

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
WORK SESSION
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
March 22, 2016
3:00 PM

ADOPTED

SEP 11 2018

Board of Supervisors
James City County, VA

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 - Absent

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

C. BOARD DISCUSSIONS

1. School Discussion

Mr. Hill noted Mr. Hipple was absent due to illness.

Mr. McGlennon welcomed Mr. James Kelly, Williamsburg-James City County (W-JCC) School Board Chair, Ms. Kyra Cook, School Board Vice Chair and Dr. Michael Constantino, Superintendent, to the meeting. He noted several Board of Supervisors had requested additional information regarding plans for the fourth middle school.

Mr. Kelly noted the goal of achieving five votes from the Board of Supervisors. He outlined the School Board issuance of a construction contract detailing the fourth middle school and the objectives. Mr. Kelly noted further action was needed on several WJCC projects and funding reductions regarding relocation and other factors. He highlighted the impact of these financial elements and the decision to move administration to the smallest middle school, James Blair, as a result. Mr. Kelly also noted that students were repositioned in the remaining middle schools. He stated the benefits of the administrative relocation were financial and organizational, but addressed these decisions were short-term and that the remaining middle schools were near capacity and the County was still growing. Mr. Kelly noted that with the growth and capacity issues, the fourth middle school would be full and he would be appearing before the Board of Supervisors for trailers and other augmentation elements. He addressed the concerns of two sets of enrollment numbers being used. Mr. Kelly noted those numbers were not designed to mislead, but rather to establish a financial threshold and the number of teachers/classrooms. He further noted the two sets of enrollment numbers allowed for a conservative evaluation. Mr. Kelly stated the 250 students at the Annex and the goals to address the lack of certain programs there. He noted a system-wide redistricting to level the load of students per school. Mr. Kelly addressed discussions with both the County

and the City of Williamsburg Planning staff regarding projected growth areas in addition to no available land parcel in either the County or the City for a school site except the James Blair site. Mr. Kelly highlighted the plan in two phases to address the cost and the budgetary restraints noting the necessity of the fourth middle school to accommodate the County's growth. He cited education and schools were a necessity, like fire stations and police stations, and it was a necessity of growth. Mr. Kelly referenced a handout with answers to questions previously asked of the School Board. Mr. Kelly noted several School Board attendees, Dr. James Beers, Ph.D. and Mrs. Sandra Young, were onsite.

Mr. McGlennon asked for discussion on these questions from the Board.

Mr. Onizuk questioned the process of the Hornsby Middle School construction, the Annex in an interim capacity and the academic administrative plan based on previous decisions. Mr. Onizuk noted when the process was questioned several years back, it might have been under different administrative leadership.

Mr. Kelly noted in 2010 he had voted to close James Blair, but had not considered use of the Annex at that time. He further noted the relocation from the Mounts Bay Road facility, staff funding reduction and other factors; however, he emphasized these decisions were not based on a lack of students. Mr. Kelly stated Berkeley Middle School was currently at 113% capacity, Hornsby Middle School at 108% and Toano Middle School was at 101.6% capacity.

Mr. Onizuk questioned the decision to build Hornsby Middle School and yet close James Blair Middle School.

Mr. Kelly noted the goal of opening a school was 80-85% capacity, making the analogy of not having a completely full glass from the start. He further noted if James Blair had remained open, the school would have fallen in that parameter.

Mr. McGlennon noted during that time a Board of Supervisor member had proposed to temporarily close James Blair in order to address significant cost issues due to a decline in state funding. Based on that information, he noted it was a short-term solution and that James Blair would reopen later. Mr. McGlennon further noted the advantage of opening a new school with greater capacity and that the Annex was never considered as a solution to the middle school needs.

Mr. Kelly noted the School Board had conflict over the closing of James Blair and the decision had not been unanimous. He further noted the Annex was not a viable option for use.

Ms. Larson noted some of the academic decisions had been made under a previous administration. She further noted the use of the Annex at that time had been designated for a specialty program with a specific number of students attending to alleviate pressure off the other middle schools. Ms. Larson highlighted the number of factors impacting the decision, including success of the specialty program and availability of enough students to fill that program. Ms. Larson asked if a student could be forced to attend the program at the Annex.

Mr. Kelly noted a certain specialty program was one of the first budget cut items.

Mr. Onizuk referenced the Middle School Facilities Study Report and its recommendation to expand current middle schools for relief until a fourth middle school could be built to address capacity issues. He cited these recommendations

and shorter-term use while exploring land that would accommodate the growth. He further cited the pros/cons of the report.

Discussion ensued on this matter.

Ms. Cook noted both the City of Williamsburg Planning Commission and Board of Zoning Appeals voted unanimously on the decision.

Mr. Onizuk asked if not the ideal situation, then why not find the ideal situation to address this. He noted some potentially exciting opportunities might become available as the work on the Strategic Plan continued.

Ms. Sadler inquired about the Planning Commission's low ranking of the fourth middle school based on cost.

Mr. Hill noted he did not have a specific answer but typically the Planning Commission did not rank on cost, but on a project basis.

Ms. Sadler asked if the number of students was less than 250 regarding overcrowding.

Mr. Kelly indicated yes, noting it was around 170.

Ms. Sadler noted her constituents had questions and she thanked the School Board representatives for their assistance. She asked if the choice was to not approve the James Blair site and no trailers were approved, what would happen.

Mr. Kelly noted his hands would be tied.

Dr. Constantino stated schools would be overcrowded.

Ms. Sadler asked about expansion in Berkeley Middle School.

Dr. Constantino noted most of the land behind Berkeley was owned by the College of William & Mary. He further noted expansion's impact on the College and the creation of an unattractive view for students with ballfields, playfields and green space reduced.

Ms. Sadler asked about the shift of students and redistricting.

Dr. Constantino noted Fall of 2016 would be the redistricting timeframe.

Discussion ensued on the redistricting parameters.

Mr. Onizuk questioned space availability at Berkeley.

Mr. Kelly stated the building would be in the midst of ballfields.

Discussion ensued on the subject.

Ms. Larson questioned the approval of the middle school, noting a 4-1 approval vote had taken place last year. She requested clarification if the proposal was being reintroduced. Ms. Larson also addressed the question of pursuing availability of land. She noted the unfairness of the decision followed with multi-directional thoughts and questions and further noted that was not the way to operate. Ms.

Larson asked if a student, who did not want to be part of a special annex program, could be forced to attend that program.

Dr. Constantino said no, unless redistricting was done. He noted a specialized program was available to students, but on an optional basis.

Mr. Hill clarified the 4-1 vote decision to move forward with James Blair, noting that vote basically allowed the staff of the school district and County staff to move forward on two paths. He further noted Dr. Constantino had provided planning documents to fit the fourth middle school at James Blair while the staff had provided an affordable avenue for the move. Mr. Hill further noted another vote for fund allocation from the Board of Supervisors would take place after the School Board's decision on the best plan.

Mr. McGlennon asked if a specialized program, like Science, Technology, Engineering and Mathematics (STEM) or Science, Technology, Engineering, the Arts and Mathematics (STEAM) was included. He further asked if STEM or STEAM were in the future curriculum. Mr. McGlennon noted the process of value engineering was being implemented to address hallway widening, cafeteria capacity and more for the increased student population. He further noted past Board discussion on the use of James Blair and the functionality of the school over the decades it had been in use. Mr. McGlennon inquired about the funding.

Mr. Hill noted funding for both the construction and operational use were in place citing the budget plans for 2015-2019.

Mr. McGlennon asked the current Board about changing the direction from the previous Board's decision regarding non-condemnation of property acquisition for a new middle school.

Ms. Sadler noted the location of the property would determine condemnation or not.

Mr. McGlennon stressed condemnation versus purchase of land which was not always attainable on the open market. He inquired if a plan, with the authorized ownership of the property involved, had ever been submitted for a middle school on News Road.

Mr. Kelly answered no.

Mr. McGlennon questioned if any communication from the property owner had been received that authorized any proposal for construction of a middle school on that property upon acquisition. Mr. McGlennon noted questions regarding the adoption of a particular option, which he further noted he was unaware had been determined as a viable option.

Mr. Hill noted he had received a call from the attorney representing the family who owned the property. Mr. Hill further noted the attorney stated no proposal had been seen to date.

Mr. McGlennon asked if other properties had been identified.

Further discussion ensued on this matter.

Ms. Larson noted future joint meetings with the School Board and the Board of

Supervisors needed discussion about future buildings, not just location, but physical structure and capacity accommodation. She emphasized having a better understanding of what the School Board envisioned as best size of school for serving the community and how that would benefit the Board of Supervisors in decisions regarding schools and growth. Ms. Larson further noted the School Liaison start-up and robust discussion for both Boards regarding land. She added reference to the previous use of a local real estate agent and a local attorney in reviewing property with the Board of Supervisors. Ms. Larson further added similar measures had been used throughout the state. She noted her thoughts on specialized programs and the innovation of them. Ms. Larson expressed concern that some of the land discussion had not taken place earlier particularly as more homes were being approved. She noted the school system had not created the growth; the County side had. Ms. Larson stressed the difficulty of redistricting, but noted as the fifth fastest growing County in the state, the redistricting had been minimalized in comparison to the top four counties.

Mr. Onizuk asked Ms. Larson if the specialized programming should take place at the Annex.

Ms. Larson noted that was the School Board's decision.

Mr. Onizuk noted James Blair was a viable option as an elementary school. He also stressed looking at land opportunities. Mr. Onizuk further stressed working with the School Board for success by addressing short-term goals, capacity and long-term plans. He added as a parent and a Board member, that the right decisions for the long term were paramount. Mr. Onizuk stressed the concern of putting something in place, though not ideal, because it seemed like the only option and needed immediate attention.

Ms. Sadler noted students in private and home schools for population growth as consideration. She further noted the input from the School Board was advantageous. Ms. Sadler asked about monetary issues, specifically bond money and Capital Improvements Project funds and accountability to taxpayers.

Ms. Larson asked if Mr. Onizuk would enter a motion to pursue a different option.

Mr. Onizuk noted more discussion was warranted. He further noted a future joint meeting allowing public comment that would help in addressing the issues presented during this current meeting.

Ms. Larson noted this had already been done in a joint meeting and was looking for future discussion with a motion prior to the April meeting.

Mr. Onizuk noted he had not planned to enter a motion at the current meeting, but stressed the importance of group discussion with the City of Williamsburg, the Board and possibly public input.

Mr. McGlennon noted the Board was unsure where it was currently, but he further noted the upcoming April joint meeting, the School Board's decision with moving forward on the fourth middle school project, City Council's approval of the proposal and establish a determination regarding possible funding support.

Mr. Onizuk said he needed more information. He asked if the School Board would consider the expansion in a more ideal situation.

Dr. Constantino noted he made recommendations to the Board of Supervisors. He noted his best recommendation did not support expansion of the middle school but rather adding a fourth one.

Mr. McGlennon noted another presentation was due shortly. He asked Mr. Onizuk for specific options for consideration.

Ms. Larson noted that if a price tag was available and that money was given to the School Board, the School Board was not obligated to move forward on the expansion. She further noted it could choose another option.

Mr. Hill confirmed the School Board determined the use of the funding allocation.

Mr. McGlennon thanked all attendees.

At approximately 4:26 p.m., Mr. McGlennon recessed the Board for a break.

At approximately 4:32, Mr. McGlennon reconvened the Board.

2. Sustainable Water Recycling

Mr. McGlennon welcomed Mr. Ted Henifin, General Manager, Hampton Roads Sanitation District (HRSD) and Mr. Doug Powell, General Manager, James City Service Authority (JCSA) to the meeting.

Mr. Powell noted numerous presentations and information on issues related to water had been presented to the Board over the past few years. He stressed the significance of the variety of water issues ranging from stormwater to ground water supply. He further noted HRSD's work on a proposal that could potentially link the various water issues.

Mr. Henifin addressed the Board noting it was World Water Day, an appropriate day for the presentation on sustainable water recycling. He highlighted the current water problems challenging Virginia and Hampton Roads with a single water program. He noted the groundwater aquifer in Eastern Virginia and the regulatory level status. Mr. Henifin gave a PowerPoint Presentation documenting the groundwater depletion since the early 1900s. The presentation highlighted replenishment of the aquifer with clean water to: reduce nutrient discharges to the Chesapeake Bay; provide a sustainable supply of groundwater; reduce the rate of land subsidence; protect the groundwater from saltwater contamination. Mr. Henifin noted technology aided this process. He further noted HRSD hired the Department of Environmental Quality's groundwater modeler, and used HRSD's level of water quantity injection into the model. Mr. Henifin noted the results of the HRSD model were very positive. His presentation highlighted the impact on nutrient reductions and governmental regulations to accommodate those reductions. Mr. Henifin stated the multi-million dollar investments made at different plants as the facilities were never designed to remove nutrients. He explained the costs involved with the proposal and the timeframe, indicating the total maximum daily loads (TMDLs) would be fine. Mr. Henifin noted nutrient discharge had become an economic development issue for Virginia. He highlighted the HRSD Chesapeake Bay TMDL allocations and potential areas to offset stormwater reductions. Mr. Henifin noted the aquifer replenishment system had been in place in Fairfax County, Virginia, with the Upper Occoquan Service Authority since the late 1970s. He further noted that drinking water exceeded standards. Mr. Henifin explained the wide-range annual operating costs depending on use of either a more affordable carbon-based

treatment process or a reverse osmosis system. He noted HRSD was looking more at the carbon-based process. He further noted the next steps encompassed engaging stockholders, modeling and quantifying, evaluating geochemistry, analyzing and evaluating additional water treatment technology and developing a demonstration-scale project.

Discussion ensued on this matter.

Mr. Henifin noted 2017 was a critical year for support. He further noted Mr. Hill and several JCSA staff were on the Groundwater Committee, which was slated for a presentation to the General Assembly. Mr. Henifin added HRSD hoped the sustainable water recycling project would be part of that presentation. He noted the timeline for the consent decree or Phase II, which would be followed by Phase III watershed improvement plan. He further noted locality endorsements, but not financial commitment from any locality. Mr. Henifin detailed the timeline also for permits and emphasized by 2020-2023 the aquifer would have a positive impact.

Mr. McGlennon questioned the location of the recharge areas for the aquifer.

Mr. Henifin responded that geologists indicated it was along the fault line.

Mr. McGlennon asked about the protection of the areas.

Mr. Henifin indicated it was not well protected, noting a lack of watershed protection along the fall line in the area as opposed to the rocks in Richmond and the falls in Fredericksburg and Northern Virginia.

The Board thanked Mr. Henifin for the presentation and information.

D. CLOSED SESSION

1. Consideration of a personnel matter, the appointment of individuals to County Boards and/or Commissions, pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia

A motion to Enter a Closed Session was made by Ruth Larson and the motion result was Passed.

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

Ayes: Larson, McGlennon, Onizuk, Sadler

Absent: Hipple

At approximately 5 p.m., the Board entered into Closed Session.

At approximately 5:58 p.m., the Board reentered Open Session.

2. Closed Session Certification

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

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

Ayes: Larson, McGlennon, Onizuk, Sadler

Absent: Hipple

3. Actions Resulting from Closed Session

A motion to recommend Mr. Ronald Campana, Jr. to the Circuit Court for appointment to the Board of Zoning Appeals for a new term that would expire on June 30, 2021 was made by John McGlennon and the motion result was Passed.

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

Ayes: Larson, McGlennon, Onizuk, Sadler

Absent: Hipple

A motion to appoint Mr. Julian Lipscomb, Jr. and Mr. Michael Hand to the Parks and Recreation Advisory Commission for new terms that would expire on April 12, 2020 was made by John McGlennon and the motion result was Passed.

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

Ayes: Larson, McGlennon, Onizuk, Sadler

Absent: Hipple

E. ADJOURNMENT

1. Adjourn until Regular Meeting at 6:30 pm

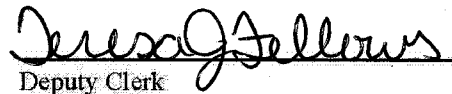
A motion to Adjourn was made by Kevin Onizuk and the motion result was Passed.

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

Ayes: Larson, McGlennon, Onizuk, Sadler

Absent: Hipple

At approximately 6 p.m., Mr. McGlennon adjourned the Board of Supervisors meeting.


Deputy Clerk