

**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 25TH DAY OF NOVEMBER 2014, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.**

**A. CALL TO ORDER**

**ADOPTED**

**DEC 09 2014**

**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

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

Bryan J. Hill, County Administrator  
Adam R. Kinsman, Interim County Attorney

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE** – LaJoy Wade, a 5th-grade student at James River Elementary and a resident of the Roberts District, led the Board and citizens in the Pledge of Allegiance.

At 7:02 p.m., Ms. Jones recessed the Board of Supervisors in order to conduct the James City Service Authority Board of Directors Meeting.

At 7:03 p.m., Ms. Jones reconvened the Board of Supervisors.

**E. PRESENTATION(S)**

**1. United Way of Greater Williamsburg**

Ms. Sharon Gibson-Ellis, Executive Director of the United Way of Greater Williamsburg, addressed the Board giving an update on the services offered to the community and the partnerships in place with James City County departments.

Mr. Hipple clarified that citizens may donate to the Furniture Share program by calling the United Way and making arrangements for furniture to be donated.

Ms. Gibson-Ellis stated that was correct.

Ms. Jones thanked Ms. Gibson-Ellis for her presentation.

2. Greater Williamsburg Chamber and Tourism Alliance

Ms. Karen Riordan, President and Chief Executive Officer of the Greater Williamsburg Chamber and Tourism Alliance (Chamber), addressed the Board and citizens giving a quarterly update on the efforts and activities of the Chamber, as well as unveiling the new metric scorecard for quantifying tourism business in the County.

Mr. Onizuk asked if timeshare rentals include owners utilizing their time.

Ms. Riordan stated no, that is purely transient room nights.

Mr. Onizuk questioned what occupied room nights included.

Ms. Riordan stated that is the number of occupied rooms in the stock that is found in the County.

Mr. Onizuk asked if there is any data on ownership of timeshares.

Ms. Riordan stated that the Chamber is working on getting that information, but there is no local or regional information database.

Mr. Onizuk stated that he applauds the first step of developing the scorecard. He questioned where the Chamber stands on developing goals for where the County wants to be.

Ms. Riordan stated that they are currently working on that.

Mr. Onizuk stated that the County invests a significant portion of its tourism funds in the Chamber and looks to the Chamber to develop goals and strategies to optimize those dollars and drive tourism to the area. He stated that the County looks forward to a continued partnership.

Ms. Jones thanked Ms. Riordan for her presentation and the efforts of the Chamber.

**F. PUBLIC COMMENTS**

1. Mr. John Pottle, 4233 Teakwood Drive, addressed the Board regarding the upcoming Thanksgiving holiday.

2. Ms. Marjorie Ponziani, 4852 Bristol Circle, addressed the Board regarding the proposed Legislative Agenda.

3. Ms. Betty Walker, 101 Locust Place, addressed the Board regarding Common Core.

4. Ms. Sue Sadler, 9929 Mountain Berry Court, addressed the Board regarding the proposed Legislative Agenda.

5. Ms. Petra Nadal, 106 Indian Circle, addressed the Board regarding the proposed Legislative Agenda.

6. Mr. Keith Sadler, 9929 Mountain Berry Court, addressed the Board regarding the proposed Legislative Agenda.

7. Ms. Rosanne Reddin, 4700 President's Court, addressed the Board regarding the upcoming Thanksgiving holiday.

8. Mr. Chris Henderson, 101 Keystone, addressed the Board regarding the proposed Legislative Agenda.

9. Ms. Landra Skelly, 6572 Wiltshire Road, addressed the Board regarding the proposed Legislative Agenda.

10. Mr. Joseph Swanenburg, 3026 The Pointe Drive, addressed the Board regarding the proposed Legislative Agenda.

11. Ms. Juliet Wright, 805 N. Henry Street, addressed the Board regarding disability discrimination.

**G. BOARD REQUESTS AND DIRECTIVES – None**

**H. CONSENT CALENDAR**

Mr. McGlennon made a motion to approve the Consent Calendar.

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

1. Minutes –
  - a. October 28, 2014, Work Session
  - b. November 12, 2014, Regular Meeting
2. Grant Award - Radiological Emergency Preparedness - \$30,000

**RESOLUTION**

**GRANT AWARD - RADIOLOGICAL EMERGENCY PREPAREDNESS - \$30,000**

WHEREAS, the James City County Fire Department's Emergency Management Division has been awarded pass-through funds in the amount of \$30,000 to support Radiological Emergency Preparedness (REP) from the Virginia Department of Emergency Management (VDEM); and

WHEREAS, the funds are to be used for planning and response for public protective actions related to the Surry Power Station nuclear plant; and

WHEREAS, the grant requires no match.

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

Revenue:

Radiological Emergency Preparedness Funds - VDEM      \$30,000

Expenditure:

Radiological Emergency Preparedness Funds - VDEM      \$30,000

3.      Grant Award - Virginia Department of Emergency Management (VDEM) State Homeland Security Program (SHSP) Grant - \$59,900

**RESOLUTION**

**GRANT AWARD - VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT (VDEM)**

**STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT - \$59,900**

WHEREAS, the James City County Fire Department's Emergency Management Division has been awarded a State Homeland Security Program (SHSP) grant in the amount of \$59,900 from the Commonwealth of Virginia Department of Emergency Management (VDEM) using funds from the United States Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) 2014 SHSP grant cycle; and

WHEREAS, the funds will be used for a part-time temporary Emergency Management Planner position to enhance outreach, planning assistance, shelter options, and post-disaster services to individuals with functional and access needs; and

WHEREAS, the temporary position will average no more than 28 hours per week and will terminate at the conclusion of the grant period, March 31, 2016; and

WHEREAS, the funds will also provide related supplies, mileage, and training both attended and conducted by the Emergency Management Planner; and

WHEREAS, the grant requires no match.

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

Revenue:

VDEM-SHSP-Planning      \$59,900

Expenditure:

VDEM-SHSP-Planning      \$59,900

## **I. PUBLIC HEARING(S)**

### **1. Exemption from County Real and Personal Property Taxes - Avalon**

Mr. John McDonald, Director of Financial and Management Services, addressed the Board giving a summary of the memorandum included in the Agenda Packet.

As there were no questions for staff, Ms. Jones opened the Public Hearing.

As no one wished to speak to the matter, Ms. Jones closed the Public Hearing.

Mr. McGlennon made a motion to approve the Ordinance included in the Agenda Packet.

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

## **J. BOARD CONSIDERATION**

### **1. 2015 Legislative Program**

Mr. Kinsman addressed the Board giving a summary of the proposed 2015 Legislative Agenda that was discussed during the Work Session earlier in the evening. For the benefit of the public, he clarified a few of the items that were changed as a result of the discussion in the Work Session. He stated that the reference to the Langley Air Force Base encroachment, in the draft Legislative Agenda, was removed as it was no longer relevant. He stated that the reference to supporting the Legislative Program of the Virginia Coalition of High Growth Communities was removed at the Board's request. He noted that the Legislative Programs of Virginia Municipal League (VML) and Virginia Association of Counties (VACo) were provided to the Board and are readily available on the internet. He stated that one item that was added, at the Board's request, was a new item 2-1, regarding the Hampton Roads Transportation Accountability Commission, which reads "James City County supports amending chapter 678 of the Acts of Assembly 2014 session to allow the Chief Elected Officer of a governing body of any of the fourteen counties and cities embraced by the Hampton Roads Transportation Accountability Committee (HRTAC), if he or she is unable to attend a meeting, to designate another council or board member to represent him or her." He stated that the Board is not proposing any specific legislation on this topic, but is supportive of any legislation regarding this issue.

Mr. Onizuk stated that in regards to several of the comments made by citizens tonight, most of the comments have been addressed in the changes Mr. Kinsman just outlined. He questioned the support of the rail service to Richmond. He stated that he has reviewed the Legislative Programs of VML and VACo that was provided. While he does not agree with every item in their programs, he is supportive of the organizations as a whole and their overall program. He stated that he has reached out to VACo and offered to get involved.

Mr. McGlennon stated that regarding the rail service to Richmond, it has been a request of the local tourism industry for several years. He stated that the tourist industry believes that high speed rail service coming from Richmond would benefit tourism.

Mr. Onizuk clarified that the support is for improving the rail line that is already in place, not building new lines.

Mr. McGlennon stated correct. If improvements to the rail were done, it would allow trains to travel at higher speeds than the track can currently allow.

Ms. Jones stated that it is an important distinction to make that this is supporting improvements to an existing rail line.

Mr. Onizuk stated then he is supportive of that, but he would not be supportive of a new rail line.

Mr. McGlennon stated that this support is specifically for the improvements to the existing rail for carrying passengers at higher speeds to the community.

Ms. Jones asked if the Virginia Coalition for High Growth Communities is a subcommittee of VACo.

Mr. McGlennon stated no, it is a separate organization of approximately a dozen high-growth communities, as defined in the Code of Virginia. It is funded by membership dues paid by the participating localities. The funding is used to support the information and lobbying activities of a small staff of attorneys that work with local government. The purpose of the organization is to ensure that high-growth communities are able to protect resources available to them under State law to better manage the growth of their communities. He stated that the Coalition has not generally been supportive of introducing new legislation; rather it takes a stance on existing or proposed legislation that would negatively affect high-growth communities. He stated that most of the meetings of the Coalition take place at VACo meetings, simply because most of the members are already in attendance at the VACo meeting.

Ms. Jones asked if the Coalition operated as open meetings.

Mr. McGlennon stated that it is not a public body, but the Coalition does not operate in a "closed" fashion.

Ms. Jones asked if there were minutes generated.

Mr. McGlennon stated that he has reported on the activities of the Coalition in the past, as well as circulating information when there have been large amounts of legislation that the Coalition has been considering. He stated that he would continue to make sure that the Board is given any information that comes out from the Coalition.

Mr. Kennedy stated that sharing of information should be done for all the committees that the Board members are serving. He stated that the Board members serve on so many committees that it necessary to communicate the information out to the rest of the Board.

Ms. Jones stated that she has very strong opinions regarding VACo and VML, specifically in the way that they were fighting against the Boneta Bill. She stated that she will support the Legislative Agenda this year, but if VACo and VML continue to take stances that are contrary to the citizens, then this Board needs to have a serious discussion about the County's affiliation with them.

Mr. Kennedy stated one concern of that is that the County is in VACo's insurance rate package and if the County was to drop the VACo membership the cost to James City County would be astronomical. He stated that he has asked about dropping VML in the past as it is mostly for cities.

Mr. McGlennon stated that if you do not believe that an organization is speaking for the membership that it represents, then the best way to affect change is to get involved, like what Mr. Onizuk has chosen to do with VACo. He stated that VACo is the only organization that represents county governments across the Commonwealth.

Mr. Onizuk stated that he agrees with Mr. Kennedy and is not sure why the County is affiliated with VML since it is geared toward cities. He stated that regarding VACo, he has chosen to get involved and to try and affect change. Membership in the organization can always be reexamined at a later date if the Board is still not pleased.

Mr. McGlennon and Mr. Onizuk requested that the language in Section 2-6 of the Legislative Agenda be changed from commuter rail to passenger rail. The rest of the Board concurred.

Mr. McGlennon made a motion to approve the 2015 Legislative Agenda.

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

## **RESOLUTION**

### **2015 LEGISLATIVE PROGRAM**

WHEREAS, James City County has developed a Legislative Program for the consideration of the 2015 session of the General Assembly which outlines certain legislative policies which the Board believes ought to guide the General Assembly and proposes certain legislation that would benefit the County; and

WHEREAS, the Board has carefully considered its Legislative Program and believes that it is in the best interests of the citizens of James City County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the County's 2015 Legislative Program and commends it to the County's representatives in the General Assembly for action.

BE IT FURTHER RESOLVED that a copy of the County's 2015 Legislative Program be forwarded to the County's elected representatives to the General Assembly.

## **K. PUBLIC COMMENTS**

1. Ms. Sue Sadler, 9929 Mountain Berry Court, addressed the Board regarding VACo.
2. Ms. Landra Skelly, 6572 Wiltshire Road, addressed the Board regarding the Dillon Rule.
3. Mr. Chris Henderson, 101 Keystone, addressed the Board regarding the Board's Code of Ethics.
4. Ms. Juliet Wright, 805 N. Henry Street, addressed the Board continuing her comments regarding disability discrimination.
5. Ms. Petra Nadal, 106 Indian Circle, addressed the Board regarding the rail system and Amtrak.
6. Ms. Rosanne Reddin, 4700 President's Court, addressed the Board regarding VACo.

7. Mr. Les Skelly, 6572 Wiltshire Road, addressed the Board regarding VML and VACo.
8. Mr. Keith Sadler, 9929 Mountain Berry Court, addressed the Board regarding VML and VACo.

#### **L. REPORTS OF THE COUNTY ADMINISTRATOR**

##### **1. County Administrator's Report**

Mr. Hill stated that at the last Board meeting, a resident asked about the Capital Improvement Projects update. He stated that that information is available on the County website under the General Services department. He stated that every project that the Board has approved is listed there with updates on their current standing. He stated that this allows for the most transparent and open access to the information at all times. He informed the Board that at the next Board meeting a resolution will be brought forward to include New Kent County in our E-911 radio service. He stated that it will help increase the capacity at the upper end of the County and he looks forward to moving this forward.

He announced that leaf collection begins December 1 and is done by district. He stated that curbside recycling will not be collected on Thanksgiving Day; the schedule will be pushed back by one day. He stated that County offices will be closed on November 27 and 28 in observance of the Thanksgiving holiday.

#### **M. BOARD REQUESTS AND DIRECTIVES**

Mr. McGlennon stated that he attended the Celebration of Business event hosted by the County's Economic Development Department. He congratulated Williamsburg Landing on winning the Captain John Smith Award.

Mr. Hipple stated that he had the opportunity to speak on WMBG radio on Wednesday at 5:15 p.m. He encouraged citizens to tune in weekly to hear Board members speak each week and highlight things happening in the County. He thanked the teachers and administrators in the school system for their efforts and all that they give to our children. He stated that he attended a luncheon at the Bruton Volunteer Fire Station on Saturday, November 22.

Mr. Onizuk stated that at the next meeting the Board will be considering the Promenade development case. He stated there is a community meeting on the Tuesday prior to the Board meeting, December 2, at the Human Services Building. He stated that he is promoting a second meeting with the applicant as well and will try to communicate that information out as soon as possible. He encouraged citizens to reach out and communicate their thoughts with the Board.

Ms. Jones stated that she appreciated the School Board members that joined the Board at the Work Session earlier this evening. She stated that she has heard many compliments on the efforts of the new County Administrator, Mr. Hill. She stated that she is looking forward to having his family here in the community as well.

Mr. Hill stated that his family will be here December 21, but his other family, the County staff, has been very good to him and wonderful to work with.

Ms. Jones wished the Board and citizens a very happy and safe Thanksgiving.



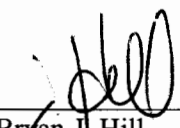
**N. CLOSED SESSION - None**

**O. ADJOURNMENT** – until 7 p.m. on December 9, 2014, for the Regular Meeting

Mr. Hipple made a motion to adjourn.

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

At 9:07 p.m., Ms. Jones adjourned the Board.

  
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Bryan J. Hill  
Clerk to the Board

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