

MINUTES
JAMES CITY SERVICE AUTHORITY BOARD OF DIRECTORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
November 9, 2021
5:00 PM

A. CALL TO ORDER

Ms. Larson called the meeting to order at approximately 6:03 p.m. following the James City County Board of Supervisors Regular Meeting.

B. ROLL CALL

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

Scott A. Stevens, Secretary to the Board
Adam R. Kinsman, County Attorney
M. Douglas Powell, General Manager

Ms. Larson sought a motion to amend the agenda to add an item under Board Considerations entitled Participation in the American Rescue Plan Act Municipality Utility Assistance Program and Grant Award.

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

ADOPTED
DEC 14 2021
Board of Directors
James City County VA

C. PRESENTATIONS

None.

D. PUBLIC COMMENT

None.

E. CONSENT CALENDAR

1. Minutes Adoption

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

The minutes Approved for Adoption included the following minutes:

-October 12, 2021, Regular Meeting

2. Authorization of One-Time Employee Pay Adjustment

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

F. PUBLIC HEARING(S)

1. Authorization to Convey Property Located at 141 Point O' Woods Road to the County of James City, Virginia and to Partner with the County on a Certificate Application for Mirror Lake Dam

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

Mr. Powell addressed the Board noting the James City Service Authority (JCSA) owned property at 141 Point O' Woods Road. He noted JCSA had no purpose for the land. Mr. Powell stated the resolution would transfer the property to James City County as it served as the spillway for Mirror Lake Dam. He noted staff recommended approval of the resolution.

Ms. Larson opened the Public Hearing.

As there were no speakers, Ms. Larson closed the Public Hearing.

G. BOARD CONSIDERATION(S)

1. Participation in the American Rescue Plan Act Municipality Utility Assistance Program and Grant Award - \$240,808

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

Mr. Powell stated JCSA had been notified it was eligible for a grant of \$240,808 in American Rescue Plan Act (ARPA) funds to assist customers with delinquent accounts. He noted the resolutions before the Board authorized participation in the program and authorized a Memorandum of Understanding with the County for fund appropriation. Mr. Powell further noted he had spoken with the County Administrator who planned to put a companion resolution on the Board of Supervisors' November 23 meeting Agenda for approval to move forward. He noted staff recommended approval of the resolutions.

Mr. Icenhour noted funding for utility assistance had been available from a previous round but much of the funding had been unused and returned. He asked about the criteria for this funding and if there was greater flexibility in helping citizens than the previous round.

Mr. Powell noted this program was more flexible. He further noted with the Coronavirus Aid, Relief, and Economic Security (CARES) Act, customers were required to sign an attestation for assistance. Mr. Powell noted these funds would be distributed by formula without a customer attestation. He further noted approximately 1,200 JCSA customers would receive some assistance from this funding source. Mr. Powell added the customers did not have to do anything and that the assistance would be applied as a credit to customer accounts.

Mr. McGlennon noted this program assisted JCSA customers, but it also assisted JCSA with revenue.

Mr. Powell confirmed yes.

2. CLOSED SESSION: Consultation with legal counsel and briefings by staff members pertaining to probable litigation relating to a grinder pump service agreement, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, pursuant to Virginia Code § 2.2-3711(A)(7).

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

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

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

At approximately 6:07 p.m., the Board entered Closed Session.

At approximately 6:29 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, Sadler

H. BOARD REQUESTS AND DIRECTIVES

None.

I. GENERAL MANAGER'S UPDATE

1. November Dashboard Report

Mr. Powell noted he had no additional updates.

J. ADJOURNMENT

1. Adjourn until 5 p.m. on December 14, 2021 for the Regular Meeting

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

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

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

At approximately 6:30 p.m., Ms. Larson adjourned the Board of Directors.


Deputy Secretary

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
November 9, 2021
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

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

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

Mr. Hipple sought a motion to amend the Agenda to add a Closed Session to include an item related to one of the Boards and Commission and for property discussion.

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

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader(s) - Aiko Lejarazo-Sanchez, Jennifer Estrada Guzman, and Yoncel Zacarias, students from Jamestown High School

Pledge Leaders - Jennifer Estrada Guzman and Yoncel Zacarias, students at Jamestown High School, led the Board and citizens in the Pledge of Allegiance
Aiko Lejarazo-Sanchez was not in attendance at the meeting

E. PUBLIC COMMENT

None.

F. CONSENT CALENDAR

None.

ADOPTED

DEC 14 2021

Board of Supervisors
James City County, VA

G. PUBLIC HEARING(S)

1. Ordinance to Amend County Code sec. 2-16.2

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

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

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

Ms. Liz Parman, Assistant County Attorney, addressed the Board stating Virginia Code permits localities by Ordinance to dispose of unclaimed personal property in the possession of its local law enforcement agencies by either sale or retention for use. Ms. Parman noted County Code Sec. 2-16.2 allowed for disposition of unclaimed property only through sale. Ms. Parman further noted the County Code had not been updated to allow local law enforcement agencies to utilize unclaimed property should they deem it useful. Ms. Parman stated our County Police Department had requested this section be updated to conform with the Virginia Code.

Mr. Hipple opened the Public Hearing.

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

2. Ordinance to Permit Use of Golf Carts on Public Highways in Elmwood

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

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

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

Mr. Eric Peterson, Chief of Police, addressed the Board advising a traffic study was conducted in Elmwood in July 2021. Chief Peterson stated that after the completed assessment, all criteria was met to fully support golf cart use.

Mr. McGlennon inquired if there was any commercial traffic in the area.

Chief Peterson replied no.

Mr. Hipple opened the Public Hearing.

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

3. Ordinance to amend James City County Code section 20-45 to allow the Commissioner of the Revenue to assess a penalty for late returns

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

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

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

Mr. Kinsman addressed the Board as Mr. Bradshaw was not present. Mr. Kinsman remarked on the Commissioner of the Revenue's request to amend the County Code to allow him to assess a 10% penalty upon anyone who failed to file a report predominantly for food and beverage. Mr. Kinsman noted he was available to answer any questions.

Ms. Sadler asked if this pertained mainly to the restaurant industry based on verbiage.

Mr. Kinsman confirmed yes.

Ms. Sadler inquired if the Treasurer's office collected a 10% penalty for late fees.

Mr. Kinsman replied correct.

Ms. Sadler asked if this would be an additional penalty for late paperwork.

Mr. Kinsman replied yes, for failure to file the report.

Ms. Sadler asked if some businesses could potentially get penalized twice.

Mr. Kinsman confirmed yes, two taxes could be incurred.

Mr. Hipple pointed out Mr. Bradshaw entered the boardroom.

Mr. Kinsman noted he would be happy to let Mr. Bradshaw take over the podium.

Mr. Bradshaw addressed the Board to answer any questions.

Ms. Sadler noted Mr. Kinsman had answered the questions she had; however, Ms. Sadler expressed her concern of local businesses potentially getting double hit, adding the many challenges local businesses currently faced. Ms. Sadler acknowledged that other localities were implementing this penalty, but she did not feel this was the right time to execute.

Mr. Bradshaw noted the vast majority of the local businesses who filed late were not a few days late, but three or four months late.

Ms. Sadler suggested revisiting this proposal in another year or so. Ms. Sadler pointed out many local businesses were still struggling because of the COVID-19 pandemic, adding she found it difficult to support something like this right now. Ms. Sadler thanked Mr. Bradshaw for sharing his thoughts.

Mr. Icenhour asked if this was a separate penalty from the Treasurer's late payment fee penalty.

Mr. Bradshaw confirmed yes.

Mr. Icenhour inquired if this penalty was specifically for filing the paperwork.

Mr. Bradshaw confirmed that was correct.

Mr. Icenhour inquired how often local businesses file the report in a timely manner, but do not pay the taxes within the given timeframe.

Mr. Bradshaw commented the vast majority file paperwork and included payment.

Mr. Icenhour replied okay.

Mr. Bradshaw noted there were rare occasions where an individual would submit a form and no payment, adding in that scenario no late filing penalty would be incurred. Mr. Bradshaw further noted as he was telling Ms. Sadler the most common occurrence was not receiving any paperwork until an administrative assessment was made a few months later.

Mr. Icenhour asked what percentage of cases fall under this category.

Mr. Bradshaw replied approximately 5% or 6%.

Mr. Icenhour replied okay.

Mr. Bradshaw pointed out that percentage in most cases were repeat offenders. Mr. Bradshaw stated there were a couple of businesses who file once every six months.

Mr. McGlennon highlighted the concerns Ms. Sadler addressed in regard to the potential double penalty. Mr. McGlennon inquired on a different approach and if the concern was mainly repeat offenders to implement higher penalty rates on those individuals.

Mr. Bradshaw noted it would be a bit more challenging to do, adding if there was a late filing penalty it would apply to any individual who was late filing. Mr. Bradshaw further noted there would be a potential for a waiver for cause; however, it would be determined on a case-by-case basis.

Ms. Larson thanked Mr. Bradshaw. Ms. Larson noted she was not prepared to support this proposal due to the challenging times our local restaurants were under. Ms. Larson further noted she was not opposed to this idea in the future but requested to see more data on the percentage of repeated offenders and if other localities participated, she would like to see the language used.

Mr. Bradshaw noted the language was almost identical to York County's Code.

Ms. Larson replied okay, thank you.

Mr. Bradshaw mentioned the language in peninsula cities varied because the collection process was different, adding all collections and postings were conducted in the Commissioner of the Revenue's Office. Mr. Bradshaw stated in those jurisdictions there was an initial 10% penalty, 30 days later another 5% penalty, followed by 30 days after another 5% penalty, 30 days later another 5% penalty goes in, in addition to the interest accrued over that span of time.

Ms. Larson asked what if the 10% penalty did not work.

Mr. Bradshaw commented if the 10% penalty did not work, he doubts the additional 5% penalty occurrences would be effective either.

Ms. Larson asked if York County had seen success in this process.

Mr. Bradshaw noted York County Code has had this process since adopting the Food and Beverage Tax.

Ms. Larson asked if York County was having success with the additional penalties.

Mr. Bradshaw stated there was no way to tell.

Mr. McGlennon asked what the failure rate between James City County versus York County was.

Mr. Bradshaw stated he had no idea.

Mr. McGlennon mentioned that would be useful information to be obtained as well.

Ms. Larson responded yes.

Mr. McGlennon pointed out if York County had this provision and James City County did not, James City County most likely would have a higher rate for failure to file.

Ms. Sadler requested data on business retention regarding restaurants comparable in another locality. Ms. Sadler reiterated the challenges the service industry had endured. Ms. Sadler noted she understood the County needed to collect what was owed.

Ms. Larson responded absolutely.

Ms. Sadler asked if it was going to negatively impact business retention.

Mr. Bradshaw stated we were not seeing local restaurants closing in James City County.

Ms. Sadler replied local restaurants were having challenges with being understaffed, remaining open, and having to shorten hours of operation. Ms. Sadler noted those concerns were brought to her attention numerous of times, adding it was an ongoing issue. Ms. Sadler expressed her concerns of not putting any additional burdens on our local service industry at this time.

Mr. Hipple asked if not filing on time could permit restriction/suspension of Driver's Licenses.

Mr. Bradshaw replied no.

Mr. Hipple asked the explanation as to why it could not be done.

Mr. Bradshaw explained there was no statutory ability to do so.

Mr. Hipple questioned the ability to revoke a Driver's License.

Mr. Bradshaw noted those were two separate taxes. Mr. Bradshaw remarked that would be like putting an individual's real estate up for foreclosure because personal property tax was not paid.

Mr. Hipple commented after a certain duration of time it would be.

Mr. Bradshaw responded not for personal property tax.

Mr. Hipple replied he was referring to real estate.

Ms. Larson suggested adding the item to the legislative agenda.

Mr. Bradshaw commented on the inability to mix taxes.

Mr. Hipple expressed his concern as a business owner and the number of taxes.

Mr. Bradshaw explained the food and beverage tax was a trust tax and was not reflected in the businesses' gross receipts, adding the tax was paid by the citizen to be turned over to the County. Mr. Bradshaw reiterated the food and beverage tax was collected from the citizen by the local business; however, it would not be included in the local business's income.

Mr. Hipple remarked on the fuel tax that citizens also pay to support and service our roads. Mr. Hipple expressed his concern of double taxing and suggested an alternative approach. Mr. Hipple commented 5% seemed to be a pretty low percentage, adding he would like to see more data in regard to the number of local businesses that were included in that percentage.

Mr. Bradshaw noted there were approximately 600 filers, adding staff were having to conduct administrative assessments on approximately 35 to 40 of them every month.

Mr. McGlennon noted he would like to have more data before making a final decision on this matter. He further noted the staff time and increased costs to the department to process those failures may be justified with implementing the late filing tax. Mr. McGlennon recommended coming back before the Board with additional data to make a more rational decision.

Mr. Bradshaw commented he would provide any pertinent information to the Board.

Mr. Icenhour commented on the 5% of filers appeared to cause a challenge for both the Treasurer's Office and the Commissioner of Revenue's Office.

Mr. Bradshaw confirmed yes.

Mr. Icenhour noted it was a rare case of a local business filing, but not submitting payment.

Mr. Bradshaw noted the challenge of not filing caused a hold in which staff could not invoice the local business nor put the business into the billing system. Mr. Bradshaw further noted that resulted in the administrative assessment and a revision later.

Mr. Icenhour suggested a penalty for delay in filing opposed to a collection fee since it was a rare case in which a business would file and not submit payment, adding an increased penalty on the Commissioner's side if failure to submit payment.

Mr. Bradshaw indicated cities such as Suffolk, Newport News, and Hampton jurisdictions had an initial 10% penalty, 30 days later a 5% penalty for nonpayment, followed by another 5%, and another 5%, adding for a total penalty of 25% including a 10% interest rate.

Mr. Icenhour remarked it would be beneficial to find out the experiences other localities had with the penalties to complete a thorough comparison.

Ms. Sadler reiterated her concerns of implementing this in such a challenging time for our service industry. Ms. Sadler noted she was in agreeance of collecting the pertinent data to further assess this item later; however, did not feel this was the right time to proceed.

Mr. McGlennon noted he understood Ms. Sadler's point. Mr. McGlennon further noted Mr. Bradshaw had made a very valid point, which was the local business was collecting the customers prepared food and beverage tax, adding it was the responsibility of the local business to ensure that monies was passed onto the County.

Ms. Larson agreed.

Mr. McGlennon asked Mr. Bradshaw if he could come back before the Board in a month.

Mr. Bradshaw asked if the Board could provide their questions so he could gather all information and stated he would be more than happy to return in a month.

Ms. Larson recommended Mr. Bradshaw come back before the Board in January. Ms. Larson noted to be on the safe side, adding there were a lot of questions pertaining to this item.

Mr. Hipple opened the Public Hearing.

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

4. Ordinance to Repeal County Code Sections 17-8, 17-9, and 17-10

A motion of the Adoption of the Ordinance was made by John McGlennon, the motion result was Passed.

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

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

Ms. Parman addressed the Board regarding an Ordinance to repeal County Code Sections 17-8, 17-9, and 17-10. Ms. Parman stated in a routine review of the County Code, the County's Attorney's Office flagged this section as potentially obsolete. Ms. Parman mentioned these sections were adopted in 1954, which required septic tank cleaners to obtain a \$50 license. Ms. Parman noted the Commissioner of the Revenue reported these sections were no longer applicable as Chapter 12 of the County Code now governed all business licenses.

Mr. Hipple opened the Public Hearing.

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

5. Creation of the Historic Triangle Recreational Facilities Authority

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

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

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

Mr. Stevens addressed the Board and stated at the September Business meeting Victus Advisors discussed the impact of indoor sports center would have on tourism within the Historic Triangle localities. Mr. Stevens noted Victus Advisors recommended construction of 150,000-square-foot facility. Mr. Stevens further noted the facility would include 12 basketball courts convertible to accommodate other sports with portable bleachers that could be reconfigured. Mr. Stevens added the recommendation was to build a facility that would generate visitors on the weekend and meet community needs during the week. Mr. Stevens commented the facility would provide gym space for County citizens, adding this facility would postpone the need to build gymnasium facilities. Mr. Stevens noted formation of a Historic Triangle Recreational Facilities Authority would allow the three localities of the City of Williamsburg, York County, and James City County to collaborate to address the inquiries of cost, operations, and scheduling for this project. Mr. Stevens added this would limit the County's financial risk to what would be approved by the Board of Supervisors. Mr. Stevens explained staff would seek the Board of Supervisors funding for approval as more detailed project information became available. Mr. Stevens noted staff recommended adoption of the resolution forming the Historic Triangle Recreational Facilities Authority, adding he would be happy to answer any questions the Board may have.

Mr. Icenhour asked what the financial commitment would be to the County during this investigative phase.

Mr. Stevens responded at this time only staff time and effort, adding if there was a need for money required from the County it would come back before the Board. Mr. Stevens noted there may be a potential for the Historic Triangle Recreational Facilities Authority to fund from other sources. Mr. Stevens further noted currently there was no financial commitment, adding

if it were to change it would come back before the Board.

Mr. Icenhour noted the benefit to this investigative period would be to find out the cost benefits before having to make a financial decision.

Mr. Stevens confirmed yes, adding there were several estimates obtained; however, there were some inquiries regarding operations and scheduling that still needed to be discussed.

Mr. McGlennon noted he would like to discuss the financial and utilization aspect for the public viewers. Mr. McGlennon asked if the project was slated to move forward, would the County's contributed monies come from the Tourism Enterprises funding.

Mr. Stevens replied there were a couple of funding sources involved. Mr. Stevens noted one was the maintenance of effort monies, which was being moved to the Tourism Council to support a project which would benefit all three localities. Mr. Stevens further noted another significant funding source was the City of Williamsburg, dedicating close to \$2 million annually moving forward to this project, adding from there tourism taxes would be another source. Mr. Stevens commented the other side of that would be the partnership between York County and James City County providing an estimated \$500,000 range annually and not to exceed \$750,000. Mr. Stevens explained based on the discussion in September's Business meeting the operating law was somewhere around \$1 million, adding that was on the conservative side. Mr. Stevens noted the tax impact to the community was significantly more, which did not include food and beverage tax. Mr. Stevens further noted he believed the facility would pay for itself, adding it was just not a direct payment through rentals of the facility. Mr. Stevens remarked the overall taxes from visitors would allow this project to be beneficial to all three localities. Mr. Stevens mentioned by forming the Historic Triangle Recreational Facilities Authority it would allow further data to be obtained to proceed with the project.

Mr. McGlennon inquired if the monies the County would financially commit to this project would offset through tourism taxes, adding it would also defer or eliminate the need to build the County's own community gymnasiums.

Mr. Stevens confirmed yes. Mr. Stevens stated there was a significant demand for gym space. Mr. Stevens explained if the County did not commit to this project, it would be in the Capital Improvements Program (CIP) moving forward to build gymnasiums for our community. Mr. Stevens noted the downfall to building our own gymnasiums was while it served the community, it would not beneficially impact the tourism aspect. Mr. Stevens further noted it would not provide a substantial income to pay for the facility. Mr. Stevens expressed whether the County decided to participate in this opportunity or decide to build community gymnasiums the financial cost would be about the same.

Mr. McGlennon asked if the facility would accommodate tourism activities on the weekends, adding serving the community needs during the week.

Mr. Stevens replied correct. Mr. Stevens noted those would be discussions the Historic Triangle Recreational Facilities Authority would initiate, adding they would then come before the Board with a more concrete determination on scheduling.

Mr. McGlennon thanked Mr. Stevens. Mr. McGlennon inquired on the resolution included in the Agenda Packet referenced appointment of individuals to the Commission.

Mr. Stevens responded the resolution was modified, adding the other localities modified verbiage to be more uniform to ours.

Mr. Stevens explained initially the City of Williamsburg and York County were appointing

based on position, adding the County recommended to allow the Chief Administrative officers to appoint the two Board members. Mr. Stevens noted the City of Williamsburg and York County accepted those terms. Mr. Stevens further noted the County's short-term intent, until the formation of the Historic Triangle Recreational Facilities Authority and the funding was brought back before the Board would include Mr. John Carnifax, Director of Parks and Recreation and himself. Mr. Stevens further noted he would make that appointment if the resolution in the Agenda Packet was approved. Mr. Stevens mentioned once in the funding phase an Elected Official would be engaged in the Board at that time.

Mr. McGlennon noted his question pertained more to the verbiage in the resolution as it read as if names were required to be inputted.

Mr. Stevens commented he noticed, adding he did not believe that was needed at this time.

Mr. McGlennon thanked Mr. Stevens.

Ms. Larson recognized Mr. Ron Kirkland, Director of the Williamsburg Hotel and Motel Association, who was present in the boardroom. Ms. Larson noted a grant of which was applied for through the City of Williamsburg initiated the startup of this project. Ms. Larson expressed her support for tourism, sports tourism, and facilities for our youth. Ms. Larson noted she was very excited about this opportunity, adding her gratitude to the collaborative efforts.

Mr. Hipple opened the Public Hearing.

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

6. SUP-19-0006. Hazelwood Farms - The Village Center

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

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

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

Mr. Hipple stated staff had received a request for the applicant to postpone this case until the December 14, 2021, Board of Supervisors meeting.

Mr. Hipple opened the Public Hearing and noted it would remain open until the December 14, 2021, Regular Board of Supervisors meeting. Mr. Hipple further noted there were no speakers.

H. BOARD CONSIDERATION(S)

1. 2022 Legislative Agenda

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

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

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

Mr. Kinsman addressed the Board regarding the 2022 Legislative Agenda. Mr. Kinsman noted three new items which included: 1) changing the school funding index to more fairly allocate state funds among localities and to raise the Commonwealth's monetary contribution to local schools; 2) to decentralize the Hampton and Peninsula Health District into three separate smaller districts; and 3) to amend the James City County Charter to allow James City

County to refuse to accept bonds as a form of subdivision improvement security. Mr. Kinsman further noted there were four items that were carried over which included: 1) encouraging the General Assembly to revise existing impact fee laws to encourage the use of statutorily calculated fees that reflect the true cost of residential development in lieu of cash proffers; 2) support of the legislative programs which include Virginia Municipal League, VACo, and the Virginia Coalition of High Growth Communities; 3) requesting that the State adequately fund all items obligated to fund; and 4) to oppose anything that would abrogate qualified immunity for Police Officers. Mr. Kinsman stated he was happy to answer any questions the Board may have. Mr. Kinsman recommended the Board adopt the resolution, adding the Legislators would be at the Board of Supervisors meeting on November 23, 2021.

Ms. Larson asked Mr. Kinsman if he had viewed the Williamsburg James City County (WJCC) Schools Legislative Agenda.

Mr. Kinsman responded no.

Ms. Larson inquired if Item No. 1 on our County Legislative Agenda could also be implemented on the WJCC Schools Legislative Agenda if it was not already. Ms. Larson noted an idea she received via Zoom meeting with another locality was that if both the Board of Supervisors and School Board had the same items on its legislative agendas the jurisdiction would then create a conjoined packet separate from the individual legislative packets for the legislators, adding for more efficacy.

Mr. Kinsman replied he would work with WJCC Schools Council to accommodate her request.

Ms. Larson responded yes, but just the items we had in common with the School Board.

Mr. Kinsman confirmed he would be happy to do that.

Ms. Larson replied ok, thank you.

I. 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, Sadler

Mr. Hipple read the items of the Closed Session discussion.

At approximately 5:40 p.m., the Board entered Closed Session.

At approximately 6:03 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, Sadler

J. ADJOURNMENT

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

At approximately 6:03 p.m., Mr. Hipple adjourned the Board of Supervisors.

1. Adjourn until 1 p.m. on November 23, 2021 for the Business Meeting


Deputy Clerk