

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**July 28, 2015**  
**6:30 PM**

**ADOPTED**

**A. CALL TO ORDER**

SEP 11 2018

**B. ROLL CALL**

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

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE**

1. **Pledge Leader - Ella Wainwright, a rising 7th-grade home-schooled student and resident of the Powhatan District**

**E. PRESENTATIONS**

1. **Commending Resolution Presented by Delegate Brenda Pogge**

Delegate Brenda Pogge presented a General Assembly Commending Resolution to Sheriff Deputy Victoria Thomas for her work in the community.

2. **Davenport Presentation**

Mr. Courtney Rogers, Senior Vice President, Davenport and Company, addressed the Board giving an overview of the presentation included in the Agenda Packet which discussed the refunding opportunities in the County's debt portfolio. He reviewed the savings from the refinancing and also reviewed the observations and feedback from the credit agency raters after the increase in the County's credit rating to AAA.

The Board generally discussed the increased credit rating and the impact of the budgetary plan put into place by the Board on the upgraded credit rating. General discussion also ensued about the missed bond payment that has been brought up numerous times during public comment.

The Board thanked Mr. Rogers and Davenport for their leadership and sound financial advice over the years that has led the County to this point.

3. **Presentation - First Night**

A motion to Postpone was made by Kevin Onizuk and the motion result was Passed.

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

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

Mr. Grover Lewis, First Night Vice President, gave an overview of a PowerPoint

Presentation included in the Agenda Packet. He noted three additional staff were present. He further noted it was a volunteer program, for which the organization was seeking County funding. The presentation noted the importance of the New Year's Eve Program and increased opportunity for visitors to participate. He noted economic impact from visitors in the County and presented the local organizations and localities with their respective donations to the program.

Mr. Onizuk asked if bus transportation would be extended into the New Town area with First Night's expansion into that area. He also asked about fireworks.

Mr. Lewis noted the acquisition of private buses and other options. He further noted other avenues regarding fireworks as the First Night Board reviewed them. He stated grants and funding are considerations with the options.

Discussion ensued on this matter.

Mr. Hipple asked for direction from the Board.

Mr. Onizuk noted First Night should be tabled, pending further discussion and information Mr. Hill can gather on shared revenue and other aspects.

**F. PUBLIC COMMENT - Until 7 p.m.**

**G. CONSENT CALENDAR**

A motion to Approve was made by Kevin Onizuk and the motion result was Passed.

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

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

1. **Minutes Adoption - May 26, 2015, Regular Meeting and July 14, 2015, Regular Meeting**
2. **Amendment to VPPSA Agreement- Curbside Recycling**
3. **Contract Award - Building B Renovation - \$174,583**
4. **VPPSA Special Service Agreement- Landfill Monitoring Services**
5. **Grant Award - Chesapeake Bay Restoration Fund Grant - \$4,000**
6. **Grant Award - Office of Emergency Medical Services Rescue Squad Assistance Fund - \$357,378**
7. **PULLED FROM CONSENT - Abandonment of a Portion of the Right-of-Way for Croaker Road (Route 607)**
8. **Authorization for One Temporary Fire Rescue Technician Overhire Position**

**H. PUBLIC HEARING(S)**

**I. BOARD CONSIDERATION(S)**

**J. BOARD REQUESTS AND DIRECTIVES**

**K. REPORTS OF THE COUNTY ADMINISTRATOR**

**1. County Administrator's Report**

**2. Amend Board Calendar to Add Work Sessions at 4 p.m. on August 11, 2015, and December 8, 2015**

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

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

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

**L. PUBLIC COMMENT**

1. Mr. Frank Polster, 420 Armisted Road, commented on the County's bond rating and the recent tax rate increase. He referenced the importance of the County's Capital Improvements Plan.

2. Mr. Joseph Swanenburg, 3026 The Point Drive, thanked Mr. Hill, Mr. Kinsman and Mr. Powell for exemplary service in response to his questions. He presented a brief video to the Board. He addressed concerns about violence, the denial of self-defense and the importance of proper enforcement of existing laws.

3. Mr. Chris Henderson, 101 Keystone, referenced the June 23 Work Session and discussion on stormwater. He noted the defeat of the Stormwater Bond Referendum by County citizens was a powerful decision to prevent the County from gaining effective control over numerous private properties. He referenced the Jamestown Marina and the taxpayer dollars to repair the marina prior to its sale. He stated Eco Discovery Park was not a creditable buyer and disagreed with several Board members' decisions regarding the marina. He also noted the AAA bond rating status for the County. He further stated there was no direct correlation between the bond rating and the tax rate increase. He also referenced the missing payment, questioned the lack of public disclosure regarding it and what provisions to resolve any future incidence were being implemented. He addressed the Agenda and presentations during Public Comment. He noted that Public Comment at the end of the Board meeting was inconsiderate as the citizens should be heard by their elected representatives prior to presentations. He suggested altering the format to allow for the citizens to speak sooner in the Agenda.

4. Ms. Roseanne Reddin, 4700 Presidents Court, addressed the Board on several subjects encompassing budget and taxes, grants and the BASF property.

5. Ms. Juliette Wright, 805 North Henry Street, addressed the Board noting the change to the Agenda, as presented at the start of the meeting, was a disrespect to handicapped attendants and not compliant with Americans with Disabilities (ADA) protocol. She noted an ADA violation from a James City County employee and

the lack of participation from the County for reparation. She questioned the Board on what changes would be forthcoming.

6. Ms. Janet Casanave, 3404 Water View Road, spoke to the Board about the troubles facing America and the direction of healthcare, immigration and other topics.

7. Mr. Jay Everson, 103 Branscome Boulevard, commented on the bond rating and the tax increase. He stressed the stormwater issue and the monetary designations for particular neighborhoods. He questioned the objectives in relation to the tax increases. He stressed no reference to community appearance in the report from Moody's.

8. Mr. Howard Ware, 46 Whittakers Mill Road, addressed the Board on stormwater, tax increases and other issues. He noted the careful deliberation and planning that the Board applies in decision-making for the County. He thanked the Board members for the work they do.

As there were no additional speakers, Mr. Hipple closed the Public Comment.

Mr. Hipple addressed several statements made during the Public Comment. He noted the comment on the "decision to fix the marina and sell it" was not a definitive decision.

Mr. Hill confirmed that was true; no decision had been made pending further deliberation and talks with the Economic Development Authority. He would confer with Mr. Kinsman and Mr. Russell C. Seymour, Director of Economic Development, to clarify any statements.

Mr. Hipple further questioned information about the tax increase that was presented when he and Mr. Hill attended the New York meeting with Davenport representatives. He noted the various items from the report that were listed as helping the County's bond rating and not just the tax increase.

Mr. Hill noted the debt-to-revenue ratio had been greatly enhanced based on several factors in addition to the tax increase. He further stressed the difference between the late payment and not a missed payment. He also noted no penalty nor interest were incurred from the incidence.

Mr. Hipple asked about the reference to the Board borrowing any additional money.

Mr. Hill noted the only borrowing would be potentially for the building of Blair Middle School and future negotiations with the School District and the City of Williamsburg. He referenced his plan for 2023 and his goals to lower the County's debt to address the water solution in relation to the Virginia Department of Health and the Department of Environmental Quality.

Mr. Hipple noted borrowing was not an issue and further noted paying down on current loans.

Mr. Hill affirmed that, but added that should the needs of the County change, limited borrowing could become a necessity.

Mr. Hipple asked about matching grants as a savings to citizens.

Mr. Hill noted budgetary adjustments regarding grants. He stated the statistics that support grants as a resource. He further noted that if the Board chose not to pursue grants, then that course of revenue funding could be changed.

Mr. Hipple asked about the Municipal Separate Storm Sewer System (MS4) permit and the County's position as a forerunner.

Mr. Hill deferred to gathering additional information until the next meeting on the MS4 permit.

Mr. Hipple noted that Public Comment was vital, but stressed bringing forward community comments that the Board can address for the County. He stated he and the Board cannot change Washington, D.C.

Mr. McGlennon asked about the stormwater initiative and the funds for that area.

Mr. Hill addressed this regarding the budget breakdown and projects.

Further discussion ensued on this matter.

Mr. Hipple asked for no discussion or comment from the floor as verbal disruption ensued.

Mr. Hipple noted the Closed Session would follow the Board of Supervisors meeting and then the James City Service Authority Board of Directors meeting would take place.

Mr. Kennedy asked for a moment to address another point prior to the Closed Session. He questioned the time frame of Fire Station 4 and requested an update from Mr. Hill.

Mr. Hill gave an update on the fiscal appropriations from previous County budgets for Fire Station 4. He noted the building was operational with a remaining \$15,000 to close out that contract.

#### **M. CLOSED SESSION**

A motion to Enter a Closed Session was made by John McGlennon and the motion result was Passed.

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

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

At approximately 8:31 p.m., the Board entered Closed Session.

At approximately 8:55 p.m., the Board re-entered Open Session.

1. **Appointment to the Thomas Nelson Community College Local Board pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia**
2. **Discussion concerning the expansion of an existing business or industry where no previous public announcement has been made pursuant to**

**Section 2.2-3711 (A)(5) of the Code of Virginia**

**3. Certificate of a Closed Session**

A motion to Certify the Closed Session was made by John McGlennon and the motion result was Passed.

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

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

A motion to Approve the performance agreement as presented by the Office of Economic Development concerning the capital expansion of an existing business or industry was made by John McGlennon, the motion result was Passed.

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

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

A motion to appoint Scott Vorhees to the Thomas Nelson Community College Board for a new term expiring on June 30, 2017 was made by John McGlennon, the motion result was Passed.

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

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple

**N. ADJOURNMENT**

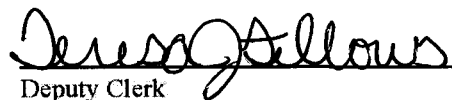
**1. Adjourn until 4 p.m. on August 11, 2015, for the Work Session**

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

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

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

At approximately 8:56 p.m., Mr. Hipple adjourned the Board of Supervisors.

  
Deputy Clerk