

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
WORK SESSION
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
November 24, 2020
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

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

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

ADOPTED

JAN 26 2021

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

C. BOARD DISCUSSIONS

1. 2021 Legislative Agenda

The Honorable Michael Mullin, Virginia House of Delegates, the Honorable Amanda Batten, Virginia House of Delegates, and the Honorable Montgomery Mason, Member of the Virginia Senate were in attendance.

Mr. Icenhour noted a copy of the legislative program, which addressed seven legislative items introduced on behalf of the County, had been provided to local legislators. He further noted an additional seven legislative items which were supported by the County were also included. Mr. Icenhour noted the first item addressed the distribution of online sales tax by physical address. He further noted Delegate Mullin indicated this item was also on York County's agenda and would be carried by their local delegate.

Delegate Mullin addressed the Board and confirmed the Honorable Martha Mugler, Virginia House of Delegates representative for the City of Hampton and York County had agreed to carry this bill on behalf of the members of the Historic Triangle.

Mr. Icenhour noted this legislation had been requested the previous year. He further noted difficulties with the apportionment of the taxes among the three localities.

Senator Mason noted the impact of this legislation particularly for area outlets. He inquired how this situation would be addressed and what mechanics of the bill were involved

Delegate Mullin noted his understanding was that Delegate Mugler had two separate ways. He further noted the first way addressed the retailers themselves apportioning the taxes properly. He added other jurisdictions in the United States allowed for this process, particularly large online retailers, but that involved an additional regulatory hurdle that the Commonwealth would need to determine. Delegate Mullin noted another option was to use street addresses adding his understanding was Delegate Mugler placing the impetus on the retailer.

Senator Mason questioned specific locations and zip codes. He referenced how e-commerce could distinguish which locality was involved and then remitting it to the proper jurisdiction.

Mr. McGlennon noted the provision of the address was the main locus for the tax to then determine if it was within the City of Williamsburg or in the counties.

Delegate Mullin noted this was an automatic process based on the address and confirmed by Geographic Information Systems. He further noted regulatory change would be required as well concern for the added responsibility on the retailers.

Ms. Larson noted the Commissioner of the Revenue for the City of Williamsburg had discussed this. She questioned the need for a zip code change for the Historic Triangle as part of York County was also within the 23188 zip code. She further noted three jurisdictions were sharing that same zip code, adding that may require change at the federal level. Ms. Larson noted the loss of revenue and finding a solution.

Mr. McGlennon noted misclassification of some businesses and the significance of the street address to clarify the specific locality with regard to the zip code. He further noted a request for additional information on post-distribution corrections.

Delegate Mullin noted larger online retailers such as Amazon did not have a problem with this proposition. He further noted smaller retailers would have issues, especially those who did not use larger hubs such as Etsy. Delegate Mullin noted previous discussion on a possible study to address this point, adding other localities were dealing with this also. He further noted the situation of a fully surrounded city within a county or another jurisdiction was similar to Winchester and Frederick County with cross-purpose in terms of taxation. Delegate Mullin added this was a commonwealth-wide problem and deferred to Senator Mason and Delegate Batten. He noted he was not aware of a study having been done to date.

Delegate Batten asked if the numbers were available which showed how much James City County was collecting that should go the City of Williamsburg or York County and vice versa.

Ms. Larson noted asking Ms. Sharon Day, Director of Financial and Management Services, for that information which then could be shared with Delegate Batten.

Mr. Icenhour noted the second item addressed amending the Virginia Code to allow localities to prohibit e-cigarette stores from locating within a 1,000 feet of a public school. He further noted this legislation had been requested last year, but had not been picked up and asked the delegates for an update.

Delegate Mullin asked what was the problem the Board was seeking to solve with this legislative request.

Mr. McGlennon noted he had made the original request. He further noted constituent concern for the proximity of vape shops to their children's local high school, Lafayette High School.

Delegate Mullin noted the shopping center near Lafayette High School and if it was within 1,000 feet of the school.

Mr. Icenhour noted a vape shop near Toano Middle School.

Discussion ensued.

Mr. Icenhour noted the third item addressed amendment of the Virginia Code to require

absentee votes be reported by precinct when more than 25 votes were cast in that precinct. He further noted basically early in-person voting and absentee voting ended up in a central absentee category with 60-70% unidentified to respective precincts. Mr. Icenhour noted this request at the local level would be labor intensive. He further noted specific voting machines could be identified for respective precincts, which would capture the information and provide a more meaningful reflection of the votes by precincts. Mr. Icenhour noted the data obtained from this recent election reflected on a county-wide level, not by precinct.

Delegate Batten noted she carried the legislation earlier in the year and would do so again. She further noted a change from 25 to 100 votes. Delegate Batten noted concerns on the low number and potential costs associated with different ballots. She further noted her support to carry it again as it raised awareness, but proposed carrying it at a later date due to redistricting at the local level. Delegate Batten noted she was not sure of the exact timeline, but added there was a heightened interest in the process to make the data more helpful, adding she would carry it.

Ms. Sadler questioned the date.

Delegate Batten noted the change would not be effective July 1, 2021, but probably the following year.

Mr. Icenhour noted the importance of getting the change started and making it visible was paramount.

Senator Mason noted other states were set up for precinct voting results. He further noted learning from those states. Senator Mason added the state registrars did an amazing job throughout the voting processes during the entire year. He noted the multiple primaries, numerous voting rules and changes and stressed the importance of the outstanding work of registrars.

Ms. Larson noted a way to thank them could involve legislative support for funding. She further noted the changes that assisted people with voting did not come with funding for localities. Ms. Larson added she had visited the Registrar's Office and saw firsthand the amount of work required in the short timeframe. She noted assistance with salaries would be a great starting point with the General Assembly taking on that task.

Senator Mason noted he had carried that multiple years.

Ms. Larson stated it needed to be carried again.

Senator Mason noted he had visited the Registrar's Office and was aware of the long hours the staff had put in during the election process. He further noted volunteers had also put in many hours. Senator Mason concurred with Ms. Larson that the staff was not paid nearly enough money.

Mr. Icenhour noted the volunteers had been a valuable asset to the staff in accomplishing what they had done. He further noted the County citizens who volunteered were to be commended. Mr. Icenhour added there were still some rough edges to be worked off, but the process and participation were in place.

Delegate Mullin noted the Board of Supervisors deserved credit for funding two temporary employees at the Registrar's Office. He further noted Delegate Batten's attention to pursuing this legislation.

The Board members thanked Delegate Batten also.

Senator Mason noted recommendations and suggestions from the volunteers for future elections.

Ms. Larson noted loss of money for postage, increased space for staff, and other factors to consider for future voting.

Mr. Icenhour noted the next item was a Virginia Code amendment to increase the litter tax on certain manufacturers, wholesalers, distributors, and retailers. He further noted this was a new request that stemmed from the desire to provide more non-local funding for litter prevention and cleanup.

Delegate Mullin asked if this request referenced masks being trashed.

Mr. Icenhour noted no.

Mr. Kinsman noted the annual taxes on establishments that had the particular products as well as the establishments that manufactured them. He further noted 95% of those funds returned to the localities for local litter prevention and cleanup. Mr. Kinsman noted to Delegate Mullin's point, this legislation went along with another item for consideration.

Mr. Icenhour suggested viewing both items together as Item 1-6 addressed the increased penalty for highway trash, debris, and such. He noted both items addressed the litter problem at the manufacturing level and the litter code enforcement.

There was no indication to carry either item.

Mr. Icenhour noted the next item referenced a Virginia Code amendment allowing local governments the option to require sprinklers in residential buildings. He deferred this item to Mr. Hipple.

Mr. Hipple noted the statewide Code and Compliance Code, in which counties could not make additional changes. He referenced specific James City County hunting restrictions which existed in addition to the statewide code. He further noted tailoring changes to localities rather than statewide and referenced the flooding impacts to the City of Roanoke versus the City of Norfolk area. Mr. Hipple noted the flexibility for counties to address specific issues to their localities.

Senator Mason noted local option could be helpful and commented on the hunting analogy, but he cautioned concerns and questions.

Discussion ensued.

Mr. Icenhour noted the next item addressed explicit allowance to the Board of Supervisors to provide sunset clauses on use permits. He further noted Delegate Mullin and Mr. Kinsman had discussed the Board of Zoning Appeals (BZA) had some authority in this area, but not the Board of Supervisors. Mr. Icenhour noted this change would allow the Board of Supervisors to essentially have the same authority as the BZA. He further noted special use permits followed the land and could go on for extended periods of time and this authority could be beneficial to the community.

Delegate Mullin noted he would carry this provision change. He questioned the provision.

Mr. Kinsman stated the BZA is appointed by the Circuit Court Judge. He further commented that this would provide some clarity and consistency.

Mr. Icenhour noted the next items were those supported by the County. He further noted the Virginia Department of Transportation's (VDOT's) plan for a traffic circle to address improvements at the Richmond Road and Airport Road intersection.

Delegate Mullin questioned if VDOT had the roundabout on Richmond Road.

Mr. Icenhour noted VDOT planned to replace the intersection of Mooretown Road and Airport Road with a roundabout on the other side of the train tracks. He further noted the lack of funding for the project.

Delegate Mullin questioned the cost.

Mr. Icenhour noted it was approximately \$2 to 3 million.

Discussion ensued on the project.

Senator Mason asked Mr. Hipple where a project was in the transportation timeline.

Mr. Hipple noted it was probably six to 10 years out after review from the various committees. He further noted funding was also a factor and the availability of SmartScale money. Mr. Hipple noted the successful taxation program that had been used in the Hampton Roads area.

Senator Mason acknowledged Mr. Hipple's outstanding work with the Hampton Roads Transportation Accountability Commission (HRTAC). He noted the importance of the various transportation committees such as HRTAC in addition to SmartScale. Senator Mason questioned the use of SmartScale at this local level and the timeline.

Discussion ensued.

Ms. Sadler noted Delegate Batten would be joining her via a Zoom meeting for discussion with VDOT on speed limit reductions in various parts of the County. She further noted the number of accidents at particular locations. Ms. Sadler noted she and other Board members would be reaching out to legislators for assistance to address these issues also. She added Ms. Larson had concerns for several locations within her district.

Mr. Hipple noted three traffic lights (for Stonehouse, Berkeley, and Powhatan) were needed and each one cost a half million dollars.

Delegate Batten noted concern for the location at Barnes Road and the one in the Stonehouse District, but asked about the Powhatan District location.

Mr. Hipple replied it was Jolly Pond Road and Centerville Road. He noted the need was warranted, but the funding was unavailable.

Ms. Larson noted the frustration of residents and travelers along the Route 5 and Centerville Road area. She further noted traffic issues also at Route 5 and Greensprings Road. Ms. Larson noted there was a plan, but nothing was happening and she stressed the importance of safety.

Discussion ensued.

Mr. Icenhour noted the additional items for consideration that the County supported.

Senator Mason expressed his appreciation of County staff and its work regarding Item 2-6 and the Eastern State Hospital property.

Mr. Icenhour thanked him.

Mr. McGlennon asked the representatives about their expectations for the upcoming short session of the General Assembly. He asked whether a full or limited agenda would be likely based on some discussions during the Special Session. Mr. McGlennon referenced the approval of Special Use Permits (SUPs) with a timeframe of three years. He noted the Board addressed the SUPs as they arose, but questioned a possible limited scope for the upcoming General Assembly session.

Delegate Mullin noted the Senate and the House had placed an unprecedented restriction on themselves regarding the number of bills they would carry. He further noted the session would last 30 days, which entailed weekend and overnight work.

Delegate Mullin noted the business of the people would get done in those 30 days. He further noted SUPs came up every year, but added local governments would be addressing rebenchmarking for student school attendance. Delegate Mullin noted the benchmarking would have to occur as well as addressing decreased funding during the attendance decline. He further noted discussion regarding marijuana legalization and impact to communities.

Ms. Larson asked Delegate Mullin if May was when the schools would need to do a recount on students. She noted September 30, 2020 was the first time. Ms. Larson added the counts were done in September and March.

Delegate Mullin agreed and noted the September count had been delayed until March 2021. He noted the question would then be if the March evaluation was delayed until the next September. Delegate Mullin further noted that created additional cost for the commonwealth, but buoyed the localities in the interim. He noted enrollment reductions were occurring in all localities and the challenge that presented to Virginia Association of Counties and the Virginia Municipal League.

Delegate Batten agreed with Delegate Mullin and noted the General Assembly would likely be on 24-7 schedule, but their respective offices would be available for questions at any time. She noted some technology issues during testimonies and encouraged Board members to reach out to their legislators regarding bills of particular interest to the County.

Senator Mason noted the House of Delegates was all up for reelection so there would be numerous bills being promoted. He further noted tackling major policy initiatives in a 30-day session would be difficult in addition to the bills surrounding marijuana. Senator Mason reiterated some of the technology issues legislators and constituents had faced. He noted some cities in southeastern Virginia had time issues and had requested extensions regarding SUPs. Senator Mason thanked the Board for the information from the School Boards regarding student number. He further noted the reduction in student populations across the state with the exception of the cities of Richmond and Radford. He noted the impact of online learning.

Delegate Mullin noted he and Delegate Batten would be having virtual sessions from their offices as would most House of Delegate members.

Ms. Larson expressed her appreciation over assistance with the Busch Gardens situation. She noted her frustration and cited how well Virginia Beach and the Outer Banks had thrived. She further noted the significance of both areas as beach locations, but added Busch Gardens had a plan to utilize its outside facilities. Ms. Larson noted the uncertainty of the times, particularly for the local area which has a tourism-driven economy. She further noted an increase in

tourism may not be noticeable until 2022.

Delegate Mullin noted that Busch Gardens was not included in the restrictions the Honorable Governor Ralph Northam had imposed within the past two weeks. He further noted he was hopeful Christmas Town would provide forward momentum.

The Board thanked the representatives.

At approximately 5:03 p.m., the Board of Supervisors recessed for the James City Service Authority Board of Directors meeting.

At approximately 5:29 p.m., the Board of Supervisors recessed for a short break at the adjournment of the Board of Directors meeting.

At approximately 5:34 p.m., the Board of Supervisors reconvened its current meeting.

2. Presentation - Street Sign Replacement Program

Mr. Matt Austin, General Services, addressed the Board noting he and Kim Hazelwood, Geographic Information System (GIS) Supervisor, were presenting a street sign replacement program which they had designed inhouse. He noted in the PowerPoint presentation that the purpose was to identify a systematic process to evaluate the current green, reflective street signs that the County maintains. He further noted the system would identify signs for missing street information as well as damaged or faded conditions.

Ms. Hazelwood noted General Services had requested an online GIS application which used a cell phone or a tablet with drop-down choices for sign conditions which eliminated typing. She further noted the system allowed for consistency with the standard application and ease of data manipulation. Ms. Hazelwood noted in the PowerPoint presentation that several applications were explored to ensure the information captured best suited General Services' needs. She further noted the steps used to obtain the information.

Mr. Austin noted in the spring of 2020, the street signs were evaluated along Route 60 and Route 30 within the County. He further noted all the necessary sign replacements had been completed by June 2020 along that same route. He noted the next step involved reviewing the primary roads as listed in the PowerPoint presentation. Mr. Austin added to date most of those sign replacements had been completed. He continued the PowerPoint presentation highlighting the cost breakdown per intersection.

Ms. Hazelwood noted after the data was collected in the field, then it was manipulated in the GIS system for bar graphs and spreadsheets. Mr. Austin noted the Fiscal Year 2021 budgeted \$4,000 for street sign replacement. He further noted the next steps in the process included evaluating and ranking developments and neighborhoods that had County maintained signs. He noted once those areas were ranked, then a replacement schedule would be established and funding identified.

Mr. Hipple asked about citizens who lived in an area with no County street signs in addition to multiple roads. He noted the only signs were personal markers from residents of the area, but asked what would be the steps necessary to have County signs put up in those areas.

Ms. Hazelwood asked if he was referencing private roads.

Mr. Hipple noted yes.

Discussion ensued on private roads and signs.

Mr. Hipple asked if residents in such an area would have the option to apply and purchase signs which matched the green reflective County street signs.

Ms. Grace Boone, Director of General Services, noted that situation had not been presented previously. She further noted that was an option to explore.

Ms. Hazelwood noted there were several local private roads with signs on them.

Mr. Hipple noted the street signs also assisted Fire and Emergency Management Services (EMS) on calls. He thanked the group for looking into the request.

Mr. McGlennon asked how many signs were out there in the County.

Ms. Hazelwood noted they were still reviewing the data from the main arteries.

Mr. McGlennon asked if there was an estimate on the life expectancy of the green signs.

Discussion ensued on field data collection and street sign inventory.

Mr. McGlennon questioned what percentage of the allocated \$4,000 would go toward replacement of damaged signs.

Mr. Austin noted roughly \$2,000-2,500. He further noted street signs were being replaced on a weekly basis.

Mr. McGlennon questioned if the replacements were due to accidents as opposed to fading.

Mr. Austin noted some were faded and had lost the reflective coating and were not visible. He further noted other replacements were due to accidents and theft. Mr. Austin noted Fire and EMS also notified General Services when signs were missing as well as a work order system the general public could use.

Mr. McGlennon inquired on the size of the sign lettering.

Ms. Boone noted a change going forward on future signs based on feedback from the Board which incorporated the font size and other elements.

Discussion ensued.

The Board thanked the group for the presentation and their work.

Ms. Boone noted her appreciation of the work Ms. Hazelwood and Mr. Austin had put into the sign project and the application they had developed.

3. Retaining Walls

Mr. Paul Holt, Director of Community Development and Planning, addressed the Board noting the adoption of an Initiating Resolution in February 2020 to study potential amendments to the County Code regarding specific retaining walls. Mr. Holt highlighted in a PowerPoint presentation tall retaining wall structures and cited possible safety issues and potential liabilities, particularly in residential areas. He noted a review of other codes within the state and potential options for moving forward on this point. Mr. Holt further noted three options were available:

1) limiting the total height of retaining walls as a firm design requirement in the County Code with no exceptions for options or allowance for increased height; 2) limiting the total height of retaining walls as a design requirement of the County Code and allowing taller wall heights only as approved by the Board of Supervisors, possibly through a Height Waiver application; and 3) creating design standards within the Code that allowed for taller wall height, but with certain performance and design criteria that addressed safety concerns, community character features, and costs. Mr. Holt continued the PowerPoint presentation showing the use of stepped walls if a wall exceeded the designated height requirement and which could be addressed administratively. He noted the specific separation requirements between the stepped areas. Mr. Holt welcomed the Board's input as staff drafted the next steps in a possible Code amendment.

Mr. Icenhour asked about the dimensions in the third option and the steep angle depicted.

Mr. Holt noted those were representative pictures only.

Mr. Icenhour noted the stepped walls were preferable to one large, tall wall.

Mr. Holt noted staff had not found many communities in the state that had any design requirements. He further noted the stepped walls represented in the PowerPoint presentation were from Albemarle County, Virginia, adding that was the only representation in the state that staff had found.

Mr. Icenhour noted the height of a retaining wall in New Town. He further noted the third option, which allowed for administrative approval and not Board action. Mr. Icenhour noted the third option addressed the need for Board action on Height Waivers and established design criteria.

Mr. Holt noted that would help. He further noted the use of a conceptual basis regarding height limitations prior to the engineering details. Mr. Holt noted with the stepped walls as an engineering design, that design would be incorporated from the beginning of the process.

Mr. Hipple noted materials such as landscaping timbers, which had a life of 15-20 years. He further noted incorporation of building material types for use in the retaining walls. Mr. Hipple noted the need for additional space for construction equipment if a wall failed and repairs were required. He referenced an incident with a homeowner and the James City Service Authority where a retaining wall had failed and the homeowner's concern for his home. He noted several engineering concerns and properly building retaining walls, particularly for drainage.

Mr. Holt noted those points were important to include in the Performance Criteria.

Ms. Larson asked if a fence was required around the retaining wall represented in the PowerPoint presentation.

Mr. Holt noted the Building Code had specifics on the fencing and distance requirements.

Ms. Larson noted she thought the lack of fencing was an issue regarding the retaining wall at the Settlement at Powhatan.

Mr. Holt noted a fence was required based on the elevation off the ground level.

Ms. Larson noted she preferred the first option, but was fine with the third option.

Mr. McGlennon noted he liked rigorous design standards. He further noted those standards could pose the question to the developer if a retaining wall was the best choice for the

development plan.

Mr. Icenhour agreed. He noted in some land use cases, there were attempts to put something into the topography that normally would not be allowed without substantial change to the topography. He further noted he favored the third option with more respect for the land.

Mr. Hipple noted reviewing the flow of water behind the retaining wall and possible engineering impacts to the land around it.

Mr. Holt noted these points would be reviewed with staff. He further noted bringing additional options before the Board for consideration at a later meeting.

4. Solid Waste Consolidation

Ms. Boone addressed the Board and noted at the November 2019 Work Session, students in the Masters Public Policy Program at the College of William & Mary, who had conducted research on solid waste consolidation, presented their findings to the Board. She noted Supervisor McGlennon had recommended the research on this particular project as the County had recently implemented the fee-based recycling program. Ms. Boone continued the PowerPoint presentation highlighted the areas of advantages, disadvantages, available alternatives, and possible legal constraints. She noted an advantage of the program was one contractor with fewer trucks on the road and less neighborhood disruption. She further noted this also ensured safe operational and inspected vehicles were in use. Ms. Boone noted the possibility of combining trash and recycling fees into a 'one-stop shop' approach. She further noted the County was eighteen months into the recycling program with approximately 14,250 County residents participating in curbside recycling. She noted the average for the current fiscal year was 12,436 participants. Ms. Boone further noted the low contamination level and that participants were recycling more responsibly. She noted the program showed stability, but improvements were being evaluated. Ms. Boone noted additional advantages in the PowerPoint presentation. She further noted disadvantages included push back from citizens, establishment of a billing system, gated communities, and other factors. Ms. Boone noted staff's recommendation to the Board focused on pursuit of a Request for Proposal (RFP) to conduct a solid waste study. She highlighted the details of the RFP. Ms. Boone noted if the Board approved the RFP for the study, the timeline for the study's completion would be before June 2021 with presentation to the Board in July 2021, which would place it in advance of the 2023-2024 budget.

Mr. Icenhour asked the estimated cost of the RFP.

Ms. Boone noted she received a rough estimate of \$100,000.

Ms. Larson asked about storm debris. She noted York County provided trash collection as well as storm debris collection. Ms. Larson asked if storm debris would be part of the services the County provided if this option was chosen.

Ms. Boone noted that should be part of the study. She further noted the consultant could review area programs such as York County and the City of Newport News for services they provide to citizens.

Mr. Stevens noted the consultant conferring with surrounding localities and addressing bulk curb collection, leaf, and limb collection. He further noted the cost surrounding the infrastructure and increased services. Mr. Stevens noted the public's need for storm debris removal.

Mr. Hipple asked if the consultant would meet with the Board initially for its opinions, requests, and district needs, particularly regarding the Primary Service Area (PSA). He noted citizens had numerous questions regarding the PSA. He further noted the concept of the one-stop shop would be very beneficial.

Ms. Boone noted this study would be similar to the Space Needs Study. She further noted that would allow for the Board to have discussion with the consultant.

Ms. Sadler concurred with Mr. Hipple on concerns for the inside/outside PSA aspect. She noted the need to address that within the County.

Mr. McGlennon noted his support of the consultant study. He further noted the impact on currently existing County businesses.

Discussion ensued.

Mr. Icenhour noted the Board's consensus to move forward on the RFP for the study.

5. Capital Improvement Plan (CIP) Discussion

Mr. Stevens addressed the Board noting a colored handout which had been discussed at the May 2020 Work Session. He noted a delay on many CIP projects due to the uncertain financial situation created during the COVID-19 Pandemic. He further noted the need to retain cash holdings during this time. Mr. Stevens noted the yellow highlighted projects that had moved forward with Board approval. He further noted some of the previously budgeted projects that had been put on hold were now being approved to move forward for various departments as their respective schedules allowed. Mr. Stevens noted further evaluation of project details was possible, but added he felt comfortable moving forward. He further noted if the Board was comfortable with releasing the projects and moving forward on the yellow and red highlighted projects shown on the Board's handout.

Mr. Icenhour noted the yellow highlighted projects reflected an approximately \$11 million cost with slightly over \$5 million for red highlighted projects.

Mr. Stevens confirmed yes. He noted the \$11 million reflected an approximate \$3 million reduction that was related to the James City County Marina as well as a \$1.6 million project at Chickahominy Riverfront Park, and the Brickyard Landing purchase of \$1.4 million, which totaled approximately \$5 million. Mr. Stevens highlighted several projects that would come before the Board included a land facilities and these projects would not take place in January or February 2021. He noted these projects would still come before the Board for approval before beginning them.

Mr. Hipple inquired if these were projects that had already been slated and were not contingent on funds being borrowed.

Mr. Stevens noted some projects, such as the Marina, had money set aside annually. He further noted some projects had been around for many years. Mr. Stevens noted he felt these projects were not contingent on borrowed funds, but rather they were cash in the bank that had been set aside in previous years. He added that he would confirm that point.

Mr. Hipple asked about closure at the Marina.

Mr. Stevens noted with the recent contract award there, a notice had gone out to the public. He further noted closure to the public would begin the week of November 30, 2020 with

access down the main driveway. Mr. Stevens noted boats in the rental slips had been moved. He further noted access would be maintained to Billsburg Brewery as well as the covered boat slips that were not part of this first project. He added the contractor hoped to have that main area completed and open by Memorial Day 2021 with completion of the additional work by the bulkhead in the July 2021 timeframe.

Mr. Hipple noted he had been contacted by citizens of whom some were duck hunters. He further noted they had paid for annual ramp rental, which they were no longer able to access.

Mr. Stevens noted he would follow up with Mr. Hipple on that point. He further noted if other citizens contacted Mr. Hipple, he could direct them to contact Parks and Recreation to either refund that portion or extend the time for use. Mr. Stevens noted as the contract had just been awarded, there would not have been time for notification in the late summer.

Mr. Hipple asked if the duck hunters would be able to access the ramp.

Mr. Stevens noted the challenges of dredging, equipment, and no docks. He further noted he was unsure of opportunities there during the construction. Mr. Stevens noted he would look into that question, but did not think the Marina would be available until completion.

Mr. McGlennon noted he was comfortable with the proposals that Mr. Stevens had presented and moving ahead.

Mr. Stevens thanked Mr. McGlennon and noted many of the CIP projects would come before the Board for approval before moving forward on them.

Mr. McGlennon noted the December 4, 2020 meeting with the School Board and the City Council on the Williamsburg-James City County Schools CIP. He further noted the School CIP did not prioritize the early education, pre-Kindergarten (pre-K) facilities that the Board of Supervisors had discussed previously because there had not been a community conversation about it. Mr. McGlennon suggested discussing the creation of a taskforce at the December meeting which would address the need to provide facilities that would allow the incorporation of those children in need of services who are currently not being served by the school system. He noted then a long-range plan to provide the option of pre-K on a broader community basis and address the issue of this need as well as relieve some pressure on elementary school classrooms.

Mr. Hipple noted his agreement adding that this had been a discussion point on the Board of Supervisors for several years. He further noted the importance of Bright Beginnings and reducing some pressure off the schools.

Mr. McGlennon noted there were children in the community who were in need of these services, but the schools were unable to provide them.

Ms. Larson noted the money could go to the schools, but it was the school system's decision how to use it. She further noted that was how the state set that process up. Ms. Larson noted the County allocated the money, but had no say on its usage.

Discussion ensued on accountability and funding.

Ms. Larson noted the set-up between the School Board, the Board of Supervisors, and the City Council did not work properly. She further noted the difficulty navigating it and stressed the County was driving the financial engine in the partnership.

Mr. Hipple noted the County's 105% allocation to the school system. He further noted the

Board's support of the schools, but added a taskforce could help identify the need. Mr. Hipple noted specific questions needed to be asked to identify the need. He further noted pre-K was essential.

Ms. Sadler noted FutureThink and the projected number of children who were coming from age-restricted communities. She further noted the importance of these numbers and the demographics. Ms. Sadler noted a disconnect there.

Ms. Larson noted there would need to be agreement on the taskforce.

Ms. Sadler questioned how.

Mr. McGlennon noted it was a question of efficiency, but also of equity. He further noted the pre-K services were provided, but the identified needs of the community were still not being met.

Mr. Hipple noted early intervention was paramount.

Ms. Larson noted she heard both sides' conversations, but added even with the creation of a taskforce, the decision regarding the budget belonged to the School System.

Discussion ensued.

Mr. Stevens noted the budget will be presented at the joint meeting, prior to adoption. He further noted the budget would be presented for discussion with the County and the City Council prior to its adoption the following week.

Ms. Larson noted the Board of Supervisors participates in these joint meetings, but she further noted it is not equal. She added the County represents 90%. Ms. Larson noted she did not have the answer and she respected her City colleagues, adding their numbers were lower than those of James City County numbers.

Mr. Icenhour noted the idea of a taskforce was a valid point. He further noted if there was agreement on the taskforce then what were the areas of common agreement. Mr. Icenhour noted the School System had an educational responsibility and the County had a fiduciary responsibility. He further noted establishing a common ground initially.

Mr. McGlennon noted the main objection was that no conversation had taken place. He further noted it was time to have the conversation.

Mr. Icenhour noted in addition to the three jurisdictions, community engagement be part of the taskforce.

Ms. Larson questioned if the School budget had to follow specific line items for specific expenditures.

Mr. Stevens noted he would follow up with the Finance Director, but several options were available for how the County gave money to the school system. He further noted approval of the operating budget for the year with monthly expenses presented to the County. He noted upon submission of those monthly expenses, the County then reimburses the school system. Mr. Stevens noted that was the current operating process. He further noted the expenses could be done by category or activity. Mr. Stevens noted some ability to control expenses was available, but did not think that applied to CIP projects as that money was held on a project-to-project basis. He added he would verify that point for the Board.

Mr. McGlennon noted the need to use the current facilities in a more efficient, productive way. He further noted the need for a better way to serve the financial aspects and provide the services that the children need.

Mr. Stevens noted an additional handout for review as the five-year financial forecast was being prepared for January 2021. He further noted the recommendation to drop three projects: a water rescue boat for which a grant award from the Port Authority of Virginia was received this year; and two Marina projects that included building repair, a bathroom addition, and some structural component which could be addressed later as well as a potential restaurant, which could be a public-private partnership at a later date also.

The Board agreed with the recommendations.

D. BOARD REQUESTS AND DIRECTIVES

Ms. Sadler wished everyone a Happy Thanksgiving.

Mr. McGlennon noted he had shared reports presented at the recent Hampton Roads Combined Workforce Council.

Ms. Larson noted a recycling truck that had dropped a significant amount of glass. She further noted a shout-out to Ms. Boone for personally cleaning up the glass from the street. Ms. Larson also gave a shout-out to Mr. John Carnifax, Director of Parks and Recreation, about the County's great facilities in the Berkeley District. She noted the Marina specifically. Ms. Larson further noted she receives many questions about events and activities taking place and Mr. Carnifax is always responsive with answers and information. Ms. Larson referenced a newspaper article about the number of children failing and County concern. She noted the many uncertainties surrounding COVID-19 and the impact on the school systems with lack of student attendance, even virtually. She further noted she hoped School Superintendent Olwen Herron would address the point at the joint meeting. Ms. Larson noted she was hopeful that 2021 would allow more students to return to their classrooms. She further noted a moment of personal privilege regarding one of her constituents, Mr. Kyle Klyman, is in need of a life-saving liver transplant, Type O. She asked if anyone out there felt a call to help, please contact her at her County email for information (Ruth.Larson@jamescitycountyva.gov) and to keep the Klyman family in thoughts and prayers.

Mr. Hipple wished everyone a Happy Thanksgiving.

Mr. Icenhour noted he had a groundbreaking at 7 p.m., November 25, 2020, at the King of Glory Church.

E. CLOSED SESSION

None.

F. ADJOURNMENT

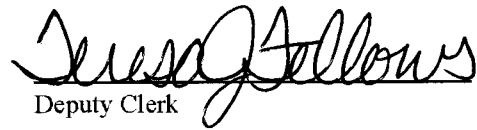
- I. Adjourn until 9 a.m. on December 4, 2020 for the Joint Meeting with WJCC School Board and City Council

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 6:54 p.m., Mr. Icenhour adjourned the Board of Supervisors.


Deputy Clerk