

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
County Government Center Board Room  
101 Mounts Bay Road, Williamsburg, VA 23185  
September 22, 2015  
6:30 PM

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**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  
Michelle M. Gowdy, County Attorney

**ADOPTED**

**OCT 18 2015**

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

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE**

1. Pledge Leader - Tabitha Anderson, a 2nd grade student at Matthew Whaley Elementary School and resident of the Jamestown District

**E. PRESENTATIONS**

Mr. Hipple announced that Presentations would be done after Public Comment concluded at 7 p.m., since there are several on the agenda this evening.

1. Clean County Commission FY15 Presentation
2. 2015 Historic Preservation Awards
3. Manufacturing Day Proclamation - October 2, 2015

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

1. Mr. Billy Apperson, 4900 Fenton Mill Road, addressed the Board as a member of the Bruton Volunteer Fire Department and in support of the third item on the Consent Calendar.
2. Mr. Phil Murdock, 7 Sumner Court, addressed the Board as a member of the Bruton Volunteer Fire Department and in support of the third item on the Consent Calendar.
3. Mr. David Nice, 4571 Ware Creek Road, addressed the Board as a member of the Bruton Volunteer Fire Department and in support of the third item on the Consent Calendar.
4. Mr. Chris Henderson, 101 Keystone, addressed the Board in regard to the cost overruns at Fire Station 4 and Fire Station 1.

5. Ms. Rosanne Reddin, 4700 President's Court, addressed the Board in regard to the current Agenda layout and the lack of consideration given to the views and concerns of the public.

At 7 p.m., Mr. Hipple asked the Board their opinion on continuing Public Comment or moving on to the Presentations and business portion of the meeting.

Mr. Onizuk stated that there are several people in the audience that are here for Presentations that were expected to begin at 6:30 p.m. He asked if any of the remaining Public Comment speakers were specifically addressing agenda items.

Mr. Hipple stated no, not which is indicated on the speaker form.

Mr. Onizuk stated he believes that the Board should move on to Presentations then.

As there was no dissent from the other Board members, Mr. Hipple closed the first Public Comment section and moved on to the Presentations.

1. Clean County Commission FY15 Presentation

Ms. Peg Boarman, Chair of the Clean County Commission, addressed the Board giving a summary of the activities report included in the Agenda Packet.

Mr. Hipple thanked Ms. Boarman and the Commission for all their time and efforts to keep the County looking beautiful.

2. 2015 Historic Preservation Awards

Mr. Frank Abbott, Chair of the Historical Commission, and Mr. Andrew Zellers-Frederick, Vice-Chair of the Historical Commission, presented the 2015 Historic Preservation Awards to The Norge Depot Association and the Jamestown Rediscovery Staff for their significant contributions to the preservation of historic resources in the County.

3. Manufacturing Day Proclamation - October 2, 2015

Mr. Hipple read the Proclamation proclaiming October 2, 2015 as Manufacturing Day and presented the Proclamation to Mr. Russell Seymour, Director of Economic Development.

## **G. CONSENT CALENDAR**

1. Minutes Adoption - September 8, 2015 Regular Meeting

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

2. Authorization to Increase Building Inspector Position from Part-Time Regular to Full-Time Regular

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

3. Fire Station 1 Fuel Island

A motion to Approve 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. Kennedy requested that this item be pulled from the Consent Calendar for discussion. He asked Mr. Hill summarize the information that he has gathered since the last meeting.

Mr. Hill clarified whether he was being asked to speak to Fire Station 4 or Fire Station 1.

Mr. Kennedy stated to start with Fire Station 4 and clarify some of those questions raised by citizens.

Mr. Hill stated that Station 4 was funded by bond proceeds, the Board approved the change in scope from renovation/expansion to new with additional proceeds from the sale of the Wellington property. This added an additional 600k to the bottom line and provided a new structure. There was also \$69,130 added via proffers. Notice to proceed was granted on 11/6/2013 with an 18-month schedule or completion on or about April 30, 2015. Substantial completion and occupancy was granted on April 3, 2015. Site work and parking was completed in July. Total approved budget was \$4,116,130, with \$102,262,000 being returned to the capital fund, as we were under the budget amount. Mr. Hill stated that he will ask the Board to allow him to transfer those excess funds to the Fire Station 1 project as he is worried about the removal of our current Station 1.

Mr. Kennedy stated that Fire Station 4 was on time and under budget.

Mr. Hill stated in summary, Fire Station 1 was funded as an expansion project, changed to new construction approved by the Board with the source of funds to be bonds. Amended on 5/28/13 to purchase the Crawford property in lieu of spending to relocate fire station during construction. Sale of Crawford property would be used as contingency towards Station 1. No Wellington funding was used for this project. The schedule for the Station 1 is as follows: notice to proceed was given on 8/4/2014 with a 21-month construction schedule or completion date of May 4, 2016. Change orders have added ~42 days due to significant amounts of rain. Target is still May and we are currently on budget, but we may need the additional 42 days.

The Fuel Island is a separate item, which was approved in the FY 16 County budget at an estimated cost of \$340,000 bid price \$293,000. As an item of information, the closest fueling site to Station 1 is Tewning Road, which is a round trip of 17 miles.

Mr. Kennedy thanked Mr. Hill for the information and for clarifying these questions raised at the last meeting. He stated that he supports the first responders and feels that this Fuel Island is important and necessary for that end of the County for all of our first responders. He stated that he is happy to support this item this evening.

Mr. Kennedy made a motion to approve the Resolution and grant the contract award for the fuel island at Fire Station 1.

Mr. McGlennon stated that this is a group of people that do their very best to make sure we, as residents, have the very best services; and this is us, the Board, making sure that they have the best facilities and equipment to do that. He is very satisfied with the way this project is progressing and is happy to support this item.

Mr. Onizuk stated that he will be supporting this item this evening and he is proud of our first responders. He stated that government is not always good at building buildings, so these discussions are important and in no way a disparagement on the first responders themselves.

Ms. Jones stated that she echoes the comments made by Mr. Onizuk and she is very supportive of the first responders and is happy to support this item this evening.

Mr. Hipple expressed his support of the first responders and stated that he, himself, has been a volunteer firefighter. He knows the sacrifices that they have made. He stated that this item was already approved in the FY 2016 budget and he will support this item this evening.

#### H. PUBLIC HEARING(S)

1. Authorization to Lease an Approximately 10-Acre Portion of the James City County Marina to the James City County Economic Development Authority (EDA)

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

AYES: 4 NAYS: 1 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, Onizuk, Kennedy, Hipple

Nays: McGlennon

Mr. Adam Kinsman, Assistant County Administrator, addressed the Board giving a summary of the memorandum and resolution included in the Agenda Packet.

Mr. Onizuk questioned how the "shared use area" would work.

Mr. Kinsman stated that all of those details have not been worked out yet. Without the authorization to do the lease, there was not much point in working out the details. Staff believes that if the Board grants this authorization, then those details can be negotiated by the County Administrator and the EDA.

As there were no other questions for staff at this time, Mr. Hipple opened the Public Hearing.

1. Ms. Rosanne Reddin, 4700 President's Court, addressed the Board questioned why a business would want to take a lease on a property that might potentially be sold.
2. Mr. Chris Henderson, 101 Keystone, questioned the wisdom of conveying a public asset to the EDA who can then enter into lease agreements that have not been approved by the governing body.
3. Mr. David Ball, 532 Neck-O-Land Road, addressed the Board in opposition to the lease authorization and developing this property.
4. Mr. Joe Swanenburg, 3026 The Pointe Drive, addressed the Board in opposition to the lease authorization to the EDA.

Ms. Jones clarified that she was not in support of the retaining the marina like the rest of the Board. She stated that she will support this authorization tonight, but she wants it to be clear that the Board agreed to look into selling the property again in a year.

Mr. Onizuk stated that the County has had success in private partnerships like this previously, WISC is a good example. He supports this as a revenue stream for the EDA, will protect the water access for boat owners, and begin to bring some interest to the property. He asked Mr. Kinsman to address the concern voice by the first speaker, as he has answered that question for the Board as well.

Mr. Kinsman stated that the EDA would probably draft a sublease similar to what the County did with Eco Discovery Park, which was that any building or significant investment in structure would have a value agreed upon and that value would depreciate their lease over time. So, if the property happened to be sold, then the sublessor would have gotten some return on their investment. The zoning of the property limits any type of residential development. If someone wanted to build condos out there then they would have to come before the Board for a legislative rezoning.

Mr. Hipple clarified that this is essentially a shell building type of agreement. No different than if the County built a shell building and then turned it over to the EDA to market and lease it out. This situation is no different.

Mr. Kinsman stated correct.

Mr. Hipple clarified that this property was marketed previously and we only received three offers that were very low.

Mr. Kinsman stated yes it was marketed with a local broker. However, if the Board wanted to spend some money and market the property with a national broker, then it might generate some wider interest. But it does need a considerable amount of work.

Mr. Kennedy stated that a comment was made by the public that the EDA has unlimited borrowing capacity and can bond anything they want. He asked Mr. Kinsman to explain if that is correct.

Mr. Kinsman stated that there is a limit, but he does not have the number in front of him.

Mr. Kennedy stated that to his knowledge, the EDA has never borrowed money without the approval of the Board.

Mr. Kinsman stated that they do pass-thru bonds for other entities and they make revenue off the bond fees.

Mr. Kennedy stated that the EDA has very limited funding streams and little money in the bank to entice businesses to come here, their meetings are open to the public, and what the Board is trying to do here is give them a revenue stream. He continued to express his support for this specific plan. He wishes the property had been sold, but he believes that this is the next best option.

Mr. Hipple clarified that a Board member sits on the EDA, so there is not much that the EDA does that the Board does not know about.

Mr. McGlennon stated that he has some specific concerns about this arrangement. He generally believes that this is the best way to go, but he has some specific concerns that have not been addressed yet, so he is hesitant to support this item this evening. Once there is more information available he will be more supportive.

At 8:25 p.m., Mr. Hipple recessed the Board in order to conduct the JCSA Board of Directors meeting.

At 8:27 p.m., Mr. Hipple reconvened the Board.

**I. BOARD CONSIDERATION(S) - None**

**J. BOARD REQUESTS AND DIRECTIVES**

The Board members generally discussed their activities in the community and the region since the last meeting.

Mr. Kennedy asked Mr. Hill to speak to the Virginia Department of Transportation (VDOT) about significant erosion in the VDOT right-of-way along Longhill Road in front of the Regency at Longhill community. He also mentioned the end of Thacher Drive, near the JCSA Building, is sinking and washing out and VDOT needs to look into that as well.

**K. REPORTS OF THE COUNTY ADMINISTRATOR**

1. County Administrator's Report

Mr. Hill announced potential delays and road closures due to the Colonial Fondo Ride on September 26, 2015. He also announced that the Police Department will be holding a Shred-A-Thon on October 10, 2015 at the Williamsburg/James City County Courthouse.

**L. PUBLIC COMMENT**

1. Ms. Heather Cordasco, 113 Alexander Place, addressed the Board in regard to Manufacturing Day.
2. Mr. Jay Everson, 103 Branscome Boulevard, addressed the Board in appreciation for the quick response by Mr. Powell, and then spoke to the rumor about the tax bills.
3. Ms. Janet Casanave, 3404 Waterview Road, addressed the Board in regard the article in the paper about the playground in Grove.
4. Mr. Joseph Swanenburg, 3026 The Pointe Drive, addressed the Board in regard to some of the discussion earlier about the EDA.

**M. CLOSED SESSION - None**

**N. ADJOURNMENT**

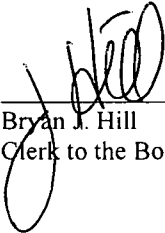
1. Adjourn until 6:30 p.m. on October 13, 2015 for the Regular Meeting

A motion to Adjourn 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

At 9:07 p.m., Mr. Hipple adjourned the Board.

  
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Bryan J. Hill  
Clerk to the Board