

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
March 8, 2016
6:30 PM

A. CALL TO ORDER

B. ROLL CALL

John J. McGlennon, Vice Chairman, Roberts District
Ruth M. Larson, Berkeley District
Kevin D. Onizuk, Jamestown District
P. Sue Sadler, Stonehouse District
Michael J. Hipple, Chairman, Powhatan District

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

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

Pledge Leader – Hailey Diggs, a 4th-grade student at Matoaka Elementary and a resident of the Berkeley District.

E. PUBLIC COMMENT - Until 7 p.m.

1. Rosanne Reddin, 4700 Presidents Court, addressed the Board regarding the proposed fourth middle school.
2. Chris Henderson, 101 Keystone, addressed the Board regarding the proposed fourth middle school and the lease revenue bond issuance approval on the agenda.
3. Petra Nadal, 106 Indian Circle, addressed the Board regarding the lease revenue bond issuance on the agenda.
4. Jay Everson, 103 Branscome Blvd, addressed the Board regarding the proposed fourth middle school and the lease revenue bond issuance approval on the agenda.
5. Denise Koch, 215 Southpoint Drive, addressed the Board regarding the proposed fourth middle school.
6. Barbara Henry, 141 Devon Road, addressed the Board regarding the proposed fourth middle school and the lack of an online checkbook registry.
7. Mr. Joseph Swanenburg, 3026 The Pointe Drive, addressed the Board regarding the lease revenue bond issuance approval on the agenda.
8. Michael Loy, 123 Lakewood Drive, addressed the Board regarding the lease revenue bond issuance approval on the agenda.

ADOPTED

APR 26 2016

Board of Supervisors
James City County, VA

A motion to Amend the agenda, to move the first board consideration after public comment, was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

I. BOARD CONSIDERATION(S)

1. Resolution Approving a Plan to Finance Certain Capital Improvements for Public School Facilities through the Issuance of Lease Revenue Bonds by the Economic Development Authority of James City County, Virginia

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

AYES: 3 NAYS: 2 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Hipple
Nays: Onizuk, Sadler

Director of Financial and Management Services, Suzanne Mellen, addressed the Board giving an overview of the resolution and documents included in the Agenda Packet. Upon approval of the resolution by the Board, the County's bond counsel will begin drafting the bond documents.

Ms. Sadler stated that her main concern about the proposed fourth middle school is the conflicting school enrollment projections. She stated that there are also communication issues between the School Board and the City and the County. So many times she hears that something is a school issue and not a County issue, well eventually those school issues become a County issue because they affect how we spend our money. This gap has got to be closed, because there is a lot of money at stake. She stated that there are a multitude of issues at Lafayette High School, and there are other Capital Improvement Program projects for other schools. She believes that these funds could be better utilized to expand our existing schools and do upgrades that desperately need to be done. She believes a meeting needs to occur between the Board and the School Board to address the conflicting enrollment projections and would request their presence at an upcoming work session.

Ms. Sadler made a motion to postpone the vote on the authorization this evening.

Ms. Larson voiced her concern over meeting with the School Board only once a year. She would like to see the School Liaison Committee be brought back and be more active. She stated that she has asked previously if this Board is prepared to go out and buy land for another school and no one has really answered which seems like an answer of no. The School Board owns the property at James Blair, but it cannot go out and purchase land on its own, it does not have that authority. So, they are using what they have because no other school site has been offered by the County. She appreciates all the work that staff has done over the last week to help answer questions and hopes at the Joint Meeting the enrollment numbers can be addressed.

Mr. Onizuk stated that when this proposal was brought forward originally, it was made clear that there were no other options for school sites and it was an enrollment emergency that must be dealt with. He stated that he was not a fan of the proposal from the beginning, but allowed himself to be persuaded. Now he is not so sure. The projection numbers he is hearing are causing questions. He believes there are other viable and less expensive options. Expansion of the existing schools would be less expensive. He stated the feedback he is getting from parents and teachers is what is giving him the most pause.

He is supportive of a postponement at this point, if it comes to a vote, then he will be voting against it.

Mr. McGlennon stated that this has been a long discussion in the community for several years now. He reminded the Board that the County is growing and it will continue to grow over the coming years. Hundreds of new housing units are being built, as evidenced in the Planning Commission's Annual Report. He believes it makes sense to open another middle school so that all of our middle schools are at about 85% capacity and have room to grow. He believes that there is no harm in authorizing the plan for the bonds, so that they are ready for a vote later on.

Ms. Larson stated that she has heard from teachers and parents on both sides of the issue and wanted to make sure she acknowledged that.

Ms. Sadler stated that she has heard from parents and teachers as well, several of whom are afraid to speak out for fear of retribution and that concerns her greatly. She reiterated her desire to meet with the School Board and the Central Office prior to the Joint Meeting.

Mr. Hipple stated that this project has been in the works for years. He believes that the School Board has done the best it can to do and is doing what is in the best interest of the children.

Ms. Sadler clarified her motion to postpone until the first meeting in May and the motion result was Failed.

AYES: 2 NAYS: 3 ABSTAIN: 0 ABSENT: 0

Ayes: Onizuk, Sadler

Nays: McGlennon, Larson, Hipple

The Board asked Mr. Hill to invite the Superintendent and the Chair of the School Board to attend the Work Session on March 22, 2016.

Ms. Sadler made a motion to Amend the calendar to begin the March 22, 2016 Work Session at 3 p.m. and the motion result was Passed.

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

Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

F. PRESENTATIONS

1. Purple Heart Community

Mr. Hipple presented the Proclamation to the members of the Williamsburg Chapter of The Military Order of the Purple Heart declaring James City County a Purple Heart Community.

Mr. T.C. Smith, Commander of Williamsburg Chapter of The Military Order of the Purple Heart, addressed the Board and citizens giving an overview of the Order's efforts to give back to the community and the veterans in the County.

2. Comprehensive Community Health Assessment

Dr. Nzinga Teule-Hekima, Peninsula Health District Director, addressed the Board giving a presentation and overview of the services offered by the Peninsula Health District.

Ms. Larson asked if the office near the Courthouse Building offered all of the services covered in the presentation.

Dr. Teule-Hekima stated no, not all of them. Many of them are covered by Olde Towne Medical Center, so the Health Department office in the County fills the gap in services not offered and it works to support the programs at Olde Towne Medical Center.

L. PUBLIC COMMENT

1. Ed Oyer, 139 Indian Circle, addressed the Board about indexing a tax rate.

G. CONSENT CALENDAR

1. Minutes Adoption - February 9, 2016, Regular Meeting and February 23, 2016 Regular Meeting
2. Yarmouth Creek Stream Restoration - Contract Award, \$268,224.67 - Stonehouse District

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

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

H. PUBLIC HEARING(S)

1. SUP-0010-2015. Jamestown Beach SUP Amendment - Berkeley District

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

AYES: 4 NAYS: 1 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Hipple
Nays: Sadler

Planner II, Leanne Pollock, addressed the Board giving an overview of the staff report included in the Agenda Packet.

Planning Commission Representative, John Wright, addressed the Board giving a summary of the Planning Commission's recommendation for approval.

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

1. Chris Henderson, 101 Keystone, addressed the Board questioning the standard that government gives itself versus a private citizen and private property owners. He also questioned the cost to run electricity and sewer lines to the Jamestown Beach property.

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

2. LU-0002-2014 8491 Richmond Road (Taylor Farm) Land Use Designation Change - Stonehouse District

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

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

Principal Planner, Tammy Rosario addressed the Board stating that the applicant is requesting a deferral of this land use designation change until the James City Service Authority has completed negotiations with Department of Environmental Quality regarding the water withdrawal permit. Staff recommends a deferral until March 14, 2017 and that the case be advertised again.

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

1. Chris Henderson, 101 Keystone, addressed the Board stating that he has no issue with the deferral, but would recommend that the future planning for this property be given adequate consideration for the maximum return on the investment to the community.

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

3. SO-0001-2016. Vacation of Record Plat

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

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

Planner III, Jose Ribeiro addressed the Board giving an overview of the memorandum and ordinance 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.

4. SUP-0001-2016. Columbia Gas Equipment Upgrade - Roberts District

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

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

Planner III, Jose Ribeiro, addressed the Board giving an overview of the staff report 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)

2. Resolution to Establish Purchase Prices of Public Rights-of-Way

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

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

County Attorney, Adam Kinsman addressed the Board giving an overview of the memorandum and resolution included in the Agenda Packet.

J. BOARD REQUESTS AND DIRECTIVES

The Board gave general updates on its activities throughout the community in the last few weeks.

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

Mr. Hill stated that staff would be doing a complete overview of the Proffer Bill that just went through the General Assembly. It will have direct impact on current and future projects here in the County.

Mr. Hill stated that the Board needed to amend its calendar to add the Joint Meeting with the City and the School Board on April 22, 2016, at 9 a.m. at the Stryker Building in the City of Williamsburg.

A motion to Amend was made by Ms. Larson and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

M. CLOSED SESSION - None

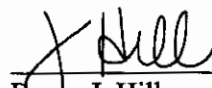
N. ADJOURNMENT

1. Adjourn until 3 p.m. on March 22, 2016, for the Work Session

A motion to Adjourn was made by Ms. Sadler and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

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



Bryan J. Hill
County Administrator