

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**April 9, 2019**  
**5:00 PM**

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**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**

**MAY 14 2019**

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

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE**

1. Pledge Leader - Finley Hooker-Tidwell, a 7th-grade student at James Blair Middle School and a resident of the Stonehouse District, led the Board and citizens in the Pledge of Allegiance

**E. PRESENTATIONS**

1. Retiree Recognition - Ms. Suzanne R. Mellen, Financial and Management Services Director

Ms. Sharon Day, Assistant Director of Financial and Management Services, referenced many of the admirable qualities Ms. Mellen had utilized in her 31 years of service with James City County, which included her leadership, friendships, and creative abilities.

Mr. Stevens stated he had the honor of recognizing Ms. Mellen as the Financial and Management Services Director and long-time dedicated employee. He gave a synopsis of her career, achievements, and positions held while working with James City County. He expressed his appreciation to Ms. Mellen for the help she extended to him since his recent hire as the County Administrator. He noted the wealth of information Ms. Mellen willingly shared with those interested in learning more about finances and further noted she had managed a good financial plan for the County. He further stated Ms. Mellen had led the County through the bond rating process in 2016 and reaffirmed last fall, whereas the County received a AAA Bond Rating from all three rating agencies, which was the best rating a county could receive. He expressed feelings that Ms. Mellen would be missed as she departed this organization; however, her legacy would continue with the efforts of staff she prepared over the years for her imminent retirement. He stated that on behalf of James City County he expressed his appreciation for her 31 years of service, and wished her much happiness, success, and congratulations as she moved on to the next chapter in her life. The audience and Board members gave Ms. Mellen a standing ovation.

Mr. Icenhour and Board members presented Ms. Mellen with a Certificate of Service and Appreciation in recognition of 31 years of dedicated employment with James City County.

Ms. Mellen expressed her appreciation and noted that over the past 31 years she had many mentors within the organization, especially Mr. John McDonald, who installed the leadership, stewardship, and collaboration values she respected and incorporated into her career. She noted she would miss the people she worked for, as well as the people she worked with, and remarked the experience had been wonderful.

The Board and audience members gave Ms. Mellen a standing ovation.

The Board expressed its sentiments.

Mr. Hipple expressed his gratitude for the job Ms. Mellen had done for the County financing and wished her a wonderful retirement.

Ms. Larson expressed her gratitude and admiration to Ms. Mellen. Ms. Larson reflected back to her days working on the Williamsburg-James City County School Board and noted that when Ms. Mellen's name was mentioned everyone got quiet and knew they had better listen. She mentioned to Ms. Mellen she was very respected for her wonderful job performance after the unexpected passing of Mr. McDonald, who held the position at the time of his passing as Director of Financial and Management Services. She remarked on the contributions Ms. Mellen made to the community and various board services. She expressed her thanks for the grace Ms. Mellen showed her as a new Board of Supervisors member when reviewing the budget and other items. She further expressed her gratitude to Ms. Mellen who never hesitated in helping others to understand areas where there were questions.

Ms. Sadler echoed Ms. Larson's sentiments and expressed her appreciation for everything Ms. Mellen had done over the years. She reflected on the times of being a new Board member and how Ms. Mellen took her under her wings and guided her through the process, page by page if necessary. She mentioned Ms. Mellen helped her to understand the importance of the process and to what degree it served the citizens, as well as the relevance of determining how to spend taxpayer's money. She stated Ms. Mellen did a superb job of representing the County and again expressed her gratitude.

Mr. McGlennon reflected Ms. Larson's sentiments regarding Ms. Mellen's efforts of stepping up when Mr. McDonald unexpectedly passed away. He commented on Ms. Mellen's abilities and understanding of issues and noted he never felt an instance in which there was a question regarding confidence in what Ms. Mellen was disclosing to the Board, which in turn allowed it to make informed decisions. He further noted Ms. Mellen's work style was one that shared generously with knowledge of finances and continuation of working to make the County prominent. He noted Ms. Mellen could leave James City County with the knowledge that she had made a difference in the community.

Mr. Icenhour stated he was impressed by how well Ms. Mellen moved into the leadership position after Mr. McDonald's unexpected passing. He further stated he was equally impressed with Ms. Mellen's preparation of the road for her own departure from the County. He expressed his appreciation of Ms. Mellen's continued patience and pointing out of information when necessary and she would be greatly missed.

## **F. PUBLIC COMMENT**

1. Mr. Jack Fowler, 109 Wilderness Lane, addressed the Board in regard to the Virginia Department of Transportation (VDOT) issues along Route 60 and Route 199 as well as

connecting roads. He discussed erosion problems, lack of storm drains, curbs, gutters, shrubbery, and debris. He commented he would welcome a resignation from Mr. Rossie Carroll, VDOT Residency Administrator.

2. Mr. Tim Trant, Kaufman & Canoles, P.C., 4801 Courthouse Street, Suite 300, addressed the Board in regard to Carter's Grove Associates, the owner of the property that is the subject of Consideration Item No. 1. He stated he would be available at the time the Board considered this item.

3. Ms. Peg Boarman, 17 Settler's Lane, addressed the Board in regard to reducing the amount of trash that had been generated. She emphasized the need for items to be reused when possible before being recycled. She recited excerpts of a March 18 press release from Ms. Monica Boehringer with the Virginia Recycling Association. She noted April 13 was the 41st Annual Spring Cleanup and reminded citizens it was not too late to get involved in cleanup within the County. She expressed her gratitude to citizens and Board members who had helped keep the County clean. She extended an invitation to join the celebration at Veterans Park after the cleanup April 13 beginning at 4:30 p.m. and noted festivities to occur during the celebration.

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

A motion to Approve both items 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

1. Minutes Adoption
2. Dedication of the Streets in Section 4 of the White Hall Subdivision

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

Mr. Icenhour recognized Mr. Jack Haldeman, Planning Commissioner, in the audience.

1. FY 2020 County Budget

Ms. Sadler opened the Public Hearing regarding Item No. 1 for the James City Service Authority (JCSA) at approximately 5:30 p.m., as noted in the April 9, 2019, Board of Directors meeting minutes.

At approximately 5:30 p.m., Mr. Icenhour opened the Public Hearing regarding Item No. 1 for the Board of Supervisors.

Mr. Icenhour stated that the presentation for the FY 2020 County Budget would be presented by Mr. Doug Powell, General Manager, JCSA and Ms. Day.

Ms. Day stated the evening's presentation would provide highlights from the County Administrator's FY 2020 proposed County Budget and gave an overview of a PowerPoint presentation relating to the County-side portion of information included in the Agenda Packet.

Mr. Powell continued the presentation with highlights regarding the JCSA portion of the information included in the Agenda Packet.

In closing, Ms. Day referenced upcoming budget work sessions as well as meetings that were included in the Agenda Packet and noted the County Administrator's FY 2020 Proposed County Budget was available on the County website at [www.jamescitycountyva.gov](http://www.jamescitycountyva.gov), which contained summary information in the front portion of the document as well as detailed information throughout the entirety of the document.

Mr. Icenhour stated the Public Hearing regarding the County would be held first.

1. Ms. Caren Schumacher, 119 Elizabeth Harrison Lane, addressed the Board in regard to the FY 2020 County Budget. She requested asset funding be included in the FY 2020 County Budget to resurrect a land protection tool like the once viable Purchase of Development Rights (PDR) program. She noted the County and Historic Virginia Land Conservancy work together to hold educational sessions for landowners and discussed past funding opportunities within the County. She discussed the importance of communities that conserve land and noted they were making wise investments for future generations. She remarked that land conservation helped communities in five key areas: 1) reducing the tax burden on residents; 2) improving property values; 3) attracting business investment; 4) reducing spending on infrastructure; and 5) promoting healthy lifestyles and public health. In closing, Ms. Schumacher stated land conservation in James City County was paramount to its future.

2. Mr. David Allen, 2001 Bush Neck Road, addressed the Board in regard to the FY 2020 County Budget. He gave a brief summary of his family background regarding rural development living. He stated the PDR program was a great program and would preserve for all time what was rapidly vaporizing and thus urged the Board to support the PDR program.

3. Mr. Tom Hitchens, 350 Thompson Lane, addressed the Board in regard to the FY 2020 County Budget. He gave a brief summary of his experience living all his life in rural areas of James City County. He stated the County had a natural beauty that must be protected and it was critical to have a program in place that could protect landowners with an opportunity to monetize their land. He further stated he supported funding a program that would leave the County in good shape for present and future generations.

4. Ms. Patrice Sadler, Executive Director of the Historic Virginia Land Conservancy, 5000 New Point Road, addressed the Board in regard to the FY 2020 County Budget. She reinforced the presence of a landowner conservancy program and fully supported its funding. She referenced protection considerations laid out in recent articles which appeared in the *Virginia Gazette* and *WY Daily*. She stated the County and Conservancy had been proven partners in land protection for many years and noted approximately 15,000 acres were currently protected within the County. She further stated the Historic Virginia Land Conservancy respectfully asked that the FY 2020 Budget include funding for this critically important effort.

Mr. Icenhour stated that was the last speaker for the County section of the FY 2020 County Budget and therefore closed its Public Hearing.

Ms. Sadler inquired if there were any speakers for the JCSA side of the FY 2020 County Budget.

As no one wished to speak, Ms. Sadler closed its Public Hearing.

Mr. McGlennon stated after hearing today's comments and referring back to an earlier discussion the Board had about PDR rights, it was clear the Board was very interested in examining the opportunity for PDRs. He further stated when that portion of the budget was approached he would be looking within the constraints of the budget to find out how to address those concerns.

Mr. Hipple agreed with Mr. McGlennon's comment.

2. An Ordinance to Vacate a Portion of Unimproved Right-of-Way in the Williamsburg West Subdivision

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

Ms. Liz Parman, Assistant County Attorney, gave an overview of a memorandum and Ordinance included in the Agenda Packet.

Mr. Icenhour opened the Public Hearing.

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

Mr. Icenhour noted this was located in his district. He stated that if he recollected correctly, this was originally intended to be a connection to Ford's Colony, which now it could not be; therefore, he felt it would be very beneficial as it had been a contentious point in the neighborhood.

3. An Ordinance to Amend Section 2-15.1 of the County Code, authority to obtain criminal history record information for employees

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

Ms. Parman noted this was largely a housekeeping measure and gave an overview of a memorandum and Ordinance included in the Agenda Packet.

Mr. Icenhour opened the Public Hearing.

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

4. Case No. SUP-19-0004. JCSA College Creek Pipeline Project

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

Ms. Terry Costello, Deputy Zoning Administrator, gave an overview of a staff report and resolution included in the Agenda Packet.

Mr. Haldeman stated the Planning Commission considered this application at its meeting held on March 6, 2019, and unanimously recommended approval. He further stated concerns were raised regarding the tree buffer between College Creek Estates and Route 199; however, they were assured no mature trees would be removed and any tree removal would be kept at a minimum. He noted discussion ensued regarding marshaling of equipment on the west side of the pipeline.

Mr. Icenhour opened the Public Hearing.

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

Mr. McGlennon stated he had received several calls regarding this item. He further stated some citizens thought this applied to some place interior to the subdivisions and nearby areas; however, he assured them it did not. He noted he felt it was an important project, which would modernize that section of pipe.

5. Ordinance to Amend Sections 10-4 and 10-5 of the County Code, maintenance of premises and recourse of county upon failure to maintain

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. Joe Melton, Legal Extern, expressed his gratitude to the County Attorney's Office for the legal experience it provided him as a second-year student at the College of William & Mary Law School. He noted these were largely housekeeping amendments and gave an overview of the memorandum and Ordinance included in the Agenda Packet.

Mr. McGlennon thanked Mr. Melton for his presentation. He inquired if Mr. Melton felt this was primarily a result of the state legislative changes.

Mr. Melton replied it was primarily a result of the state law changes since 2011 as there had been a few different amendments throughout the years and was primarily reflecting these changes.

Mr. Icenhour opened the Public Hearing.

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

6. AFD-02-86-2-2018. 4450 Ware Creek Road Croaker Addition

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

Ms. Roberta Sulouff, Senior Planner, gave an overview of the staff reports and Ordinances included in the Agenda Packet regarding Item Nos. 6, 7, 8, 9, and 10. She stated during the course of the recent renewal of the County's Agricultural and Forestal Districts (AFDs), staff received five requests to add land into the AFD program. She further stated the five requests were reviewed by the AFD Advisory Committee at its January 24, 2019 meeting, and the Committee voted unanimously to recommend approval of each addition. She noted that at the March 6, 2019 Planning Commission meeting, the Commission voted 6-0 to recommend approval of the following two applications to the Croaker AFD: 4928 Fenton Mill Road (52 acres of land), and 4450 Ware Creek Road (14.18 acres of land). She further noted that at the same meeting the Commission voted 5-1 to recommend approval of the remaining three separate requests: 9888 Sycamore Landing Road (62.35 acres of land to the Croaker AFD), 8328 Diascund Road (10 acres of land to the Mill Creek AFD), and 358, 365, and 382 Ivy Hill Road (60.73 acres of land to the Mill Creek AFD).

Mr. Haldeman stated several of these AFDs were approved unanimously and three were approved by a vote of 5-1. He further stated the considerations on the AFDs that were

approved 5-1 had to do with concerns whether a property should be included in an AFD if it was undevelopable, or partly undevelopable, due to steep slopes, poor soil, or other issues. He remarked other considerations such as protection of watersheds and wildlife habitat, etc., were more than enough reason to include these properties in an AFD, hence the 5-1 recommendation for approval.

Mr. McGlennon inquired if there was any financial benefit of including an undevelopable piece of property to an AFD.

Mr. Paul Holt, Director of Community Development and Planning, stated ultimately it depended on the application and the annual process with the Office of the Commissioner of the Revenue. He further stated if Mr. McGlennon was interested staff could pursue that further.

Mr. McGlennon replied he would ask the Commissioner of the Revenue.

As liaison to the AFD Committee, Ms. Sadler expressed her gratitude to staff for the excellent job it did with reviewing these parcels. She noted this was a volunteer group that gave up their time to serve and it was very appreciated.

Mr. Icenhour opened the Public Hearing for all five AFDs.

As no one wished to speak, Mr. Icenhour closed the Public Hearing on all five AFDs.

7. AFD-18-0016. 365, 358, and 382 Ivy Hill Road Mill Creek Addition

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

8. AFD-18-0017. 9888 Sycamore Landing Road Croaker Addition

A motion to Approve 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

9. AFD-18-0019. 4928 Fenton Mill Road Croaker Addition

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

10. AFD-18-0020. 8328 Diascund Road Mill Creek AFD Addition

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

11. An Ordinance to Enact a User Fee for Curbside Recycling Collection Service

Ms. Grace Boone, Director of General Services, gave an overview of a PowerPoint presentation as well as memorandum and Ordinance included in the Agenda Packet. Topics included in the PowerPoint presentation regarding curbside recycling were as follows:

- Existing regional contract expires June 30, 2019;
- The cost of recycling has historically come from the General Fund;

- As a result of changes in the international trade market, net cost has increased drastically;
- The County is a community committed to sustainability;
- Opt-out option;
- Treasurer's Office will be performing the billing; and
- Proposing to move to a voluntary "Fee for Service" system for residents who wish to have curbside recycling. Staff recommends a recycling fee of \$7 per household per month, effective October 1, 2019.

General discussion ensued regarding curbside recycling.

Ms. Larson expressed her gratitude to Ms. Boone, Ms. Dawn Olesky, Environmental Coordinator, Recycling, and citizens for their involvement regarding this issue.

Mr. McGlennon mirrored Ms. Larson's comment and expressed his appreciation for the hard work regarding this issue, which had been encompassing localities across the country. He referenced Ms. Boarman's mindset that the ultimate key is to reduce the amount of waste being produced.

Mr. Icenhour inquired if the first quarter billing cycle would be using general fund monies with the remainder of the year using "fee for service" monies.

Ms. Boone replied correct.

Mr. Icenhour inquired if the billing would be monthly or if there was an option for quarterly, semi-annually, or annual payment.

Ms. Boone replied it was quarterly billing with an option to pay for an entire year if so desired.

Mr. Stevens stated citizens could elect to pay quarterly, six months, nine months, or the full 12 months.

Mr. Icenhour opened the Public Hearing.

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

Mr. Icenhour stated there would be no action taken this evening as it would be part of the budget work sessions.

The Board took a break at approximately 6:33 p.m.

The Board reconvened at approximately 6:40 p.m.

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

1. Case No. C-18-0123. Hampton Roads Sanitation District Treatment Plant Expansion within Carter's Grove AFD

A motion to Adopt the second resolution 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. Sulouff gave an overview of the staff report and two resolutions included in the Agenda



Packet regarding this item.

Ms. Sadler inquired about when the federal order was issued.

Ms. Sulouff replied she would refer that question to the Hampton Roads Sanitation District (HRSD) representative.

Mr. Edward (Ted) Henifin, General Manager, HRSD, stated the consent decree was originally entered into court in 2010. He further stated HRSD had responded with its proposed plan in October 2017 and had not received approval at this time.

Mr. McGlennon inquired if a deadline had been indicated in order to meet the consent agreement.

General discussion ensued regarding this topic.

Ms. Sadler stated she would be interested in hearing from the landowner or representative.

Mr. Trant approached the podium.

Ms. Sadler stated she would like to hear his position on these criteria and the potential loss of the 53 acres as well as how that would affect the property.

Mr. Trant replied in his opinion the decision had been presented to the Board in an unnecessarily difficult manner. He stated it was a decision between two lofty and mutually exclusive virtues, the sustainability of the public utility system on one hand versus environmental stewardship of rural lands and historic preservation on the other. He discussed the three criteria in response to Ms. Sadler's question.

General discussion ensued regarding this item.

Mr. Hipple briefly discussed the time period when Colonial Williamsburg owned the land and HRSD put its plant on the land and added a buffer in an effort to camouflage the plant from any neighboring areas. He stated HRSD had protected the amount of money spent on this project and sensed a deal would be worked out in the near future. He expressed concern in regard to "the amount of take being taken."

General discussion ensued regarding this item.

Mr. Hipple inquired if the owner of Carter's Grove gave a certain amount of land or a portion of a well site to HRSD.

General discussion ensued regarding this item.

Ms. Sadler asked for clarification regarding the specific area of discussion.

Mr. Trant clarified the location.

Mr. Icenhour inquired to Mr. Kinsman in regards to the two resolutions included in the Agenda Packet. He asked for clarification for the Board and the public regarding the process in each case. He stated his understanding was if he voted yes, this did not actually take the land out of the AFD. He further stated it was his understanding there was a process whereby they had to go through the Planning Commission and back to the Board of Supervisors in order to physically do the removal.

Mr. Kinsman replied that was correct and briefly explained the difference of the two documents.

General discussion ensued regarding this process.

Ms. Sadler noted to Mr. Icenhour that Mr. Chris Taylor, Chair of the AFD Board Committee, was present in the audience.

Mr. Taylor referenced the January 24, 2019 AFD Committee meeting, and stated the Committee was informed by staff it would be charged with making a recommendation on whether the proposed action by HRSD to acquire land at 250 Ron Springs Drive. He further stated the land, which was located at the Carter's Grove AFD by commendation for public utility purposes, might have an unreasonable and adverse effect upon the preservation and enhancement of agricultural and forestal resources located within the district and associated policies. He remarked that in a 5-1 vote the AFD Committee found the action did have an adverse effect based on the following criteria set forth by the state of Virginia: 1) the effect the action would have upon the preservation and enhancement of the agricultural and forestal resources within a district and associated policies; 2) the necessity of the proposed service to the public in the most economic and practical manner; and 3) whether reasonable alternatives to the proposed action are available that would minimize or avoid any adverse impacts within the district. Mr. Taylor briefly discussed the AFD Committees, finding on each of the above criteria. In conclusion, Mr. Taylor stated the AFD Committee members tried to promote and encourage the use of the AFD to promote preservation of property in the County. He further stated the Committee felt by voting to allow a sizable amount of the property currently in the AFD to be condemned, it would be voting against one of the layers of protection promoted when landowners come and want to enter into the AFD program.

Mr. McGlennon stated his concern was this particular piece of property was not just associated with this application, but was also one that figured quite predominately in a recent case before the U.S. Circuit Court of Appeals related to the placement of power lines across the James River. He further stated that in his perspective it did not appear requirements had been precisely followed and briefly discussed this issue. He noted he would be inclined to adopt the second resolution included in the Agenda Packet.

Ms. Sadler stated she attended the AFD meeting and had concern with the criteria that regarded the commitment to protecting the layer of protection provided by an AFD and compromising that protection. She agreed with Mr. McGlennon and Mr. Taylor that she would be supportive of the second resolution.

Mr. Icenhour expressed his thanks to both parties for engaging in productive negotiations and felt the amount of land being proposed was in excess of what was needed to do the project. He stated there were two good public needs competing and it was important to minimize the amount of disruption to this AFD. He commented he felt Mr. McGlennon was correct in his observations. He briefly discussed the adjacent property that was not in the AFD and noted there was an opportunity to look at what existed around the plant and to do this in a much tighter footprint that might be more appropriate. He further stated as it presently stood he could not support this item.

Mr. McGlennon echoed the comments made by Mr. Icenhour. He affirmed this was an important project and was supportive of the project itself and hoped there could be a resolution that would satisfy the parties to a much greater extent. He noted this additional process would not take a very long period of time and yet would provide a better level of confidence in whatever the final proposal was as to whether or not the Board would be making the right move.

Ms. Sadler concurred with the comments made by Mr. McGlennon and felt the second resolution would provide more time to be able to further analyze the project.

Mr. Icenhour stated the public had not received the opportunity to weigh in on this project and a public process allowed such an opportunity to be given.

Mr. Kinsman clarified the record and briefly discussed the terms of the second resolution.

2. Initiating Resolution to Consider Amendments to County Code Section 24-16

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. Kinsman referenced the 2016 session of the General Assembly that regarded a number of changes made to proffer laws. He stated a lot of work was done in the interim and noted in its current session the General Assembly made a number of changes to the proffer laws, some that appeared to address concerns the Board mentioned in 2016. He further stated he and Mr. Paul Holt, Community Development Director, had put before the Board an initiating resolution that directed staff to review the new proffer law and determine whether or not any changes were warranted to that section of the County Code and any policies that had previously been rescinded. Mr. Kinsman commented if the Board of Supervisors desired a deeper look be taken into this; it was his recommendation the Board adopt the attached resolution.

General discussion ensued regarding this issue.

Ms. Larson expressed her gratitude to Mr. McGlennon in regard to his efforts with the High Growth Coalition and achievements thus far in the process.

## J. BOARD REQUESTS AND DIRECTIVES

Mr. Hipple stated he attended a retirement event for Coach Mel Jones who had coached Williamsburg-James City County schools indoor and outdoor track as well as field for the past 45 years and gave a brief biography of Coach Jones' accomplishments throughout his career. He noted he delivered a resolution from the Board to honor Coach Jones who expressed his appreciation for the performance of the Board of Supervisors. Mr. Hipple further stated that on April 25 a big event would be held for the signing of the Hampton Roads Tax Project with the Hampton Roads Bridge Tunnel and invited fellow Board members to attend if their schedules allowed.

Ms. Larson noted she recently participated in a panel discussion at a "Lunch and Learn" at the Williamsburg Area Association of Realtors. She further noted additional guests included the Superintendent of Schools, Chair of the School Board, and Principal of Jamestown High School. She briefly discussed the importance of having a connection with the real estate community and how it could benefit future efforts regarding redistricting. Ms. Larson commented she and Mr. Stevens attended the grand opening of Harris Teeter on John Tyler Highway, and remarked it was the second Harris Teeter supermarket in James City County as well as the third Harris Teeter in the Greater Williamsburg Area.

Ms. Sadler noted she attended Fox Wire Farms annual shearing of approximately 90 alpacas and commented it was a fascinating event to observe. She gave a shout out to Mr. John Ballentine for doing a great job during her recent visit as well as boosting tourism in the upper end of the County.

Mr. McGlennon stated he attended a meeting at Hampton University that brought together the Peninsula Council for Workforce Development and the Southside equivalent for demonstration of working cooperatively and collaboratively in an effort to address workforce needs of the region. He noted Mrs. Bobbye Alexander, a resident of the City of Williamsburg who had a profound impact on James City County, recently passed away and gave a brief synopsis of her legacy. Mr. McGlennon commented he and Mr. Stevens attended the celebration of volunteer activities at Williamsburg Regional Library. He noted these activities were only possible due to the commitment of members of the community. He referenced the Book Nook located in both libraries and recognized it had generated \$1.15 million in sales over the past 10 years, which benefited the community and supplemented the funding provided. He pointed out that Ms. Betsy Fowler, Library Director, was generous in her recognition of the County's role in funding of the world-class library system.

Mr. Icenhour stated March 29 had been designated Vietnam War Veterans Day on a national basis and he attended its recent celebration. The event was held at the Veterans Park memorial with a local Vietnam Veterans Chapter in attendance. He expressed his thanks to the County and noted Mr. Jason Purse, Assistant County Administrator, was present as well as County and Parks staff. He commented that Parks staff were very helpful at the event and over 125 pins were presented to Vietnam Veterans at this meaningful ceremony. He stated earlier in the day he participated with the Pure Silk Championship Media Day and was able to welcome everyone to James City County. He mentioned there would be a Virginia Commonwealth Transportation Board Public Hearing on the FY 2020-2025 Six-Year Improvement Plan on April 18 in Suffolk at 7511 Burbage Drive, as well as one to be held April 25 in Glen Allen at 4240 Dominion Boulevard.

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

Mr. Stevens reminded the Board that the Community Budget Forum would be held April 11 at 6:30 p.m. at the James City County Recreation Center. He also reminded the Board of the 41st Annual Spring Cleanup to be held April 13 from 7 a.m.-4 p.m., and the Celebration of Veteran's Park beginning at 4:30 p.m. He noted additional information was available at 259-5375. He mentioned Social Services would be hosting a Landlord Fest on April 26 at the James City County Recreation Center in an effort to provide coordination with the Virginia Housing Consortium. He noted the community resource fair would be held for the purpose of connecting rental property owners to valuable resources with opportunities to provide housing to the most vulnerable citizens. He further noted more information was available at 259-5340.

#### **L. CLOSED SESSION**

A motion to Certify the Board only spoke about those items indicated that it would speak about in Closed Session 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

At approximately 7:28 p.m., the Board entered Closed Session.

At approximately 7:45 p.m., the Board re-entered Open Session.

1. Section 2.2-3711.A(8), Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel; in particular, a right-of-way known as a portion of Overlook Drive in the Kingspoint subdivision

**M. ADJOURNMENT**

1. Continue until 6:30 p.m., on April 11, 2019, for the Community Budget Forum at the James City County Recreation Center

A motion to Continue 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

At approximately 7:46 p.m., Mr. Icenhour adjourned the Board of Supervisors.

  
Deputy Clerk