

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board
Room 101 Mounts Bay Road,
Williamsburg, VA 23185
April 14, 2015
6:30 PM

ADOPTED

JUN 28 2015

Board of Supervisors
James City County, VA

A. CALL TO ORDER

B. ROLL CALL

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

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

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Emily Johnson

E. PRESENTATIONS

1. Commending Resolution – Delegate Brenda Pogge

Delegate Brenda Pogge presented Ms. Robin Bledsoe a Commending Resolution from the General Assembly recognizing her efforts with Hiking for Virginian Fallen Heroes.

2. Get It Together High School 2014-2015 Seatbelt Challenge

Police Chief Brad Rinehimer presented Senior Officer Andre McLaughlin a certificate of commendation for his efforts in getting Lafayette High School students to wear their seat belts.

3. Presentation of Resolution of Appreciation

Chairman Hipple presented Mrs. McDonald and her daughter, Paige McDonald, a Resolution of Appreciation for Mr. John E. McDonald, recognizing his achievements and contributions as the Director of Financial and Management Services.

F. PUBLIC COMMENT - Until 7 p.m.

As no one was registered to speak during the Public Comment session, Mr. Hipple recessed the Board until 7 p.m. when the business portion of the meeting was scheduled to begin.

At 7 p.m., Mr. Hipple reconvened the Board of Supervisors.

G. CONSENT CALENDAR

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

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

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple.

1. Minutes - March 11, 2015, Joint Meeting with City of Williamsburg and W-JCC School Board
2. Contract Award – JCC Recreation Center Natatorium Structural Repairs – \$108,470
3. Resolution of Appreciation

H. PUBLIC HEARING(S)

1. Sale of Jamestown Marina

A motion to Defer was made by James Kennedy and the motion result was Passed.

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

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple.

Mr. Adam Kinsman addressed the Board giving an overview of the memorandum included in the Agenda Packet.

As there were no questions for staff, Mr. Hipple opened the Public Hearing.

1. Ms. Landra Skelly, 6572 Wiltshire Road, addressed the Board stating that the current offers are too low and the property needs to be listed with a Commercial Real Estate Broker.

2. Mr. Douglas MacKenzie, 3901 Cold Spring Road, addressed the Board in support of selling the Jamestown Marina to Eco Discovery Park.

3. Mr. Roy Snyder, 514 Spring Trace, addressed the Board in support of selling the Jamestown Marina to Eco Discovery Park.

4. Ms. Patricia Gray, 107 John Tyler Lane, addressed the Board in support of selling the Jamestown Marina to Eco Discovery Park.

5. Jamie Brunkow, 609 N. 27th Street, Richmond, Virginia, addressed the Board in support of selling the Jamestown Marina to Eco Discovery Park.

6. Ms. Jill Bieri, 217 W. Queen's Drive, addressed the Board in support of selling the Jamestown Marina to Eco Discovery Park.

7. Mr. Kellen and Silas Cooper, 3001 E. Tiverton, addressed the Board in support of selling the Jamestown Marian to Eco Discovery Park.

8. Mr. Joseph Swanenburg, 3026 The Pointe Drive, addressed the Board regarding the assessed value of the property and that it needs to be re-marketed by a Commercial Real Estate Broker.

As no one else was registered to speak, Mr. Hipple closed the Public Hearing.

Mr. Onizuk stated that an abbreviated commercial assessment of the property was done by a Commercial Real Estate Broker. He stated that the Board has been provided that assessment report. He discussed the benefits and consequences of the proposals on the table, the responsibilities of being tasked with being a steward of the County's assets, and the benefits of Eco Discovery Park that go beyond the monetary. He stated that if the Board wanted to take time to consider the new offer that came in this afternoon, he would not be opposed to postponing the vote. He did state that he was not in favor of the newest proposal that came in but of the rezoning and development that is part of the plan.

Mr. McGlennon stated that the County did make a significant area in that area in 2007 to make sure that the land around Jamestown and Jamestown Island was protected. He stated much of that money has been recouped by the County over the last several years. He discussed the Shaping our Shores document and intent for development in that particular area. He debated the merits of each of the proposals on the table. He stated that if the Board is going to consider more intensive development, then he believes the sale process needs to be opened up again with that type of development in mind. He stated that he is in agreement with Mr. Onizuk about not supporting the more intensive development proposal.

Ms. Jones stated that she appreciates the work of Eco Discovery Park and the education that they provide. However, the Marina was part of the greater purchase of land around Jamestown Settlement. The original intent was not to hold on to the Marina, but to sell it to a private owner and let it be operated as a private business. She stated that she understands the good intentions of those here this evening, but Eco Discovery Park is not the best return on investment for the citizens of the County. She believes this property needs to be returned to the private sector as a private business. She does not believe that adequate effort has been done to properly market the property to get the best return on the investment.

Mr. Kennedy stated that he was not supportive of keeping the Marina back in 2008, he thought it should be sold to a private business owner. He questioned if performance bonding and stormwater credits were a possibility.

Mr. Kinsman stated that performance bonding is a difficult situation to answer because of the funding Mr. Rose intends to use. He stated that stormwater credits are a possibility, but we do not have specific numbers at this time.

Mr. Kennedy stated that he is not interested in selling the property for such intensive development at such a low price. He stated that he understands that Mr. Rose is in time crunch, but there is not a real rush for the Board to make a decision. He is not comfortable making a decision tonight, especially with one proposal coming in this afternoon.

Mr. Hipple stated that he is not comfortable with making a decision tonight because of the proposal that was received today. He understands the time constraint that Mr. Rose is under, but it would not be responsible of the Board to make a decision tonight. He discussed the value of Eco Discovery Park and the people that are part of the experience there, but he is also a steward of the County's assets. He must make the best decision for all the members of the County, not just a select group.

Mr. Kennedy made a motion to postpone action on this item for 30 days, until the meeting on May 12, 2015. Mr. Kennedy also stated that he would not be adverse to waiving the rental fees from Mr. Rose for the 90 to 120 days that it would take for a deal to close, if Mr. Rose was willing.

Mr. Onizuk asked for clarification on the process for listing the Marina for sale.

Mr. Kinsman detailed the RFP process that was done in 2014, as well as the discussions with brokers and local industry professionals that have led to the three offers currently on the table.

Mr. Onizuk and Mr. Kinsman discussed the logistics of the park being run by County staff should Mr. Rose not be interested in extending his time out there.

Mr. Rose came forward at the request of the Board and stated that at this point, his organization has been waiting for a response for almost a year. As of May 1st, Eco Discovery Park, will vacate the premises.

Ms. Jones stated that she can support postponing this vote tonight, but she can also support more aggressive marketing of the property.

Mr. Onizuk questioned if this could be postponed until the next meeting on April 28, 2015.

Mr. Hipple stated that there is a lot on the schedule between now and the meeting on the 28th, and he would rather see this item postponed until the second meeting in May.

Mr. Kennedy restated his motion to postpone until the second meeting in May, which would be May 26, 2015.

The Board continued to deliberate the merits of the proposals on the table.

Ms. Jones stated that she is supportive of the motion to postpone.

The other members of the Board voiced their agreement with postponing action on this item until the May 26, 2015 meeting.

2. FY 2016 James City County Budget and Real Estate Tax Increase

Ms. Sue Mellen recommended that the Board open the Budget Public Hearing. At the conclusion of the Public Hearing, she recommended that the Board close the Public Hearing and postpone action until the April 28th meeting. She informed the Board that a brief video overview of the proposed Budget would be shown first.

As there were no questions for staff, Mr. Hipple opened the Public Hearing.

1. Mr. Frank Polster, 420 Hempstead Road, addressed the Board in support of the proposed budget and property tax increase to fund and support continued stormwater management and the neighborhood drainage project.

2. Mr. Paul Van Riper, 161 Waterton, group spokesman for Citizen for a Better JCC, addressed the Board stating that previous Boards did not do their due diligence in laying the groundwork for good governance. He stated that the County's planning process is flawed and borders on dysfunctionality. He asked that the County Administrator and the Board work to increase the linkages between the planning process and the County budget.

3. Mr. Craig Larson, 135 The Maine, addressed the Board in support of the proposed budget and property tax increase, especially in support of stormwater management.

4. Mr. Richard Minor, 8314 Barons Court, addressed the Board stating that the Board has been a good steward of resources and tax payments, and they continue to do so with this proposed budget.

5. Ms. Susan Gaston, 205 Par Drive, a representative of the Williamsburg Area Association of Realtors, addressed the Board in support of the proposed budget and property tax increase in order to maintain the quality of life in the County.

6. Mr. Mary Minor, 8314 Barons Court, addressed the Board in support of the proposed budget and property tax increase to continue funding services and schools and continue moving the County forward.

7. Mr. Jay Everson, 103 Branscombe Blvd, and Mr. Chris Henderson, 101 Keystone, addressed the Board jointly presenting an alternative budget proposal for the Board's consideration drafted by members of the community.

8. Mr. W. K. Beachum, 110 Meadowcrest, addressed the Board in opposition to the proposed budget and property tax increase. He stated his support for the alternative budget presented by Mr. Henderson and Mr. Everson.

9. Ms. Debra Hill, 196 The Maine, addressed the Board in support of the proposed budget and property tax increase to fully fund the schools and the stormwater management program.

10. Ms. Amelie Drake, 109 Canterbury Place, addressed the Board in support of the proposed budget and property tax increase to fully fund the schools.

11. Ms. Geri Farrell, 3424 Wexford Run, addressed the Board in support of the proposed budget and property tax increase to fully fund the schools.

12. Ms. Karen Armstead, 225 Reflection Avenue, addressed the Board in support of the proposed budget and property tax increase to fully fund the schools.

13. Ms. Kim Hundley, 108 Mattaponi Trail, addressed the Board in support of the proposed budget and property tax increase to fully fund the schools.

14. Ms. Ann Jurczyk, 3644 Bridgewater Drive, addressed the Board in support of the proposed budget and property tax increase to fully fund the schools.

15. Ms. Rosanne Reddin, 4700 Presidents Court, addressed the Board in opposition to the proposed budget and property tax increase. She argued that the County should file suit against the EPA regarding the MS4 permit and stormwater requirements.

16. Mr. Robert Lund, 111 Swinely Forest, addressed the Board in support of maintaining the quality of life here in the County, and therefore is supportive of the proposed budget.

17. Mr. Joseph Swanenburg, 3026 The Pointe Drive, addressed the Board in opposition to the proposed budget and property tax increase. He stated that the Board asked for input and many input has been given but summarily dismissed.

18. Mr. Howard Ware, 46 Whittaker's Mill, addressed the Board in support of the proposed budget and property tax increase. He praised the Library and the Recreation Center and stated that he supports maintaining a top quality community. He questioned the cohesion of the planning process and the Board.

As no one else was registered to speak, Mr. Hipple closed the Public Hearing and stated that no action was scheduled to be taken at this time. The Board would formally adopt the FY 2016 County Budget at the April 28, 2015 meeting.

I. BOARD CONSIDERATION(S)

J. BOARD REQUESTS AND DIRECTIVES

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

L. PUBLIC COMMENT

As no one was registered to speak, Mr. Hipple closed the Public Comment session.

M. CLOSED SESSION

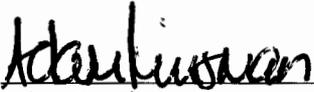
N. ADJOURNMENT

1. Adjourn until 4 p.m. on April 15, 2015, for Budget Work Session

A motion to Adjourn was made by John McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple.

At 9:31 p.m., Mr. Hipple adjourned the Board.


Adam R. Kinsman
Deputy Clerk to the Board