

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
April 10, 2018
5:00 PM

A. CALL TO ORDER

ADOPTED

B. ROLL CALL

MAY 08 2018

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. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Makenzie Ripley, a 5th-grade student at Matthew Whaley Elementary School and resident of the Jamestown District, led the Board and citizens in the Pledge of Allegiance.

E. PUBLIC COMMENT

1. Mr. Jay Everson, 103 Branscome Boulevard, addressed the Board in regard to the James City County Marina improvements project.
2. Ms. Peg Boarman, 17 Settlers Lane, addressed the Board in regard to the Clean County Commission.

F. PRESENTATIONS

None

G. CONSENT CALENDAR

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

1. Minutes Adoption

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

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

2. Grant Award - Department of Motor Vehicles - Radar Units

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

H. PUBLIC HEARING(S)

1. FY 2019-2020 Budget

Ms. Sharon Day, Assistant Director of Financial and Management Services, gave an overview of a PowerPoint presentation that provided highlights from the Interim County Administrator's proposed budget and discussed the following areas:

- General Fund Highlights
- General Fund Revenue Sources
- Real Estate Biennial Reassessment Process
- Expenditures
- Strategic Plan Operating Initiatives
- Expenditure Summary
- FY 19 General Fund Spending
- Strategic Plan Goals
- Community Meetings
- Upcoming Budget Meetings
- Proposed 19-20 Two-Year Budget available at board@jamescitycountyva.gov

Ms. Larson opened the Budget Public Hearing.

1. Ms. Sally Wolfe, 150 Ridings Cove, Chair of Williamsburg Area Arts Commission, addressed the Board as a group speaker in regard to the Williamsburg Area Arts Commission.
2. Ms. Dorothea Matthews, 303 Par Drive, addressed the Board in regard to the budget.
3. Mr. Leslie Schmidt, 4784 Bristol Circle, addressed the Board in regard to the budget.
4. Mr. Jay Everson, 103, Branscome Boulevard, addressed the Board in regard to the budget.

As there were no other registered speakers, Ms. Larson closed the Budget Public Hearing.

Mr. Icenhour referenced the budget and the incorporation of money from Senate Bill 942. He recommended that if this becomes law, this should be considered extra revenue that is temporary and not guaranteed for the long run. He stated that he would like to see the money put into a separate part of the budget and considered for non-recurring expenses. He further stated he would like to see tax relief, money set aside for future school construction and case-by-case items examined as they come before the Board. He strongly recommended the public attend upcoming budget meetings.

No action taken at this time. The budget is scheduled for adoption at the May 8, 2018 Board Meeting.

2. An Ordinance to amend and reordain The Code of James City County by adding Appendix A - Fee Schedule for Development Related Permits and by adding a five percent fee to defray the costs incurred by the County for additional resources and technology to administrate each program

Mr. Paul Holt, Director of Community Development and Planning, referenced page 6 of the FY 19-20 Proposed Operating Budget and gave an overview of the memorandum and ordinance included in the Agenda Packet. Mr. Holt introduced Mr. Patrick Page, Director of Information Resources Management, and stated they were available for any questions.

Ms. Larson opened the Public Hearing.

As there were no registered speakers, Ms. Larson closed the Public Hearing.

No action taken at this time. This item will be voted on as part of the budget adoption process at the May 8, 2018 Board Meeting.

3. SUP-0001-2018. LifePointe Christian Church

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

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

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

Mr. Alex Baruch, Planner, gave an overview of the staff report and Ordinance included in the Agenda Packet.

Mr. Danny Schmidt, Vice Chair, Planning Commission, referenced LifePointe Christian Church and stated that prior to the Public Hearing several neighbors and one nearby business were supportive of this item. He mentioned that one neighboring property had concerns regarding lighting and a turn lane that would need to be built from Route 60. He stated that after the public had addressed the Planning Commission, discussion ensued regarding this item and proceeded to give an overview of what the Commission discussed at its March 7, 2018 meeting regarding this item. He noted that the Planning Commission voted unanimously in favor of Case No. SUP-0001-2018.

Ms. Larson opened the Public Hearing.

1. Mr. Gregory Davis, Esquire, Kaufman & Canoles, 4801 Courthouse Street, represented the applicant and addressed the Board regarding this Item No. 3. Mr. Davis recognized members of LifePointe Christian Church congregation, Pastor Phillip Murdock and the engineering team, as well as discussed details included in the Agenda Packet. He stated that this SUP did not authorize construction; therefore, the project would still be subject to site plan approval requirements. He discussed details of the project and addressed the consistency of the plan with the rural character and the community character corridor requirements. He noted that the project still faced traffic approval, archaeological study, landscaping plan approval, traffic management plan, as well as lighting and site plan approvals. He respectfully requested that

the Board follow the Planning Commission's unanimous recommendation of this item.

As there were no other registered speakers, Ms. Larson closed the Public Hearing.

Mr. Hipple stated that he and Pastor Murdock had a connection of participating in the Volunteer Fire Department together for many years; however, that would not cloud his judgement on this issue. He further stated that he and Pastor Murdock had walked the site and gave an overview of that discussion.

Mr. McGlennon stated that he has met with Pastor Murdock over the years and noted that this church had been active in many community affairs. He remarked that he was pleased with the Planning Commission's attention to detail on this matter and it looked like a good proposal coming forward.

4. SUP-0012-2017. Wendy's - Toano

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

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

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

Ms. Roberta Sulouff, Senior Planner, gave an overview of the staff report and resolution included in the Agenda Packet.

Ms. Sadler referenced the map included in the Agenda Packet and inquired if there was a connection between Wendy's and the Star Express.

Ms. Sulouff replied there was a connection by an access road.

Ms. Sadler referenced the March 7, 2018, minutes prepared by the Planning Commission and included in the Agenda Packet. She clarified that in terms of the private sewer there was discussion regarding the connection to public utilities.

Ms. Sulouff replied that was correct and noted those two conditions are not presently satisfied as there was not public water and sewer connected that far out.

Mr. Schmidt referenced the March 7, 2018, Planning Commission meeting. He noted that most of the deliberating by the Commissioners centered on the particulars associated with the large-scale septic system and the entrance driveway and conveyed the highlights of that discussion. He stated that the Planning Commission voted 6-1 in favor of this item and noted that the Commissioner who voted Nay expressed concerns regarding the drain field and trenching through the resource protection area.

Ms. Larson noted that she had cards from the Wendy's Construction Manager and CHA Consulting, Incorporated if needed.

Ms. Larson opened the Public Hearing.

1. Ms. Arwen Otwell, representative for CHA Consulting, Incorporated, 3718 Moody Avenue, Richmond and Mr. Scott Jones, 438 Telegraph Road, NJ, addressed the Board in regard to this item.

Mr. Hipple stated that residential septic systems were required by law to pump every five

years and inquired about the pumping requirements regarding this item.

Ms. Otwell stated that there had been discussion with the Department of Health and demands indicated that had to be met for the septic system and noted this project had been worked on for three years due to site constraints.

As there were no other registered speakers, Ms. Larson closed the Public Hearing.

Mr. Icenhour inquired about the distance and direction of the nearest sewer and water connection and extended this thought process into the Primary Service Area limits of other economic opportunities.

Ms. Sulouff replied that the distance was approximately 3,600 feet away to the southeast on Barhamsville Road and noted that staff would confirm this for the Board.

Ms. Larson expressed her thanks to staff, Mr. Schmidt, Ms. Mona Foley, Clerk of the Circuit Court, Police Chief Rinehimer, Ms. Robin Bledsoe and Mr. Marshall Warner, both Economic Development Authority (EDA) members, for their attendance this evening.

5. Transfer of James River Commerce Center Parcels to the EDA

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

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

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

Mr. Porter addressed the Board and gave an overview of the memorandum and resolution included in the Agenda Packet.

Mr. McGlennon inquired about the cost of developing these parcels to the point of being prepared for marketing.

Discussion ensued regarding this subject.

Ms. Larson asked Ms. Bledsoe and Mr. Warner if they had anything to add to the discussion.

Ms. Bledsoe and Mr. Warner replied that they did not.

Ms. Larson opened the Public Hearing.

As there were no registered speakers, Ms. Larson closed the Public Hearing.

Ms. Sadler stated that she had been honored and privileged to work as a liaison with the EDA this past year and was encouraged by the activity she had seen and the proposals that had been laid out and thanked everyone for their active participation and efforts.

I. BOARD CONSIDERATION(S)

1. Contract Award - James City County Marina Improvements Project - \$235,500

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

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

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

Mr. John Carnifax, Director of Parks & Recreation, addressed the Board and gave an overview of the memorandum and resolution included in the Agenda Packet.

Ms. Sadler inquired could the Board be ensured about the issue of safe navigation before future money was to be spent on this project.

Discussion ensued regarding this issue.

Ms. Larson recommended a future Board discussion regarding the overall picture in order to have a goal in place.

Mr. Carnifax recommended the analysis be done first and stated that presently the FY 19 budget had \$1.3 million for improvements. He discussed various challenges faced with this project.

Mr. Porter stated that the County holds a stewardship to this historical piece of property.

Mr. Hipple referenced the parcel's background with the Board in an effort to bring everyone up-to-date on the issue. He stressed the importance of experts recommending the best use of money and what can be achieved.

Mr. McGlennon suggested actively pursuing opportunities to partner with others and noted that the state, Army Corp of Engineers, Department of Defense or other local communities may have interest in the project.

Discussion ensued regarding federal, state and grant opportunities.

Mr. McGlennon referenced the Shaping Our Shores study that was done several years ago and inquired if it was still under active consideration.

Mr. Carnifax replied yes, both for the Jamestown Beach and Marina sites.

2. Contract Award - JCC Median Maintenance - \$116,648

A motion to Approve was made by James Icenhour Jr, the motion result was Passed.

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

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

Mr. Matt Austin, Parks and Grounds Maintenance Superintendent, addressed the Board and gave an overview of the memorandum and resolution included in the Agenda Packet.

Mr. McGlennon clarified that funds were being redirected from the Library and Upper County Park and maintenance would be taken over by General Services.

Mr. Austin replied correct.

Mr. Hipple inquired if this contract included a pre-pickup of trash before it was cut.

Mr. Austin replied yes and noted that labor from the jail was used for the grounds division two days a week.

Mr. Hipple inquired if the jail crew could be used for more days.

Mr. Austin explained that General Services and other municipalities used jail crews as well;

therefore, they tend to be capped out on usage.

General discussion ensued regarding beautification of medians.

3. Resolution requesting the Commonwealth Transportation Board name Route 60, Pocahontas Trail, from Route 199 to the Corporate Limits of the City of Williamsburg as the Judge William T. Stone Memorial Highway

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

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

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

Mr. McGlennon stated that recently Judge William T. Stone passed away and gave a brief biography of his professional life. He noted that the family of Judge Stone requested consideration of designating a portion of Route 60 East, from the City of Williamsburg line to Route 199, in his honor and as part of that process, they agreed that they would cover the costs required by the Virginia Department of Transportation (VDOT) to be borne by the locality.

4. Amendment to Board Calendar

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

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

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

Mr. Purse stated that four dates on the original Board Calendar had been proposed for work sessions in April and inquired which dates were agreeable to the Board.

General discussion ensued and was agreed upon in reference to revised calendar meeting dates and times.

The amended Board of Supervisors Calendar will reflect the budget work sessions:

- April 17 at 3 p.m.
- April 24 at 4 p.m.

J. BOARD REQUESTS AND DIRECTIVES

Mr. McGlennon expressed concern from a constituent regarding high bills from Virginia Natural Gas and noted that on the March and April bills there was a surcharge that reflected a catch-up from the State Corporation Commission approved increase in rates, effective December 22, 2017. He stated that he participated in two groundbreaking events in the Grove area for Habitat for Humanity and gave brief biographies of the new homeowners.

Mr. Icenhour stated that he attended both of the groundbreakings that Mr. McGlennon referenced and commented that he attended the Dog Street Strut as a fundraiser for Heritage Humane Society. He remarked that he gave an interview and broadcast with WMBG radio. He noted that he had been active with the Peninsula Council for Workforce Development meetings and attended the School Liaison Committee meetings. He stated that he put in a request with VDOT regarding a traffic study on Airport Road and remarked that he expressed his thanks to Mr. Carroll for a prompt response for drainage issues on Cooley Road and Duer Drive.

Ms. Sadler stated that as a result of continued complaints regarding Colonial Heritage and surrounding properties on Centerville Road, she requested Mr. Kinsman prepare a proposed revision to County Code 3-20 Running at Large Prohibited. She explained that this was to prohibit the owners of A1 properties north of Centerville Road between Colonial Heritage and Lightfoot Marketplace from allowing their dogs to run at large at any time of the year. She inquired if this could be ready for the Board of Supervisor's June 12 meeting.

Mr. Kinsman replied yes.

Ms. Larson expressed her thanks for having spoken to the National Active and Retired Federal Employees and thanked Mr. Jose Ribeiro, Ms. Renee Dallman and County staff for their help regarding the solar farm in Norge. She remarked that every Wednesday at approximately 5 p.m., WMBG radio spotlights a Board of Supervisor member speaking about issues happening within the County and noted her appreciation to Ms. Dallman. She gave a reminder that on April 14 there will be a household chemical collection and computer recycling at Warhill High School.

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

Mr. Porter gave a reminder of two community meetings regarding the budget; the first to be held April 12 at 6:30 p.m. at Legacy Hall and the second to be held on April 16 at 6:30 p.m. at the James City County Library. He noted a survey regarding the search for the next County Administrator that is located on the County website.

L. CLOSED SESSION

Mr. McGlennon stated that he did not believe it was necessary to enter into Closed Session for the appointments listed on the Agenda.

The Board concurred.

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

2. WATA Board of Directors - Staff 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: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. McGlennon made a motion to appoint Ms. Denise Kirschbaum to the Williamsburg Area Transit Authority Board for a term that would expire on June 20, 2022, with Ms. Rebecca Vinroot as the alternate for that position, which does not have a fixed term.

3. Parks and Recreation Advisory Board 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: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. McGlennon made a motion to appoint Ms. Linda Knight, Ms. Linda Wallace-Cody, Mr. Scott VanVoorhees and Mr. Larry Walk to the Parks & Recreation Advisory Committee for terms that would expire on April 12, 2022.

4. Clean County Commission Appointment

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: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. McGlennon made a motion to reappoint Ms. Elizabeth Peterson to the Clean County Commission for a term that would expire on April 24, 2021.

5. Board of Building Adjustments and Appeals

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: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. McGlennon made a motion to appoint Mr. Jeffrey Barra to the Board of Building Adjustments and Appeals for a term that would expire on April 10, 2023.

At approximately 7:09 p.m., Ms. Larson recessed the Board of Supervisors in order to conduct the James City Service Authority Board of Directors meeting.

At approximately 7:21 p.m., Ms. Larson reconvened the Board of Supervisors.

M. ADJOURNMENT

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

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

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

Ms. Larson confirmed with Mr. Kinsman that the Board of Supervisor's meeting would continue until 6:30 p.m. on April 12, 2018 at Legacy Hall in New Town.

Mr. Kinsman stated correct.

At 7:22 p.m., Ms. Larson recessed the Board of Supervisors.

On April 12, 2018, at 6:30 p.m., at Legacy Hall, Ms. Larson reconvened the Board of Supervisors for the continuation of their April 10, 2018 meeting.

Ms. Larson addressed the members of the public and the press that were in attendance and gave a brief overview of the format of the meeting.

Ms. Suzanne Mellen, Director of Financial and Management Services, gave a presentation overview of the FY 2019-2020 County Budget.

Mr. Porter presented information on Senate Bill 942 and the financial impact that it could have on the County's budget.

At the conclusion of the presentations, the members of the public that were present were given the opportunity to ask questions related to the budget.

Questions were raised regarding the primary drivers of the increases in the budget.

Questions were raised regarding utilizing data to preemptively stage Fire/EMS vehicles in high volume locations to reduce response times.

Questions were raised about reducing Machinery and Tools Taxes to help foster and drive economic growth.

Questions were asked about the economic justification of spending considerable tax dollars on the Marina.


As there were no additional questions, Ms. Larson stated that the Board would be holding another Community Budget Meeting on April 16, 2018 at 6:30 p.m. at the James City County Library located at 7770 Croaker Road.

A motion to Adjourn was made by Michael Hipple and the motion result was Passed.

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

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

At 7:06 p.m., Ms. Larson adjourned the Board.


Deputy Clerk