

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**June 13, 2017**  
**5:00 PM**

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**A. CALL TO ORDER**

**ADOPTED**

**B. ROLL CALL**

**NOV / 4 2017**

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

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE**

1. Pledge Leaders - the Eagle Scouts being honored at the presentation this evening led the Board and citizens in the Pledge.

**E. PUBLIC COMMENT**

1. Ms. Sarah Stafford, 109 Adams Street, addressed the Board in regard to her support of the Gordons Creek No Wake Zone.
2. Ms. Linda Knight, 6216 N. Mayfair Circle, addressed the Board in regard to her support of the Gordons Creek No Wake Zone.
3. Mr. Tom Rooks, 109 Little John Road, addressed the Board in regard to his support of the Gordons Creek No Wake Zone.
4. Ms. Betty Walker, 101 Locust Place, addressed the Board in regard to Common Core.

**F. PRESENTATIONS**

1. Eagle Scout Recognition

Mr. Onizuk recognized the following Eagle Scouts and presented each of the

young men with a County Proclamation:

- Nathan Zachary Sargent Anderson, Troop 103
- James Montgomery Mills, Troop 414
- Christopher James Andrews, Troop 1932
- Jesse Kristian Nelson, Troop 103
- Galen Michael Boyle, Troop 180
- Peter Howard Stiglitz, Troop 103
- Samuel Phillip Robles-Hinckley, Troop 103
- Ross James Wunibald, Troop 103
- Kyle Alexander Newman Margeson, Troop 414
- Philip Thomas Carson, Troop 200

Mr. Onizuk commented on adventures and achievements of Eagle Scouts and the contributions they make to a community. He expressed his gratitude to the Scouts and they were given a round of applause from the Board and the audience.

## 2. Best Urban BMP in the Bay Award

Ms. Fran Geissler, Director of Stormwater Division, referenced that in March, the James Terrace Water Quality Improvement Project won "Best in Category" for the 2017 Best Urban BMP in the Bay Award from the Chesapeake Stormwater Network and gave an overview of the PowerPoint slideshow included in the Agenda Packet. She stated that she and Mr. Shawn Gordon, Project Manager, were available for questions.

Mr. Hipple commented that what happens upstream affects everything below and clarified that this project prevents damaging other properties as water flows downhill. He noted the effort to have better water quality and protect the value in homes in the County.

Mr. McGlennon discussed the important benefits of the project. He acknowledged and gave praise to: Mr. Robert Kerr, President of Kerr Environmental Services Corp.; Mr. Rick Cook, General Manager of Henry S. Branscome, LLC; Mr. Gordon and Ms. Geissler, regarding their teamwork contributions and the impact the project made to the County.

Mr. Hill expressed his gratitude to Mr. Gordon and Ms. Geissler for their work. He noted that The Foxes Stream Restoration in the Jamestown District will be receiving \$202,689 from the Stormwater Local Assistance Fund; Cooley Road Stream Restoration in the Jamestown District will be receiving \$222,500; Oxford Road Restoration in the Berkeley District will be receiving \$154,863; and Toano West Upgrades will be receiving \$565,000 from the state Department of Environmental Quality working together with Ms. Geissler and her staff. He further noted that the County will be receiving \$1,145,052 in state funding to assist with stormwater issues and stated that this is a testament to Ms. Grace Boone, Director of General Services; Ms. Geissler; Mr. Gordon and everyone working toward maintaining the County stormwater.

## 3. Anheuser Busch Presentation - Mr. Bryan Derr

Mr. Onizuk welcomed Mr. Bryan Derr, General Manager, Anheuser-Busch Williamsburg Brewery.

Mr. Derr expressed his gratitude for the opportunity to speak about exciting things happening at the Anheuser-Busch Brewery and gave an overview of a PowerPoint slideshow discussing the following topics:

- Anheuser-Busch America's Leading Brewer
- What We Brew
- Economic Impact
- Our Team
- Proud to Serve those who Serve
- Folds of Honor
- What's New in 2017

The presentation included a short video featuring local Anheuser-Busch employees commenting on the effects Anheuser-Busch employment has made in their lives, as well as a short video on a Budweiser limited-edition camo aluminum bottled beer brewed for veterans.

Mr. McGlennon expressed kudos to Anheuser-Busch for its participation in the Clean the Bay Days.

Ms. Larson expressed her thanks for Anheuser-Busch doing business in the County.

Mr. Onizuk commented that Anheuser-Busch has been a significant part of the community for many years and expressed his appreciation, stating that Anheuser-Busch is our hometown brewery and has been for a very long time. He thanked Mr. Derr for the presentation and attending the meeting.

#### **G. CONSENT CALENDAR**

A motion to Approve was made by Ruth Larson, the motion result was Passed.  
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0  
Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

1. Minutes Adoption - May 9, 2017 Regular Meeting
2. Contingency Transfer to Merrimac Juvenile Detention Center
3. Contingency Transfer for Insurance

#### **H. PUBLIC HEARING(S)**

1. Amendment to County Code Section 15-36, Discharge of Firearms

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

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

2. SUP-0026-2016, Forest Glen Section 5

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

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

Ms. Savannah Pietrowski, Planner II, addressed the Board, stating that a video presentation has been prepared by staff that gives an overview of the case and materials included in the agenda packet.

Mr. Rich Krapf, Planning Commission Representative, reviewed the concerns raised by the Planning Commission, including the net negative fiscal impact and the regional BMP. There was also some concern that the price point of the homes proposed might be too high to meet the need of workforce housing. There are some flooding and erosion issues currently being experienced by the existing Forest Glen neighborhood, so there was some concern about adding more homes to the neighborhood.

Ms. Larson noted that she met with the applicant, Mr. Elliot York, last week to discuss the project.

Ms. Sadler and Mr. McGlennon also noted that they had individually met with the applicant to discuss the project.

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

1. Mr. Elliot York, Applicant, 103 Spring Trace Lane, addressed the Board generally discussing the highlights of the project, including the intention that these homes fall within the workforce and affordable housing guidelines. He also noted the very large stormwater pond that is indicated on the conceptual map. The proposed BMP will treat approximately 15 acres of the existing development as well as the proposed development. He stated that a community meeting was held in December, and the proposal was generally met with approval from the residents of the existing neighborhood.

Ms. Sadler asked about the improvements to the playground.

Mr. York stated that the proposal includes a minimum of five adult playground fitness equipment, which will also include a border and mulch that is certified to today's standards, as well as a walking trail that will connect the new section to the existing playground.

2. Reverend Rob Whitehead, 3991 Longhill Road, addressed the Board as the pastor of New Zion Baptist Church on Centerville Road. He spoke in favor of the proposal and the need for workforce housing.

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

Mr. Hipple addressed the case as the representative of the district where this proposed development would occur. He stated that he has spoken to many residents, some who expressed some concern and many that were in favor of the project. There is concern about speeding around the playground, which is already an issue, but would only become worse with the new development. Mr. Hipple expressed concern about the BMP, and there is not a cost indicated yet. He is concerned that the County may have to cover half the cost of this BMP in order to make it work and then take it over once the neighborhood is developed. He would like to know what those costs are going to be. He also expressed concern over the net negative fiscal impact of the development. He does not want to see the existing taxpayers take on the burden of a new neighborhood that will not hold its own. He also stated that he believes the price point is too high. True workforce housing is around the \$180,000 to \$200,000 range, in his opinion.

Mr. Hipple stated that he would not feel comfortable taking action tonight unless he had some idea of the costs of the BMP and some of the other questions and concerns answered.

Mr. McGlennon stated that he can see the advantages of this proposal; however, they are weighed against some very real costs and he is not sure the neighborhood would be stable. He would like to see what benefit there would be from the regional BMP and a more diverse price point to help support the neighborhood. He stated that he would advise the applicant to pull back the proposal and consider the comments and concerns raised here tonight.

Ms. Larson noted that WJCC school teachers would barely make the income necessary for a home at this price point. She stated that she felt it was a large amount of homes on a small amount of land.

Ms. Sadler asked if the proposal would be compatible with the surrounding area.

Staff answered yes.

Ms. Sadler asked Reverend Whitehead if there was general support and approval for the proposal.

Reverend Whitehead stated yes, but he believes it needs to be tweaked just a bit and perhaps address some of the concerns.

Mr. Onizuk stated that the Planning Commission had concerns over the fiscal impact and he has reviewed those numbers. He asked if the fiscal impact was just the impact on schools or if it included all public services.

Ms. Pietrowski stated that the fiscal impact statement includes all public services.

Mr. Onizuk stated that he sees every day the lack of affordable housing product in the area at that price point. He stated that he shares the concerns of his fellow board members. He sees some opportunities, but he is not sure he is very enthusiastic about this proposal.

Mr. York, the applicant, stated that he would be willing to request a deferral for three months to try and address some of these concerns.

Mr. Onizuk stated that a three-month deferral would be until the September 12 meeting.

The applicant thanked the Board for their consideration and comments.

Mr. Onizuk asked if a motion to postpone was necessary.

Mr. Kinsman stated yes.

### 3. Hampton Marine Services Lease

A motion to Approve was made by Michael Hipple, the motion result was Passed.  
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0  
Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

Ms. Elizabeth Parman, Assistant County Attorney, gave an overview of the Hampton Marine Services Lease, memorandum and resolution that are included in the Agenda Packet.

Ms. Larson reiterated to Ms. Parman that the County can get out of the Lease with a one month notice.

Ms. Parman replied correct.

Ms. Larson remarked that Hampton Marine Services provides a service to the people that use the marina.

Ms. Parman replied correct and added that Hampton Marine Services benefit patrons and has been there since 2015.

Ms. Larson expressed her concern that the area is kept clean and maintained.

Ms. Parman replied that she is not aware of any complaints.

Ms. Larson stated that she appreciates the service to patrons and emphasized the importance of putting our best foot forward.

Mr. Onizuk stated that any feedback he has received on Hampton Marine Services has been positive.

Mr. Onizuk opened the Public Hearing.

As no one wished to speak, Mr. Onizuk closed the Public Hearing.

## I. BOARD CONSIDERATION(S)

### 1. Gordons Creek No Wake Zone - CRFP

A motion to Approve was made by Michael Hipple, the motion result was Passed.  
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

Mr. John Carnifax, Director of Parks & Recreation, gave an overview of a memorandum, resolution and attachments regarding Gordons Creek No Wake Zone that are included in the Agenda Packet.

Mr. McGlennon inquired if the posting of new signs will have a strong impact.

Mr. Carnifax stated yes, and added that it is the opinion of the Department of Game and Inland Fisheries that this will slow down traffic. He noted that the signs will be on floating buoys, because they are safer than pylons. He further noted that the Williamsburg Boat Club and the College of William & Mary stated they would support the purchase and installation of the buoys once approved.

Mr. Hipple stated that he feels this will be a good addition and safety measure.

Ms. Larson inquired if the current old signage would be removed.

General discussion ensued regarding this matter.

Mr. Onizuk recessed the Board of Supervisors in order to conduct the James City Service Authority meeting at approximately 7:25 p.m.

The Board reconvened at approximately 7:26 p.m.

## **J. BOARD REQUESTS AND DIRECTIVES**

Ms. Larson expressed her thanks to Mr. Kinsman, Mr. Hill and staff in reference to a neighborhood meeting last week. She gave her condolences to the family of Mr. Tom Power, the owner of The Cheese Shop, on his recent passing. She mentioned that her daughter is going to graduate from Jamestown High School and thanked Williamsburg-James City County schools for their support over the years and thanked James City County and the City of Williamsburg for ensuring that she had a first-rate education. She expressed her thanks to her children for enduring the things that go along with a parent in public office. She further expressed her thanks to the spouses and children of her Board of Supervisors colleagues.

Mr. Hipple commented on how nice those remarks were from Ms. Larson.

Ms. Sadler congratulated Ms. Larson and her daughter as well as all the graduating students in James City County. She stated that she, Ms. Larson and Mr. McGlennon attended the GED graduation and congratulated all the graduating students. She further stated that she had received a phone call from a citizen regarding Norvalia neighborhood having issues with speeders and people not obeying stop signs. She further stated that she had attended a school liaison meeting and learned that redistricting was in the beginning stages. She expressed her thanks to Mr. Kinsman for attending a meeting at Colonial Heritage as well as to him and Mr. Hill for the various issues she has conferred with them about.

Mr. McGlennon stated that he attended the Memorial Day services at

Williamsburg Memorial Park. He mentioned that it was wonderful to see Mr. Ed Oyer in his Naval uniform at the service. He commented that he attended the Grove Block Party and thanked Board members that were in attendance. He stated that he was pleased to help encourage a program; whereas, Olde Towne Medical came to James River Elementary School and held a vaccination clinic for 5th-grade students moving on to middle school. He expressed his hopes that perhaps next year Olde Towne Medical would consider doing a vaccination clinic in conjunction with schools across the system. He noted that he had been approached by citizens regarding efforts to have Virginia adopt an impartial redistricting system. He further noted that he would like staff to work on a resolution endorsing a system for state elections and provide framework for nonpartisan districting for local elections. He further stated that he would like the Board to have an opportunity to discuss, amend or debate this issue and approve or disapprove it at its July meeting.

Ms. Sadler asked Mr. Kinsman to make note for the Board to be able to re-evaluate the new ordinance at its June 12, 2018 meeting and stated that she would like the Board to be made aware of any issues that may come along until that time.

Mr. Kinsman stated yes, he would do that.

Mr. Onizuk noted that at the closed session this evening the Board will be looking at appointments to various Boards. He further noted that there are a number of advisory Boards that serve with the Board of Supervisors in the County and stressed that there are many ways that citizens can contribute with new ideas and experience that would help the County, staff and Board to continue to move forward. He encouraged interested citizens to go to the County website and apply. He stated that on June 20 he and Mr. Hipple will be attending an open discussion forum at 7 p.m. at the Ford's Colony Tennis Club. He mentioned that his daughter will be graduating from Jamestown High School and looks forward to celebrating that milestone in her life.

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

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

Mr. Hill stated that the Jamestown Jams at the Jamestown Beach Event Park starts on July 7. He noted that there are also concerts on August 4, September 1 and October 6 with music from 6:30-8 p.m., gates opening at 5:30 p.m. He further noted that every concert will encompass a "Theme Night," whereas on July 7 Affirmative Groove will perform 70s music. Mr. Hill mentioned that if anyone had any questions to please contact Ms. Laura Messer at 253-6677 or visit the County website. He expressed his gratitude to everyone that attended this evening's meeting, commenting on a large turnout.

## **L. CLOSED SESSION**

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



Consultation with legal counsel on a specific legal matter requiring the provision of legal advice pursuant to Section 2.2-3711 (A)(7) and the discussion of a prospective business or industry or expansion of an existing business or industry where no previous announcement has been made pursuant to Section 2.2-3711 (A)(5) of the Code of Virginia; Consideration of the disposition of a parcel of property pursuant to Section 2.2-3711 (A)(3) of the Code of Virginia.

A motion to Enter a Closed Session was made by Sue Sadler, the motion result was Passed.

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

At 7:42 p.m., the Board entered Closed Session.

At 8:04 p.m., the Board re-entered Open Session.

## 2. Certification of Closed Session

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

## 3. Historical Commission Appointments

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

The Board recommended the appointment of Dr. Sean Heuvel, Mr. James Swords, and Mr. Mark Jakobowski to new terms that will expire on June 30, 2020.

## 4. Appointments to the Stormwater Program Advisory Committee

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

The Board recommended the appointment of Mr. Philip Doggett, Mr. Arne Lauer, Mr. Anthony Loubier, Mr. Frank Polster, Mr. Richard Powell, and Ms. Wendy Ruffle to terms that would expire on June 30, 2021.

## 5. Appointment to Thomas Nelson Community College Local Board

A motion to Appoint Individuals to Boards and Commissions was made by John

McGlennon, the motion result was Passed.  
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0  
Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

The Board recommended the reappointment of Mr. Scott VanVoorheese to a new term that would expire on June 30, 2021.

6. Appointment to Williamsburg Area Arts Commission

A motion to Postpone was made by John McGlennon, the motion result was Passed.  
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0  
Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

7. Appointment to the Williamsburg Regional Library Board of Directors

A motion to Appoint Individuals to Boards and Commissions was made by John McGlennon, the motion result was Passed.  
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0  
Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

The Board recommended the appointment of Ms. Jean Stettler to a new term that would begin on July 1, 2017, and expire on June 30, 2021.

8. Staff Appointment to the WATA Board of Directors

A motion to Appoint Individuals to Boards and Commissions was made by John McGlennon, the motion result was Passed.  
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0  
Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

The Board recommended the reappointment of Mr. Paul Holt to a new term that would expire on June 30, 2021.

9. Staff Appointment - Middle Peninsula Juvenile Detention Commission

A motion to Appoint Individuals to Boards and Commissions was made by John McGlennon, the motion result was Passed.  
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0  
Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

The Board recommended the appointment of Ms. Sharon Day to a term that would begin on July 1, 2017, and expire on June 30, 2019.

**M. ADJOURNMENT**

1. Adjourn until 4 p.m. on June 27, 2017 for the Work Session

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

At 8:05 p.m., Mr. Onizuk adjourned the Board.

  
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Bryan J. Hill, County Administrator