

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**April 11, 2017**  
**5:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

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

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

**ADOPTED**

**APR 25 2017**

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

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE**

1. Pledge Leader – Alexis Musselman, a second grade student at Clara Byrd Baker and a resident of the Jamestown District

**E. PUBLIC COMMENT**

1. Ms. Betty Walker, 101 Locust Place, addressed the Board in regard to the Federal Reserve.
2. Ms. Isabella Kennedy, 7681 Thacher Drive, addressed the Board in regard to an attack on her leashed dog by a dog running loose.
3. Mr. Jim Kennedy, 7681 Thacher Drive, addressed the Board in regard to a dog attack that wounded his dog and traumatized his daughter.
4. Mr. Jay Everson, 103 Branscome Blvd., addressed the Board in regard to the proposed school contract listed on the Agenda.
5. Mr. Chris Henderson, 101 Keystone, addressed the Board in regard to the agenda format and start time of the Board meetings.

**F. PRESENTATIONS**

1. Fair Housing Month Contest

Ms. Rebecca Vinroot, Director of Social Services stated that in honor of Fair Housing Month students in the Before and After School Recreation Program were asked to build their dream house out of popsicle sticks. The awards for the first and second

place winners were accepted by Greg Tarbox, Recreation Program Coordinator. Pictures of all the entries are available on the County website.

2. Awards Presentation from Communications

Mr. Hill announced that the Communications Division has won a national video production award for their documentary, "Mainland Farm: Historic Land, Historic Yield." The video won a bronze Telly Award in the General History category. He thanked all those that participated in the video, and the production team.

**G. CONSENT CALENDAR**

A motion to Approve was made by Michael Hipple, the motion result was Passed.

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

Ayes: Hipple, McGlennon, Sadler, Onizuk

Absent: Larson

1. Minutes Adoption – March 19, 2017, Joint Meeting with Williamsburg City Council and WJCC School Board.
2. Middle Peninsula Juvenile Detention Commission Service Agreement Amendments.
3. Contingency Transfer to Merrimac Juvenile Detention Center.
4. Clean County Commission Amended Bylaws/Keep James City County Beautiful Resolution.
5. Contract Award – Asphalt Paving Repairs, Sealing and Line Striping – JCC Recreation Center, JCC Government Center and Sanford B. Wanner Stadium – \$130,819.
6. Virginia Department of Transportation Project No. UPC 98823. Hick's Island Road Bridge over Diascund Creek – Resolution of Support.

**H. PUBLIC HEARING(S)**

1. FY2018 County Budget

Ms. Suzanne Mellen, Director of Financial and Management Services addressed the Board stating that once the James City County Service Authority's (JCSA) Meeting has been called to order and the public hearing opened, then a video overview of the FY 2018 Proposed Budget will be shown.

Once the Board of Directors meeting and Public Hearing were open, Mr. Onizuk opened the Public Hearing for the Board of Supervisors.

A video overview of the FY 2018 Proposed Budget was then shown to the Board and the citizens.

As there were no questions for staff, Mr. Onizuk opened the floor to the registered speakers.

1. Mr. Jim Duke, 86627 Barnes Road, Lanexa, addressed the Board voicing concerns over the proposed budget. He stated that while there is not a tax increase, citizens will be paying more for water, and real estate assessments will continue to increase. He stated that there are too many other opportunities available instead of the citizens having to bear the increase.
2. Mr. Frank Polster, 420 Hempstead Road, addressed the Board in support of the FY 2018 Proposed Operational Budget and Capital Improvement Projects (CIP). He described the process that is used by staff and the Stormwater Program Advisory Committee to inform their Stormwater CIP recommendations. He requested that the Board approve the projects as part of the FY 2018-2022 CIP.
3. Ms. Barbara Henry, 141 Devon Road, addressed the Board requesting an online checkbook register. She stated that since the budget includes funds for computer system updates, now would be the time to install the software on new systems.
4. Mr. Chris Henderson, 101 Keystone, addressed the Board stating that all of the stormwater projects should be eliminated from the budget as they are private property issues and not the responsibility of the County. All of those funds could be diverted to the postponed Enterprise Software Initiative.
5. Mr. David Coe, 3975 Guildford Lane, Executive Director of Colonial Behavioral Health, addressed the Board in regard to the funding needs of Colonial Behavioral Health. He thanked the Board and the County for their continued support.

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

At 6:03 p.m., Mr. Onizuk recessed the Board of Supervisors for the completion of the JCSA Board of Directors meeting.

At 6:05 p.m., Mr. Onizuk reconvened the Board of Supervisors.

## **I. BOARD CONSIDERATION(S)**

1. Adoption of the Parks & Recreation Master Plan Update 2017

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

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

Ayes: Hipple, McGlennon, Sadler, Onizuk

Absent: Larson

Mr. John Carnifax, Director of Parks & Recreation, addressed the Board giving an overview of the memorandum included in the Agenda packet.

Mr. McGlennon thanked Mr. Carnifax, the Parks & Recreation Advisory Commission, citizens and staff for their efforts in updating and bringing forth this very well crafted and thorough document. He stated that he appreciated the emphasis of looking at equity of services across the County. One thing that comes through is the absence of a number of facilities in the Roberts District. He noted that staff is aware of the inequity and looking into ways to remedy it.

Ms. Sadler questioned if individual projects would still come before the Board for approval or if approval of the Master Plan covers them all.

Mr. Carnifax stated yes, individual projects would come back before the Board for approval. The Master Plan is just a guiding document for staff and for the Board. It is tied into the Comprehensive Plan and to the County's Strategic Plan.

Mr. Onizuk thanked staff and the citizens that participated in the update process. He stated that the Parks & Recreation offerings are one of the things that he loves most about living here.

2. Joint Resolution to Amend the Restated Contract for the Joint Operation of Schools, City of Williamsburg and County of James City

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

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

Ayes: Hipple, McGlennon, Sadler, Onizuk

Absent: Larson

Mr. Onizuk recommended that this item be postponed until Ms. Larson is present as she is part of the School Liaison Committee and a former School Board member.

Mr. McGlennon recommended that it be postponed until the April 25 meeting when the Board plans to adopt their budget.

The rest of the Board voiced their agreement.

**J. BOARD REQUESTS AND DIRECTIVES**

Mr. Hipple stated that as the Board goes through the Budget process, he would like to see the additional deputy position be filled that was requested by the Sheriff. He would also like to see \$10,000 added for the Neighborhood Basketball League that was removed last year. He clarified that he would like to see that program record names and addresses to see how many of the participants are from James City County.

Mr. Hipple continued stating that he went to Miami for the Hampton Roads Transportation Accountability Commission (HRTAC) to look at what is being proposed for the Hampton Roads Bridge Tunnel. He discussed some of the particulars of the potential project and the positive impact it would have on the Hampton Roads Community. The I-64 expansion will also have a significant impact on our area.

Mr. Onizuk stated that any suggestions for the budget be discussed during the Budget Work Sessions.

Ms. Sadler voiced her agreement for the funding of the additional Sheriff's position through the contingency fund. She also voiced her support for the online checkbook register, and that perhaps it could be incorporated when new software is brought online. Ms. Sadler stated that she would like to revisit the start time of the meetings. Perhaps moving the meeting to 6 p.m. would make it little easier for the citizens to get to the meetings. Ms. Sadler asked for an update on the Enterprise Software system.

Mr. Hill stated that staff is in the process of starting the conversion to the new permitting software. The conversion begins in June, but will not be fully operational until March of next year. He stated that the software has nothing to do with finances per se; however, it will allow staff to easily call up information.

Ms. Sadler asked when the periodic rate increases for the JCSA went into effect.

Mr. Hill stated that several years ago the JCSA conducted a rate study. The study recommended a fixed charge and periodic rate increases. Those went into effect in FY 2016. These were proposed to help maintain an aging system without being dependent on new growth and because there are fixed costs.

Mr. Powell, General Manager of the JCSA, stated that having a fixed charge was recommended by the rate study and the by the Bond Rating Agencies because there are fixed costs associated with the system. Having that fixed charge and periodic increase was a factor in the increased Bond Rating for the JCSA.

Mr. Onizuk stated that he was Chairman of the Board of Directors at that time and the fixed charge was a major component in the increased Bond Rating. The periodic increase is set to prepare for our future infrastructure needs. We know that something else needs to come because our water permit is only for 10 years. This periodic increase will plan for those needs in smaller, more affordable changes now rather than a large increase down the line when something needs to happen.

Ms. Sadler asked for clarification on the House Bill that relates to Stormwater Utilities and how that may or may not affect the County.

Mr. Kinsman stated that the House Bill would amend the code by saying that Stormwater Utilities would have to give waivers to certain stormwater operators. For example, Ford's Colony has, and maintains, their own stormwater bio-retention pond and under this amendment would be given a waiver. However, the County does not have a Stormwater Utility and has chosen to fund stormwater projects out of the General Fund.

Mr. McGlennon recognized several pillars of the community that had recently passed away.

Mr. Onizuk recognized Mona Foley, Clerk of the Circuit Court, and Heath Richardson, Planning Commission Representative. Mr. Onizuk stated that he believes the meeting time is working out well and he has not heard from citizens who could not get to the meeting at 5 p.m. if they wanted to. He discussed a recent meeting at a retreat for the Williamsburg Area Destination Marketing Committee (WADMC). He noted that WADMC is underfunded in comparison to their counterparts in other areas. There is a large return on investment for dollars spent on tourism marketing. He asked for some form of audit to ensure that all of the hotels/motels/timeshares are collecting the required \$2 a night room tax. He noted that tourist season is upon us and there are more cars on the highways and in town.

#### 1. Initiating Resolution

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

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

Ayes: Hipple, McGlennon, Sadler, Onizuk

Absent: Larson

Mr. McGlennon stated that there is a case coming before the Planning Commission for Williamsburg Landing. They are contracted to purchase some land surrounding their site that is currently zoned R-8, and they are asking to have it rezoned to R-5 in order to construct more units for their facility. The problem is that the Board has signaled that they will not be considering residential rezoning cases because of the State change to Proffers and that the County can no longer accept them to help mitigate the impacts of residential development. Recognizing that this application from Williamsburg Landing is not really what the Board was hoping to address through Proffers previously, Mr. McGlennon stated that he would like to propose an initiation of consideration of amendments to the R-8, rural residential district and the residential cluster development overlay district of the Zoning Ordinance to address age-restricted housing and independent living facilities. Perhaps there is some way to address the needs of this application by Special Use Permit instead of rezoning.

Mr. McGlennon stated that Mr. Kinsman has drafted an initiating resolution for that purpose. He would move the approval of the resolution.

#### **K. REPORTS OF THE COUNTY ADMINISTRATOR**

##### **1. County Administrator's Report**

Mr. Hill announced the upcoming Easter Egg Extravaganza being coordinated by Parks & Recreation. He also noted that the County has a seasonal photo contest underway that is accepting entries until May 1.

Mr. Hill announced that the James Terrace Water Quality Improvement Project recently won an award for the Best Urban BMP in the Bay Area from the Chesapeake Stormwater Network in the retrofit category.

Mr. Hill announced that the Hermes Creative Awards recognized the James City County government website for outstanding achievement in their 2017 awards competition. He thanked the web development staff for all their hard work.

#### **L. 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, concerning the Economic Development Authority.**

A motion to Enter a Closed Session was made by Michael Hipple, the motion result was Passed.

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

At 6:51 p.m. the Board entered Closed Session for both items listed on the Agenda.

- 2. 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, concerning the Social Services Advisory Board.**
- 3. Certification of Closed Session**

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

AYES: 0 NAYS: 0 ABSTAIN: 0 ABSENT: 1  
Absent: Larson

At 6:55 p.m., the Board left Closed Session and reconvened in Open Session.

4. Actions resulting from Closed Session

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

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

Mr. McGlennon made a motion to appoint Ms. Tara Cooke and reappoint Mr. Oscar Ligin to the Social Services Advisory Board for four year terms that will expire on April 11, 2021.

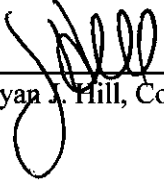
**M. ADJOURNMENT**

1. Adjourn until the 4 p.m. Budget Work Session on April 18, 2017

A motion to Adjourn was made by Sue Sadler, the motion result was Passed.

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

At 6:58 p.m., Mr. Onizuk adjourned the Board.

  
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Bryan J. Hill, County Administrator