

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**WORK SESSION**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**November 26, 2019**  
**4:00 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**

**JAN 14 2020**

Board of Supervisors  
James City County, VA

**C. BOARD DISCUSSIONS**

1. Meeting with State Legislators

Mr. Icenhour thanked the State Legislators for their attendance. He noted Mr. Kinsman would lead this portion of the meeting with a presentation of the Board's legislative agenda.

Mr. Kinsman addressed the legislative representatives: the Honorable Amanda Batten, Virginia House of Delegates-elect; the Honorable Michael Mullin, Virginia House of Delegates; and the Honorable Tommy Norment, Member of the Virginia Senate. Mr. Kinsman highlighted the agenda noting legislative requests followed by positions for which the Board was seeking support. He noted a carryover from the previous year which requested the General Assembly require online retailers to distribute sales tax by physical address rather than zip code to ensure each locality received the proper amount. He further noted the County's Financial and Management Services had experienced some difficulty with reports for surrounding localities.

Delegate Mullin noted this was a fair way to distribute the tax, but he questioned if there was legislation carried last year for this point and what was the fiscal impact for the state.

Mr. Kinsman noted he was unaware of any impact, but he further noted no local legislators picked up this legislation. He added he was unaware if any had occurred in the General Assembly.

Senator Norment noted no bill was introduced pending the Wayfair decision impact. He further noted the impact had been pretty significant.

Mr. Kinsman continued with Point No. 2, which addressed an amendment to the Virginia Code to include Special Conservators of the Peace (SCOP) such as the County Park Rangers to have access to the Virginia Criminal Information Network (VCIN). He noted the VCIN access allowed Rangers to check driver licenses as needed. Mr. Kinsman noted the Director of Parks and Recreation had spoken with the Virginia State Police representative and was

advised on this route as the best course. He further noted the specifics and uniqueness of SCOP who are employed by a locality in the definition of a Criminal Justice Agency.

Senator Norment asked if the representative of the Virginia State Police indicated support of this request.

Mr. Kinsman noted he had not spoken with the representative, but was under the impression that the request was supported with the wording "of the locality" included.

Delegate Mullin referenced legislation he had endorsed two years earlier for Newport News and the VCIN training requirements from the Department of Criminal Justice Services (DCJS). He noted SCOPs were not required to have DCJS training or continuing education requirements so they would not have the same requirements that all other parties have for VCIN access.

Mr. Kinsman confirmed that, adding SCOPs did have training, but a different training from police officers.

Senator Norment noted there had been a contentious debate for several years over the SCOP training. He further noted the previous concerns from both the Virginia Sheriffs Association and the Chief of Police Association.

Mr. Kinsman noted this may have been the point the State Police representative hinted at with the designation of 'locality' incorporated into the wording. Mr. Kinsman continued with Point No. 3, which addressed an amendment to the Virginia Code which allowed localities to prohibit e-cigarette stores from locating within 1,000 feet of a public school. He noted this was a request from Mr. McGlennon. Mr. Kinsman continued with Point No. 4, which he added the County's Commissioner of the Revenue had identified. He noted an amendment to a particular section of the Virginia Code which would allow the imposition of a license tax on amusement machines that take payment in forms other than coins. Mr. Kinsman further noted a section of the Code that referenced a license tax on coin-operated machines. He added he was not aware of any coin-operated amusement machines in the County as most had credit card or swipe payment methods. He referenced the Queen machines which had recently been discussed.

Senator Norment noted a possible ban on the machines through legislative action. He further noted the adverse measurable effect on lottery sales.

Mr. McGlennon noted a nonprofit organization in the County had recently received a grant from a company involved in the skill machines.

Mr. Kinsman continued with Point No. 5, which was from a recent meeting, and it focused on amending the Virginia Code to require absentee votes be reported by precinct when more than 25 such votes were cast in that precinct. He noted an increase in absentee voting.

Senator Norment acknowledged the Transparency Caucus.

Delegate Mullin noted the Caucus existed and was on the House side.

Delegate-elect Batten asked if the Registrar office had such a Caucus.

Mr. McGlennon noted it did not, but added this request was in response to the No Excuse Absentee Voting and its projection of approximately 60% of voting being done absentee. He further noted the precinct breakdown would be available.

Mr. Icenhour noted this request allowed for better statistics than just central absentee data. He further noted the Registrar had said this was doable, but added the direction to do it was needed.

Senator Norment noted the increased number of early absentee voting and its political impact on campaigns using AB Chase. He referenced the historical perspective of chasing absentee ballots and the enhanced ability to identify data and behavior of voters.

Mr. McGlennon noted the change to the upcoming election with the ability to view demographics of who has voted. He further noted it would allow the respective parties to then focus on the groups that have not voted. Mr. McGlennon stated that he understood information was available, but not reported that way.

At approximately 4:19 p.m., the Honorable Montgomery Mason, Member of the Virginia Senate, joined the meeting.

Mr. Kinsman noted the second page highlighted new and carryover legislation. He further noted Item Nos. 2-1, 2-7, and 2-8 were new. He stated No. 2-1 encouraged the General Assembly to provide funding to the Virginia Department of Transportation specifically for improvements to the Airport Road-Richmond Road intersection. Mr. Kinsman noted No. 2-7 addressed a joint cooperation between the Department of General Services and the Department of Behavioral Health and Developmental Services to work with the County to identify a minimum of 10 acres on the Eastern State Hospital site for the location of a new facility for Colonial Behavioral Health. He added that Senator Mason, Senator Norment, and Ms. Rebecca Vinroot, Director of Social Services, had more experience with that particular item than he did. Mr. Kinsman noted No. 2-8 was the result of a recent rezoning and encouraged the Commonwealth of Virginia to purchase the approximately 2,300-acre property located in the County as The Stonehouse Preserve for the expansion of the Ware Creek Wildlife Management Area or the York River State Park. Mr. Kinsman stated the remaining items were carryovers: revision of existing impact fee laws to encourage use of statutorily-calculated impact fees in lieu of cash proffers; changing the primary date from the second to the third Tuesday in June; supporting nonpartisan redistricting at the state and local levels; supporting the legislative agendas of the Virginia Municipal League (VML), the Virginia Association of Counties (VACo), and the Virginia Coalition of High Growth Communities; and requesting the state adequately fund for local road improvements, tourism, substance abuse and mental health treatment, public education, stormwater local assistance funds ("SLAF" funding), and public libraries.

Senator Mason noted there was no mention of inoperable vehicles on the list.

General discussion ensued.

Mr. Icenhour asked if there were any questions on Mr. Kinsman's presentation and asked for sponsorship on the legislation on Page 1. He noted discussion with Mr. Kinsman at a later date was also an option.

Senator Norment asked about Item No. 2-7 and the anticipation of a fair market value paid on the 10-acre site.

Mr. Kinsman thought that was so, but deferred to Senator Mason and Ms. Vinroot.

Senator Mason noted working through the process and the overall context regarding this as a benefit to Virginia's mental and public health. He noted he did not know where the prospective opportunities were currently, but discussion on possible proffering or other options.

Senator Norment asked about Item No. 2-8 and the Commonwealth's purchase of the 2,300-acre property. He referenced the County's real estate tax increase for the purpose of purchasing Open Space.

Mr. McGlennon noted the suspension of the Green Space program years back during the recession. He further noted the 1 cent tax dedication, which allocated half to the Green Space program and the other half cent to the Purchase of Development Rights (PDR) program. He added there had been discussion on the PDR program. Mr. McGlennon noted some expectations regarding funding from the mitigation of the Dominion Energy towers and possible use for acquisition of preservation land for the Chesapeake Bay.

Senator Norment said yes and that a significant amount had been used to obtain land in Gloucester for a state park.

Mr. McGlennon noted hearing of state discussion with Stonehouse.

Senator Mason said this was news to him.

Mr. Kinsman noted the discussion had probably been with the Department of Forestry. He further noted this indicated the Board's desire to continue this point moving forward.

Mr. Hipple noted conversation with the property owner and the Ware Creek Management as well as options at the presentation to the Board of Supervisors at its last meeting.

Discussion ensued.

Senator Mason apologized for his late arrival, but noted Item No. 1-2 and conversation about Newport News and some significant problems. He asked about the online sales tax and a solution to the problem.

Ms. Larson noted she had spoken with Ms. Lara Overy, Commissioner of the Revenue for the City of Williamsburg, about how to fix the issue. She further noted a fix could include a zip code change or even a more dramatic change such as a name change. Ms. Larson stated it was something to be figured out with involvement from localities to ensure money was allocated into the right coffers.

Delegate Mullin asked if VACo or VML had drafted legislation concerning this issue. He noted the County was probably not the only location impacted in such a way and he cited Albemarle and the City of Charlottesville as well as several other Virginia localities dealing with this concern.

Ms. Larson noted this question would be asked at the January 6, 2020 VACo meeting.

Senator Norment asked if VACo had any prototype legislation.

Senator Mason questioned the dispersion and noted zip codes were not always correct for the locality.

Ms. Larson noted the responsibility was on the retailer for the correct information, but further noted if the retail system was sophisticated enough for that type of filtering process.

Delegate Mullin noted possibly for Amazon, but questioned that possibility for small online retailers.

Mr. Hipple stated many residents think they live in the City of Williamsburg based on their

mailing address, but actually they live in the County.

Ms. Larson noted she would follow up with the legislators after the VACo meeting and welcomed any suggestions they might encounter in the meantime.

Mr. McGlennon addressed a point not on the list. He noted affordable housing studies in numerous localities and the Virginia Coalition of High Growth Communities. He further noted a conference in the spring after the General Assembly on the affordable housing topic. Mr. McGlennon noted determining the view of each locality for addressing the nature of what type of affordable housing needs are in its own area, what obstacles exist, and the best way to address them. He requested legislation, prior to full discussion from all affected, not move forward until exploration of more localities and their respective needs could be reviewed.

Senator Norment asked if locality representatives would be willing to speak to this point and encourage postponing possible legislative action.

Mr. McGlennon confirmed yes.

Senator Norment noted he was not sure what 'New Virginia' looked like so he was not sure how components, such as affordable housing, would be incorporated into it. He further noted the collective wisdom hopefully would seek input from localities if affordable housing was an issue for legislation.

Mr. McGlennon noted the wide-range of counties, such as Albemarle, Spotsylvania, Stafford, Fairfax, and others, which comprised the Coalition. He further noted the dynamics of population were changing dramatically.

Delegate Mullin noted there was much interest for work on the affordable housing space, but cautioned the avenue of approach with regards to the Housing Trust Fund as well as the proffer arena.

Mr. Hipple suggested looking at townhomes, apartments, and such in relation to affordable housing. He noted many people think of a house and referenced Newport News and container homes as an option. Mr. Hipple further noted looking at affordable living conditions.

Discussion ensued on tiny homes, non-performing motels, and other housing options.

Ms. Larson noted an article from *The Virginia Pilot* that addressed recycling and current challenges. She further noted possible discussion during the General Assembly to address the issues of recycling that many localities were experiencing due to changes with China.

Senator Norment noted a recent trip to Israel where he met with several economic development prospects for the area. He further noted a potential recycling company that did not segregate garbage, but instead created a polymer from the collection. Senator Norment stated the company was shopping for a location, but added certain criteria were required to make production viable.

Mr. McGlennon extended congratulations to the delegates, which was echoed by his fellow Board members.

Mr. Icenhour asked Delegate-elect Batten to present a Certificate of Appreciation to retired Delegate Pogge on behalf of the Board.

Mr. Icenhour thanked the legislators for their participation.

At approximately 4:33 p.m., the Board recessed.

At approximately 4:34 p.m., the Board reconvened at which time Mr. Icenhour noted a change to the agenda with discussion on the Fiscal Year 2019 School Year-End Spending Plan Appropriation as the next item.

2. Fiscal Year 2019 School Year-End Spending Plan Appropriation - \$1,697,787

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

Mr. Stevens noted that this information had been presented by Ms. Sharon Day, Director of Financial and Management Services, at the last meeting. He further noted Ms. Day was unable to attend the work session, but the same material was included in the Agenda Packet. Mr. Stevens noted the amount represented the surplus funds from the Capital Plan for the Williamsburg-James City County (WJCC) school system with \$600,000 set aside toward next year's Capital Improvements Program (CIP) and this amount reflected the balance. He further noted some additional questions the Board had and added that Dr. Olwen Herron, Superintendent, and Ms. Rene Ewing, Chief Financial Officer, of WJCC Schools were present to answer any questions.

Mr. Icenhour asked if the Board had any additional questions for the school leaders.

Ms. Larson replied no.

Mr. McGlennon asked about the acquisition of additional buses and the plan going forward on that point.

Ms. Ewing stated the schools had a smoothing plan that allowed for the purchase of 10 buses per year. She noted the plan also listed the buses that were over 15 years old for reference. She further noted the smoothing plan in place meant 20 buses did not need to be purchased in any one year. Ms. Ewing stated buses aged out at 15 years. She noted the budget request included the purchase of four additional buses to keep on track.

Mr. McGlennon asked if the expectation for each year going forward included a request for 10 additional buses to replace the older ones.

Ms. Ewing confirmed yes.

Mr. McGlennon inquired about the Governor's initiative on the transition to electric school buses.

Ms. Ewing noted a grant application with a request for four-eight buses had been submitted. She further noted they were anticipating a response in December to see if the schools would receive one of the grants.

Mr. McGlennon asked if the grant covered the difference between the cost of a conventional school bus versus an electric one.

Ms. Ewing stated yes with the schools paying the cost of a normal diesel-powered bus and the grant covering the difference.

Mr. McGlennon asked what the cost was of the diesel-powered bus.

Ms. Ewing replied approximately \$250,000, and over \$300,000 for an electric bus.

Dr. Herron noted the challenge to eventually replace the fleet. She further noted that process would take place over time if that decision was made, but added the grant focused on the infrastructure initially to start the process based on the number of buses approved.

Ms. Sadler asked about the maintenance cost differences for the electric bus versus the conventional diesel bus.

Dr. Herron replied she was not sure, but added that the distance for an electric bus was not the same as the diesel. She noted electric had limitations, particularly if you traveled to an area without electric. Dr. Herron further noted that if the electric buses are approved, then they would review the routes very carefully.

Ms. Larson asked about the lifespan on an electric bus.

Dr. Herron asked Mr. Marcellus Snipes, Senior Director for Operations, if he had that information.

Mr. Snipes replied no, but it was expected to be the same as on a diesel bus. He noted there were some maintenance costs and cited batteries as an example.

Ms. Sadler asked about the battery cost.

Mr. Snipes noted the battery cost was approximately \$100,000 and lasted about 10 years.

Mr. McGlennon noted the importance of the advances in electric vehicles. He further noted less moving parts, greater distances, and the supportive infrastructure being less of an issue as the major automobile makers were supporting electric vehicles. Mr. McGlennon also noted the long-term cost savings for school districts with the conversion to electric buses.

Mr. Hipple asked about the savings.

Mr. McGlennon responded fuel.

Mr. Hipple noted the cost of still generating fuel, whether gas versus electric. He also cited the cost of batteries for each bus, charging station, or multiple ones.

Dr. Herron noted this was new territory being explored, but further noted advantages and disadvantages to both systems. She added that opportunities were available if the cost difference and the infrastructure were covered, while also exploring the cost savings for the future when additional electric buses could be used.

Ms. Larson noted the challenge as the bus depot was farther out and referenced the battery life charge. She further noted the environmental impact with the electric conversion. She asked if any school systems in Virginia had switched to electric school buses.

Mr. Snipes replied there were several school systems in Northern Virginia with some electric buses.

Ms. Larson requested some information on those systems.

Dr. Herron noted this would be a slow-moving process, but felt distance could impact a full-fleet conversion as well as the infrastructure.

Mr. Hipple noted he would rather see money go into seatbelts on school buses over conversion to electric. He further noted that if bus drivers needed seatbelts, then students should also. He added all drivers need to have and wear them.

Ms. Larson noted a bus driver shortage at one time.

Dr. Herron said that was a continual issue for many schools, but referred to Mr. Snipes.

Mr. Snipes noted it was a constantly changing area. He further noted other school divisions, such as Chesapeake, were struggling with a shortage.

Mr. Hipple commented on the four buses for this year and inquired how many buses were purchased last year.

Ms. Ewing noted 14 were purchased last fiscal year.

Mr. Hipple noted the four buses from last year plus the four additional ones this year would equal eight buses that would begin the aging process.

Mr. McGlennon asked if the four buses purchased from the surplus money would count toward last year.

Ms. Ewing noted they counted toward this year.

Mr. Icenhour asked if the smoothing plan for Fiscal Year (FY) 2019 was for 10 buses, but 14 buses were actually purchased.

Ms. Ewing confirmed yes.

Mr. Icenhour questioned FY20 in which the CIP only showed two buses.

Ms. Ewing noted the schools' operating budget only covered the cost of two buses, which were purchased.

Mr. Icenhour asked if there was anything programmed in the CIP for the remaining number of buses for the smoothing plan. He noted if 14 buses were purchased the previous year, then six more would be needed to maintain the smoothing plan. He questioned programming in the CIP to reflect that point up front.

Dr. Herron noted the remaining number was not in the CIP except when a new school was coming online. She further noted the replacement fleet was paid from the operating budget. Dr. Herron stated that previously they had not been able to put the bus purchase into budget. She noted they were able to put two buses into the budget now, but not additional ones due to competing needs.

Mr. Icenhour asked if the Board approved the request, and four buses were added, would the total be 20 over the last two years.

Dr. Herron confirmed yes.

Mr. Icenhour asked about future projections with 10 buses per year, but without the funds. He noted if the budget only allowed for two or three annually, this same process would need to be repeated again next year.



Dr. Herron replied yes, most likely. She noted they had tried to include two additional buses to last year's initial budget, but were unable to keep that number.

Mr. Icenhour asked about the number of buses for the upcoming year.

Dr. Herron noted they did not know yet, but were hoping to add.

Mr. Icenhour asked if the bus money was going into the operating fund and not the CIP.

Dr. Herron confirmed yes.

Mr. Icenhour asked if many of the other items on the spending list were CIP and if so had those items been moved forward to take advantage of this money.

Dr. Herron noted one was currently in the CIP and referenced the bus garage. She further noted that item would come out of the CIP.

Mr. Icenhour noted that one item, if drawn out of the future CIP, would allow more breathing space.

Dr. Herron confirmed yes.

Mr. Icenhour asked the Board for any other questions.

Ms. Larson noted she had a philosophical difference earlier, but added she would not pull the item tonight. She further noted her frustration, but expressed she would vote in favor. Ms. Larson acknowledged School Board member, Dr. James Beers, as well as several staff members, were in attendance.

Ms. Sadler asked if it was Driver's Education.

Ms. Larson confirmed yes.

Mr. Hipple asked about the smoothing plan as buses were discussed every year. He noted running behind the next year regarding the buses with end-of-year money.

Dr. Herron noted these four buses would keep them on task through the end of this year. She further noted when they were fortunate to have money at the end of the year, buses were a priority to help keep the smoothing plan in order.

Discussion ensued.

Mr. McGlennon noted the Board authorized a specific amount of money for the schools to operate. He further noted an increased amount would need additional authorization. Mr. McGlennon noted that the schools made decisions this year regarding cuts based on what items could be funded and so the number of school buses had been reduced. He added that the leftover funds allowed for an additional two buses to be requested.

Mr. Hipple noted the line items for equipment were similar to how the Volunteer Fire Department allocated funds. He questioned if 10 buses were necessary, or could they manage with five every year.

Discussion ensued regarding the process and the contract details with the City of Williamsburg and the schools with budget presentations.

Dr. Herron noted the budget had to be close, but still have allowance so as to not exceed the budget.

Mr. Hipple noted constituent concern regarding the number of buses requested every year.

Mr. McGlennon apologized for pressing the bus issue, but he wanted clarity on the smoothing plan.

Discussion ensued.

Ms. Larson noted the school system's obligation to provide transportation for K-12. She questioned the low percentage of high school ridership, but noted the obligation even if one student needed transportation.

Dr. Herron confirmed yes.

The Board thanked the school staff for their attendance.

### 3. James City County Recycling Public Policy Project

Mr. Icenhour thanked everyone for their patience.

Ms. Dawn Oleksy, Environmental Sustainability Coordinator, addressed the Board and introduced three Second-Year Masters of Public Policy students from the College of William & Mary (W&M). She noted the group included Ms. Shelly Harris, Ms. Nancy Chin, and Mr. Patrick Wise, who had a seminar assignment to apply their learnings to a public policy project. Ms. Oleksy noted these students were interested in local environmental challenges. She further noted recycling and solid waste management, particular in light of the County's Strategic Plan in reference to Exceptional Public Services and Fiscally Efficient Government. She added these students had interviewed and researched and the presentation was the result of their findings.

Mr. McGlennon noted that every year the Director of the Public Policy Program circulated a memorandum to W&M faculty who were involved in public policy. He further noted that while in the midst of the recycling program in the County, he thought of this opportunity for the students.

Mr. Wise addressed the feasibility of a solid waste removal system and presented a PowerPoint presentation. He noted the presentation addressed the County's history of recycling and the use of various small haulers and pricing.

Ms. Larson asked if the team had compared the 'mom and pop' companies' equipment versus that of the larger companies.

Mr. Wise stated no. He also noted an overall trend in surrounding sized areas similar to the County with recycling options.

Ms. Chin continued the PowerPoint presentation addressing legal constraints regarding State Code and hurdles the County faced with changes. She noted available alternatives as shown in the York County and the City of Hampton models, respectively. She further noted highlights of the Best Practices and Universal Service models, respectively.

Ms. Harris concluded the PowerPoint presentation with the pros and cons of the analysis for potential models for the County's recycling program. She cited benefits and drawbacks, and

highlighted both aspects in the York, Hampton, Best Practices, and Universal Service models. Ms. Harris explained the Universal model was based on a standard size, but a tiered model was unmanageable.

Mr. Wise noted the group's overall recommendation to the Board was to consider adopting a York or Universal Model for the greatest cost savings for residents, which would be justified via a homeowner petition and would eliminate potential legal issues.

Ms. Sadler asked if the petition was needed to implement either model.

Mr. Wise noted the petition was needed based on the current Virginia Code.

Ms. Larson asked if York County had to petition for the change or was it prior to the ruling.

Ms. Harris noted the rule was created within the past 20 years, but she thought York County had a contract in place that allowed it to bypass that law, but the team had not researched that point.

Mr. Icenhour noted the previous issue of recycling and asked if a petition had been mentioned.

Mr. McGlennon replied no, but mentioned a voluntary system.

Mr. Wise noted that allowed for justification in reviewing past memorandums on this issue. He referenced Virginia Code and a potential work-around.

General discussion ensued.

Mr. Wise noted several points of consideration for implementation. He further noted if one of the models was adopted then a fee system would need to be in place. He highlighted some changes to the billing system. He further noted the contract requirements with Virginia Peninsulas Public Service Authority (VPPSA).

Mr. Hipple noted the number of small haulers in the County and developing a gameplan for educating them regarding changes.

Ms. Larson asked how many small haulers were in the County.

Ms. Harris noted the team had only looked at five companies.

Mr. Hipple noted addressing a County-wide system for trash and recycling, but added that some residents would always take their trash to the dump. He further noted he included it as a budget item.

Mr. McGlennon asked if there was a total cost estimate for the service.

Ms. Harris noted just under \$5 million annually for the entire County.

Ms. Larson asked if that included trash and recycling.

Ms. Harris confirmed yes.

Mr. Wise concluded the PowerPoint presentation highlighting some key points in relation to the County's 2035 Strategic Plan. He noted the team was writing up its report and would share the details with the Board and General Services.

Mr. Hipple asked how much of the York County bill did residents pay and how much was the County's responsibility.

Mr. Wise noted there was nothing picked up by the County. He further noted it was a fee for service with its structure that directed cost to citizens.

Mr. Hipple noted currently James City County picked up a fee. He suggested some points to consider for a future program.

The Board thanked the team for its hard work.

4. Amend Adopted Calendar for Location Change of the Joint Meeting

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. Icenhour noted a location change from Legacy Hall to the Law Enforcement Center.

Mr. Stevens noted parking, time, and location for the Board members.

**D. BOARD REQUESTS AND DIRECTIVES**

Ms. Sadler noted in response to citizens reaching out, she was requesting the Second Amendment resolution noting James City County as a Second Amendment Sanctuary on the agenda for discussion and vote.

Mr. Icenhour noted it would be under Board Considerations.

All Board members agreed.

Mr. Icenhour asked if there was any discussion.

There was none.

Mr. McGlennon noted he attended the Shaping Our Shores meeting on Thursday and commented on the thoughtful ideas.

Mr. Icenhour noted the School Liaison Committee meeting on November 13 where discussion focused on the CIP. He further noted the updated CIP material would be available to review before the December 3 joint meeting. Mr. Icenhour noted the Board's attendance at the Celebration of Business and expressed his appreciation to staff for the event. He further noted a tour of Warhill High School and the auxiliary gym. He added funding for it to serve as an emergency shelter. Mr. Icenhour noted the Comprehensive Town Hall meetings success. He also noted he attended a meeting regarding the new shops proposed on Monticello Avenue. He said the development team had contacted the community and hosted a meeting. Mr. Icenhour noted that development was on a fast track and should come before the Board at the January 2020 meeting. He further noted an online petition to resist development on the Monticello Corridor.

Ms. Sadler asked if traffic was an issue.

Mr. Icenhour confirmed yes, but added concerns about noise. He noted if the Board approved it, the case would still need approval by the Commonwealth Transportation Board.

He noted there was a lot of public concern and wanted to make Board members aware of the upcoming case.

Ms. Larson noted receiving comments about the responsibility on empty retail space and lower rent on those spaces in lieu of new development. She further noted the Engage 2045 and concerns about growth and development. Ms. Larson said developers may not necessarily want existing retail space, but new space and what was within the Board's power on rent control.

Mr. Icenhour noted the changing nature of the market as the dynamics of the big box were not economically viable anymore. He further noted no rent control. He noted there was citizen concern that too much development was being approved.

Ms. Larson noted she had asked Mr. Paul Holt, Director of Community Development, and Mr. Jason Purse, Assistant County Administrator, about the number of new commercial developments within the past four years. She further noted it was probably three, but others may have been revised cases.

Discussion ensued about economic development, citizen concerns, and balancing growth in the County.

Mr. Icenhour asked if the discussion for the Economic Development Authority (EDA) appointment could be made openly.

Mr. Hipple, Ms. Larson, and Ms. Sadler were in agreement.

Mr. McGlennon noted his preference for a closed session for discussion.

#### **E. CLOSED SESSION**

A motion to Enter a Closed Session 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 5:49 p.m., the Board entered Closed Session.

At approximately 5:42 p.m., the Board re-entered Open 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 Economic Development Authority

A motion to Certify the Board spoke only 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, Larson, Sadler, McGlennon, Icenhour, Jr.

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 Economic Development Authority

A motion to Appoint Mr. Joseph Stanko was made by Ruth Larson, the motion result was

Passed.

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

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

The Board recommended the appointment of Mr. Joseph Stanko to the EDA for the balance of a term to end August 1, 2023.

**F. ADJOURNMENT**

1. Adjourn until 9 a.m. on December 3, 2019, for the Joint Meeting at the Law Enforcement Center

A motion to Adjourn 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

At approximately 5:53 p.m., Mr. Icenhour adjourned the Board of Supervisors.

  
Deputy Clerk