

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
January 8, 2019
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

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

Scott A. Stevens, County Administrator
Adam R. Kinsman, County Attorney

ADOPTED

FEB 12 2019

Board of Supervisors
James City County, VA

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Participants from The ArC of Greater Williamsburg's Day Support Program

Laura Palmer, Drew Dayton, Devin Tyree and Sam Collins led the Board and citizens in the Pledge of Allegiance.

E. PRESENTATIONS

1. Retiree Recognition - Captain Jeff Hall, Fire Department

Mr. Icenhour noted Mr. Stevens would do the honors.

Mr. Stevens added that Captain Hall was the first recipient in a new retiree recognition process. He noted this marked a beginning in more recognition of County employees and their service.

Fire Chief Ryan Ashe addressed the Board noting the honor of recognizing Captain Jeff Hall and his achievements and support. He highlighted Captain Hall's service record with the County over 35 years. Captain Ashe thanked him for his commitment and service.

Captain Hall thanked everyone and received a standing ovation.

2. The ArC of Greater Williamsburg

Mr. Icenhour introduced Ms. Pam McGregor of The ArC of Greater Williamsburg.

Ms. McGregor thanked the Board for the honor of The ArC's clients to participate in the evening's program. She explained that The ArC had served the adults with disabilities in the

community since 1976. Ms. McGregor highlighted programs, particularly the Day Support Program, and thanked the County for its support. She thanked the Board, Parks & Recreation and County citizens for opportunities and continued support.

F. PUBLIC COMMENT

Mr. Icenhour opened the floor to Public Comment and noted the first speaker, Ms. Rosanne Reddin, was not in attendance, but would move her name to the last speaker position pending her arrival.

1. Mr. Jack Fowler, 109 Wilderness Lane, addressed the Board on various topics ranging from Rochambeau Drive, kudos to Christy Parrish in Zoning and past County Administrators. He noted the poor road conditions on Rochambeau Drive and legal issues that needed to be addressed.

Mr. Icenhour reminded speakers of time limitations and protocol for Public Comment speaking.

2. Ms. Mary Schilling, 500 Frances Thacker, addressed the Board on behalf of the League of Women Voters of the Williamsburg Area in support of the Equal Rights Amendment (ERA). She specifically addressed the James City County Legislative Agenda amendment and cited historical references to the ERA. Ms. Schilling further cited the importance of action of the County and municipalities across the Commonwealth for the ratification.

Mr. Icenhour addressed Ms. Reddin upon her arrival, noting she would be the last speaker.

3. Ms. Christine Payne, 2689 Jockeys Neck Trail, addressed the Board on behalf of the Peninsula Progressive Network and the four generations of females in her own family for support of the ERA ratification to the County's Legislative Agenda packet for the General Assembly. She spoke on the benefits of gender equality and asked the Board for its support.

4. Ms. Jeannette Potter, 4796 Regents Park, addressed the Board to support Virginia's ratification of the ERA. She noted Virginia's history regarding gender equality.

5. Ms. Anne Brennan, 159 Lakewood Drive, addressed the Board in support of the ERA ratification and the Board's support on its proclamation. She stressed the importance of women's rights.

6. Mr. Jay Everson, 103 Branscome Boulevard, addressed the Board regarding the Legislative Agenda. He stated the ERA ratification issue did not have anything to do with James City County as it already existed in the Constitution in the Commonwealth of Virginia. He cited historical reference to legislative action in the United States in 1980s. Mr. Everson said this was a moot point for the Board to send the Agenda amendment forward as it already existed for the County's citizens.

7. Dr. Mark Downey, 121 Horseshoe Drive, addressed the Board regarding the ERA ratification.

8. Mr. Chris Henderson, 101 Keystone, addressed the Board with wishes for a Happy New Year. He noted the timing of Board meetings burdens all citizen participation. He encouraged the Board to consider maximum and robust participation by modifying both the time and structure of its meetings to accommodate more citizens' involvement. Mr. Henderson referenced the passing of Mr. Phil Richardson, a County resident, and his impact on various County projects. Mr. Henderson asked the Board to amend its Legislative Agenda to support

naming the bridge on Olde Towne Road over Route 199 in Mr. Richardson's honor. Mr. Henderson also noted he was not in support of the Legislative Agenda amendment for the ERA. He further noted he was in support of the ERA but noted the decision would be made by others at a "higher pay grade" and asked the Board "exercise restraint in that area."

9. Ms. Barbara Henry, 141 Devon Road, addressed the Board with a request to vote against the ERA resolution as it was a matter of state and federal consideration.

10. Mr. Joseph Swanenburg, 3026 The Point Drive, addressed the Board requesting consideration of voting against the ERA resolution. He noted the Board was charged with County issues and this resolution was an issue for state and federal legislators. He cited possible impact on churches and their tax-exempt status.

11. Ms. Rosanne Reddin, 4700 Presidents Court, addressed the Board requesting a negative vote on the ERA resolution.

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 - December 11, 2018 Regular Meeting

Mr. McGlennon noted a minor amendment under the December 11, 2018 Minutes section of Board Requests and Directives that the second line be changed to Mainland Farm not Mayfield Farms.

Ms. Larson asked if the Assistant Fire Marshal appointee was present.

Mr. Icenhour confirmed the appointee was not present.

2. Appointment of Assistant Fire Marshal and Authorization of Fire Prevention Powers

3. Grant Award - Commonwealth Attorney - V-STOP Grant Program Fund - \$59,779

H. PUBLIC HEARING(S)

None.

I. BOARD CONSIDERATION(S)

1. Amendment to the Legislative Agenda to Support Ratification of the Equal Rights Amendment

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

AYES: 3 NAYS: 2 ABSTAIN: 0 ABSENT: 0

Ayes: Icenhour Jr, Larson, McGlennon

Nays: Hipple, Sadler

Mr. Kinsman addressed the Board noting if an amendment was adopted, the resolution was in the Agenda Packet.

Mr. McGlennon made the motion based on the significance of Virginia's endorsement. He noted a change toward a higher standard under the law. He also stressed non-support of the

ratification did not equate to non-support of equality. Mr. McGlennon thanked citizens for their viewpoints and perspectives. He also thanked his fellow Board members for their consideration.

Mr. Hipple noted the Board "was not in its lane" and that this legislation should be addressed by the General Assembly. He further noted he wanted to focus on daily needs of the County's citizens.

Ms. Larson noted equality issues were at the core of her decision. She encouraged speakers on the subject to reach out to the General Assembly. Ms. Larson noted the significance of the opportunity to discuss the change while recognizing the change would not take place on the County level.

Ms. Sadler thanked everyone who contacted Board members regarding the ratification amendment. She noted that personally she felt the decision was not a Board responsibility and encouraged citizens to contact their state and federal legislators. Ms. Sadler added that if "I had felt I did not have equal rights, I would never have been able to run for office and win." She noted if the resolution was on the Board's Legislative Agenda, it indicated that the Board as a whole endorsed it and she was not in support of that decision. Ms. Sadler stressed individually addressing this ratification rather than as a Board decision and noted mutual respect for each other.

Mr. Icenhour echoed his fellow Board members' sentiments regarding respect and the ability to work together despite differences. He noted this was not "an issue of one side wins and the other side loses" as this opportunity allowed people to express their opinions and that made it "a win for everyone." Mr. Icenhour stressed contacting legislators at the next level. He also noted his support of the amendment.

2. Amendment to the Legislative Agenda to Support the Addition of Alpacas within the State Code Definition of Livestock

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. Adam Kinsman, County Attorney, addressed the Board regarding the Virginia Code and its definition of livestock, which he noted did not include alpacas. At the request of Supervisor Hipple, Mr. Kinsman drafted a resolution to amend the Legislative Agenda to support the addition of alpacas to the State Code's definition of livestock.

Ms. Larson questioned if other animals had been addressed or would this be handled on a case-by-case basis.

Mr. Kinsman noted it would be on a case-by-case basis.

Mr. Hipple noted this request resulted from a court case which focused on his brother's alpacas being attacked by dogs and Mr. Hipple had witnessed the vicious attack. He added his request stemmed from a technicality in court regarding livestock on a farm and the definition of livestock per the Virginia Code. Mr. Hipple noted that technicality returned the dogs to their owner and this situation could happen again.

Ms. Sadler thanked Mr. Hipple for addressing this as alpacas are on other farms in the County.

J. BOARD REQUESTS AND DIRECTIVES

Mr. Hipple noted there was a pause in transportation matters as the Virginia Department of Transportation (VDOT) continued work on the Hampton Roads Bridge Tunnel. He further noted updates on contracts and the Phase III work.

Ms. Larson noted contact with a citizen who questioned spotty cell phone coverage in the Neck-O-Land Road area and safety concerns it presented with citizens having fewer landlines. She asked Mr. McGlennon about following up with the citizen regarding a cell phone tower update for that area. Ms. Larson noted that VDOT had used social media for citizens to call about potholes. She urged citizens to contact VDOT about area potholes. Ms. Larson noted a public forum on January 24 at Jamestown High School featuring Mr. Stevens, Mr. Jason Purse, Assistant County Administrator, Mr. Rossie Carroll, VDOT Williamsburg Residency Administrator and herself to discuss the intersection of Route 5 and Centerville Road as well as the intersection of Greensprings Road and Route 5. She further noted she had received numerous calls on the traffic concerns of these areas.

Ms. Sadler asked Mr. Stevens to follow up with staff on the drainage issues on Rochambeau Drive as mentioned by Mr. Fowler during Public Comments.

Mr. Stevens confirmed yes.

Ms. Sadler thanked Mr. Heath Richardson for his time on the Planning Commission as the Stonehouse representative. She also thanked him for his professional and thoughtful manner as a leader.

Mr. McGlennon thanked Ms. Larson for her representation on December 21 at the National Homeless Person Memorial Day ceremony. He thanked Ms. Larson for her role as Chairman of the Board last year. He extended congratulations to the new leadership team of Mr. Icenhour and Mr. Hipple. Mr. McGlennon also noted he, Mr. Stevens and Ms. Larson had attended the Virginia Municipal League (VML) Virginia Association of Counties (VACo) Finance Forum with state expenditure and budget information. He addressed Moses Lane and the housing development in that area. Mr. McGlennon requested staff evaluate the street for inclusion into the state system, or if already in the system, what road improvements could be made.

Mr. Icenhour extended his thanks to Mr. Heath Richardson for his service to the community. He asked Mr. Stevens to look into naming the bridge in honor of Mr. Phil Richardson as noted earlier during Public Comment. Mr. Icenhour extended his appreciation to Mr. Richardson's family for his contributions to the community. Mr. Icenhour noted the constant issue of citizen participation as noted by Mr. Henderson and asked the Board to review ways to increase citizen participation. Mr. Icenhour addressed the list of items to be discussed at the retreat and if there were any additional items.

Ms. Larson asked about the location of the bridge for clarification. She also asked for an update from Mr. Stevens about restructuring of the Communications department.

Mr. Stevens noted he would provide an update at the retreat.

Discussion ensued.

K. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens updated the Board regarding the Christmas tree and leaf disposal schedule. He

noted the Police Citizen Academy was accepting applications. Mr. Stevens announced Mr. Jason Purse, Assistant County Administrator, and his wife welcomed a baby boy, Calvin Maxwell Purse, and Mr. Stevens extended his congratulations.

Ms. Larson encouraged people to listen to the County's weekly podcasts. She noted this week's podcast featured Mr. Stevens and the issues of debris collection, budget and more.

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 and pertaining to the Planning Commission

A motion to Appoint Individuals to Boards and Commissions 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. Icenhour asked the Board for consensus to discuss the appointment to the Planning Commission in Open Session.

The Board concurred.

Ms. Sadler nominated Ms. Odessa Dowdy, a Stonehouse District resident, for a one-year term to the Planning Commission.

M. ADJOURNMENT

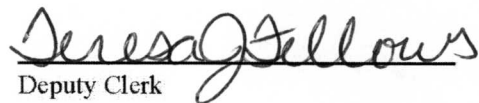
1. Adjourn until 2 p.m. on January 22, 2019, for the Board Retreat in the Work Session Room at the James City County Government Center

A motion to Adjourn was made by Ruth Larson, the motion result was Passed.

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

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

At approximately 6:42 p.m., Mr. Icenhour adjourned the Board of Supervisors.


Deputy Clerk