVES

Mr. Hipple highlighted some of the County's history which included the County Fair. He noted over time the County Fair became a thing of the past and had served its time. Mr. Hipple cited his participation with the Volunteer Rescue Squad as well as the Volunteer Fire Department in 1984, adding he became a Fire Department member in 1985. He noted his involvement with the Kiwanis Club over the past 20 years including being one of the founders of the Kiwanis Club of Toano. Mr. Hipple referenced his time with the Ruritan Club, the Norge Train Station preservation project, and his tenure with the Board of Supervisors which he joined in 2013. He noted his position with the Board had allowed opportunities to work with the various Hampton Roads transportation organizations over the years. Mr. Hipple further noted those 40-plus years had gone by quickly. He stated the importance of volunteering in the community. Mr. Hipple

noted he wanted to have more time with his wife and children so he would not seek re-election in December at the end of his term. He said it was time to do other things, but also to allow others to become involved and move things forward. Mr. Hipple stated he wanted to see the Government Center and the General Services Building completed. He added that this Board would see those projects were completed. Mr. Hipple stated he wanted to let potential candidates know of his decision. He said it was a tremendous privilege to work with the great staff of James City County. Mr. Hipple spoke about volunteering in the community and referenced Ms. Boarman and her tireless efforts to clean up the County.

Ms. Null noted her recent attendance at the Frothy Moon Brewhouse where local library partners opened the Imagination Library, a program sponsored by Ms. Dolly Parton. She stated children were registered with the program which then gave a free book per month to children aged one to five. Ms. Null spoke about the program in more detail.

Ms. Larson noted she was participating in the 2025 Walk to End Alzheimer's. She stated she had also walked in 2024. Ms. Larson noted one in three seniors was impacted with Alzheimer's. She stated Ms. Heather Harmon, Marketing and Client Development with Henderson, Inc., was instrumental in the participation drive for the event. Ms. Larson noted a kick-off breakfast was planned and to watch for invitations to that event. She stated she would be leaving late Friday or early Saturday for the National Association of Counties Legislative Conference in Washington, D.C. She expressed her concern as the federal government was a major employer for Virginia and the Hampton Roads area. Ms. Larson noted she and Mr. McGlennon would attend the School Liaison Committee meeting on Friday, February 28, where hopefully a school budget update would be provided. She further noted her surprise at Mr. Hipple's announcement, adding he had served his community well.

Mr. McGlennon noted a Virginia Department of Transportation (VDOT)-sponsored community meeting on March 26 at James River Elementary School to review the Pocahontas Trail improvements. He stated he was pleased VDOT was starting to move on that project. Mr. McGlennon echoed Ms. Larson's comments regarding Mr. Hipple's tough decision. He thanked Mr. Hipple for his contributions and the work and respect the Board members had for each other.

Mr. Icenhour thanked Mr. Hipple for his service to the community. He noted the difficulty with such a decision as many aspects were personal. Mr. Icenhour further noted his attendance on February 12 at the County's Black History celebration, adding the ceremony was a phenomenal event. He added that Mr. McGlennon and Mr. Hipple were also present. Mr. Icenhour stated he attended the County's large staff meeting on February 13. He recommended attending those meetings as it was a great opportunity to meet staff and talk about their years of service to the County and citizens. Mr. Icenhour noted his attendance at the funeral for Ms. Edith "Cookie" Heard on February 25. He referenced an article on Ms. Heard in *The Virginia Gazette*, adding she would be greatly missed. Mr. Icenhour noted numerous questions regarding the Wawa store off Monticello Avenue. He responded that the gas tanks had been buried underground prior to the snowstorms and the footers were in place. Mr. Icenhour noted he would host a town hall meeting at the Recreation Center on February 27 at 7 p.m. to gather constituent input and feedback. He added he would provide an update on the County, but that the meeting was primarily a listening event. Mr. Icenhour stressed the importance of knowing the impact of federal spending at the local level during the budget process. He noted that much was indirect as it filtered from the state to the local level. Mr. Icenhour addressed awareness and funding sources should funds be cut off and the impacts to the County's budget if those situations occurred.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens thanked County staff for both service and responsiveness during the snowstorms. He extended his appreciation to the community for its understanding during the closures.

I. CLOSED SESSION

None.

J. ADJOURNMENT

1. Adjourn until 5 pm on March 11, 2025 for the Regular Meeting

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

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

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

At approximately 3:18 p.m., Mr. Icenhour adjourned the Board of Supervisors.

MEMORANDUM

DATE: March 25, 2025

TO: The Board of Supervisors

FROM: Michael D. Woolson, Section Chief, Resource Protection
Andrew Dean, Assistant County Attorney

SUBJECT: Chesapeake Bay Preservation Ordinance Violation - Civil Charge - James Dodd, Trustee,
and Christina Dodd, Trustee - 110 Rivers Bluffs

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 110 River Bluffs and further identified as James City County Real Estate Tax Map Parcel No. 5820400001A (the “Property”). The case involved the clearing of vegetation within the Resource Protection Area (the “RPA”). This work was done without first obtaining an exception to the Ordinance.

On or about November 1, 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 not 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 February 11, 2025.

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 \$10,000 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 using the Civil Penalty Procedures Policy’s civil charge matrix is based on a major water quality impact and a significant degree of noncompliance usually equaling \$10,000.

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

MDW/AD/ap
CBViol110RvrBlf-mem

Attachments:

1. Resolution
2. Location Map
3. Consent Agreement
4. 1999 Civil Charge Policy

RESOLUTION

CHESAPEAKE BAY PRESERVATION ORDINANCE VIOLATION - CIVIL CHARGE -

JAMES DODD, TRUSTEE, AND CHRISTINA DODD, TRUSTEE - 110 RIVER BLUFFS

- WHEREAS, James Dodd, Trustee, and Christina Dodd, Trustee, were the owners of a certain parcel of land commonly known as 100 River Bluffs, Williamsburg, Virginia and designated as Parcel No. 5131100009 within the James City County Real Estate Tax Map system (the “Property”); and
- WHEREAS, Kingsmill Community Services Association is the owner of a certain parcel of land commonly known as 110 River Bluffs, Williamsburg, Virginia and designated as Parcel No. 5820400001A within the James City County Real Estate Tax Map system (the “Property”); and
- WHEREAS, on or about November 1, 2023, James Dodd, Trustee, and Christina Dodd, Trustee, cleared vegetation within a defined Resource Protection Area (the “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, James Dodd, Trustee, and Christina Dodd, Trustee, executed a Consent Agreement to remedy the violation of the County’s Chesapeake Bay Preservation Ordinance; and
- WHEREAS, James Dodd, Trustee, and Christina Dodd, Trustee, agreed to pay a total of \$10,000 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 \$10,000 civil charge from James Dodd, Trustee, and Christina Dodd, Trustee, as full settlement of the Chesapeake Bay Preservation Ordinance violations at the Property occurring on or about November 1, 2023.

James O. Icenhour, Jr.
Chair, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

HIPPLE
NULL
LARSON
MCGLENNON
ICENHOUR

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 25th day of
March, 2025.

CBViol110RvrBlf-res



Legend

- Parcels
- Owner Undetermined
- Street Names
- Contours 5 Ft
- Resource Protection Area RPA



Title: 110 Rivers Edge RPA Violation

Date: 3/11/2025

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 11 day of February 2025, by and between James and Christina Dodd, residing at 260 William Spencer, Williamsburg, VA 23185, ("OWNER") and the COUNTY OF JAMES CITY, VIRGINIA, ("COUNTY").

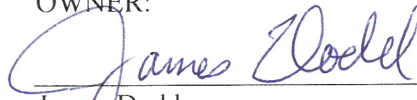
WHEREAS, the Owner performing work on that certain parcel of land known and identified as: 110 River Bluffs, James City County PIN 5820400001A, has violated or has caused a violation of the James City County Chesapeake Bay Preservation Ordinance, Chapter 23 of the County Code, by removing vegetation within the Resource Protection Area without an approved Chesapeake Bay Preservation Waiver on that aforementioned parcel.

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

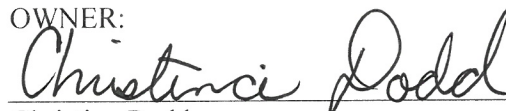
1. The Owner hereby agrees to provide for the payment of a civil charge in the amount of Ten Thousand Dollars (\$10,000), for the violation of the ordinance described above.
2. In consideration of the Owner's payment of the civil charge, the County agrees to accept the civil charge as the final resolution 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:

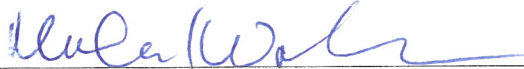

James Dodd

OWNER:

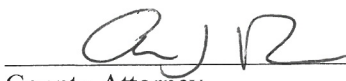

Christina Dodd

COUNTY OF JAMES CITY, VIRGINIA

By:



Approved as to form:


County Attorney

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

Principle

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

Process

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

Penalty

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

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

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

Water Quality Impact

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

Degree of Non-compliance

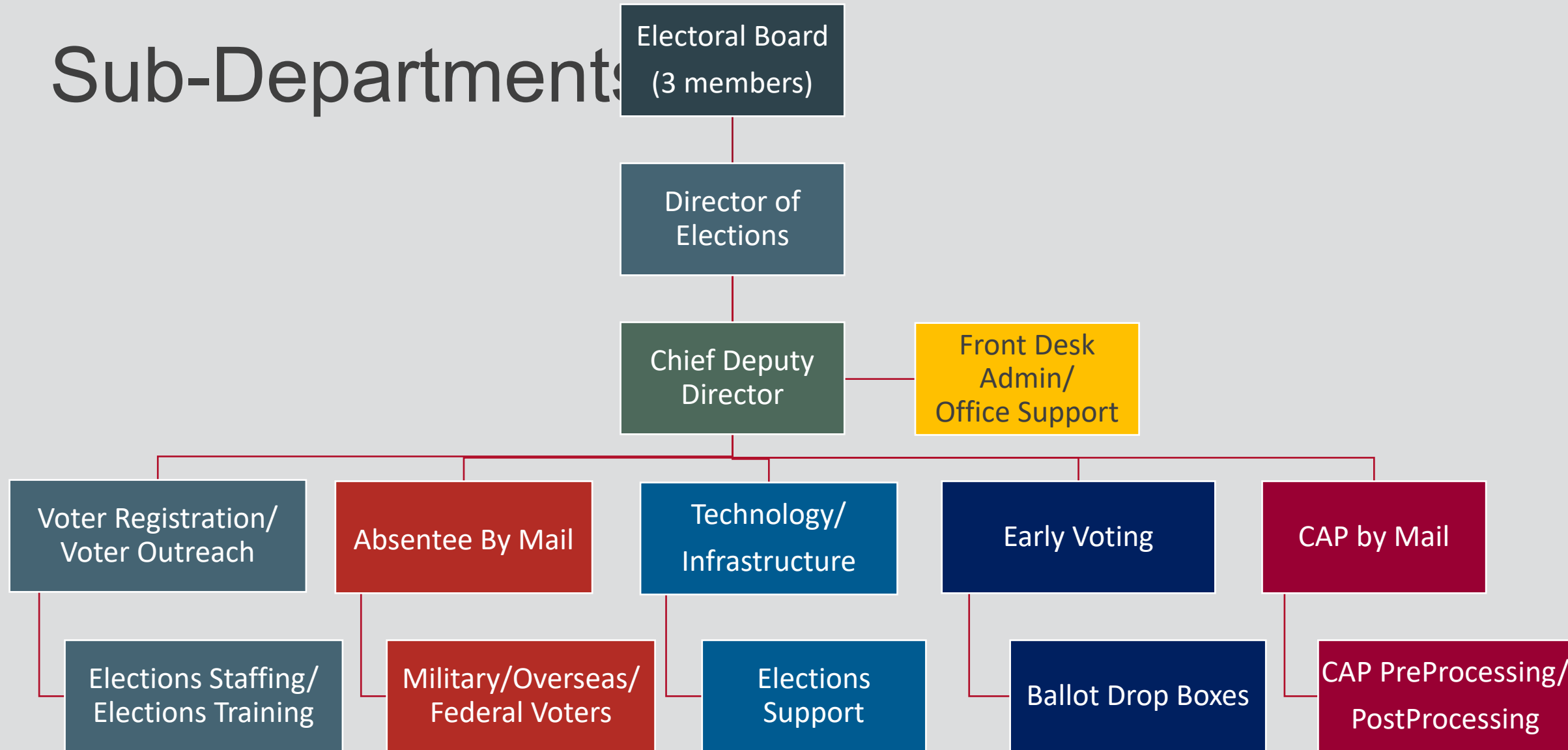
This factor will be used to assess the motivation behind the violation. Factors that will be considered in assessing the degree of non-compliance are degree of willfulness, history of non-compliance, and cooperation. Unintentional violations that are cooperatively restored will not be charged the same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



2024 Year in Review

Office of Elections

Sub-Departments



 = still not a permanent position, it is essential and needed though



Staffing and Elections Officers

Voting was active 8 of 12 months

Permanent Staff: 6 (Our beloved Chief Deputy passed away at the beginning of the year)
(GR : 20 years, 1 position: 4 years, 4 positions: 1 year or less)

On Calls: 9 (1 position is a MUCH-NEEDED full time front desk/admin support)

Machine Technicians: 4

Early Voting: 881 shifts

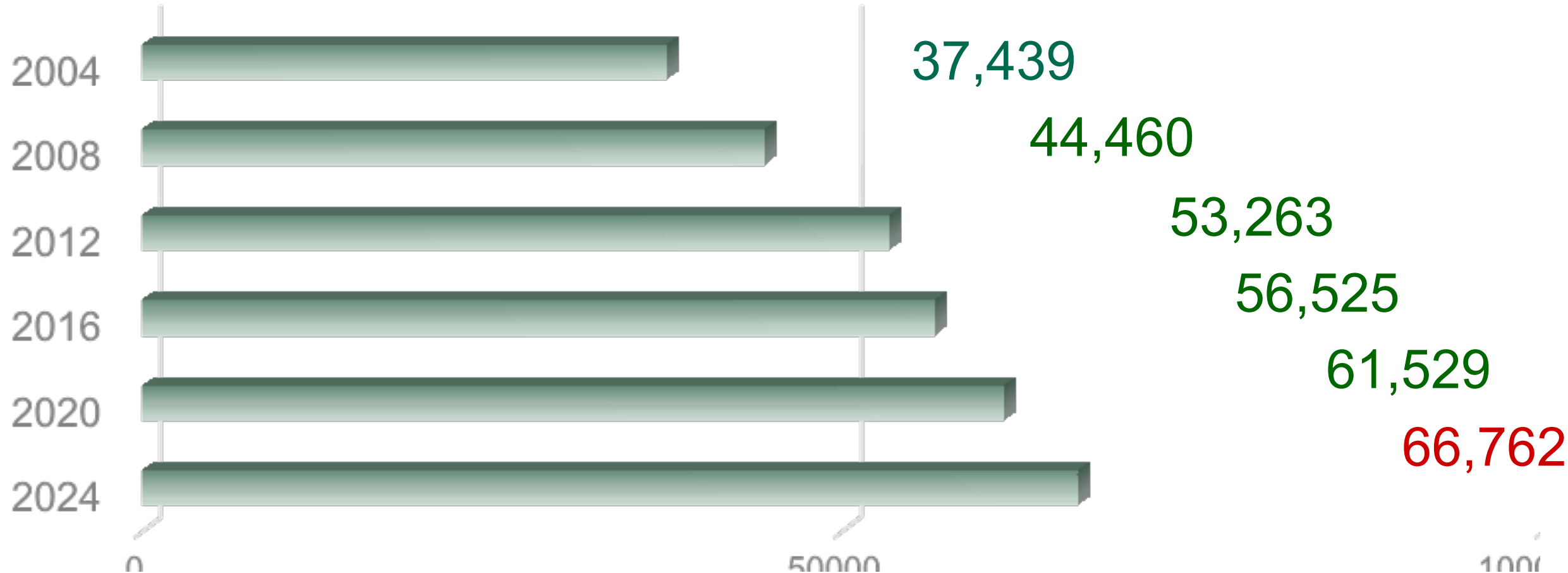
CAP: 14

Election Day: 285

Pages (15-17 yrs old): 10



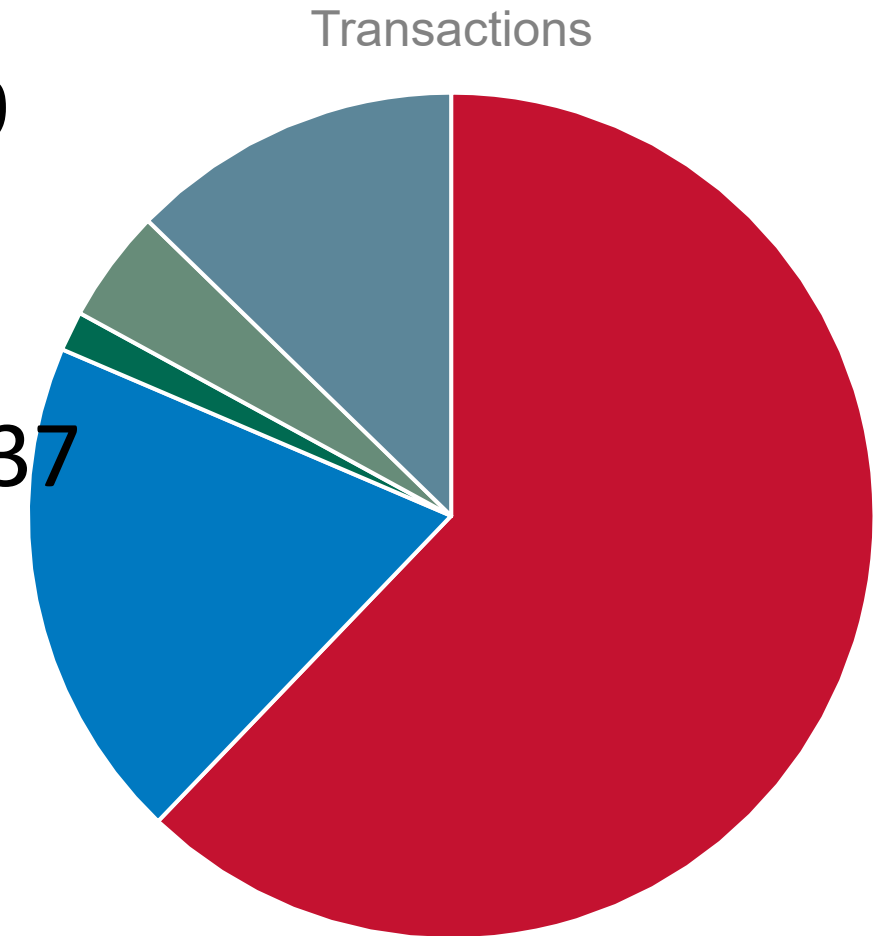
Number of Registered Voters



Voter Registration – Transactions Processed

Information Updates	17,829
Request to Cancel	5,524
Denied Applications	437
Duplicate Applications	1,240
Miscellaneous Changes	3,647

TOTAL TRANSACTIONS: 28,677



Secure Voting

At no time in the voting process are the voting machines connected to the internet



Changes



- Over 150 election laws have been passed since 2017.
- Ballot on Demand was implemented in Jan 2024 for the Early Vote Center and has now been in effect for 3 elections. This one significant change will result in a large reduction in ballot printing costs going forward.
- The Vote Center and its success, on many levels, has now become a benchmark for other localities throughout the Commonwealth and other states. Street front signage continues to be the only main obstacle for citizens.

Election Turnout

	March		June		November	
	2020	2024	2020	2024	2020	2024
Absentee By Mail	980	2480	2714	1950	37267	5825
Early Voting		3083		1673		27989
Election Day	14875	10346	5924	2746	12323	16803
Mailed Ballots Received Late*	N/A	116	N/A	117	N/A	278
Provisional Votes Cast	14	92	49	20	216	860

* Late ballots have only been tracked since July 1, 2022,
in accordance with Virginia Election Law



Election Statistics

	November 2024	
	Early Voting	Election Day
Curbside Voting	914	203
Mailed Ballots Exchanged for In-Person Voting	227	55
Same Day Registrations	298	538
Request for Assistance with Voting	322	116
Miscellaneous Documents Completed	737	483
Absentee Ballots with Incomplete Outer Envelopes	144	

Mailed/Absentee Ballots Mailed

Effective March 2024, standard absentee ballots mailed to those with a completed, signed application on file are issued by a vetted, secure third-party vendor. Our office continues to handle ballots under a certain quantity as well as all reissued ballots.

All military, overseas, and federal voters with an active completed, signed application are still mailed or emailed their ballots from our office.

All mailed ballots received before election day are now required to be preprocessed, by law, resulting in 5 additional days of ballot tabulating.

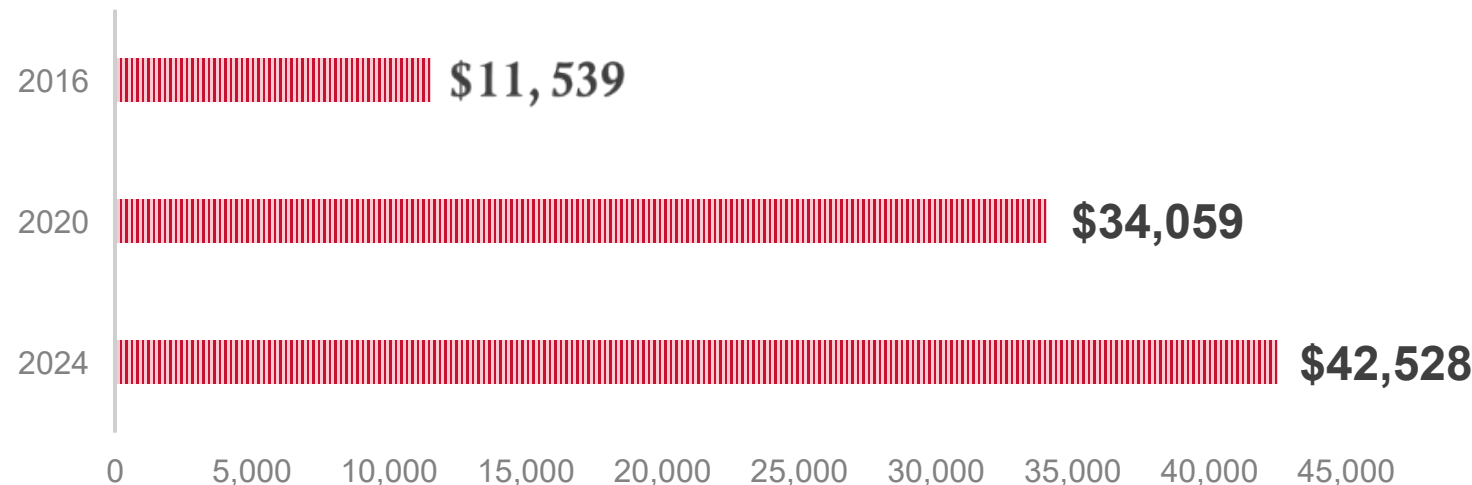


Cost of Mailed Ballots and Postage (November 2024)

The cost of printing, mailing and providing return postage has increased exponentially.

Each mailed ballot costs roughly \$18 to issue.

In the Early Vote Center,
293 voters that requested
a MAILED ballot arrived to
vote in person and were
reissued a ballot. There
were additional voters on
Election Day.



Ballot Drop Box Locations

JCC Vote Center	x 45 days = 1,510
JCC Library – Croaker *	x 10 days = 8
JCC Gov't Complex, Bldg F*	x 10 days = 5
Polling Places on Election Day	x 1 day = 14

All ballot drop boxes were advertised
45+ days in advance

The two additional drop-off locations cost roughly
\$2150 combined to operate for the 10-day timeframe
cost approximately **\$165.39/per ballot** to accept



Logistics of Elections

- Logic and Accuracy Testing (Pre-Election Audits) now takes multiple days due to multiple ballot styles per precinct and multiple equipment types.
 - March/June = 36 Ballot Styles
 - November = 54 Ballot Styles
- Delivery of supplies now takes 2 full days and requires the assistance of General Services crew and vehicles as well as collaboration with the local schools, churches, and Parks and Recreation
- Support of the Police Department, the Clerk of the Circuit Court, and County Administration have also been essential to successful election seasons



Certifying Results

- Election night results entering now requires the manual entry of over 5,000 unique subtotals and statistics
- Due to new election laws, elections now aren't able to be certified until the next week, at the earliest.
- All data entry is manual and requires a 2-person verification prior to presenting the results to the Electoral Board for certification.



Risk Limiting Audit



James City County was randomly selected in 2 different Risk Limiting Audit drawings in order to complete the November 2024 Election Certification. We were given less than 36 hours notice to organize, staff, and train for these vastly different methods of audits.

- The RLA for the Senate race required us to audit 21 of our 51,563 ballots cast from predetermined randomly drawn precincts using the ballot polling method.
4 teams of 2 (50% from each party or staff members)
- The RLA for the House race required us to HAND COUNT 22,817 ballots (roughly 67% of the ballots cast for this election) for the House RLA using a Batch Comparison method.
20 teams of 2 (50% from each party or staff members)

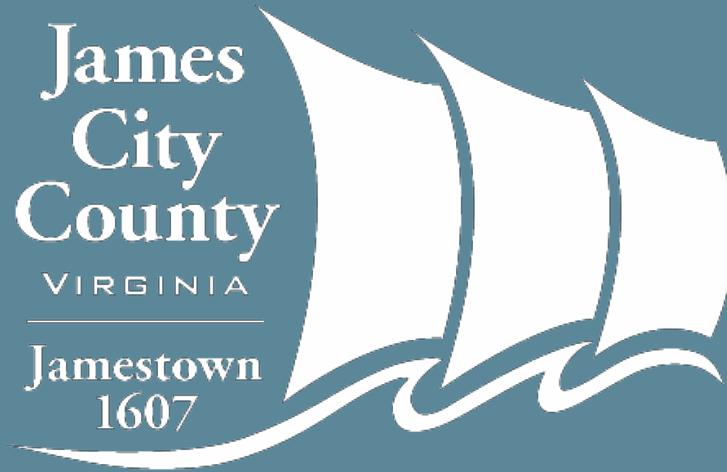
What's Ahead...

- Voting begins again in 44 days (May 2) for the June 17 Dual Party Primary Election
- The upcoming November election is the 2nd highest turnout race of the 4-year election cycle
- New voting equipment will be requested to be in place on or before the November 2027 election



QUESTIONS?





FY2026 Budget Presentation Proposed Capital Improvement

Board of Supervisors
Business Meeting

March 25, 2025

Capital Improvement Program (CIP) Summary

- 5-Year Program: FY2026-FY2030
- Includes Capital Projects and Capital Maintenance
 - 35 Capital Project Requests - \$441.3M
 - 94 Capital Maintenance Requests - \$125.3M



FY2026-FY2030 Capital Projects

Reques
ts

Department	FY2026	FY2027	FY2028	FY2029	FY2030	Total
General Administration	\$ 81,900,000	\$ 78,400,000	\$ 78,400,000	\$ -	\$ -	\$ 238,700,000
Parks and Recreation	5,730,000	12,950,000	19,980,000	14,500,000	7,170,000	60,330,000
General Services	5,901,800	2,204,000	13,035,970	3,526,500	6,493,000	31,161,270
Public Safety	710,000	658,010	1,500,000	17,000,000	7,408,840	27,276,850
Schools	11,845,000	-	1,931,000	-	704,000	14,480,000
Library	-	4,000,000	18,000,000	18,400,000	6,425,000	46,825,000
Community Development	4,000,000	4,250,000	4,500,000	4,750,000	5,000,000	22,500,000
Total	\$ 110,086,800	\$ 102,462,010	\$ 137,346,970	\$ 58,176,500	\$ 33,200,840	\$ 441,273,120

First Draft

	A	B	C	D	E	F	G
1	Proposed Capital Projects	FY2026	FY2027	FY2028	FY2029	FY2030	Total
2	General Administration	\$ 81,900,000	\$ 78,400,000	\$ 78,400,000	-	-	\$ 238,700,000
4	Parks and Recreation	2,400,000	7,400,000	-	13,700,000		23,500,000
6	General Services	5,113,000	15,904,000	2,600,000	2,634,000	2,493,000	28,744,000
8	Public Safety	-	-	1,200,000	14,000,000	-	15,200,000
10	Schools	11,877,000	-	1,925,000	-	785,000	14,587,000
12	Library	-	-	-	-	-	-
14	Community Development	4,000,000	4,250,000	4,500,000	4,750,000	5,000,000	22,500,000
17	Total Proposed Projects	\$ 105,290,000	\$ 105,954,000	\$ 88,625,000	\$ 35,084,000	\$ 8,278,000	\$ 343,231,000
18	<i>Total Requested</i>	<i>108,268,800</i>	<i>116,162,000</i>	<i>137,340,970</i>	<i>58,176,500</i>	<i>33,281,000</i>	<i>453,229,270</i>
19	Total - Unfunded	(2,978,800)	(10,208,000)	(48,715,970)	(23,092,500)	(25,003,000)	(109,998,270)
20							



FY2026-FY2030 Capital Projects

First Draft

	A	B	C	D	E	F	G
1	Proposed Capital Projects	FY2026	FY2027	FY2028	FY2029	FY2030	Total
2	General Administration	\$ 81,900,000	\$ 78,400,000	\$ 78,400,000	-	-	\$ 238,700,000
4	Parks and Recreation	2,400,000	7,400,000	-	13,700,000		23,500,000
6	General Services	5,113,000	15,904,000	2,600,000	2,634,000	2,493,000	28,744,000
8	Public Safety	-	-	1,200,000	14,000,000	-	15,200,000
10	Schools	11,877,000	-	1,925,000	-	785,000	14,587,000
12	Library	-	-	-	-	-	-
14	Community Development	4,000,000	4,250,000	4,500,000	4,750,000	5,000,000	22,500,000
17	Total Proposed Projects	\$ 105,290,000	\$ 105,954,000	\$ 88,625,000	\$ 35,084,000	\$ 8,278,000	\$ 343,231,000
18	<i>Total Requested</i>	<i>108,268,800</i>	<i>116,162,000</i>	<i>137,340,970</i>	<i>58,176,500</i>	<i>33,281,000</i>	<i>453,229,270</i>
19	Total - Unfunded	(2,978,800)	(10,208,000)	(48,715,970)	(23,092,500)	(25,003,000)	(109,998,270)
20							

Proposed

Department	FY2026	FY2027	FY2028	FY2029	FY2030	Total
General Administration	\$ 65,500,000	\$ 62,000,000	\$ 62,000,000	\$ -	\$ -	\$ 189,500,000
Parks and Recreation	2,400,000	7,400,000	-	13,700,000	1,570,000	25,070,000
General Services	5,113,000	15,904,000	2,600,000	2,634,000	2,493,000	28,744,000
Public Safety	710,000	-	1,200,000	14,000,000	1,600,000	17,510,000
Schools	11,882,000	-	-	-	785,000	12,667,000
Library	16,400,000	16,400,000	16,400,000	-	-	49,200,000
Community Development	4,000,000	4,250,000	4,500,000	4,750,000	5,000,000	22,500,000
Total	\$ 106,005,000	\$ 105,954,000	\$ 86,700,000	\$ 35,084,000	\$ 11,448,000	\$ 345,191,000
<i>Plan Total</i>	<i>104,499,000</i>	<i>5,704,000</i>	<i>23,181,000</i>	<i>52,684,000</i>		<i>\$ 186,068,000</i>

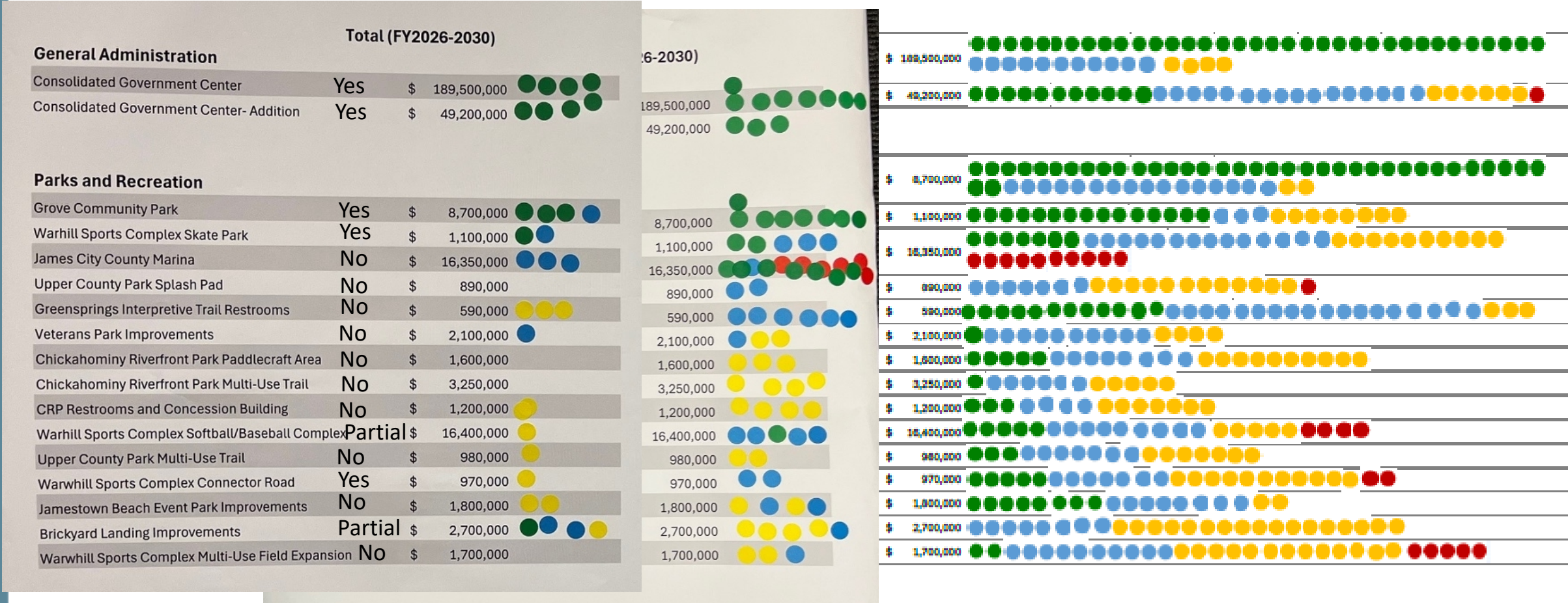


- Top Priority
- Mid Priority
- Low Priority
- Suspend/Cancel

Rankings
Board
Meeting Participants

ELT

Large Staff



- Top Priority
- Mid Priority
- Low Priority
- Suspend/Cancel

Rankings

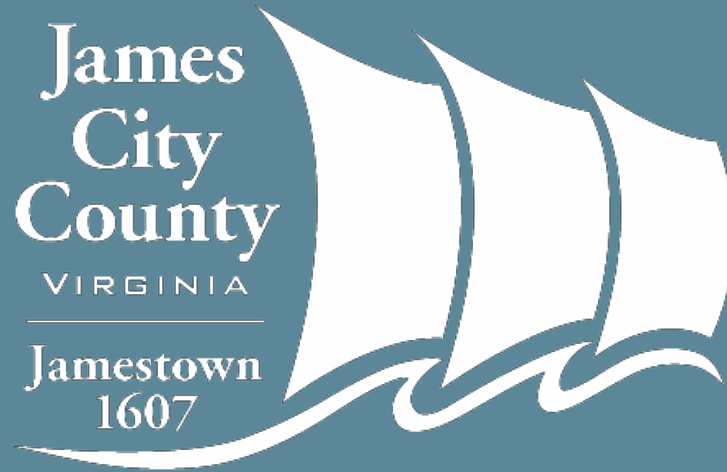
Board

ELT

Large Staff Meeting

Participants

		Total (FY2026-2030)		(2026-2030)	
General Services					
General Services Administration Building	Yes	\$ 5,119,650		\$ 5,119,650	
Stormwater Infrastructure	Yes	\$ 12,544,000		\$ 12,544,000	
Warehouse	No	\$ 9,497,620		\$ 9,497,620	
Courthouse Engineering Services	No	\$ 4,000,000		\$ 4,000,000	
Public Safety					
Fire Station 3 Replacement	*Yes	\$ 18,500,000		\$ 18,500,000	
Fire Station 6	Partial	\$ 3,500,000		\$ 3,500,000	
Police Firing Range Expansion	Yes	\$ 710,000		\$ 710,000	
Police Covered Vehicle Parking	No	\$ 658,010		\$ 658,010	
Police Classroom and Shoot House	No	\$ 3,908,840		\$ 3,908,840	
Schools					
Clara Byrd Baker Bus Canopy	Yes	\$ 561,000		\$ 561,000	
Pre-K Space	Yes	\$ 11,284,000		\$ 11,284,000	
Centralized Storage Facility	No	\$ 1,931,000		\$ 1,931,000	
Jamestown High School Expansion	Yes	\$ 704,000		\$ 704,000	
Library					
JCC Library and Community Theatre	No	\$ 40,000,000		\$ 40,000,000	
Grove Area Library	No	\$ 6,825,000		\$ 6,825,000	
Community Development					
Transportation March	Yes	\$ 15,000,000		\$ 15,000,000	
Open Space Match	Yes	\$ 6,250,000		\$ 6,250,000	
Transit Stop Improvements	Yes	\$ 1,250,000		\$ 1,250,000	



FY2026 Budget Presentation Proposed Capital Improvement

Board of Supervisors
Business Meeting

March 25, 2025

MEMORANDUM

DATE: March 25, 2025

TO: The Board of Supervisors

FROM: Michael D. Woolson, Section Chief, Resource Protection
Andrew Dean, Assistant County Attorney

SUBJECT: Appeal of Notice of Violation, Erosion and Stormwater Management Ordinance, dated November 21, 2024 - 110 River Bluffs

Mr. Michael Ware, Esq. filed an appeal to the James City County Board of Supervisors (the “Board”) on December 12, 2024, on behalf of Mr. James Dodd, Trustee, and Ms. Christina Dodd, Trustee (the “Owner”). The Owner is appealing the Notice of Violation issued by James City County’s Virginia Erosion and Stormwater Management Program Administrator for a violation of County Code Chapter 8 - “Erosion and Stormwater Management Ordinance” (the “Ordinance”) at 110 River Bluffs (the “Property”). The Owner removed vegetation in violation of a Natural Open Space easement dedicated to James City County for stormwater management purposes for the Kingsmill on the James, River Bluffs Development.

Pursuant to James City County Code Section 8-16, the Board of Supervisors shall hear appeals of administrative decisions. In reviewing the County agent’s actions, the Board of Supervisors shall consider the evidence and opinions presented by the aggrieved appellant and the County agent. After considering the evidence and opinions, the Board of Supervisors may affirm, reverse, or modify the decision of the County agent. The Board of Supervisors’ decision shall be final, subject only to review by the Circuit Court of James City County.

Background Information

Stormwater compliance for a development is dependent upon two types of Best Management Practices (BMPs): structural and nonstructural. Natural Open Space is a nonstructural BMP for stormwater compliance. The Kingsmill on the James subdivision relies upon a mixture of both types of BMPs to achieve project compliance with stormwater regulations. The regulations require long-term maintenance of permanent stormwater facilities. For structural BMPs, this is achieved through the recordation of a Declaration of Covenants and Inspection Maintenance agreement to ensure structural BMPs are maintained and continue to function over the life of the BMP. For nonstructural BMPs, this is achieved through the recordation of a Deed of Easement for Natural Open Space to ensure the environmental characteristics of the Open Space continue to serve their stormwater and erosion prevention functions.

The Property was subject to a Natural Open Space easement dedicated to James City County by Busch Properties for the express purpose “to preserve land as natural open space as part of Grantor’s efforts to improve the quality of storm water runoff from the Property.” The Deed of Easement was recorded on March 15, 2001, as Instrument No. 010004471 by the Clerk’s Office of the Circuit Court of the City of Williamsburg and County of James City. The Deed of Natural Open Space Easement is part of the approved nonstructural BMP required for compliance with the long-term maintenance requirements of James City County’s Ordinance.

The Deed of Easement restricts uses on the property as listed. Specifically, the Dodds violated Term No. 4 of the Deed of Easement which states, “The Easement Property shall remain in its natural condition with respect to natural leaf litter or other ground-covering vegetation, understory vegetation or shrub layer, and tree canopy. The activities of Grantor within the Easement Property shall be limited to those which do not

remove or damage any vegetation or disturb any soil. Grantor may remove dead, diseased, poisonous or invasive vegetation with the expressed written consent of the County Engineer.” Such written permission was never sought and permission was never granted.

On November 1, 2023, staff received notification from a concerned citizen about a potential Resource Protection Area (RPA) violation currently underway at 100 River Bluffs in the Kingsmill on the James subdivision. Staff conducted a field investigation that afternoon and discovered that the hillside between 100 River Bluffs and the James River had extensive tree work completed with many trees either completely cut down or had the tops of the trees cut off. The affected property is 110 River Bluffs and is owned by the Kingsmill Community Services Association (KCSA).

On December 7, 2023, staff sent a Notice of Violation to Mr. James Dodd and Ms. Christina Dodd, property owner of 100 River Bluffs, outlining the violations and process. After several site visits and discussions with the Property owner and their representatives, the County determined the stormwater violation occurred exclusively on the 110 River Bluffs Property and the 100 River Bluffs violations were dropped. The County issued a new Notice of Violation to the Appellant on November 21, 2024, for the violation at 110 River Bluffs property. The Dodds have appealed this November 21, 2024 Notice of Violation.

Staff has reviewed the appeal and associated documents and offers the following information for the Board’s consideration.

1. Mr. James Dodd, Trustee, and Ms. Christina Dodd, Trustee, were the owners of 100 River Bluffs at the time the 110 River Bluffs stormwater violation occurred.
2. Bobcat Tree Service was the contractor that performed the tree clearing work on 110 River Bluffs.
3. No request for work in the Natural Open Space on 110 River Bluffs was submitted nor approved by either the Dodds or KCSA.
4. Mr. James Dodd, Trustee, and Ms. Christina Dodd, Trustee, sold the property (100 River Bluffs) on November 21, 2024.
5. Mr. James Dodd, Trustee, and Ms. Christina Dodd, Trustee, were cited with a violation of the Chesapeake Bay Preservation Ordinance, and they have resolved that matter for the maximum fine amount of \$10,000.

Issue to be Decided by the Board

1. Whether Mr. James Dodd, Trustee, and Ms. Christina Dodd, Trustee, violated James City County Code, Chapter 8, Section 8-14, Long-term maintenance of permanent stormwater facilities, for failing to adhere to the conditions of the Deed of Easement for Natural Open Space, Instrument No. 010004471 when they cut down trees and cut off the tops of trees on the Property.

MDW/AD/md
AppESMViol-110RvrBlf- mem

Attachments:

1. Appeal Notice
2. Location Map

Appeal of Notice of Violation, Erosion and Stormwater Management Program Ordinance, dated
November 21, 2024 - 110 River Bluffs
March 25, 2025
Page 3

3. Notice of Violation, revised, November 21, 2024
4. Deed of Natural Open Space Easement
5. Figure 1. Picture, November 1, 2023
6. Figure 2. Picture, November 1, 2023
7. Figure 3. Picture, November 1, 2023
8. Figure 4. Picture, November 1, 2023
9. Figure 5. Picture, November 1, 2023
10. Figure 6. Picture, November 1, 2023
11. Figure 7. Picture, November 1, 2023

RESOLUTION

AFFIRMING THE STORMWATER MANAGEMENT VIOLATION AT 110 RIVER BLUFFS

WHEREAS, Mr. Michael Ware, Esq., on behalf of Mr. James Dodd, Trustee, and Ms. Christina Dodd, Trustee (“Appellant”), has appeared before the Board of Supervisors of James City County (the “Board”) on March 25, 2025, to appeal a Notice of Violation issued on November 21, 2024, to the Appellant for violations of County Code Chapter 8, Erosion and Stormwater Management Program Ordinance on a parcel of property identified as James City County Real Estate Tax Map Parcel No. 5820400001A and further identified as 110 River Bluffs (the “Property”); and

WHEREAS, the Board, pursuant to County Code Section 8-17, has listened to the arguments presented by the Appellant and by the County agent and has carefully considered all evidence entered into the record.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, by a majority vote of its members affirms the Notice of Violation issued to Mr. James Dodd, Trustee, and Ms. Christina Dodd, Trustee, on November 21, 2024, and finds that Mr. James Dodd, Trustee, and Ms. Christina Dodd, Trustee, are in violation of County Code, Chapter 8, Erosion and Stormwater Management Program Ordinance.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, encourages the parties to reach a settlement agreement to abate the violation.

NOW, THEREFORE, BE IT FINALLY RESOLVED that the Board of Supervisors of James City County, Virginia, urges the County Attorney’s Office to seek the maximum penalties allowed by the County Code if this matter is brought before the Circuit Court.

James O. Icenhour, Jr.
Chair, Board of Supervisors

ATTEST:

	HIPPLE	____	____	____	____
	NULL	____	____	____	____
	LARSON	____	____	____	____
	MCGLENNON	____	____	____	____
	ICENHOUR	____	____	____	____

Teresa J. Saeed
Deputy Clerk to the Board

HIPPLE
NULL
LARSON
MCGLENNON
ICENHOUR

VOTES

AYE NAY ABSTAIN ABSENT

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of March, 2025.

RESOLUTION

REVERSING THE STORMWATER MANAGEMENT VIOLATION AT 110 RIVER BLUFFS

WHEREAS, Mr. Michael Ware, Esq., on behalf of Mr. James Dodd, Trustee, and Ms. Christina Dodd, Trustee (“Appellant”), has appeared before the Board of Supervisors of James City County (the “Board”) on March 25, 2025, to appeal a Notice of Violation issued on November 21, 2024, to the Appellant for violations of County Code Chapter 8, Erosion and Stormwater Management Program Ordinance on a parcel of property identified as James City County Real Estate Tax Map Parcel No. 5820400001A and further identified as 110 River Bluffs (the “Property”); and

WHEREAS, the Board, pursuant to County Code Section 8-17, has listened to the arguments presented by the Appellant and by the County agent and has carefully considered all evidence entered into the record.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, by a majority vote of its members reverses the Notice of Violation issued to Mr. James Dodd, Trustee, and Ms. Christina Dodd, Trustee, on November 21, 2024, and finds that Mr. James Dodd, Trustee, and Ms. Christina Dodd, Trustee, are not in violation of County Code, Chapter 8, Erosion and Stormwater Management Program Ordinance.

James O. Icenhour, Jr.
Chair, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

HIPPLE
NULL
LARSON
MCGLENNON
ICENHOUR

VOTES

AYE NAY ABSTAIN ABSENT

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of March, 2025.

RevSMViol110RvrBlf-res

SCHEMPF & WARE, PLLC

Bryan H. Schempf

Attorneys and Counselors at Law
4000 George Washington Memorial Highway
Yorktown, Virginia 23692
Telephone: (757) 240-4000 Facsimile: (757) 240-4001
E-Mail Address: mware@4000law.com

Michael B. Ware

December 12, 2024

James City County Chesapeake Bay Preservation Board
c/o Michael Woolson
Section Chief, Stormwater and Resource Protection Division
101 E. Mounts Bay Road
Williamsburg, VA 23185

RE: Chesapeake Bay Preservation Ordinance Violation
100 River Bluffs, PIN 5131100009

Chesapeake Bay Preservation Ordinance Violation
Natural Open Space Easement Violation
Virginia Stormwater Management Program Violation
110 River Bluffs, PIN 5820400001A

Dear Mr. Woolson:

This letter shall serve as a formal appeal of the findings and mandates regarding the subject matters set forth in the letter of November 21, 2024.

I greatly appreciate your reconsideration of your previous December 7, 2023 letter.

Recognizing that we are in the holiday season again, I am filing an appeal to allow us to explore the matter without the time constraints imposed upon the holiday season.

I have reached out to Andrew Dean to discuss the fact that I did not want everyone stressed about resolving this matter in the short time allowed by the Statute.

I look forward to us finalizing this and hope you have a great holiday should I not see you prior thereto.

Schempf & Ware, PLLC

Page 2

By copy of this letter to Adam Kinsman and Andrew Dean, James City County Attorneys, I am notifying them of the appeal and confirmation of our future efforts to finalize this matter.

Sincerely,

SCHEMPF & WARE, PLLC

A handwritten signature in blue ink, reading "Michael B. Ware". The signature is fluid and cursive, with the first name "Michael" and last name "Ware" clearly distinguishable.

Michael B. Ware, Esq.

MBW/mhb

Enclosures

Cc: Adam Kinsman, Esq., James City County Attorney
Andrew Dean, Esq., James City County Attorney
James and Christina Dodd, Trustees
Bruce P. Haring, Executive Director Kingsmill Community Services



General Services

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

General.Services@jamescitycountyva.gov

jamescitycountyva.gov

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

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

**Stormwater and
Resource Protection**
101-E Mounts Bay Road
Williamsburg, VA 23185
757-253-6670

Facilities & Grounds
113 Tewning Road
Williamsburg, VA 23188
757-259-4080

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

NOTICE OF VIOLATION

of James City County's Environmental Regulations

November 21, 2024

Mr. James Dodd, Trustee
Ms. Christina Dodd, Trustee
260 William Spencer
Williamsburg, Virginia 23185

**Re: Chesapeake Bay Preservation Ordinance Violation
Natural Open Space Easement Violation
Virginia Stormwater Management Program Violation
110 River Bluffs, PIN 5820400001A**

On November 1, 2023, representatives of the James City County Stormwater and Resource Protection Division became aware of unauthorized vegetation removal from the resource protection area (RPA) and natural open space (NOS) easement that has occurred on 110 River Bluffs. Upon site inspection, it was confirmed that vegetation removal had and was currently occurring within the RPA and NOS on 110 River Bluffs. There are no active requests on file for work within the RPA or NOS with the Stormwater and Resource Protection Division for this property.

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.

Deed Restriction #4 of the recorded Deed of Easement for Natural Open Space (Instrument 010004471), which the Grantee (County of James City, Virginia) is entitled to enforce, states "The Easement Property shall remain in its natural condition with respect to natural leaf litter or other ground-covering vegetation, understory vegetation or shrub layer, and tree canopy. The activities of Grantor (Busch Properties and its successors and assigns) within the Easement Property shall be limited to those which do not remove or damage any vegetation or disturb the soil."

Section 8-29 of the James City County Virginia Stormwater Management Ordinance (VSMP), which regulates a unified stormwater management program, requires a stormwater management best management practice (BMP) to be properly maintained through an enforceable long-term maintenance strategy. As Natural Open Space easements are considered BMPs for overall stormwater compliance for the Kingsmill on the James subdivision, this activity is a violation of the VSMP, subject to a Civil Penalty of up to \$32,500.00 for each day of the violation.

To remedy the violations on this property, you must take the following actions:

- (1) 110 River Bluffs, PIN 5820400001A, the cleared/maintained area, approximately 0.25 acre or 10,890 square feet, must be allowed to regrow without any further maintenance activities; and
- (2) Payment of a \$10,000.00 civil charge for the CBPO violation; and
- (3) Payment of a \$32,500.00 civil charge for the VSMP violation.

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.”

Under Section 8-32 of the James City County Code, “the person subject to a local decision, order or requirement of an appeal, may appeal to the circuit court of James City County no later than 30 days after the final decision.”

Under Deed Restriction #6 of the recorded Deed of Easement for Natural Open Space, “In the event of a violation of the Easement, the Grantee shall have the right to seek all appropriate legal and equitable relief, including but not limited to: reasonable attorney’s fees and costs; the right to restore the Easement Property to its natural condition; and assess the cost of such restoration as a lien against the Easement Property.”

Please contact our office at 757-253-6823 to discuss this matter by December 21, 2024. After this date, the matter shall be final and unappealable.

Sincerely,



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

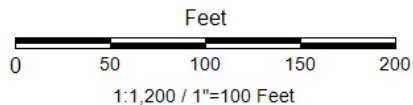
Encl: Location map
Deed of Easement for Natural Open Space

cc: Toni Small, Stormwater and Resource Protection Division Director, via email w/encl
Andrew Dean, Assistant County Attorney, via email w/ encl
Paul Holt, Community Development Director, via email w/encl
Christy Parrish, Zoning Administrator, via email w/encl
Susan Sickal, Kingsmill Community Services Association, via email w/encl
Michael Ware, via email w/encl



Legend

- Parcels
- Street Names
- Conservation
 - Conservation
 - Greenway
 - Open Space
 - Scenic
 - Resource Protection Area RPA



Title: 100 Rivers Edge and 110 Rivers Edge Violations

Date: 12/6/2023

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.

010004471

EXEMPT FROM RECORDATION TAX UNDER VIRGINIA CODE
SECTION 58.1-811(A)(3), AS AMENDED

DEED OF EASEMENT FOR NATURAL OPEN SPACE

THIS DEED OF EASEMENT, made this 12th day of February, 2001, by and between BUSCH PROPERTIES, INC., a Delaware corporation, and its successors and assigns, ("Grantor") and the COUNTY OF JAMES CITY, VIRGINIA, ("Grantee").

WHEREAS, the Grantor is the owner of certain property known as River Bluffs, Kingsmill East consisting of a tract of land containing 24.607 acres, more or less (the "Property"), more particularly described on a plat by AES Consulting Engineers, dated September 19, 2000, entitled "PLAT OF SUBDIVISION AND BOUNDARY LINE ADJUSTMENT OF RIVER BLUFFS AT KINGSMILL EAST, OWNER/DEVELOPER: BUSCH PROPERTIES, INC., ROBERT'S DISTRICT, JAMES CITY COUNTY, VIRGINIA", recorded in the Clerk's Office for the City of Williamsburg and County of James City in County Plat Book 80, Pages 26 and 27 (the "Plat");

WHEREAS, Grantee has adopted the Chesapeake Bay Preservation Ordinance, Chapter 23 of the James City County Code, as required by Chapter 21 of Title 10.1 of the Code of Virginia to protect the Chesapeake Bay and its tributaries from nonpoint source pollution within the Chesapeake Bay drainage area; and

WHEREAS, the Grantor wishes to preserve land as natural open space as part of Grantor's efforts to improve the quality of storm water runoff from the Property.

NOW, THEREFORE, in recognition of the foregoing and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby grant and convey to Grantee an easement in perpetuity in

JONES, BLECHMAN, WOLTZ & KELLY, P.C.
460 McLaws Circle, Suite 220
Williamsburg, Virginia 23185
PHONE: (757) 259-5700 FAX: (757) 259-5717

HAR 15-0197

MAR 15 2019

JONES, BLECHMAN, WOLTZ & KELLY, P.C.
460 MCCLAWS CIRCLE, SUITE 220
WILLIAMSBURG, VIRGINIA 23185
PHONE: (757) 259-5700 FAX: (757) 259-5717

gross, with the right in perpetuity to restrict the use as described below, of the portion herein described of that certain tract, lot, piece or parcel of land ("Easement Property"), to wit:

7.2 acres designated as "Natural Open Space Easement", to be conveyed to James City County as shown on the "Plat".

The restrictions hereby imposed on the use of the Easement Property, the acts which the Grantor covenants to do or not to do, and the restrictions which the Grantee is hereby entitled to enforce, shall be as follows:

1. No building or structure shall be built or maintained on the Easement Property other than such building or structure approved by the County Engineer, in writing;
2. The Easement Property shall be kept free and clear of any junk, trash, rubbish, or other unsightly or offensive material;
3. No new signs, billboards, outdoor advertising, road or utility lines shall be placed on the property without the expressed written consent of the County Engineer;
4. The Easement Property shall remain in its natural condition with respect to natural leaf litter or other ground-covering vegetation, understory vegetation or shrub layer, and tree canopy. The activities of Grantor within the Easement Property shall be limited to those which do not remove or damage any vegetation or disturb any soil. Such activities include selective trimming and pruning which will not alter the natural character of the Easement Property. Grantor may install walk trails or remove dead, diseased, poisonous or invasive vegetation with the expressed written consent of the County Engineer;

HAR 15-0199

5. Grantee and its representatives may enter upon the Easement Property from time to time for inspection, to enforce the terms of this Easement, and to post a sign or marker identifying Grantee's interest in the Easement Property as natural open space;

6. In the event of a violation of the Easement, the Grantee shall have the right to seek all appropriate legal and equitable relief, including but not limited to: reasonable attorneys' fees and costs; the right to restore the Easement Property to its natural condition; and assess the cost of such restoration as a lien against the Easement Property.

Although this easement in gross will benefit the public in the ways cited above, nothing herein shall be construed to convey a right to the public of access to or use of the Easement Property, except as provided in Paragraph 6, and the Grantor shall retain exclusive right to such access and use, subject only to the provisions herein recited.

Witness the following signatures and seals on the date first above written.

BUSCH PROPERTIES, INC.

By: William B. Voliva, Jr.
William B. Voliva, Jr., General Manager and
Executive Vice-President

COMMONWEALTH OF VIRGINIA

City/County of James City, to-wit:

I, Nancy A. Shely, a Notary Public for the Commonwealth of Virginia, do hereby certify that William B. Voliva, whose name is signed to the foregoing Deed, has acknowledged the same before me in the jurisdiction aforesaid.

Given under my hand this 15th day of February, 2001.

My Commission Expires: 1-31-04

Nancy A. Shely
Notary Public



JONES, BLECHMAN, WOLTZ & KELLY, P.C.
460 McLaws Circle, Suite 220
Williamsburg, Virginia 23185
PHONE: (757) 259-5700 FAX: (757) 259-5717

The form of this deed of easement is approved and, pursuant to Resolution of the Board of Supervisors of James City County, Virginia, duly executed on the 17th day of May, 1993, this conveyance is hereby accepted on behalf of said County.

2/13/01
Date

Leo P. Rogers
County Attorney

COMMONWEALTH OF VIRGINIA

~~City~~/County of James City, to-wit:

I, Mary Frances Rieger, a Notary Public for the Commonwealth of Virginia, do hereby certify that Leo P. Rogers, whose name is signed to the foregoing Deed, has acknowledged the same before me in the jurisdiction aforesaid.

Given under my hand this 13th day of February, 2001.

Mary Frances Rieger
Notary Public

My Commission Expires: October 31, 2001.

THIS DEED PREPARED BY:
JONES, BLECHMAN, WOLTZ & KELLY, P.C.
460 McLaws Circle, Suite 220
Williamsburg, VA 23185
(757) 259-5720

VIRGINIA, City of Williamsburg and County of James City, to-wit:
This Easement was
presented with certificate annexed and admitted
to record on 15 March, 2001
at 3:32 PM in the Clerk's Office of the
Circuit Court of the City of Williamsburg and County
of James City.

TESTE: BETSY B. WOOLRIDGE, CLERK

BY Betsy B. Woolridge Deputy Clerk

JONES, BLECHMAN, WOLTZ & KELLY, P.C.
460 McLaws Circle, Suite 220
Williamsburg, Virginia 23185
PHONE: (757) 259-5700 FAX: (757) 259-5717

Figure 1



November 1, 2023 2:49 PM

Figure 2



November 1, 2023 2:49 PM

Figure 3



November 1, 2023 2:49 PM

Figure 4



November 1, 2023 2:49 PM

Figure 5



November 1, 2023 2:50 PM

Figure 6



November 3, 2023 2:16 PM

Figure 7



November 3, 2023 2:17 PM

MEMORANDUM

DATE: March 25, 2025

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Assistant County Administrator

SUBJECT: Change Order - Second Interim Agreement, Consolidated Government Center

On December 10, 2024, the Board of Supervisors (the “Board”) approved a resolution authorizing the County Administrator to execute the Second Interim Agreement (the “Agreement”) for the proposed consolidated Government Center. The Agreement provides the County with an option to move forward with the programming and schematic design for a public library (the “Option”). After discussion at the Board Retreat on February 7, 2025, the Board expressed interest in moving forward with the Option.

A change order approved by the Board would provide programming and schematic design for a library as an addition to the current proposed Government Center in lieu of School Administration. The attached resolution authorizes Henderson/Gilbane, a Joint Venture (HGJV) to conduct the programming and schematic design at an amount not to exceed \$930,000.

Staff recommends adoption of the attached resolution.

BJR/md
CO-IntAgr2GovCtr-mem

Attachment

RESOLUTION

CHANGE ORDER - SECOND INTERIM AGREEMENT,

CONSOLIDATED GOVERNMENT CENTER

WHEREAS, the James City County Board of Supervisors (the “Board”), on December 10, 2024, directed the County Administrator to execute the Second Interim Agreement for the complete design of a consolidated Government Center (the “Project”); and

WHEREAS, James City County selected Henderson, Inc., a Virginia stock corporation (“Henderson”), and Gilbane Building Company, a Virginia stock corporation, (“Gilbane”), jointly and severally, hereinafter (“HGJV”), as the primary contractors for this Project; and

WHEREAS, the Second Interim Agreement has been signed and provides an option to move forward with the programming and schematic design phase of a public library in the space previously designated for School Administration; and

WHEREAS, the County desires to move forward with this option and funding is available from a previous appropriation in the County’s Fiscal Year 2024 Capital Improvement Program for this project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve a change order to the Second Interim Agreement for the programming and schematic design of a public library, the cost of which shall not exceed \$930,000, as a part of the new consolidated Government Center.

James O. Icenhour, Jr.
Chair, Board of Supervisors

ATTEST:

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

Teresa J. Saeed
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of March, 2025.