

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
January 14, 2020
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

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

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

ADOPTED

FEB 11 2020

Board of Supervisors
James City County, VA

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Reed Forney, a 5th-grade student at Matoaka Elementary School and a resident of the Berkeley District, led the Board and citizens in the Pledge of Allegiance

E. PRESENTATIONS

1. Retiree Recognition - Fire Marshal Kenny Driscoll

Fire Chief Ryan Ashe and Mr. Icenhour recognized Fire Marshal Kenny Driscoll and gave a brief summary of his career during his 24-year tenure with James City County as well as thanked him for his service to the community.

The Board and members of the audience gave a standing ovation.

2. Proclamation of Recognition - Ms. Robin B. Bledsoe

Mr. Icenhour read a Proclamation of Recognition highlighting Ms. Bledsoe's Planning Commission, Policy Committee, and Economic Development Authority (EDA) achievements for the betterment of James City County and its citizens.

The Board and members of the audience gave a standing ovation.

Mr. Icenhour expressed his kudos to Ms. Bledsoe for the work, dedication, and ability to get things done that she provided to the community.

Mr. Hipple expressed his appreciation to Ms. Bledsoe for her engagement in various aspects of James City County as well as her willingness to help other leaders within the community.

Ms. Larson expressed her gratitude to Ms. Bledsoe and noted her outstanding communication skills as well as always making certain everyone was on the same page with information.

Mr. McGlennon expressed his appreciation to Ms. Bledsoe and noted her work with a nonprofit in the community, advocacy groups, citizens, and local government.

Ms. Sadler expressed her appreciation to Ms. Bledsoe and noted her being the liaison between the Board of Supervisors and the EDA as well as participating in various organizations.

Ms. Bledsoe expressed her thanks for the opportunity to serve James City County. She expressed her gratitude to Mr. Stevens, County staff, and Mr. Holt for the opportunity to work alongside of them as well as their invaluable guidance and mentorship. She encouraged citizens to serve on the County Boards and Commissions.

3. James City County Recognized by 2019 Digital Counties Survey

Mr. Patrick Page, Director of Information Resources Management, gave an overview of the memorandum and PowerPoint presentation included in the Agenda Packet. He expressed his gratitude for the continued support from the Chairman and members of the Board of Supervisors, as well as Mr. Stevens, Information Resources Management staff, and all the departments in the County for their efforts in making this recognition possible.

Mr. Icenhour stated this was a very well deserved honor and expressed his kudos to staff for the good work that led to this recognition.

The Board and audience applauded.

Ms. Larson referenced Item No. 1 and expressed her appreciation to Fire Marshal Driscoll for his long tenure with the County.

F. PUBLIC COMMENT

1. Ms. Peg Boarman, Clean County Commission Chair, 17 Settlers Lane, addressed the Board to “talk trash.” She spoke of the relevance of every individual to get involved in order to solve the trash problem and noted the Commission was one representative short for the districts. She mentioned Ms. Dawn Oleksy, Environmental Sustainability Coordinator, had use for a part-time assistant to help with her workload. She noted various efforts of support for the Commission as well as the Spring Cleanup to be held March 28 (with a rain date of April 4). She referenced an upcoming Litter Survey as well as the Parks and Recreation Fido Fest to be held March 21.

G. CONSENT CALENDAR

1. Minutes Adoption

The motion for approval of the minutes included the following meetings:

- November 12, 2019 Regular Meeting
- November 26, 2019 Work Session
- December 3, 2019 Joint Meeting
- December 10, 2019 Regular Meeting

2. Contract Award - Fuel Depot Services

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

3. Service Agreement for Household Chemical Collection Services

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

4. Olde Towne Medical and Dental Center Addition of Marketing and Communications Specialist

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. Fiscal Year 2021-2022 Pre-Budget Public Hearing

Mr. Icenhour acknowledged Planning Commission representative Mr. Tim O'Connor in the audience.

Ms. Sharon Day, Director of Financial and Management Services, gave an overview of the memorandum included in the Agenda Packet.

Mr. Icenhour opened the Public Hearing.

1. Ms. Leanne Harrow, 5 Deere Circle, addressed the Board in regard to land conservation and re-energizing the Purchase of Development Rights (PDR) Program. She stated she is the stewardship and outreach manager at the Historic Virginia Land Conservancy in James City County and expressed appreciation for funding the Conservancy received from the County. She referenced the County's Comprehensive Plan Vision Statement and briefly discussed issues such as growth, environment, and maintaining the enticing community character. She noted the Historic Virginia Land Conservancy respectfully asked that the Fiscal Year 2021-2022 budget reflect the citizens' expressed desire by including funding for this important effort to revive the PDR Program.

2. Mr. David Allen, 2001 Bush Neck Road, addressed the Board to speak in favor of bringing back the James City County PDR Program. He commented PDRs were interesting revenue neutral propositions where land needed to be preserved.

3. Mr. Jay Everson, 103 Branscome Boulevard, addressed the Board in regard to the elementary school. He noted classroom sizes, Bright Beginnings, and redistricting as well as funding for new buildings and additional teachers.

4. Ms. Pam McGregor, 3222 Deerfield Court, addressed the Board in regard to the Arc of Williamsburg, which has served adults in the community since 1976. She expressed her appreciation to Mr. John Carnifax, Director of Parks and Recreation, as well as his staff and discussed several programs at the Arc of Williamsburg. She noted the Arc of Williamsburg was submitting a grant this year since the majority of families served reside in James City County. She briefly discussed a new program to be launched in 2020 called Wheels for Work, which is

a partnership collaborating with many entities in the community.

As there were no other registered speakers, Mr. Icenhour closed the Public Hearing.

2. Amendment to County Code Section 16-22 to Permit Certain Use of Metal Detectors

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. Alister Perkinson, Parks Administrator, gave an overview of the memorandum and Ordinance included in the Agenda Packet. He noted research regarding other peninsula localities with man-made beachfronts was collected and it was determined that most, if not all, localities allowed metal detecting. He discussed if this Code was changed, an area (designated by the Director of Parks and Recreation) on the man-made sandy beach at Jamestown Beach Event Park would be established, where people could partake in this activity during an off-season timeframe (Labor Day to Memorial Day) and with certain guidelines in place.

Mr. McGlennon clarified this would be a permissive change.

Ms. Larson asked Mr. Carnifax, Director of Parks and Recreation, if Jamestown Beach was as large as Yorktown Beach or other peninsula area beaches. She agreed with the Labor Day to Memorial Day timeframe and asked if there was any foreseeable issue between people using the beach for recreation and others who might want to be metal detecting.

Mr. Carnifax stated some other localities required permits and charged fees to use metal detectors. He noted that by revising the Ordinance this could be tried at the beach this year outside of the peak season and allow staff to see if there are issues and then adjust through park rules and regulations if necessary.

Mr. Icenhour opened the Public Hearing.

As there were no registered speakers, Mr. Icenhour closed the Public Hearing.

3. Case No. AFD-19-0002. Croaker AFD Addition, 9896 Sycamore Landing Road

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. Tori Haynes, Planner gave an overview of the staff report and Ordinance included in the Agenda Packet.

Mr. O'Connor stated this item was approved by the Planning Commission in a vote of 6-0 and noted he was not in attendance at the meeting.

Mr. Icenhour opened the Public Hearing.

As there were no registered speakers, Mr. Icenhour closed the Public Hearing.

4. Case No. Z-19-0014/MP-19-0016. The Promenade at John Tyler Proffer and Master Plan Amendment

A motion to Approve was made by Michael Hipple, the motion result was Passed.
AYES: 4 NAYS: 1 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, Sadler
Nays: McGlennon

Mr. Jose Ribeiro, Senior Planner, gave an overview of the staff report and Ordinance included in the Agenda Packet.

Mr. McGlennon stated he previously met with Mr. Vernon Geddy, III, Geddy, Harris, Franck, & Hickman and Mr. Jerry Bowman, Franciscus at Promenade, LLC to discuss the proposal. He further stated he was focused on the idea that there was nothing on the application or in the proposal that would require that commercial construction take place.

Mr. Ribeiro replied that was correct.

Mr. O'Connor stated from the Planning Commission's perspective it was felt to be a consistent and appropriate use to add the ten plex instead of having mixed use buildings. He referenced the public comments section of the Planning Commission meeting and stated parking was a concern; however, the applicant agreed to try and maximize parking in an effort to relieve some of the parking congestion. Mr. O'Connor further stated the Planning Commission approved this application 5-0 with one abstention.

Mr. Icenhour opened the Public Hearing.

1. Mr. Vernon Geddy, representing the applicant, introduced Mr. Bowman in the audience and gave an overview of a PowerPoint presentation included in the Agenda Packet. He stated he agreed with the staff report and Planning Commission recommendation.

Mr. Icenhour stated he also met with Mr. Geddy and Mr. Bowman and raised the issue of noise along Route 199 and asked if there was any ability at the site plan stage to make sure the berm and plantings helped with the noise issue. He also inquired about the potential for commercial sites to be developed, absent the mixed use part, and the ability to prep some of the sites to get them prepared.

Mr. Geddy replied that was something that could be considered.

Mr. Bowman referenced the berm with plantings and stated they would be more than willing to increase the size of the berm and additional soundproofing. He noted the ten plex discussed was actually further back than the building would be. He stated in regard to the other issue Mr. Icenhour mentioned, they were willing to work with Planning to accomplish that site plan review.

Ms. Larson stated she had spoken twice on the telephone with Mr. Geddy. She inquired why mixed use commercial was a tougher sell.

Mr. Bowman replied the designation of mixed use had the concept of having a commercial and a residential component as part of the building. He discussed viable markets in other localities and stated very few builders in this area have the interest or experience in developing in a multi-use type of building.

Mr. McGlennon remarked the local area has New Town and Midtown Row.

As there were no other registered speakers, Mr. Icenhour closed the Public Hearing.

Mr. McGlennon briefly discussed reasons he had not supported this development throughout

the process.

Mr. Hipple stated it was filling the need for Workforce Development and Workforce Housing and felt the number of sales reflected that it was actually working. He commented it would be an added benefit to move this forward and acknowledged his support.

Ms. Sadler stated she noticed an increase in shopping at the Williamsburg Crossing Shopping Center and perhaps with more residential coming in that already approved area, more storefronts would be occupied and revitalize it even more. She proclaimed her support and felt this would provide an opportunity to bring people into an area with more affordable housing.

Ms. Larson expressed her gratitude this neighborhood was located in her district and appreciated the resurgence of the shopping center and the time and efforts of Mr. Geddy and the Planning Commission.

Mr. McGlennon added that he recognized the shopping center was revitalized and a contributing factor of its success was the new management of the shopping center.

Mr. Icenhour reviewed factors considered such as the fiscal impact. He commented fiscal impact was based on averages and it appeared the school impact was less than anticipated, which was always subject to change. He noted he was uncomfortable the original proposal did not have any phasing or timing that required commercial at a certain point and the commercial was what made the fiscal analysis better. He further noted there was no assurance that the commercial would come in the future.

I. BOARD CONSIDERATION(S)

1. Authorization of Multiple Part-Time Regular Positions

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. Patrick Teague, Director of Human Resources, gave an overview of the memorandum and resolution included in the Agenda Packet.

Ms. Larson inquired if this was the most efficient way to do these jobs.

Mr. Teague referenced the analysis that was reviewed and stated out of 350 temporary positions, 103 were identified as working a regular schedule, meaning the positions were relied on for day-to-day operations. He referenced department totals and remarked 79 positions were within the Parks and Recreation Department. He explained as a new program or event occurred staff typically was a mixture of regular and temporary positions. He further explained as a park increased in visitation and more programs were offered the need for the temporary staff becomes a regular need.

2. Authorization for the Creation of Assistant Director of Community Development Position and Transfer of Funds from Capital Projects Fund to the General Fund

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. Jason Purse, Assistant County Administrator, gave an overview of the memorandum and resolution included in the Agenda Packet.

Mr. Hipple referenced the \$111,132 figure which included a benefits package and noted it was a nice wage. He realized it was harder and harder to fill such a position and pay less than that amount.

General discussion ensued regarding the salary, comparable positions within the County as well as outside the County, job description, and long-term needs in Community Development and the Assistant Director of Community Development position as the County continues to grow.

J. BOARD REQUESTS AND DIRECTIVES

Ms. Sadler delayed her comments.

Mr. McGlennon mentioned he attended a service for Ms. Edith Edwards, the spouse of Mr. Jack Edwards who previously served on the Board of Supervisors for 30+ years. He noted he, Ms. Larson, and Mr. Icenhour attended the Virginia Municipal League (VML)/Virginia Association of Counties (VACo) Forum in Richmond. He referenced School Board Lobby Day and briefly discussed that he and Mr. Icenhour had the opportunity to travel to Richmond with the School Board and met with the four local legislators to talk about the school system's wish list for the legislative session as well as to talk about savings that came out of the VML/VACo Forum.

Ms. Sadler stated all the Board members attended the Employee Service Awards and enjoyed participating in the event. She noted she attended the Jamestown Historic Republican Women's Luncheon and gave a shout-out to staff who recorded the new pre-meeting video.

Ms. Larson stated the VACo/VML conference was very informative. She noted she and Mr. Stevens had been participating in interviews for a new jail superintendent. She remarked she appreciated being included in holiday happenings with County staff. Ms. Larson expressed her condolences for the passing of Mr. Sterling Nichols and commented his legacy was his family as well as being the champion of cleaning up the James River.

Mr. Hipple referenced the Employee Service Awards and expressed his appreciation to the dedicated employees who care deeply for James City County and its citizens.

Ms. Larson stated the Employee Service Awards were outstanding.

Mr. McGlennon acknowledged Mr. Stevens for inviting employees who were not honorees to the Employee Service Awards event.

Mr. Icenhour attended the Hampton Roads Mayors and Chairs Caucus where discussion ensued regarding regional issues. He informed his fellow Board members he had a scheduling conflict with the committee assignments for the Hampton Roads Planning District Commission (HRPDC) and the Hampton Roads Military and Federal Facilities Alliance (HRMFFA). He asked the Board to amend the assignments to make Mr. Hipple the primary for HRPDC and HRMFFA with himself as the Alternate.

A motion to Amend the Board Assignments to make Michael Hipple the Primary to the Hampton Roads Planning District Commission and Hampton Roads Military and Federal Facilities Alliance with James Icenhour as the Alternate 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. Icenhour conferred with his fellow Board members regarding bringing back an Initiating Resolution before the Board at its February meeting to examine potentially changing the Ordinance regarding retaining walls. He explained this would be staff starting the process and the initiation Ordinance would allow the study as well as let staff bring information before the Board. He commented there were currently several in the County that were significant problems, two in New Town and one in Colonial Heritage.

The Board members replied yes.

Mr. Icenhour directed Mr. Stevens to request staff members to bring that back before the Board.

Mr. Hipple recommended reaching out to engineering firms in regard to the impacts and testing of retaining walls.

Ms. Larson expressed her condolences to the family of Ms. Grace Boone, Director of General Services, for the recent passing of her mother Ms. Mary Clark, who was a past long-standing (20+ years) Construction Inspector with the James City Service Authority.

Mr. Stevens noted Ms. Clark's grandson is a James City County Police Officer, totaling three generations who had served, or are currently serving, the citizens of James City County.

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

Mr. Stevens noted the following information:

James City County Police and Fire Departments will be hosting a Civilian Response to Active Shooter Events training session following Stop the Bleed training on Saturday, February 15 from 8:30 a.m.-12:30 p.m. This training is located at the Fire Training Center, 5077 John Tyler Highway and is free to anyone 14 years or older. For more information call the James City County Fire Marshal at 565-7607.

James City County dog licenses can be purchased through the Treasurer's Office (253-6705), with the renewal period running through January 31, 2020. Tags must be on the dogs by January 31, 2020. Additional information is available at <https://jamescitycountyva.gov/>

James City County Police Department Citizen Police Academy has been offering members of the community the opportunity to get an inside look at the operation and function of Police procedures since the mid-1990s. The Police Department is currently accepting applications for the 50th Citizen's Police Academy that will run March 4-June 3, 2020. The application can be accessed at <https://jamescitycountyva.gov/> or by calling Master Police Office Jamie Lilley at 603-6027.

L. CLOSED SESSION

A motion to Certify the Board 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 6:41 p.m., the Board entered Closed Session.

At approximately 7:10 p.m., the Board re-entered Open Session

1. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community pursuant to Section 2.2-3711(A)(5) of the Code of Virginia.
2. 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

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

3. Planning Commission Appointments

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

The Board recommended the appointment of Ms. Odessa Dowdy for the Stonehouse District seat to be effective February 1, 2020 and expire on January 31, 2024.

Mr. Icenhour noted the appointment of the Roberts District seat would be deferred.

4. Board of Equalization 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

The Board recommended the reappointments of Mr. Michael Grimes, Mr. Christopher Hedrick, Ms. Vicki Nase, and Mr. Robert Singley, Jr. to the Circuit Court Judge appointments to expire on December 31, 2022.

5. Virginia Peninsula Public Service Authority 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

The Board recommended the appointments of Ms. Grace Boone, Director of General Services as the Member Representative and the Mr. Jim Hill, Solid Waste Coordinator as the Alternate Designee for terms that are effective immediately and to expire on December 31, 2023.

6. Community Services Coalition Board of Directors - Staff 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

The Board recommended the appointment of Ms. Barbara Watson, Assistant Director of Social Services, to be reappointed to a new term to expire on January 1, 2023.

7. Disposition of publicly held real property where discussion in an open meeting would adversely affect the negotiating strategy of the public body; in particular, the unimproved right-of-way located along Overlook Drive pursuant to Section 2.2-3711(A)(3) of the Code of Virginia.
8. Consultation with legal counsel pertaining to actual litigation, where such consultation would adversely affect the negotiating or litigation posture of the public body; in particular, the case known as Fout v. Laurel Lake Waterfront Property Owners' Assoc., Case No. CL17-8698, pursuant to Section 2.2-3711(A)(7) of the Code of Virginia.

M. ADJOURNMENT


1. Adjourn until 9 a.m., on January 25, 2020, for the Board Retreat

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 7:13 p.m., Mr. Icenhour adjourned the Board of Supervisors.


Deputy Clerk