

AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 22ND DAY OF JULY 2014, AT 4:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

ADOPTED

SEP 09 2014

**Board of Supervisors
James City County, VA**

A. CALL TO ORDER

B. ROLL CALL

Mary K. Jones, Chairman, Berkeley District
Michael J. Hipple, Vice Chairman, Powhatan District
James G. Kennedy, Stonehouse District
Kevin D. Onizuk, Jamestown District
John J. McGlennon, Roberts District

M. Douglas Powell, Acting County Administrator
Leo P. Rogers, County Attorney

C. BOARD DISCUSSIONS

1. Tourism

Mr. Powell addressed the Board stating that today's tourism discussion is a follow-up to previous Board discussions on the topic over the last few months. He stated that during the budget process the Board allocated \$256,500 in the Tourism Investment Fund, but left the monies undesignated. He stated that the purpose of this work session is to give staff direction on how the Board would like those monies designated. He introduced Ms. Karen Riordan, Chief Executive Officer (CEO) of the Greater Williamsburg Chamber and Tourism Alliance, and Ms. Corina Ferguson, Executive Director of Williamsburg Area Destination Marketing Committee (WADMC). Mr. Powell stated that Ms. Riordan has indicated that if the Board is willing to allocate an additional \$100,000 of those monies to the Alliance, then her plan would be to use those monies to attract and incent other sport tournaments to the area. He mentioned that included in the Agenda Packet is a draft scorecard for the Alliance, basically a set of matrixes that the Alliance can be measured against. Mr. Powell noted that he had recommended the creation of a tourism coordinator position as well, although the Board did not approve it during the budget process. He stated that in the Agenda Packet is a draft job description for the position and continues to recommend the creation of the position. He is recommending \$60,000 be spent on the position, which would fund the salary of the position as well as some of the startup costs associated with the position. He stated that the Board could create the position as temporary and then reevaluate it during the next budget cycle. He also recommended that the Board allocate \$15,000 for transportation services to be used during tourist events and sport tournaments. He recommended that the remaining \$81,500 be transferred over to the incentive line item, although he is doubtful that all of it would be needed or used.

Mr. Kennedy stated that he is not very fond of using tourism dollars to reimburse parks and recreation for the waiving of fees at the fields when tournaments come to the County. He understands that there are some expenses incurred at the fields, but there are a lot of benefits to the County and the community as well.

Mr. McGlennon asked Ms. Riordan for a summary of the tourist season so far this year.

Ms. Riordan stated that the Alliance is disappointed with the year so far. There were some challenges in the beginning of the year, specifically a very harsh winter. April and May were strong months and the June numbers are not yet completely calculated. However, she believes it is safe to say that everyone in the destination community had a soft June. She stated that the 4th of July was a very strong weekend and the hope is that July will be strong month. She stated that the Alliance decided to be proactive and begin working on a marketing campaign for the month of August. She stated that once the August campaign is over, the focus changes to the arts months which are September and October.

Ms. Ferguson stated that WADMC is focused on driving marketing for the summer months. She stated that WADMC is constantly evaluating the success of the marketing campaigns and for campaigns that are underperforming; those campaign funds are quickly diverted to other promotions to maximize the media dollars.

Mr. McGlennon stated that he applauds the initiative of the Alliance and WADMC for marketing the area as a destination rather than individual attractions. He asked if this type of campaign was going to be used for the holidays.

Ms. Riordan stated that at this point it has not been discussed.

Mr. McGlennon stated that it seems that now would not be too early to begin planning such a campaign.

Ms. Riordan stated that they would take that under advisement.

Mr. Kennedy stated that this is the time that tourism dollars should be coming in and being put away for the winter. The winter months are notoriously lean months, if the summer months are struggling it only makes the winter that much more difficult. He stated that his industry has not seen very good numbers since the 4th of July weekend. He asked why the weather seems to have such an impact on the tourism in this area as opposed to other tourist areas that are seeing good tourism numbers, like Virginia Beach.

Ms. Riordan stated that the Alliance has a fraction of the marketing budget of Virginia Beach and we are not on the oceanfront. She stated that it is two totally different types of destinations. She stated that comparing ourselves to Virginia Beach is neither a fair nor productive comparison.

Mr. Kennedy asked who we should compare ourselves to.

Ms. Riordan stated that that is a fair question and one that the Alliance will be taking on during its strategic planning for the coming year. It needs to be determined who really is our true competitive set. She stated that Virginia Beach gets a large portion of its overnight stays from the business traveler who is attending conferences. She said that Virginia Beach is not as dependent on the leisure traveler like we are here and that is a very big difference.

Ms. Jones stated that it is important to recognize that we are unique. She stated that it has been only recently that the County has really delved into the sports tourism aspect. She believes the County is going through a transition and identifying all of the various assets that the County has to offer, including the sports facilities, agri-business and tourism, the waterway access, and the historical components. She stated that Colonial Williamsburg is not the only tourism asset that we have. She stated that she likes the tourism scorecard that was provided.

Ms. Riordan stated that the vision is to provide a scorecard for the entire destination and one specifically for James City County every quarter. Similar scorecards would be provided to the City of Williamsburg and York County as well.

Ms. Jones questioned the budget request of another \$100,000, specifically how that number was arrived at and what is the intent of those funds.

Ms. Riordan stated that the Alliance is beginning the strategic planning process and the Alliance will be coming back to the Board with a very specific funding request in the next five to six weeks regarding these additional monies. She stated that the Alliance has put together a taskforce, with the help of Supervisor Onizuk, that is specifically looking at sports tourism and how to get at the economic impact and what is feasible to take the sports marketing to the next level.

Mr. Kennedy questioned if these sporting events would be exclusive to James City County or if they are regional.

Ms. Riordan stated that the sporting events are more regional in nature due to the number of fields and facilities needed for the events. She stated that there are other art events, culinary events, and festivals that are more specific to the County. She stated that the Alliance is trying to keep the balance of destination wide events that benefit everyone and events that focus specifically on the individual areas.

Mr. Kennedy asked what we are doing to revive the business conference industry that the County used to have prior to the recession.

Ms. Riordan stated that the Alliance does have a staff member that focuses specifically on that aspect, but one of the main things that the Alliance is hearing is that James City County does not have the venues that the big conferences are looking for. She stated that our lodging stock is decidedly more leisure focused rather than business focused.

Mr. Onizuk stated that it sounds like the Alliance is not specifically asking for funds today. Once the proposal from the Alliance is ready, they will bring it back to the Board. With that in mind, perhaps the Board should discuss the tourism coordinator position and the other items mentioned by Mr. Powell.

Ms. Jones mentioned that the James City County magazine and coupon book. She questioned if the Board was interested in continuing to promote it as it does have a cost associated with it. She clarified that for 20,000 magazines distributed the cost was \$25,000.

Mr. Onizuk stated that he is not really opposed to the magazine, but would question the return on the investment of it. He stated that he is more in favor of digital media. In regards to the tourism coordinator position, he is very much in favor of it. He believes that having a coordinator that will help focus these groups that are coming to James City County businesses and restaurants.

Mr. Kennedy stated that we have seen declining returns on investments. In regards to this position, it needs to start at the beginning. Every month needs to be mapped out. He stated that he supports the position, but it needs to be very specific and a definition of what is expected to be accomplished.

Mr. Powell stated that his vision for position is the primary link for all of the tourism partners in the area and then coordinate with the County businesses. This position would also coordinate the logistics for events that are coming to the area.

Mr. Onizuk stated that he agrees with Mr. Powell. The coordinator will need to make sure that events happen smoothly, that the calendar information is communicated out to the community, and act as the point of contact for the various tourism partners in the area. He believes that it will be a positive impact.

Mr. Hipple stated that he does not believe that adding one more employee will make that big of a difference. He stated that we need to focus more on what the County can do specifically to attract groups and visitors. He does not believe that adding one more staff person will fill the void in that regard. He questioned what the County is getting out of its investment to the Alliance. He stated that we need to fix what we have going on now, there are several thoughts and ideas floating around, but nothing is being focused on or moved forward. He stated that those things need to be focused on, rather than adding one more employee.

Mr. Kennedy stated that these monies coming in are coming from the hotel industry and we need to be inclusive of them. He asked if the scorecard was presented to the hotel industry. One of the changes that need to be focused on is getting heads in beds. He stated that he would like to see businesses weigh in on the scorecard as well.

Ms. Riordan stated that the scorecard is based on best practices and then tailored to our unique destination situation. She stated that she would like to see the scorecard matrices be the same for the City and for York County, if that can be agreed upon. She stated that she is supportive of the proposal made by Mr. Powell for a tourism coordinator. She stated that having that person work closely with the Alliance and focus on the logistics of coordinating events would be very beneficial.

Mr. Onizuk stated that he sees the coordinator monetize these events and take some of the burden off the Economic Development and the Communications departments.

Mr. Kennedy asked what analytics were done to determine that a tourism coordinator was needed. He asked if hours were tracked by the Economic Development and Communications.

Mr. Powell stated he does not have that data, that it was not tracked in such a manner.

Mr. Kennedy stated that he would like to see that information before making this decision. He stated that it will answer several questions, specifically, is one person enough, is one person too much, or do we need to define further what one person is going to do.

Ms. Jones stated that she agrees with Mr. Kennedy. She questioned if there is a person already on staff that could handle this coordination. She stated that she is not very supportive of creating a permanent position. She asked if this is what is needed, is there someone already on staff that can fill this role and this need. She requested that the information that the Board is asking for be disseminated out.

Mr. Powell stated that he understands what the Board is asking for, but in regard to the time from the various departments, it would only be an estimate. He stated that the departments have not been set up to track that information, though it could be done moving forward. He stated that there is no one currently on staff that focuses on tourism. He stated that if tourism is a priority for this Board then some resources need to be put into it.

Mr. Kennedy agreed, but stated it needs to be done right.

Mr. McGlennon stated that current employees are being pulled into focusing on specific tourism events and that is distracting their focus from their primary job duties. He stated that is not to say that there needs to be a specific person that is a point of contact and provide more coordination for those coming from the outside. He stated that the Board needs to determine what it wants to get out of the investment in tourism.

Mr. Onizuk stated that if the Board wants more clarity in the expectations of a coordinator position, then the Board needs to communicate those to Mr. Powell.

Ms. Jones thanked Ms. Riordan and Ms. Ferguson for joining the Board for this discussion.

2. Accessory Apartments

Ms. Jennifer VanDyke, Planner I, addressed the Board giving a summary of the memorandum included in the Agenda Packet. She noted that Mr. Paul Holt, Planning Director, Mr. Rich Krapf, Chairman of the Planning Commission, and Mr. Tim O'Connor, Chairman of the Policy Committee of the Planning Commission, are also available to answer any questions.

Mr. McGlennon stated that he had not heard a lot of discussion among the community desiring a change to this ordinance, so he is curious as to what led to the Policy Committee making the change.

Mr. O'Connor stated that he was approached by a general contractor who was being contracted to build an accessory apartment for an older family that wanted their daughter to be able to care for them. He stated that due to the current language of the ordinance, the structure has to be attached to the main houses, which lead to this family having to build a 75-foot structure to connect their existing detached garage to the house. He stated that more recently during the Comprehensive Plan meetings and the Community Participation Team (CPT) meetings the Commissioners are constantly hearing about affordable options for seniors and "aging in place." He stated that these reasons really drove the discussion with the Policy Committee.

Mr. Krapf stated that family dynamics are changing as well. More adult children are moving back home due to the economy and there are more blended families. He stated that the Commission felt that it was important to include a detached apartment as part of the ordinance, with sufficient safeguards in place, to meet the needs of the community.

Mr. McGlennon stated that his main concern is that detached apartments could fundamentally change the character of an existing neighborhood. He stated that he appreciates the fact that this is a tightly crafted amendment to the existing ordinance. His only question would be if there is any way, on the application, to have the homeowner certify that this structure would not violate any existing covenants of the neighborhood.

Mr. Rogers stated absolutely. He stated that the question then would be, if the structure is prohibited by the neighborhood covenants, then the structure is restricted by the ordinance as well.

Mr. McGlennon stated that the ordinance would state unless prohibited by covenants. He stated that would allow the neighborhoods to change their covenants if the structures became an issue in the future.

Mr. Rogers stated that the County could go so far as to require the homeowner to submit a copy of their neighborhood covenants along with the application.

Mr. Hipple asked if that would set a precedent for neighborhood covenants running the County instead of the County running its business.

Mr. Rogers stated that yes, every decision can set a precedent for down the road, although in this case, this is a by-right use and something that covenants would normally address.

Mr. Hipple stated that he believes the ordinance amendment is well crafted and follows current regulations and would like to not change anything and leave the amendment as it is presented. He stated that there are plenty of safeguards already built in to the amendment.

Ms. Jones concurred with Mr. Hipple.

Mr. Onizuk questioned if the covenant question is involved, does that make it the responsibility of County staff to review and interpret covenants.

Mr. Rogers stated that staff already does review covenants as part of other planning applications. He stated that having the citizen certify that it is permitted under the covenants is not the best idea. Either the Board adds to the ordinance that the structure must be permitted by the covenants, and the covenants must be included with the application, or the County stays out of it and it is a private issue between the homeowner and the homeowners association (HOA).

Ms. Jones stated that she agrees with Mr. Hipple and would like to see the ordinance amendment as it stands and to not add any other language in. She stated that she appreciates all of the work that has gone in to the ordinance.

Mr. McGlennon questioned what the will of the Board is regarding the issue of covenants.

Ms. Jones stated that restrictive covenants would overrule the ordinance anyway, so why does the County need to get involved. It should be the responsibility of the homeowner to determine what is allowed by their restrictive covenants.

Mr. Rogers stated that on specially permitted uses, the Planning staff does look at covenants to make sure that the legislative process is not stepping on the covenants. But in a by-right use, he cannot think of a time when policy has stated that a review of the covenants be part of the application.

Mr. Krapf stated that the maximum size of the structure allowed is 400 square feet and that was in an attempt to mitigate the impacts on the character of the neighborhood and prevent a family subdivision from occurring on a single residential lot.

Mr. O'Connor stated that the requirement for a shared driveway is there as well for the same reasons.

As there were no other questions, Ms. Jones thanked staff, Mr. Krapf, and Mr. O'Connor for joining the Board for this discussion.

Mr. Rogers stated that the Board previously deferred this case for an indefinite amount of time, so there needs to be action from the Board to bring this case back before the Board at the August 12 meeting.

Ms. Jones made a motion to include Case No. ZO-0008-2013, Accessory Apartments, on the agenda for the August 12, 2014, meeting.

On a roll call vote, the vote was: AYE: Mr. Kennedy, Mr. Hipple, Mr. McGlennon, Mr. Onizuk, Ms. Jones (5). NAY: (0).

D. CLOSED SESSION

Mr. McGlennon made a motion to enter Closed Session pursuant to the Code Sections listed on the Agenda.

On a roll call vote, the vote was: AYE: Mr. Kennedy, Mr. Hipple, Mr. McGlennon, Mr. Onizuk, Ms. Jones (5). NAY: (0).

At 5:45 p.m., the Board entered Closed Session.

1. Consideration of personnel matter(s) involving performance pursuant to Section 2.2-3711(A)(1) of the Code of Virginia
 - a. County Attorney

2. Consideration of a Personnel Matter, the Appointment of Individuals to County Boards and/or Commissions Pursuant to Section 2.2-3711(A)(1) of the Code of Virginia
 - a. Williamsburg Regional Library Board of Trustees
 - b. Colonial Community Criminal Justice Board
 - c. Clean County Commission

At 6:52 p.m. the Board reentered Open Session.

Mr. McGlennon made a motion to certify the Closed Session.

On a roll call vote, the vote was: AYE: Mr. Kennedy, Mr. Hipple, Mr. McGlennon, Mr. Onizuk, Ms. Jones (5). NAY: (0).

RESOLUTION

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge: i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and ii) only such public business matters were heard, discussed, or considered by the Board as were identified in the motion, Section 2.2-3711(A)(1), the consideration of a personnel matter, the appointment of individuals to County boards and/or commissions.

RESOLUTION

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

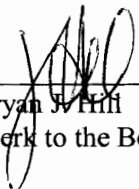
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge: i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and ii) only such public business matters were heard, discussed, or considered by the Board as were identified in the motion, Section 2.2-3711(A)(1), the consideration of personnel matter(s) involving performance of the County Attorney.

Mr. McGlennon made a motion to reappoint The Honorable Judge Colleen Killilea to represent James City County on the Colonial Community Criminal Justice Board for a term that will expire on July 31, 2017, to appoint Mr. Marcus Meiring to the Clean County Commission for a term that will expire on July 30, 2017, and to defer the Williamsburg Regional Library Board of Trustees appointments until the August 12, 2014, meeting.

On a roll call vote, the vote was: AYE: Mr. Kennedy, Mr. Hipple, Mr. McGlennon, Mr. Onizuk, Ms. Jones (5). NAY: (0).

E. RECESS – until the Regular Meeting at 7 p.m.

At 6:54 p.m., Ms. Jones recessed the Board.



Bryan J. Hill
Clerk to the Board