

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
March 10, 2020
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

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

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

Mr. Icenhour requested a motion to allow Ms. Sadler, who was unable to attend the meeting, to participate via phone for the Board of Supervisors meeting per policy for extenuating circumstances.

A motion to Allow Ms. Sadler to Participate by Phone was made by Ruth Larson, the motion result was Passed.

AYES:4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Lillian Rickert, a 3rd-grade student at J. Blaine Blayton Elementary School and a resident of the Powhatan District, led the Board and citizens in the Pledge of Allegiance

E. PRESENTATIONS

None.

F. PUBLIC COMMENT

1. Ms. Peg Boarman, 17 Settlers Lane, addressed the Board in regard to the 42nd Annual County-wide Spring Cleanup to be held March 27 and 28. She emphasized the need for volunteers and commented all ages were welcome. She stated that dumping fees for registered participants would be waived at the Jolly Pond Convenience Center between 12-4 p.m. on Friday, March 27 as well as Saturday, March 28 between 7 a.m.-4 p.m. She further stated anyone wishing to participate could email her at pboarman@cox.net, call 757-565-0032, or register online at jamescitycountyva.gov/3512/springcleanup and noted March 20 was the deadline to register.

ADOPTED

APR 14 2020

Board of Supervisors
James City County, VA

2. Mr. Jon Holland, 6273 Centerville Road, addressed the Board in regard to trash on Centerville Road because of commercial truck debris flying out due to loosely designed canopy covers.

G. CONSENT CALENDAR

1. Minutes Adoption

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

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

- 021120 Regular Meeting
- 022520 Special Meeting
- 022520 Work Session Meeting

2. Award - Housing Choice Voucher Program - \$26,500

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

3. Award - HUD Mainstream Vouchers - \$147,996

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

4. Dedication of Kings Way and Queens Path

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

5. Contract Award - Consultant Services to Study Potential Organizational Alignment of Colonial Behavioral Health and Olde Towne Medical and Dental Center - \$85,000

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

H. PUBLIC HEARING(S)

Mr. Icenhour acknowledged Planning Commission member Ms. Julia Leverenz in the audience.

1. Case No. SUP-19-0025. 5403 Riverview Road Tourist Home

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

Ms. Leverenz stated there was very little discussion by the Planning Commission concerning this application; however, she shared previous objections which she felt might account for the one dissenting vote. She further stated this objection primarily dealt with three contributing factors: 1) competition of existing commercial tourist home operations; 2) the reduction of affordable housing opportunities, as some tourist homes had previously been rentals; and 3) concerns regarding no sunset clause.

Mr. Icenhour opened the Public Hearing.

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

Mr. McGlennon expressed his appreciation for the Planning Commission considerations summary and noted it highlighted concerns he had regarding a continuing flow of requests for turning what may be affordable housing opportunities into commercial ventures. He addressed the issue of assessment of homes with this designation in regard to real estate values.

2. Case No. SUP-19-0029. 4451 Longhill Road Life Church and Parents Daycare Program

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. Costello gave an overview of the staff report and resolutions included in the Agenda Packet.

Ms. Sadler asked for clarification that the Applicant was in favor of Resolution No. 2 which provided conditions.

Ms. Costello replied yes.

Mr. Icenhour replied affirmatively as well. He inquired if the church was legally non-conforming because the previous Special Use Permit (SUP) that would have made it conforming was never activated.

Ms. Costello replied when it was first built it was permitted; however, there was an SUP which expired due to the construction commencement time period.

Mr. Icenhour inquired if that was what made it legally non-conforming and would this SUP bring it back into conformance.

Ms. Costello replied yes.

Ms. Leverenz stated the Planning Commission agreed that not limiting the number of days made sense; however, it disagreed on limiting the hours. She further stated the majority of the Planning Commission members felt in this case if the Applicant decided to expand the program, it would make sense not to have to come back through the legislative process. She remarked a few Commissioners felt because the Applicant only wanted to operate this from 9:30 a.m.-12:30 p.m., adding an hour on each side for coming and going, and because a "Parents Day Out" was not a traditional daycare program, expanding it to a full day program would change the nature of the SUP. She noted the Commission did not share staff concerns regarding traffic impact if the hours were extended.

Mr. Icenhour opened the Public Hearing.

1. Ms. Lyra Hale, Applicant, 140 Country Club Drive, addressed the Board and remarked she currently attended the Christian Life Center, dba Life Church, and noted this program would allow the use of the building for further connection and community outreach during the week when the building was otherwise empty. She stated the intent of the program was to provide times for parents to run errands, noting similar programs were run in churches in the surrounding localities. She expressed her appreciation that the Planning Commission was presenting the Board with an option allowing the ability to change or expand days or times without returning to the Board to amend the SUP and had no objections to the original conditions as offered to the Planning Commission.

Mr. Icenhour closed the Public Hearing.

Mr. McGlennon stated he understood the thinking of the Planning Commission on this item, but his sense was that the Applicant made clear a particular type of program which seemed reasonable. He noted concern regarding the traffic situation on Longhill Road across from Lafayette High School and therefore supported Resolution No. 2.

3. Case No. SUP-19-0028. Strait Gate Temple Expansion

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. Ellen Cook, Principal Planner, gave an overview of the staff report and resolution included in the Agenda Packet.

Mr. McGlennon inquired about current and post expansion parking.

Ms. Cook replied that 32 parking spaces was the minimum the Ordinance required and noted one space for every five seats.

Mr. Icenhour inquired if more parking spaces were sought would they have to return to the Board.

Ms. Cook replied there would likely be a master plan consistency determination.

Mr. Icenhour referenced a map included in the Agenda Packet that showed the footprint layout of the adjoining property and questioned a building in dotted lines crossing the boundary line.

Ms. Cook replied there was encroachment from an adjacent structure that is an existing condition that currently crosses the property.

Mr. Icenhour inquired if the proposal would have sufficient separation in order to have legal requirements.

Ms. Leverenz stated the Planning Commission discussed future parking requirements and noted Mr. Edward Rose, Applicant, told the Commission the site plan submitted would show future planned parking. She further stated this program passed the Commission with a vote of 6-0 and it suggested staff work with the Applicant to relocate the main entrance to Mooretown Road and Curry Drive.

Mr. Icenhour opened the Public Hearing.

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

4. Case No. SUP-20-0003. Jamestown High School Learning Cottage

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. Thomas Wysong, Senior Planner, gave an overview of the staff report and resolution included in the Agenda Packet.

Mr. Icenhour opened the Public Hearing.

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

Mr. Icenhour asked if the Board had any questions.

The Board members had no questions.

5. Case No. SUP-20-0004. Stonehouse Elementary School Learning Cottage

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. Wysong gave an overview of the staff report and resolution included in the Agenda Packet.

Mr. Icenhour opened the Public Hearing.

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

Mr. Icenhour asked if the Board had any questions.

The Board members had no questions.

I. BOARD CONSIDERATION(S)

None.

J. BOARD REQUESTS AND DIRECTIVES

The Board expressed its thanks to the Williamsburg-James City County (WJCC) school staff for attending the meeting.

Mr. McGlennon stated he and Supervisors Hipple and Icenhour attended the dedication ceremony for the memorial sign for Sergeant Earl "Buddy" Heisler and commented it was great to honor Sergeant Heisler for his sacrifice and to recognize his family.

Ms. Larson referenced the citizen concern during the Public Comment segment of the meeting that regarded commercial truck trash debris. She commented after personally seeing similar

displays where trash sometimes flies out of commercial trucks, she felt it was an issue the Board should make aware to legislators. She briefly discussed a concern of a raised piece of concrete located in the parking lot of the shopping center that intersects at John Tyler Highway and Route 199. She noted a point made by Supervisor McGlennon regarding tourism homes and tax assessments and discussed a situation in her district where a house sat uncompleted for approximately 25 years. She commented she had participated in Read Across America and attended a wonderful program that was put on by the County for Black History Month. She concluded that she and Supervisor McGlennon would be speaking with the Sorensen Political Leaders Program on Friday, March 13, 2020.

Mr. Hipple passed on speaking.

Ms. Sadler passed on speaking.

Mr. Icenhour stated he attended the League of Women Voters tea in celebration of the 100th anniversary of the ratification of the 19th Amendment and noted it was a superb program. He further stated the February 18, 2020, Community Conversations held at Legacy Hall was a good turnout and hoped for positive feedback from that event. He briefly discussed the School Liaison meeting held on February 20, 2020. He echoed Ms. Larson's comment regarding the Black History Month program and noted Mr. Michael Williams gave a good presentation. He complimented the WJCC jazz ensemble from the schools and commented they were superb as was Corey's Country Kitchen catering. He expressed kudos to staff for its organization of the program. He stated that on February 29 he went to the Virginia War Memorial where the Shrine of Memory expansion was dedicated. He referenced cargo covers for commercial trucks and noted Police had the ability to stop and ticket the vehicles when necessary. He further noted that this could be an interest item especially on patrols along Centerville Road. He referenced the uncompleted house Ms. Larson previously mentioned and inquired if it had a Certificate of Occupancy and were people living in it.

Ms. Larson replied yes.

Mr. Icenhour stated he had been working with Parks & Recreation and wanted to inform the public that National Vietnam War Veterans Day will be held on March 29, 2020, with a celebration at 2 p.m. at Veterans Park. He noted this event was co-sponsored by the Vietnam Veterans of America Chapter 957, James City County, and the Greater Williamsburg Chamber and Tourism Alliance's Business Council. He further noted this day was first observed as a one-time event in 2012 and was recognized as an annual event by the Vietnam War Recognition Act of 2017. He stated the speaker at the event would be the Honorable Congressman Rob Wittman and further information could be obtained at jamescitycountyva.gov.

K. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens stated the County was hosting a Prescription Drug Take Back Initiative on April 25 from 10 a.m.-2 p.m., at the Law Enforcement Center located at 4600 Opportunity Way. He noted this event was for collecting potentially dangerous expired, unused, or unwanted prescription drugs for destruction and remarked the program was anonymous with no questions asked. He mentioned the Novel Coronavirus Disease 2019 (Covid-19) and stated staff was having internal conversations in regard to County staff and County response if and when this disease might be in our community. He further stated staff was in contact with the Virginia Department of Health and other local governments throughout the Hampton Roads region, regularly sharing information on social media. He noted links to the Virginia Department of Health, the Center for Disease Control and Prevention, and the World Health Organization that can be accessed at jamescitycountyva.gov. He encouraged people to follow

recommendations from the Virginia Department of Health which suggest ways to reduce the risk of spreading germs. He stated more information regarding Covid-19 can be obtained by calling the Virginia Health Department at 877-275-8343 or visiting vdh.virginia.gov.

Ms. Larson noted that she reached out to Mr. Doug Powell, General Manager of James City Service Authority (JCSA), and he stated the JCSA does have an emergency preparedness plan.

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 5:47 p.m., the Board entered Closed Session.

At approximately 5:58 p.m., the Board re-entered Open Session.

1. Appointment to the Board of Zoning Appeals

A motion to Appoint Individuals to Boards and Commissions was made by John McGlennon, the motion result was Passed.

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

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

The Board recommended reappointment of Mr. David Otey, Jr. for a 5-year term to expire on March 31, 2025.

2. Appointments to the Historic Triangle Bicycle Advisory Committee

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 appointment of Ms. Brenda Barrera for a 1-year term to expire on March 10, 2021.

The Board recommended appointment of Mr. Theodore Hanson for a 2-year term to expire on March 10, 2022.

3. Appointment to the Chesapeake Bay Board and Wetlands Board

4. Appointment to the Economic Development Authority

M. ADJOURNMENT

1. Adjourn until 9 a.m. on March 13, 2020, for the Joint Meeting with Williamsburg-James City County Schools and the City of Williamsburg at the Stryker Center

A motion to Adjourn 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 5:59 p.m., Mr. Icenhour adjourned the Board of Supervisors.


Deputy Clerk