

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**April 12, 2022**  
**5:00 PM**

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**A. CALL TO ORDER**

Mr. McGlennon called the meeting to order at approximately 5:17 p.m. following the James City Service Authority Board of Directors Regular Meeting.

**B. ROLL CALL**

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

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

**ADOPTED**

**MAY 24 2022**

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

Mr. McGlennon noted a Public Hearing was scheduled for Item No. 5, Ford's Village. He further noted the applicant's request to postpone the Public Hearing until the Board's June 14, 2022, Regular Meeting. Mr. McGlennon noted the Public Hearing would be opened at this meeting, but no presentation would be made. He further noted any individuals who had signed up to speak this evening would be allowed to do so, but only one opportunity to speak during the Public Hearing process was allowed. Mr. McGlennon advised speakers may choose to wait in the event of potential revisions to the proposal.

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE**

1. Pledge Leader - Charlotte Walker, a 4th grade student at J. Blaine Blayton Elementary and a resident of the Stonehouse District

Ms. Sadler gave highlights of Charlotte's interests and activities at school and in the community.

Charlotte led the Board and citizens in the Pledge of Allegiance.

**E. PUBLIC COMMENT**

1. Ms. Marie Bond, 100 Fairfax Way, addressed the Board noting her comments were for an item not currently on the Board's Agenda. She added that item was in reference to the roundabout survey for the intersection of Route 199 and John Tyler Highway she received. Ms. Bond noted the Virginia Department of Transportation (VDOT) planned to do work in that area. She further noted she represented the Green Spring Garden Club, Inc., which had donated \$25,000 for the plantings in 2008 on both sides of Strawberry Plains Road. Ms. Bond addressed VDOT's incorporation of a turn lane, adding while the turn lane was in the

original plan, VDOT did not plan for it when the Green Spring Garden Club, Inc. completed its plantings. She noted VDOT's removal of one side of plantings. Ms. Bond further noted a 2012 meeting with VDOT, the architect, and James City County, adding the plantings were allowed to be replaced and redone. Ms. Bond expressed her appreciation of that gesture and added the nonprofit club had been working on maintaining area beautification projects for 61 years. She noted the 50 members and 15 associate members of the Green Spring Garden Club, Inc. were unified in their formal stand against the removal of the plantings again. Ms. Bond added the Green Spring Garden Club, Inc. was making a formal declaration it would fight the project. She thanked the Board for its consideration and time.

Mr. McGlennon thanked Ms. Bond and the Green Spring Garden Club, Inc. for the beautification work done.

#### **F. CONSENT CALENDAR**

Mr. McGlennon asked if any Board member wished to remove any item from the Consent Calendar.

1. Initiation of Consideration of Amendments to the Zoning Ordinance to Consider Possible Amendments Regarding How Density is Calculated for Residential Developments

A motion to Approve was made by Sue Sadler, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

2. Initiation of Consideration of Amendments to the Zoning Ordinance to Consider Possible Amendments Regarding Community Recreation Facilities in Residential Districts

A motion to Approve was made by Sue Sadler, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

3. Initiation of Consideration of Amendments to the Zoning Ordinance to Consider Possible Amendments Regarding the Use List of the General Business District, B-1

A motion to Approve was made by Sue Sadler, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

Mr. McGlennon noted Ms. Larson's absence due to a family emergency and extended well wishes in the situation.

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

Mr. McGlennon noted Item Nos. 1 and 2 would be addressed together as they were related to the tax rate and next year's budget.

Mr. Stevens noted two items for Public Hearing. He further noted one item addressed the proposed real property tax increase, which was the result of the real property reassessment process. Mr. Stevens stated the second item addressed the County's Fiscal Year (FY) 2023-2024 Biennial Budget. He noted he and Ms. Sharon Day, Director of Financial and Management Services (FMS), would provide a presentation addressing both topics. Mr.

Stevens requested a separate vote on each Public Hearing per State Code. He noted James City County had a two-year budget cycle with FY 2023, the first year of the biennial budget, being the only year where funding was appropriated for spending. Mr. Stevens further noted the second year, FY 2024, served as a plan. Mr. Stevens stated the FY 2023 Proposed Budget was \$233.4 million, which was 4% more than the current year. He highlighted the focal points of service to community, staffing, and community appearance and capital projects in the PowerPoint presentation. Mr. Stevens noted staffing challenges with retention and recruitment. He further noted the staffing impact with the closure of convenience centers, modification of operating hours, closure of a child care site, modification of building inspection schedules, and other factors. Mr. Stevens stated research showed 60% of employees leaving were in the lower pay grades with less than five years of service. He noted over the past two years, hiring and training time had been invested to then lose employees which impacted service delivery. Mr. Stevens further noted the Board of Supervisors approved the minimum hourly pay wage increase from \$9.64 in December 2021 to \$12 in February 2022. He noted after evaluation of vacancies and recruitment for summer employment, discussion ensued on acceleration of the pay increase proposed for the next fiscal year to April 2022. Mr. Stevens further noted that proposal included \$1,500 and a 5% wage increase for employees, adding the minimum hourly wage would rise to \$13.36 or \$28,000 per year for the lowest paid County employee when implemented. Mr. Stevens continued the presentation highlighting new positions, conversions from part-time to full-time positions, and reclassifications and career ladder implementation. He noted comments regarding community appearance improvement for both residents and visitors, adding \$900,000 was included in this year's budget to fund an additional road crew, increased mowing, and litter pick-up. Mr. Stevens noted the ongoing effort also included enlarged lettering for road signs. He continued the presentation highlighting the five-year Capital Improvements Plan (CIP) and its projected needs with one year of approved funding. Mr. Stevens noted some of the five-year CIP funding included parks, building maintenance, large vehicle purchases such as fire apparatus or EMS equipment, the Purchase of Development Rights program, and others. He further noted new items included funding for pre-Kindergarten space, new library space, and an additional 50% more County facility space for employees to serve the community by 2040. Mr. Stevens stated two projects to address this issue included replacement of the General Services complex and renovation of the Social Services Department. He noted these four projects accounted for more than \$85 million added to the five-year CIP which was not included in last year's budget, adding the significance of the need. Mr. Stevens further noted anticipation for an additional significant need within the next 5-10 years. He stated Ms. Day would discuss the proposed budget in detail and the real estate tax assessment.

Ms. Day noted the County's budget was comprised of eight total funds with the General Fund being the main operating fund and the largest fund. She further noted the next most significant fund, the Capital Projects Fund, included capital projects and School Division projects. Ms. Day continued the PowerPoint presentation highlighting the other funds: Debt Service (to pay outstanding debt obligations), in addition to other funds which were used to account for substantial federal and state grants received by the County for use in services for residents. She noted the Interfund Transfer and its designation as a deduction. Ms. Day explained some revenue sources come into one fund, and then transferred to a different fund for expenditure. She cited the Lodging Tax as an example with a 5% tax on County hotels, adding that revenue goes into the General Fund with 3% of that 5% allocated for tourism purposes per a state mandate. Ms. Day explained the money comes into the General Fund, which is then moved to the Tourism Fund where it is spent. She noted the Interfund Transfer line eliminated the duplication. Ms. Day continued the PowerPoint presentation highlighting the total General Fund for FY 2023 Proposed Budget was \$218.2 million which was \$16 million or 7.9% increase over the FY 2022 budget. She noted the FY 2023 Budget proposed no change in the real estate tax rate, but reflected a fee change in the Medic Transport Recover Fee program for resident ambulance service. Ms. Day further noted the fee change aligned with the Medicare and Medicaid reimbursement rates. She highlighted staffing additions in the

presentation. Ms. Day noted the budget challenge regarding the estimated costs to provide services exceeded the actual revenue collections. She further noted requests totaling \$3.4 million were not funded. Ms. Day continued the PowerPoint presentation noting County policy mandated 5% of the annual General Fund revenue be designated for pay-as-you-go funding for capital projects. She noted the mandate was suspended during the pandemic due to the sharp decline in revenue, but the \$5.1 million line item shown represented the County returning to pre-pandemic numbers. Ms. Day cited additional drivers included funding for a general wage increase for staff, funding for initiatives which began in FY 2022, adjustments regarding the Virginia Retirement System evaluation, health benefit adjustments, and other factors. She stated the job reclassifications and career ladders were a more affordable option to address staffing needs. Ms. Day noted increased funding for the County's contribution to the School Division, tourism investment, Williamsburg Regional Library and other outside agencies, and the minimum wage increase from \$9.64 to \$12 per hour. Ms. Day highlighted the 16.25 personnel requests per department, of which 7.75 were funded. She noted each of the 16.25 positions were independently evaluated by Human Resources on the basis of need as well as a benchmark comparison to the County's counterparts. Ms. Day further noted only one of the 16.25 positions was not recommended. She added the remaining 8.5 positions unfunded were across multiple departments. Ms. Day continued noting the shift to the revenue side of the General Fund, which highlighted the majority of the revenue was from real estate and personal property taxes. She added those items comprised approximately 70% of the total budget. Ms. Day highlighted the real estate assessment resulted in an 8.2% overall increase in the total assessed value of real property. She noted this year the National Automobile Dealers Association (NADA) Appraisal Guide, which the County used for personal property assessment, reflected significant increases in vehicular value, particularly used vehicles. Ms. Day further noted the Board of Supervisors had opted to provide tax relief to those impacted the most with the application of an assessment ratio of 75% of the NADA value, which resulted in an overall assessment value reduction of over \$200 million on over 65,000 vehicles in James City County. She added that action resulted in a \$9 million savings to County residents. Ms. Day stated new construction, growth, and development were also included in the General Property Taxes, while the other local taxes included sales, meals, and lodging taxes. She noted these revenues had increased to pre-pandemic levels with the economic recovery. Ms. Day added the Historic Triangle 1% Sales Tax and the Cigarette Tax revenue were both entirely allocated to the County's CIP program, which in turn assisted funding on pay-as-you-go projects and lowered debt on which the County has borrowed. She continued the PowerPoint presentation highlighting other revenue sources, which included licenses, permits, and fees, state revenue, and other sources. Ms. Day noted Parks & Recreation programs were included in this category and with the normal operations and programs resuming, increased costs were expected. She further noted on the expenditure side of the General Fund, the expenditures were broken down by function as represented by County departments. Ms. Day stated the largest portion was for Education in both operations contribution and debt service and capital. She added Public Safety was the second largest category at approximately 15%, adding those two categories combined reflected two-thirds of the total operating budget. Ms. Day noted the remaining one-third covered all the County operations and capital needs. She continued the PowerPoint presentation with a breakdown of costs and the allocation of funds as well as that breakdown to the average homeowner. Ms. Day presented a scenario based on an average home value of \$370,000 at the current County tax rate of \$0.84/\$100 assessed value would equal approximately \$3,100 annual real estate tax. She noted if an equalization were implied or basically remove the reassessment, the rate would drop to \$0.7715/\$100 or \$2,855 annual real estate tax. Ms. Day further noted the difference was then \$253 annually or \$21 monthly. She added the frequent question of how much is one cent on the tax rate, which she said is \$37 per year or \$3.08 per month. Ms. Day continued the PowerPoint presentation highlighting the timeline for the Real Estate Assessment process and the actions at each period. She noted May-June 2021, staff was reviewing commercial properties followed by July-December 2021 when appraisers predominately reviewed residential properties using a variety of tools including the Multiple Listing Service

(MLS) used by real estate agents. Ms. Day further noted appraisers also reviewed individual sales to ensure they were arms-length transactions which indicated a reasonable sale between two people. She added this review removes sales between family members who may have made a deal on the transaction. Ms. Day noted in January 2022, appraisers reviewed their peers' assessments as well as reviews by two levels of senior management with the assessment information sent to the vendor in February 2022. She added printing and mailing to residents occurred at this time. Ms. Day stated March 2022 was the period of engagement between the Real Estate staff and property owners for questions and explanation of the methodology used by the appraisers for determining the assessment. She continued noting April 30, 2022, was the deadline to appeal an assessment with the Board of Equalization followed by the Board of Equalization conducting appeal hearings in June 2022. Ms. Day stated the County had over 35,000 parcels and its appraisers had over 20 years' experience and multiple certifications, adding the appraisers were required to complete continuing education annually to be current with both the market and the field. Ms. Day noted the Real Estate Division's phone number was visible at the bottom of the PowerPoint slide, adding residents were encouraged to call with questions. She further noted this timeline also assisted the Commissioner of the Revenue and the Treasurer in finalizing their land book and getting billings in place. Ms. Day stated the most recent reassessment was effective January 1, 2022, with the first payment due December 2022. She noted several upcoming Budget Meetings: Business Meeting on April 26 at 1 p.m., and the Regular Meeting on May 10 at 5 p.m. when the budget is scheduled for adoption. Ms. Day further noted both meetings would be held at the County's Government Center, 101-F Mounts Bay Road. She noted additional resources available on the County's website, [jamestowncitycountyva.gov](http://jamestowncitycountyva.gov), where the proposed budget document could be viewed as well as supplemental material and information. Ms. Day further noted the Annual Comprehensive Financial Report and the Disbursement Register (also known as the online checkbook) were also available online.

Ms. Sadler asked if Ms. Day could supply the phone number for the Real Estate Office for individuals with questions or wish to appeal their assessments.

Ms. Day noted the Real Estate Office number was 757-253-6650.

Mr. McGlennon thanked Mr. Stevens and Ms. Day for the presentation.

1. Proposed Real Property Tax Increase

Mr. McGlennon opened the Public Hearing.

1. Mr. Dan Roose, 3292 Reades Way, addressed the Board noting his financial background. He noted 8% inflation, wages, fixed income, and the impact on the community, particularly with the possibility of home foreclosures due to these factors. Mr. Roose referenced the earlier mention of the \$0.84/\$100 and the equalized rate of \$0.7715/\$100 and requested striking a balance between the two amounts. He noted that adjustment would provide revenue to the County while also providing relief to citizens.

2. Ms. Robin Pavlosky, 103 Oxford Circle, addressed the Board recommending a minimum one cent tax rate reduction due to inflation and the ensuing economic issues for citizens locally and nationally.

3. Mr. Ronal Pavlosky, 103 Oxford Circle, addressed the Board regarding his concern on the increased tax rate assessment. He noted individuals on fixed incomes in the current economic climate would welcome assistance, not additional burdens, from elected officials. Mr. Pavlosky requested additional consideration of the rate to assist County residents.

4. Mr. Bruce Beiderman, 9120 Manorwood Way, addressed the Board noting the local area housed many retirees who were impacted by rising costs. He requested a minimum one cent reduction in the tax rate.

5. Mr. Gary Lane, 4247 Old Lock Road, addressed the Board requesting a tax reduction, particularly with rising prices.

6. Ms. Ann Marie Smith, 105 Underwood Road, addressed the Board noting the housing prices, adding eventually the prices would lower. She noted that property taxes, once enacted, rarely were reduced. Ms. Smith requested acceptance of the one cent reduction.

7. Mr. Richard Hanley, 216 Warehams Point, addressed the Board noting the 8% inflation rate, effects of the pandemic, and fixed incomes. He noted his reassessment was 13.1% compared to the average 8.2%. Mr. Hanley requested the \$0.84/\$100 rate be reduced.

8. Mr. Steve Corkran, 133 Greens Way, addressed the Board reiterating the concerns regarding the increased inflation rate and a request for a decreased tax rate to provide relief to citizens.

9. Mr. Jay Everson, 6923 Chancery Lane, addressed the Board requesting a tax rate between \$0.7715 and \$0.84.

10. Mr. Gregory Dries, 6236 Sommerset Lane, addressed the Board reiterating comments from earlier speakers. He urged the Board to reduce the tax rate and not to base the rate on an inflated number. Mr. Dries noted the pressure on fixed incomes and the reality that inflation may continue to rise and the ensuing impacts. He further noted he also encouraged the Board to consider a tax rate lower than \$0.84.

11. Mr. Robert Fryer, 4345 Landfall Drive, addressed the Board noting in comparison to the previously noted 8.2% assessment increase, his neighborhood had seen a 20%-25% assessment increase. He noted the assessments based on the current inflated rates that would probably not be sustainable. Mr. Fryer further noted seeking a fairer average on the assessments.

12. Mr. Curtis Stoldt, 303 Moody's Run, addressed the Board the tax rate in relation to the elevated prices for homes. He cited the increased rate of taxes on his property since 2016, adding sustainability was more difficult for retirees. Mr. Stoldt referenced the State Code in relation to assessments and percentage of the tax rate.

13. Mr. Gilbert Petrina, 4747 Yeardley Loop, addressed the Board in support of his fellow speakers' comments. He requested the tax rate be lowered, particularly closer to the \$0.7715 rate.

14. Mr. Stan Dykstra, 3215 Derby Lane, addressed the Board noting the impact of the recent assessment. He referenced the 2006-2007 real estate bubble and its similarity to the current market. Mr. Dykstra noted his support of a lower tax rate.

15. Mr. Stephen Zebinski, 5133 Ginger Court, addressed the Board in support of a lower tax rate to offset the assessment.

16. Mr. Chris Henderson, 101 Keystone, addressed the Board noting he had been a local real estate broker for almost 40 years. He noted the real estate tax rate's impact on local businesses, adding small businesses were currently stressed. He further noted these small businesses had sought rent relief under the COVID-19 pandemic restrictions. Mr. Henderson noted concern for area businesses such as the Williamsburg Premium Outlets. He further noted

the affordability of homes and impacts on new construction. Mr. Henderson addressed savings for service veterans and seniors moving into the local area.

Mr. McGlennon closed the Public Hearing as there were no additional speakers. He noted no action would be taken on this item at tonight's meeting.

Ms. Sadler requested a comprehensive list of any budgetary items for consideration prior to the Board's next Business Meeting slated for April 26, 2022, which could be applied to reductions in the real estate tax as an inflationary aid to citizens. She noted consideration of the items as needs as opposed to wants. Ms. Sadler further noted no inclusion of personnel or staffing as those needs were already known to the Board.

## 2. Fiscal Year 2023-2024 County Biennial Budget

Mr. McGlennon opened the Public Hearing on the second item as it related to the budget.

1. Ms. Ann Marie Smith, 105 Underwood Road, addressed the Board noting the projected 50% more space needed by 2040. She asked if hotel space had been considered with shared workspaces or remote working, adding this option had drastically changed the workplace dynamic. Ms. Smith questioned if that percentage was still correct as workspace demand had decreased. She noted she had some questions regarding the fee for medical transport. Ms. Smith further noted the cost of ambulance services for citizens and network contract coverage.

Mr. McGlennon noted answers would be provided to Ms. Smith. He noted the County had the ability to provide ambulance service that should not cost County residents.

Ms. Smith inquired if that was a change from previously.

Mr. McGlennon replied yes, but not the immediate past.

2. Mr. Chris Henderson, 101 Keystone, addressed the Board acknowledging Ms. Sadler's reference to budgetary needs versus wants. He encouraged the Board to review critical needs and avoid discretionary spending for this budget cycle. Mr. Henderson addressed market trends for lumber and construction costs and a possible deferment until a later date. He noted the impact to the real estate tax rate.

Mr. McGlennon closed the Public Hearing as there were no other speakers.

## 3. Proposed Fiscal Year 2023-2028 Secondary Six-Year Plan

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

Mr. Tom Leininger, Principal Planner, addressed the Board regarding VDOT's annual compilation of priority projects for the updated Secondary Six-Year Plan (SSYP). He noted the Board worked with VDOT to compile the list of projects for FY23-28. Mr. Leininger further noted the County received annual state and federal allocations which would fund the proposed improvements. He stated the following SSYP projects were recommended by staff for consideration: 1) Croaker Road widening between Richmond Road and the James City County Library from two to four lanes; 2) and 3) Longhill Road Phases II and III which currently had no funding allocation; 4) and 5) Intersection Safety Improvements at Old Stage



Road and Route 30 and Centerville Road and Route 5. Mr. Leininger stated with these two safety improvements as a priority, VDOT could begin allocating SSYP funds for future funding cycles. He noted VDOT utilized a special funding mechanism which provided annual allocations for unpaved roads and bridge replacements. Mr. Leininger further noted Peach Street was identified under the unpaved road category and the Hicks Island Road Bridge was identified under the bridge category. He stated staff recommended adoption of the resolution in the Agenda Packet with the priority list.

Ms. Sadler questioned the location of Old Stage Road and Route 30 or Rochambeau Drive.

Mr. Paul Holt, Director of Community Development and Planning, noted that was a mistake, adding the correct location was Old Stage Road and Rochambeau Drive.

Ms. Sadler noted the location was Old Stage Road and Rochambeau Drive.

Mr. Holt confirmed yes.

Ms. Sadler questioned the work to be done at that location.

Mr. Holt referenced some intermittent replacements based on the Roadway Safety Audit (RSA). He noted those replacements were being evaluated for safety improvement and effectiveness. Mr. Holt further noted following VDOT's evaluation, follow-up with the County would take place regarding a permanent solution to replace the currently existing bollards at the intersection.

Ms. Sadler thanked Mr. Holt for the clarification.

Mr. McGlennon opened the Public Hearing.

1. Mr. Chris Henderson, 101 Keystone, addressed the Board noting difficulties at the intersection of Jamestown Road and Route 199. He noted it had taken four cycles before he had advanced through the intersection, adding the original plan for Route 199 had allowed for an above grade intersection. Mr. Henderson further noted now was the time to complete that step. He added the elimination of any at-grade intersections with Route 199 for planning purposes and the traffic issues in that area.

Mr. McGlennon noted Mr. John Haldeman, representative from the Planning Commission, was present. He expressed his appreciation for Mr. Haldeman's attendance.

Mr. McGlennon closed the Public Hearing as there were no other speakers.

4. LU-20-0002. Eastern State - New Town Addition and LU-20-0003. Eastern State - Mixed Use Community Land Use Designation Changes

Mr. Icenhour made a motion to Defer Consideration of LU-20-0002 and LU-20-0003 for another 12 months from today or until a rezoning application was submitted, whichever comes first, and a request for staff to take the step administratively to go back and modify the language in place to remove the reference to New Town as New Town Parcels A and B were on one side and New Town Parcel C was on the other side. Mr. Icenhour noted maintaining that designation until applicants and their proposals were known. Mr. Icenhour further noted this offered some assurance to New Town residents that this was not a predetermined issue.

Mr. McGlennon asked if Mr. Icenhour's reference was for Eastern State not New Town.



Mr. Icenhour confirmed Eastern State Parcel A and B and Eastern State Parcel C. He requested the removal of the wording for New Town in relation to Parcel C.

Ms. Sadler asked if both requests were part of the motion.

Mr. Icenhour confirmed yes.

Ms. Sadler requested the two items be addressed separately, particularly on the second item since Ms. Larson was absent for comments with relation to the change of the language.

Mr. Icenhour agreed.

A motion for Deferral of 12 months and at the next meeting, discuss the terminology, was made by James Icenhour, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

Mr. Icenhour thanked the New Town Residential Association (NTRA) for its comprehensive list.

Mr. Thomas Wysong, Senior Planner, addressed the Board citing its July 13, 2021, September 28, 2021, and October 26, 2021, Board Meetings and adoption of the 2045 Comprehensive Plan. He noted in consideration of the Comprehensive Plan, the Board had voted to postpone the two Eastern State Land Use designation change applications for six months or until rezoning applications for the Eastern State properties was submitted. Mr. Wysong further noted no rezoning applications had been received for either land use case. He added staff recommended postponement of both applications for 12 months or until submission of rezoning applications for both properties. Mr. Wysong noted if the Board desired to approve the Land Use Mixed Use designation change to one or both applications, staff recommended the Board approve the draft amendment language to the Land Use section of the adopted 2045 Comprehensive Plan to ensure guidance of private development of the Eastern State parcel.

Mr. McGlennon reopened the Public Hearing.

1. Ms. Mary Cheston, 5178 Rollison Drive, addressed the Board on behalf of the Board of Directors of the NTRA, the homeowners association for approximately 550 homeowners adjacent to the Eastern State property. She noted she was President of the Association. Ms. Cheston further noted the 20-year history of New Town. She requested the Board not vote for either of the Eastern State Land Use proposals. Ms. Cheston stated the NTRA had five requests of the Board with one a long-term request and the other four had been sent via letter. She noted these requests were in addition to the postponement, adding any prospective developers and the public needed a clear direction on the Board's expectations for the new area. Ms. Cheston noted the first request was to have County staff remove all document assumption that linked Parcel C to New Town which encompassed revision of the draft Mixed Use descriptive language and title with a renaming to Eastern State Parcel C. She further noted the applicant had made the change on the application title, but no official changes had been made to the documents. Ms. Cheston noted the second request was no allowance of new road access through the New Town residential community, particularly the cut-through of Olive Drive. She further noted the applicant removed the access following community response, but the application remained unchanged. Ms. Cheston added the cut-through was to be deeded to the Association, but that had not been done. She noted the applicant's responses, but added the County's emergency response needs were unanswered to this point. Ms. Cheston requested a form of official assurance there would be no cut-through. She noted

a request for the development to have a separate community association and not be part of either the New Town Residential or Commercial Association. Ms. Cheston cited the reasons for this request. She noted the fourth request was the County's encouragement for the state to seek other developers. Ms. Cheston noted the last request focused on environmental protection with less density. She further noted the importance of getting this development right regarding Parcel C in relation to New Town.

2. Mr. Chris Henderson, 101 Keystone, addressed the Board referencing the Crossroads Study which had been done approximately 20 years earlier on the Eastern State property. He noted his participation as a stakeholder and the representation of good urban planning as shown in the study. Mr. Henderson further noted residential sensitivity to traffic and noise concerns, but also topographic challenges to Parcel C. He added the affordability component could potentially be addressed here. Mr. Henderson noted the commercial property was well suited for a regional facility. He further noted the location would be better suited for the sports complex that the City of Williamsburg, York County, and James City County were considering due to traffic access. Mr. Henderson stated the property under the County's custodial care and not the state would prove more beneficial for all groups.

Mr. McGlennon closed the Public Hearing as there were no additional speakers.

5. Z-21-0012 and MP-21-0003. Proffer and Master Plan Amendment for the Continuing Care Retirement Facility at Ford's Colony (Ford's Village)

Mr. McGlennon reminded the audience that Item No. 5 had been deferred until June 14, 2022, at the applicant's request. He noted no presentation or staff report would be made.

Mr. McGlennon opened the Public Hearing, adding it would remain open until June 14, 2022. He reminded the audience if anyone chose to speak at this meeting, the opportunity to speak again in June would not be available. He called the registered speakers, Mr. Barrett King and Mr. Craig Hardison, who were unavailable.

1. Mr. Chris Henderson, 101 Keystone, addressed the Board noting he was a Ford's Colony resident, a former Board member of its homeowners association, and former Planning Commission member. He referenced the original proffered Master Plan for the facility and expressed his support of the revised plan, though he favored elimination of the second access point on News Road. Mr. Henderson noted multiple ingress and egress points for these larger facilities particularly with regard to emergency vehicles in addition to relieving traffic congestion. He noted the lack of interconnectivity in local areas. Mr. Henderson encouraged review of the vehicular access points for the plan.

Mr. McGlennon noted there were no additional speakers for this evening's meeting, but the Public Hearing would remain open until June 14, 2022.

6. HW-22-0001. Busch Gardens Height Waiver Extension

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

Mr. John Risinger, Planner, addressed the Board noting Mr. Anthony Loubier of Vanasse Hangen Brustlin, Inc., had applied on behalf of SeaWorld Parks & Entertainment, LLC, for a 36-month extension on Height Waiver (HW)-19-0001 due to difficulties faced with the

COVID-19 pandemic. He noted no other changes were proposed. Mr. Risinger cited the specifics of the application.

Mr. McGlennon opened the Public Hearing.

1. Ms. Suzy Cheely, 1 Busch Gardens Boulevard, addressed the Board noting she was the Busch Gardens representative and available for any questions.

Mr. McGlennon asked about the newest ride at Busch Gardens.

Ms. Cheely noted Pantheon, originally slated for 2020, just opened at the park. She further noted postponements on attractions and construction had occurred, thus this extension.

2. Mr. Chris Henderson, 101 Keystone, addressed the Board noting Busch Gardens was a great corporate citizen in the community and the local contributions made by the company. He highlighted the creativity of the organization's seasonally themed events in addition to the spectacular attractions. Mr. Henderson noted the necessary support of the organization.

Mr. McGlennon closed the Public Hearing as there were no additional speakers. He thanked the audience for its attendance.

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

##### **1. S-21-0072. 7751 Newman Road Family Subdivision**

A motion to Approve was made by Sue Sadler, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

Mr. Wysong addressed the Board on the specifics of this application. He noted the applicants were present for any questions.

#### **I. BOARD REQUESTS AND DIRECTIVES**

Absent: Larson

Mr. Icenhour extended his personal appreciation to Mr. Stevens, County Administrator, and Mr. John Camifax, Director of Parks & Recreation, for their assistance with the Vietnam Veterans Ceremony on March 29, 2022. He noted the ceremony was well attended by over 200 people and very successful. Mr. Icenhour acknowledged the oldest veteran, Mr. Charles Yerkes, 99 years old. He noted Mr. Yerkes, a veteran of World War II, the Korean War, and the Vietnam War, using his walker, came forward from the back of the room to receive his commemorative pen and certificate. Mr. Icenhour further noted a round of applause was heard. He thanked everyone in the community for their support.

Mr. McGlennon thanked Mr. Icenhour for the work put into the organization of the event.

Mr. Hipple noted Hampton Roads Transportation Accountability Commission's (HRTAC) Finance team was working on refinancing of projects with HRTAC. He further noted limitations on funding in the current conditions, and while final numbers were unknown, the hope was approximately \$80 million in savings would be available for roads and transportation. Mr. Hipple stated that number could change with interest rates, but he would provide another update later. He noted some projects were able to be refinanced for available money toward transportation.

Mr. McGlennon thanked Mr. Hipple for the update.

Ms. Sadler thanked Mr. Stevens for answering all her calls and budget questions.

Mr. McGlennon congratulated Mr. Stevens, Ms. Day, and County staff for organizing the budget community meeting. He noted the meeting was available on the County's YouTube channel, adding important information was included. Mr. McGlennon commended the Child Abuse Prevention program that had been organized during Child Abuse Prevention Month. He noted the program, which took place March 25, 2022, at the James City County Recreation Center, featured numerous organizations and resources. Mr. McGlennon referenced local areas highlighting the blue pinwheels which designated Child Abuse Prevention Month. Mr. McGlennon noted a Closed Session had been slated for an appointment consideration to the Colonial Behavioral Health Board, but there was a staff recommendation to appoint Mr. Roy Witham, Superintendent of the Virginia Peninsula Regional Jail, for an expired term ending on June 30, 2022. He sought a motion for that appointment.

A motion to Appoint Mr. Roy Witham was made by Sue Sadler, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

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

Absent: Larson

Mr. Stevens noted over 29,000 real estate reassessments had been sent out to citizens. He further noted if citizens felt those reassessments were not accurate, contact the Real Estate Division at 757-253-6650. Mr. Stevens stated April 30, 2022, was the deadline to submit an appeal as a reminder to citizens.

#### **K. CLOSED SESSION**

Absent: Larson

There was no Closed Session and the appointment was made in Open Session as noted previously in the minutes.

1. Appointment - Colonial Behavioral Health Board

#### **L. ADJOURNMENT**

1. Adjourn until 1 pm on April 26, 2022 for the Budget Business Meeting

A motion to Adjourn was made by James Icenhour Jr, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

At approximately 6:44 p.m., Mr. McGlennon adjourned the Board of Supervisors.

  
Deputy Clerk