

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
September 8, 2015
6:30 PM

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, Assistant County Administrator
Michelle M. Gowdy, County Attorney

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leaders - Hannah, Chance, and Chase Washington, residents of the Stonehouse District led the Board and citizens in the Pledge of Allegiance.

E. PRESENTATIONS

The Parks and Recreation Presentation will follow the second Public Comment Section towards the end of the meeting.

F. PUBLIC COMMENT - Until 7 p.m.

1. Mr. Ed Oyer, 139 Indian Circle, addressed the Board in regard to the proposed Virginia Dominion Power Transmission Line and Switching Station.
2. Ms. Rosanne Reddin, 4700 President's Circle, addressed the Board in regard to the current Agenda format and the recent discussion during the last Work Session.
3. Mr. Joseph Swanenburg, 3026 The Pointe Drive, addressed the Board in regard to the definition of a progressive and the upcoming campaigns.
4. Mr. Jay Everson, 103 Branscome Blvd., addressed the Board stating that the James City Service Authority should consider allowing residents to pay their water bill on a monthly basis and addressed a rumor about property tax bills being held until after the election.
5. Mr. Chris Henderson, 101 Keystone, addressed the Board in regard to the Fuel Island for Fire Station 1 on the Consent Calendar and raised budgeting questions for Fire Stations 4 and 1.
6. Mr. Karl Muller, 4167 Winthrop Circle, addressed the Board in regard to frequent and persistent gun fire from a property adjacent to the Colonial Heritage neighborhood. He

ADOPTED

SEP 22 2015

Board of Supervisors
James City County, VA

maintains that the proximity of the discharge of firearms is the determination of legality, not the size of the property owned.

G. CONSENT CALENDAR

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

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

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

Mr. Kennedy requested that Item No. 5 on the Consent Calendar be pulled for further discussion and a separate vote.

1. Minutes Adoption - August 11, 2015 Regular Meeting
2. Appointment of Animal Control Officer
3. Grant Award - Commonwealth Attorney - Victim's Witness Program
4. Grant Award - Commonwealth Attorney - Virginia Domestic Violence Victim Fund
5. Fuel Island for Fire Station 1 - Sole Source Purchase

A motion to Continue was made by Mr. Kennedy and the motion result was Passed.

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

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

Mr. Kennedy requested that Mr. Hill give an overview of item. He questioned if there overruns on the Fire Station 1 project and asked for clarification on the Crawford Property Sale.

Mr. Hill recommended that the item be pulled off the Agenda and postponed until the next meeting, so that he may research and address the questions raised by the citizens this evening.

Mr. Kennedy asked what some of the delays on Station 4 were.

Mr. Hill stated that he will have to go back and do some research as that was before he came to the County.

Mr. Hipple requested a motion to postpone this item until the September 22, 2015 meeting.

Ms. Jones stated that this is a good example of hearing from the citizens prior to the Consent Calendar adoption.

Mr. Kennedy stated that citizens can always send their questions to the Board via email since the agenda is available a week prior to the meeting. He stated that getting questions prior to a meeting allows the Board and staff to get the answers prepared and reduces delays.

6. Contract Award - Replacement Ambulance - \$248,785
7. Abandonment of a Portion of the existing Right-of-Way of Croaker Road (Route 607)
8. Contract Award - Building F Board Room Video Equipment - \$265,000
9. Contract Award - Development of a Strategic Plan - \$190,000

H. PUBLIC HEARING(S)

1. Deed of Exchange - Lexington Drive

A motion to Approve was made by Mr. Kennedy and the motion result was Passed.

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

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

Mr. Barry Moses, Capital Projects Coordinator, 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.

As there were no registered speakers, Mr. Hipple closed the Public Hearing.

I. BOARD CONSIDERATION(S)

1. The Virginia Department of Transportation Revenue Sharing Program: Revision to Cost Estimate for an Active Project in the Williamsburg West Subdivision and Contingency Transfer – Special Project Grants Fund – \$66,500

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

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

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

Mr. Paul Holt, Director of Planning Division, addressed the Board giving an overview of the memorandum included in the Agenda Packet.

Mr. Onizuk asked if there is something specific that can be identified that is causing the increased costs.

Mr. Holt stated that the biggest unknown at the time was the topography. There had to be some adjustments in the design of the turnaround and the stormwater management plan. That level of detail was not known at the time.

Mr. Kennedy asked if it is typical to not know those details.

Mr. Holt stated that the initial cost estimate is the best estimate without going through and incurring the cost of doing the survey before you know if you are awarded the funding. So, yes, it is typical to not know those details without the survey.

Mr. Kennedy questioned the matching grants from the Virginia Department of Transportation (VDOT).

Mr. Holt stated that these matching funds from VDOT are becoming the way projects are done with VDOT because it means that localities have "skin in the game" as well.

Ms. Jones stated that all of the "skin" comes from all of the taxpayer, and people need to remember and acknowledge that.

Mr. Onizuk stated that a tax dollar is a tax dollar whether it is State or local taxes. He would encourage VDOT to do everything it can to minimize the impact on localities.

Mr. Kennedy stated that what is happening now is that counties are being obligated to come up with road funds which has not been the case in the past. Counties are being treated like cities, but without the taxing authority that cities have. So if a city wants to impose a cigarette tax to help pay for road repairs, it can do that; as a County, we cannot because we do not have the authority

from the General Assembly. The only thing the County can do is to increase property taxes. So, we are treated differently by the General Assembly, but have the same expectation of payment. He encourages citizens to speak to their State Representatives about what they are going to do about this from a State level.

2. Resolution of Support for House Bill 2 Transportation Funding Applications

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

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

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

Mr. Holt, Director of Planning Division, addressed the Board giving an overview of the memorandum included in the Agenda Packet.

Mr. McGlennon asked what the relative magnitude for our three priority projects that were listed in his presentation.

Mr. Holt stated that Longhill Road, Phase 1 is approximately \$19.8 million if constructed all at one time. If it has be broken down into stages, then there would be additional costs involved. Route 60 Relocated and Skiffes Creek Connector is currently estimated at \$153 million and the Route 60 Multimodal Improvement Project is currently estimated at \$18 million.

At Mr. McGlennon's request, Mr. Holt gave a more detailed outline of how projects will score and rank under this new system created by House Bill 2. Ultimately, the more funding that is brought to the table, the better the project will score.

Mr. Kennedy noted that every year these projects are kept on the books, the cost to complete them continues to go up.

Mr. Onizuk asked who actually does the rankings of the projects, it is VDOT or some other third-party.

Mr. Holt stated that it is a combination of VDOT, Department of Rail and Public Transportation, and third-party technical consultants.

Mr. Hipple stated that at the previous Hampton Roads Transportation Accountability Committee (HRTAC) meeting, it was stated very clearly that if money is not brought to the table then the projects will not be scored highly.

Mr. Hill thanked the City Manager of Newport News for his endorsement of the Route 60 Relocated and Skiffes Creek Connector Project.

Mr. Kennedy asked how big of a reduction has the County seen in dollars coming into the area for projects.

Mr. Holt stated that he does not have an exact number in front of him, but each project is awarded on a competitive basis so he is not sure that there ever was a time that road funds came in on a regular basis. He stated that about two years ago the Secondary Road Funds were cut significantly, but he does not have the exact number in front of him.

Mr. Kennedy continued to discuss how the actions of the General Assembly in Richmond is having a big impact on our locality.

Mr. Onizuk agreed with the comments made by Mr. Kennedy. Infrastructure is critical to the success of the economy of the County and statewide.

Mr. McGlennon echoed the comments made by Mr. Kennedy and Mr. Onizuk, stating that what has traditionally been the responsibility of the State is being pushed back to the locality without the same resources as cities, but our hands seem to be tied at this point.

Ms. Jones praised Mr. Hill for the way he has aggressively advocated for James City County projects in the region. She argued that our hands are not tied, it all depends on who you send to Richmond to represent you and what their priorities are. She discussed the priorities of HRTAC when it was formed, but those priorities have shifted toward megaprojects.

Ms. Jones and Mr. McGlennon debated the actions of those elected officials in Richmond that have put us and the tax payers in the position that we are in now.

Mr. Hipple discussed HRTAC and the disadvantage of changing chairmanship every year, as there is an extensive learning curve and that may be something that this Board may want to look into having changed. He encouraged citizens to get involved on the State level and hold our State representatives accountable.

J. BOARD REQUESTS AND DIRECTIVES

Mr. Kennedy questioned if there is a will of the Board to change the County's ordinances regarding discharge of firearms. He also discussed the funding cuts from Richmond that have impacted our schools, libraries, and jails. He agreed with Ms. Jones that yes, the money is being appropriated elsewhere, but the localities are still at funding levels that were seen in 2008.

Mr. McGlennon noted the passing of Ms. Viky Pedigo, a teacher and librarian at Rawls Byrd Elementary School for 50 years. He expressed his condolences to her family and his appreciation for her years of dedication to our students.

Mr. Onizuk reminded citizens that school is back in session now and to be careful. Also, he reminded everyone of the importance of our schools to the County. When people are looking to move here, the first thing they look at is schools. He encouraged citizens to attend school board meetings as well. He reported that he has heard some very positive feedback from some of our tourism partners regarding this season. He mentioned the launch of the new arts website, the upcoming Fireball Run, and other upcoming events that promote our destination.

Ms. Jones expressed her appreciation for our first responders and let them know how much we appreciate them. It is unfortunate and concerning that they have become targets across the nation. Just wanted to thank our officers and let them know that they have our support.

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

Mr. Hill stated that he would address the rumor of the property tax bills being delayed with the Treasurer and report back. He discussed the current events surrounding the County's current water withdrawal permit and the on-going discussions with the Department of Environmental Quality.

L. PUBLIC COMMENT

1. Ms. Juliet Wright, 805 North Henry Street, addressed the Board in regard to the 25th Anniversary of the American with Disabilities Act.

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

1. Presentation - Parks and Recreation

Mr. John Carnifax, Director of Parks and Recreation, addressed the Board giving a presentation on the programs and services offered by Parks and Recreation. He highlighted park improvements and new programs and events. He presented the Board with a Commendation Award from the National Association of Counties for the RECn' It Out! Neighborhood Outreach Program.

Mr. Kennedy and Mr. Carnifax discussed the attendance numbers, user fees, and customer satisfaction numbers.

Mr. Hipple praised the staff for their professionalism and commitment to customer service.

Mr. McGlennon praised the high quality of programs for children that are offered throughout the summer and the school year.

Mr. Onizuk stated that he believes that Parks and Recreation is an investment in our community, our property values, and our quality of life. He praised Mr. Carnifax for his leadership within his department and the staff for their commitment to providing quality parks and amenities for the community.

Ms. Jones thanked Mr. Carnifax for all of his efforts.

M. CLOSED SESSION

A motion to Enter a Closed Session 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.

The Board entered Closed Session at 8:34 p.m.

The Board re-entered Open Session at 9:12 p.m.

1. Consultation with Legal Counsel on a Specific Matter Requiring the Provision of Legal Advice, Concerning Whisper Ridge and Dominion Virginia Power, Pursuant to Section 2.2-3711 (A)(7) of the Code of Virginia
2. Consideration of a Personnel Matter, the Appointment of Individuals to County Boards and/or Commissions, for the Social Services Advisory Board and the Peninsula Agency on Aging, Pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia

A motion to Appoint Individuals to Boards and Commissions was made by Mr. McGlennon and the motion result was Passed.

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

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

Mr. McGlennon made a motion to reappoint Ms. Nancy Shackleford to the Social Services Advisory Board to a new term that would expire on September 13, 2018; appoint Ms. Karla Sprouse to a new term on the Social Services Advisory Board that would expire on September 13, 2018; and to reappoint Mr. Ted Juraschek to a new term on the Peninsula Agency on Aging Board of Directors that would expire on September 30, 2018.

3. Consideration of the Acquisition/Disposition of a Parcel/Parcels of Property for Public Use, at the Marina, Pursuant to Section 2.2-3711 (A)(3) of the Code of Virginia

4. Certifications of Closed Session

A motion to certify the Close Session was made by Mr. McGlennon and the motion result was Passed.

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

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

N. ADJOURNMENT

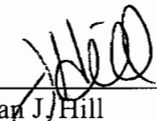
1. Adjourn until 4 p.m. on September 22, 2015 for the Joint Work Session with the EDA

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

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

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

At 9:16 p.m., Mr. Hipple adjourned the Board.



Bryan J. Hill
Clerk to the Board