

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
WORK SESSION
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
February 27, 2018
4:00 PM

ADOPTED
APR 10 2018

A. CALL TO ORDER

B. ROLL CALL

John J. McGlennon, Roberts District
James O. Icenhour, Jr., Vice Chairman, Jamestown District
P. Sue Sadler, Stonehouse District
Michael J. Hipple, Powhatan District
Ruth M. Larson, Chairman, Berkeley District

William C. Porter, Interim County Administrator
Adam R. Kinsman, County Attorney

C. BOARD DISCUSSIONS

1. Potential Ordinance Amendments to Address Formerly Proffered Policies

Mr. Rich Krapf, Chair, Planning Commission, stated that the overall objective of this meeting was to facilitate communication between the Planning Commission and the Board of Supervisors on items considered as part of the approved work plan for the current fiscal year. He stated that the focus was on the Policy Committee and possible Ordinance amendments for items that previously fell under residential proffers.

Mr. Paul Holt, Director of Community Development and Planning, stated that they were present to receive input, a sense of direction and consensus from the Board on some mechanisms desired to further implement the existing Board-adopted policies. He expressed his gratitude to the County Attorney's Office, the Policy Committee and staff for their hard work. He gave an overview of the options based on state-enabling legislation, researching and benchmarking of other Virginia localities that the County Attorney's Office felt confident were available to the County and as included in the Agenda Packet.

Mr. Jack Haldeman, Chair, Policy Committee, stated that the Policy Committee met twice regarding this subject and recommended Option 2. He further stated that the recommendation, with no changes, was forwarded to the Planning Commission's February 8, 2018 meeting, and the Planning Commission recommended adoption of Option 2.

Mr. McGlennon stated that he strongly supported the recommendation of Option 2. He further stated that it would mean that by incorporating this requirement into an

Ordinance it could be applied to a by-right development.

Ms. Larson stated her support for Option 2.

Mr. Hipple stated his support of Option 2 and remarked that he felt it would provide more consistency in what is being planned and expected, as well as provide a nicer looking community.

Mr. Icenhour stated his support of Option 2.

Ms. Sadler stated her support of Option 2.

Mr. Holt stated there was a similar model that York County used with requirements that easily integrated into the County Landscape Ordinance. He noted two options: 1) return to a future work session with a draft Ordinance; or 2) schedule a business meeting. He noted that it had already been through the Planning Commission.

Mr. McGlennon stated that there could be circumstances where a policy did not require to be fully implemented; whereas, the Board would not ask for that proffer or would ask for a modified proffer.

Mr. Holt replied that Landscape Ordinances have several layers already built in and the ability for the applicant to request a modification or substitution of transfer handled at the staff level and proceeded to discuss the appeals process.

The Board unanimously decided this particular Ordinance could move forward.

Mr. Porter encouraged the Board members to communicate with members of the Policy Committee.

Mr. Holt discussed two options for moving forward with the Pedestrian and Bicycle Accommodations portion of the memorandum included in the Agenda Packet.

Mr. Haldeman stated that the Policy Committee met regarding this issue and staff had provided a draft pedestrian accommodation Ordinance that added bicycles and the Regional Bikeways Plan. He noted that it had not been taken before the Planning Commission.

Mr. Icenhour inquired if the Policy Committee recommended Option 2.

Mr. Haldeman replied correct.

Ms. Sadler inquired when it was anticipated to go before the Planning Commission.

Mr. Holt discussed the framework for the pedestrian accommodations in the Ordinance.

Mr. Haldeman stated that the draft was currently prepared.

Ms. Sadler inquired whose responsibility it was to add the spike lights.

Mr. Holt replied that currently they were gotten when implemented through an application that had a Special Use Permit (SUP) condition or a proffer.

Mr. McGlennon inquired if the change in the Ordinance meant that the developer

would be responsible.

Mr. Holt replied correct, which would be consistent with the SUP and rezoning.

Mr. Hipple stated that more connectivity between neighborhoods would possibly allow other options and remove numerous bikes off the road. He inquired if this connectivity would apply to new streets in the future.

Mr. Holt replied that it could and discussed the adopted Bicycle Master Plan.

Mr. Icenhour inquired if the bikeways plan only applied to SUPs and not residential rezonings.

Mr. Holt replied yes.

General discussion ensued regarding Item No. 1.

Mr. Icenhour stated that he is comfortable with Option 2.

Ms. Sadler stated that she appreciated the fact that there is an option out and inquired if it was a difficult process.

Mr. Holt replied no, but proof needs to be shown of hardship on-site. He stated the expectation was to get the Board-adopted map implemented for any extenuating circumstance, with the expectation being that if there is the ability and room, it should be included at the beginning of the development plan. Mr. Holt discussed the three options listed under Item No. 3 in the staff report included in the Agenda Packet.

Mr. Haldeman stated that the Policy Committee recommended Option 3; specifically, adding verbiage modeled after the adequate school facilities test. He noted that staff had already forwarded an Ordinance draft, which the Policy Committee members accepted as written. He further noted that the staff would prepare a final draft Ordinance with language for review at the next Policy Committee meeting.

Mr. Icenhour inquired if present off-site traffic improvements for SUPs and non-residential rezonings could be done.

Mr. Holt replied correct.

General discussion ensued regarding off-site traffic improvements and the role of the Virginia Department of Transportation in projects, as well as SUP, non-residential and residential rezonings.

Mr. Haldeman stated that if Option 3 was not selected, a potential next step would be actual accumulative analysis of development. He noted that it would be interesting to compare the initial analysis versus the actual impact of a development and what the accumulative impact of the development was on the County.

Mr. Hipple stated that it is hard to find the funds for projects. He noted that a smaller project with less impact on traffic relief would score less on the smart scale than an older project trying to obtain traffic relief and therefore create a large impact.

Mr. Icenhour stated that he supported Option 3. He noted that it was the best of three not very good options and commented that it would at least open the door in opportunities.

Ms. Larson noted that the consensus was on Option 3 with the Board members.

Mr. Holt gave an overview of the staff report and referenced the five options to move forward listed in Item No. 4 included in the Agenda Packet.

Mr. Haldeman stated that the Policy Committee asked staff to work with Option 4 in developing a draft Ordinance. He further stated that the Committee discussed a few of the exceptions for small structures such as sheds or detached garages.

General discussion ensued regarding Option 4.

Mr. Hipple stated that he supported Option 4.

Mr. Icenhour stated that he supported Option 4.

Mr. McGlennon stated that he supported Option 4.

Ms. Larson stated that she supported Option 4.

Mr. Hipple stated in regards to exceptions, it is important that homeowners who want to add a garage do not have to go through this process. He further stated that someone with a few lots, who wanted to build a family subdivision would not have to go through this entire process; however, a major subdivision coming into an amount over "x" would be required to comply.

Ms. Sadler inquired what amount "x" would be and how that number would be determined.

Mr. Holt stated it would be consistent with how the policy was currently implemented and further conversed this matter of concern.

Ms. Larson expressed her thanks to everyone and stated that she liked the idea of a quarterly update, to which the other Board members agreed.

2. Off-Shore Drilling

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

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

Ayes: Hipple, McGlennon, Sadler, Icenhour Jr, Larson

Mr. Porter gave an overview of the memorandum and resolution included in the Agenda Packet that opposed all shore drilling off the coast of Virginia.

General discussion ensued regarding this subject.

Mr. McGlennon requested that the resolution and a letter of opposition to off-shore drilling be sent to our two Congressmen who are not listed on the people who have requested additional public hearings exemption from this.

Mr. Porter replied that we would do that.

3. County Administrator Search Discussion with Consultant

Ms. Larson introduced Ms. Ann Lewis, Senior Vice President and Consultant, Springsted/Waters Executive Recruitment.

Ms. Lewis gave a short biography of herself as well as an overview of the steps, timeline involved in obtaining a new County Administrator and her part in the entire process. She stated in approximately 90 to 120 days the Board would be interviewing candidates and making a job offer to the next administrator.

General discussion ensued regarding this process, the components of the proposed position and any specific information the Board would like included in a survey that would be sent out to prospective candidates.

Ms. Lewis stated that she would send the Board a draft surmise of the information reviewed as a follow-up of this discussion.

Ms. Larson inquired if a community survey or community meeting was done previously for this position.

Mr. McGlennon replied no and noted that stakeholder meetings were prior to candidates being identified. He inquired about the current nature of the pools received for positions.

Ms. Lewis discussed Mid-Atlantic as well as nationwide recruitments typically received.

Mr. McGlennon observed that the previous two searches for this position resulted in the Board not being satisfied with the initial pools and requested the firm go back out and try again.

Ms. Lewis discussed the types of information the Board could hope to obtain from a survey and her interaction with staff during the process.

Mr. Purse stated that there had been discussion regarding forms being available as both paper and electronic for residents without access to a computer.

General discussion ensued regarding the expected participation throughout the community and other County Boards in relation to the selection of the next County Administrator as well as the document length of the survey.

Ms. Sadler inquired about the prospective process to be taken for Board members should they receive calls, ideas or recommendations from citizens regarding the County Administrator position.

Ms. Lewis stated that she would make her contact information available to the Board and such inquiries could be directed to her.

Mr. Hipple expressed his surprise that the Board did not receive a Syllabus that detailed approximate dates and timeline of the process and expected such a document at the next meeting.

Ms. Lewis replied it depended on when the profile was approved and at that time advertising could begin.

General discussion ensued regarding this topic and the upcoming steps in the process.

Mr. Porter inquired about the format of the candidate profile.

Ms. Larson inquired about where this position would be advertised.

Ms. Lewis replied that information would be included in the first memorandum she provides to the Board.

Ms. Larson inquired about the email process regarding the profile and exchanging ideas.

Mr. Kinsman discussed the process between Board members and the consulting agency in relation to the sending of emails back and forth, and discussed what constitutes an illegal meeting.

General discussion ensued regarding this topic.

D. CLOSED SESSION

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

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

Ayes: Hipple, McGlennon, Sadler, Icenhour Jr, Larson

At approximately 5:20 p.m., the Board entered Closed Session.

At approximately 6:16 p.m., the Board re-entered Open Session.

1. Certification

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

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

Ayes: Hipple, McGlennon, Sadler, Icenhour Jr, Larson

2. Discussion of plans related to the security of the James City County Government Center buildings and the safety of persons using such buildings, pursuant to Section 2.2-3711 (A)(19) of the Code of Virginia

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

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

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

Ayes: Hipple, McGlennon, Sadler, Icenhour Jr, Larson

Mr. McGlennon made a motion to appoint Julia Leverenz for a term that would begin immediately and expire on January 31, 2022.

E. ADJOURNMENT

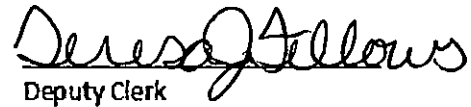
1. Adjourn until 5 p.m., on March 13, 2018, for the Regular Meeting

A motion to Adjourn was made by James Icenhour Jr and the motion result was Passed.

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

Ayes: Hipple, McGlennon, Sadler, Icenhour Jr, Larson

At approximately 6:17 p.m., Ms. Larson adjourned the Board.


Deputy Clerk