M I N U T E S
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
January 10, 2023
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

ADOPTED

FEB 28 2023

Board of Supervisors
James City County, VA

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

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

Mr. Hipple noted a Public Hearing was scheduled for Item No. 4. He further noted the applicant's request to postpone the Public Hearing until the Board's May 9, 2023, Regular Meeting. Mr. Hipple stated the Public Hearing would be opened at this meeting and remain open. He advised 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.

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Casey Campbell, a 5th grade student at Matthew Whaley Elementary School

Mr. Hipple noted the Pledge Leader could not be in attendance this evening due to illness. He introduced Mr. Jay Everson, a County citizen who would lead the Board and citizens in the Pledge of Allegiance.

Ms. Sadler stated Mr. Everson was a citizen of the Stonehouse District.

E. PUBLIC COMMENT

Ms. Peg Boarman, 17 Settlers Lane, addressed the Board noting she was present to talk trash. She mentioned the substantial amount of trash exhibited throughout the County in the new year. Ms. Boarman stressed the avoidance of littering and the importance of cleaning up trash within the community. She spoke about the Litter League program, adding Litter League kits were available to check out at both the Williamsburg Regional Library and the James City County Library or at the General Services Administrative Building on Tewning Road. Ms. Boarman noted the Clean County Commission recently had a meeting to establish all activities for the new year. She highlighted some of the various upcoming events such as the Annual County-wide Litter Cleanup event on April 15, 2023, and the Great American Cleanup event

on March 25, 2023. Ms. Boarman encouraged more involvement.

Mr. Hipple thanked Ms. Boarman.

F. CONSENT CALENDAR

None.

G. PUBLIC HEARING(S)

1. Pre-Budget Public Hearing for FY 2024

Ms. Sharon McCarthy, Director of Financial Management and Services, addressed the Board noting the purpose of this Public Hearing was to welcome comments and/or suggestions from County citizens to help guide staff in preparation of the upcoming County Budget. Ms. McCarthy advised no action was required from the Board on this item.

Mr. Hipple opened the Public Hearing.

1. Mr. Jay Everson, 6923 Chancery Lane, addressed the Board noting he requested the Board to consider removing the potential 10th elementary school off the Capital Improvements Program (CIP), in addition to the Jamestown High School Elementary Expansion project from the CIP. Mr. Everson mentioned redistricting the Williamsburg-James City County (WJCC) High Schools would rectify the overcrowded concern at Jamestown High School and allow for cost savings. Mr. Everson thanked the Board for its time and consideration.

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

2. AFD-22-0015. 999 Jolly Pond Road Cranston's Pond AFD Addition

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

Mr. John Risinger, Senior Planner, addressed the Board noting Mr. Hunter Taylor, had applied to enroll a 169.15-acre parcel to the Cranston's Pond Agricultural and Forestal District (AFD). Mr. Risinger touched on details of the application. Mr. Risinger noted the AFD Advisory Committee voted 7-0 to recommend approval of the application at its October 20, 2022, meeting and the Planning Commission voted 6-0 to recommend approval at its December 7, 2022, meeting. Mr. Risinger further noted staff's recommendation that the Board approve the application, subject to the proposed conditions. Mr. Risinger welcomed any questions the Board might have.

Ms. Sadler asked the total acreage of the parcel.

Mr. Risinger replied 169.15 acres.

Mr. Hipple thanked Mr. Risinger.

Mr. Hipple welcomed Mr. Frank Polster, Planning Commission representative, to the podium.

Mr. Polster addressed the Board noting there were no questions for staff, public speaker comments, and no discussion amongst the Planning Commission on the application. He stated the Planning Commission voted 6-0 to recommend approval to the Board of Supervisors. Mr. Polster welcomed any questions the Board might have.

Mr. Hipple thanked Mr. Polster.

Mr. Hipple opened the Public Hearing.

Mr. Hipple closed the Public Hearing as there were no speakers.

3. Ordinance to Permit Use of Golf Carts on Public Highways in Powhatan Shores

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

Interim Chief of Police, Anthony Dallman, gave an overview of the memorandum and resolution included in the Agenda Packet. He noted staff recommended approval to the Board of Supervisors and welcomed any questions the Board might have.

Mr. Hipple asked if any Board members had questions.

Mr. Icenhour asked if he was aware of any golf cart related issues in the neighborhoods authorized for golf cart use.

Interim Chief Dallman replied not to his knowledge, adding calls for service pertaining to golf carts had declined.

Mr. Hipple opened the Public Hearing.

1. Mr. Shawn Sweaney, 124 Discovery Lane, addressed the Board noting he was a resident of Powhatan Shores and a member of the homeowners association. He remarked he was present simply to answer any questions the Board might have pertaining to the application.

Mr. Hipple asked if any Board members had questions.

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

4. SUP-22-0021. 8401 Hicks Island Road Tourist Home

Mr. Hipple advised no presentation would be conducted this evening due to the deferment request as noted at the beginning of the meeting. He advised 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. Hipple opened the Public Hearing noting it would remain open until the Board's May 9, 2023, Regular Meeting.

5. SUP-22-0018. 5477 Mooretown Road Williamsburg Place Pavilion & Farley Center

Additions

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. Ben Loppacker, Planner, addressed the Board noting Ms. Samantha Steketee, Hunton Andrews Kurth, LLP, had applied on behalf of The Pavilion at the Williamsburg Place, Inc. for a Special Use Permit (SUP) to allow for the expansion of the existing psychiatric and rehabilitation facility. Mr. Loppacker touched on details of the application. Mr. Loppacker mentioned the expansion of the existing facility would include: 41 new inpatient psychiatric beds, 10 new intermediate care substance abuse beds, and 28 new outpatient domiciliary beds, remove four previously approved residential visitor units, add new office space for staff, and to expand the indoor and outdoor dining and kitchen facilities. Mr. Loppacker stated according to the applicant, the expansion addressed the increased demand for the need for mental health care and services in the community. Mr. Loppacker noted staff found the application to be consistent with surrounding zoning and development, and consistent with the 2045 Comprehensive Plan and Zoning Ordinance. Mr. Loppacker further noted the Planning Commission voted 6-0 to recommend approval of the application, subject to the proposed conditions at its December 7, 2022, Regular Meeting to the Board of Supervisors. Mr. Loppacker welcomed any questions the Board might have, adding the applicant was in attendance as well.

Mr. Hipple welcomed Mr. Polster to the podium.

Mr. Polster noted aside from the applicant speaking at the Public Hearing there were no additional public speakers or discussion amongst the Planning Commission. He further noted that staff and the applicant agreed to an addition to SUP Condition No. 4 to specify that a majority of trees, shrubs, or ornamental grass supplemental plantings shall be native species to meet the requirement of Section 24-96 of the County Code. Mr. Polster stated the Planning Commission voted 6-0 to recommend approval of this SUP to the Board of Supervisors. Mr. Polster welcomed any questions the Board might have.

Mr. Hipple opened the Public Hearing.

1. Ms. Samantha Steketee, Senior Land Use Planner, Hunton Andrews Kurth, LLP, made a presentation to the Board in support of the application. Ms. Steketee touched on Summit, BHC, a national behavioral health provider with 32 locations in 19 states. Ms. Steketee discussed the recent launch of the Tactical Recovery program within the community, which was designed to help active-duty service members and veterans recover from post-traumatic stress disorder (PTSD), mental health, and substance abuse disorders. Ms. Steketee displayed the proposed expansion and additions on the PowerPoint presentation. Ms. Steketee noted the traffic generated from the proposed expansion would be minimal due to the majority of traffic generated occurred within off peak hours. Ms. Steketee highlighted the pros of the application. Ms. Steketee concluded the presentation and welcomed any questions the Board might have, adding the applicant team was present as well.

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

Mr. McGlennon mentioned he had the opportunity to speak with the applicant team and he intended on supporting the application.

Mr. Icenhour expressed his concern of existing traffic in that particular area; however, Mr. Paul Holt, Director of Community Development and Planning, had confirmed that the Virginia Department of Transportation (VDOT) had a solution to the traffic congestion at the

intersection of Airport Road and Mooretown Road. He added the VDOT project was fully funded; however, there was uncertainty on the time aspect of completion. Mr. Icenhour expressed his support for the application.

Mr. Hipple stated he also met with the application team, adding it was a positive meeting and the applicant team was very attentive.

6. Z-22-0003. 8005 and 8009 Hankins Industrial Park Road

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

Mr. Hipple welcomed Ms. Terry Costello, Senior Planner, to the podium.

Ms. Costello addressed the Board noting Mr. Bruce Daniels, Daniels Welding & Tires, Inc. had applied to rezone two parcels of land totaling approximately 3.01 from acres from M-2, General Industrial to M-1, Limited Business/Industrial. Ms. Costello noted the proposal was to allow for the continued use of two local businesses that perform vehicle repair and service. She further noted vehicle service and repair was not a permitted nor specially permitted use in the M-2, General Industrial Zoning District; however, it was in the M-1, Limited Business/Industrial Zoning District. Ms. Costello mentioned staff found the rezoning would not result in any negative impacts that would need to be mitigated. She added staff found the proposal to be compatible with surrounding zoning and development, and consistent with the 2045 Comprehensive Plan. Ms. Costello stated at the December 7, 2022, Planning Commission meeting, the Commission voted 6-0 to recommend approval of the application to the Board of Supervisors. She welcomed any questions the Board might have.

Mr. Hipple asked if any Board members had questions.

Mr. Polster addressed the Board noting there were no questions for staff, no public comment speakers, nor any discussion amongst the Planning Commission. Mr. Polster stated the Planning Commission voted 6-0 to recommend approval of the application to the Board of Supervisors. Mr. Polster welcomed any questions the Board might have.

Mr. Hipple asked if any Board members had questions.

Mr. Hipple opened the Public Hearing.

Mr. Hipple closed the Public Hearing as there were no speakers.

Mr. McGlennon mentioned positive remarks about the business and his support for the application.

Mr. Icenhour echoed Mr. McGlennon's point, adding it was a great service to the community.

Mr. Hipple spoke highly of Mr. Daniels and his business in the County, in addition to his cooperation with staff to ensure County compliance.

Ms. Larson pointed out that Public Hearing Item No. 3 noted there was one neighborhood specifically, Landfall at Jamestown was mentioned; however, the neighborhood had not been approved as a golf cart community yet. Ms. Larson confirmed an application was submitted; however, she wanted to address that for clarification purposes.

H. BOARD CONSIDERATION(S)

1. Housing Choice Voucher Administrative Plan

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

Mr. Keith Denny, Housing Programs Administrator, gave an overview of the memorandum and resolution included in the Agenda Packet. Mr. Denny noted staff recommended approval of the revised Administrative Plan for the Housing Choice Voucher (HCV) program to the Board of Supervisors. He welcomed any questions the Board might have.

Mr. McGlennon asked if the revisions made to the Administrative Plan for the HCV program were to ensure compliance with federal requirements.

Mr. Denny confirmed yes.

Mr. Hipple thanked Mr. Denny.

I. BOARD REQUESTS AND DIRECTIVES

Ms. Sadler stated she looked forward to a productive new year with her colleagues as the Board continued to serve County citizens. Ms. Sadler asked Mr. Stevens if he had the figure of which the state funded WJCC Schools, adding it used to be in the County's budget and appropriated to WJCC School Division.

Mr. Stevens replied that was the state sales tax for education that used to come through the County's budget and then would be dispersed to WJCC School Division. Mr. Stevens advised that figure for the School Division's budget for Fiscal Year (FY) 2023 was $15.8 million.

Ms. Sadler replied thank you. Ms. Sadler inquired if VDOT could be contacted in regard to the volumes of trash she had noticed in the County recently. She mentioned from Croaker Road to the Stonehouse area and down Centerville Road was terrible. Ms. Sadler expressed her gratitude to Ms. Boarman for all her efforts. Ms. Sadler advised she had received numerous complaints from citizens regarding Verizon service, adding she noticed the poor service as well. Ms. Sadler requested contact be made to Verizon to address the issue.

Mr. Stevens acknowledged her request.

Ms. Sadler stated that after careful consideration, she was not seeking reelection this year; however, she requested the public stay tuned to local news outlets for some exciting updates that would be forthcoming.

Mr. Icenhour mentioned a friend of his daughter who worked for the WJCC Schools recently lost her eldest son, Joshua Peck, due to meningitis, adding he was 10 years old. Mr. Icenhour requested the public to keep Joshua's family in thought and prayer during this difficult time.

Mr. McGlennon congratulated Mr. Hipple and Ms. Larson on their nominations. Mr. McGlennon stated the James City County Williamsburg Master Gardener Association was holding a free hands-on instruction class on pruning, adding if interested go to www.jccwmg.org to sign-up. Mr. McGlennon noted he communicated the County's sympathy

to Mayor Jones of the City of Newport News for the incident at Richneck Elementary School. Mr. McGlennon mentioned recent communication with Mr. Matt Ogburn, State and Local Government Affairs at Verizon, who advised he would investigate the service concerns and potential remedies for the issue. Mr. McGlennon thanked his colleagues for their hard work, dedication, and collaborative efforts on accomplishing a great deal in 2022. Mr. McGlennon expressed it was a great honor to serve as Chairman last year and thanked the Board for the opportunity. Mr. McGlennon highlighted various accomplishments the Board had in the year of 2022.

Ms. Larson thanked both Mr. McGlennon and Ms. Sadler for their leadership over the past year. Ms. Larson echoed the Verizon concerns as she felt it was a safety concern and a vast majority of individuals were solely reliant on cellphone service. Ms. Larson mentioned the increase of spam calls and wanted the public to be aware and cautious. Ms. Larson expressed her condolences to the Peck family. Ms. Larson expressed her concern with the ongoing trash issue within the County and the additional funds required to continue to clean it up. Ms. Larson recognized Ms. Boarman and the Clean County Commission for all efforts. Ms. Larson mentioned National Law Enforcement Day was yesterday, so she wanted to recognize all County Law Enforcement Officers. Ms. Larson extended her thanks to Ms. Sadler for her service and dedication to the County while on the Board of Supervisors.

The Board and audience applauded.

Mr. Hipple thanked Ms. Sadler for her service on the James City County Board of Supervisors, adding she had done a tremendous job. Mr. Hipple echoed the Verizon issue. Mr. Hipple mentioned he lost power during the holidays; however, he recognized Dominion Energy for its prompt response to the power outage. Mr. Hipple recognized Mr. McGlennon for his hard work and dedication as Chairman, in addition to Ms. Sadler for her dedication in the role of Vice Chairman. Mr. Hipple agreed with the various Board accomplishments and anticipated a continuation of accomplishments in the new year. Mr. Hipple commended staff for all efforts and support.

J. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens congratulated Mr. Hipple and Ms. Larson for their nominations to Chairman and Vice Chairman, adding he enjoyed working with Mr. McGlennon and Ms. Sadler this past year. Mr. Stevens wished the Board a Happy New Year.

K. CLOSED SESSION

None.

L. ADJOURNMENT

1. Adjourn until 1 pm on January 24, 2023 for the Business Meeting

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

At approximately 5:50 p.m., Mr. Hipple adjourned the Board of Supervisors.

Deputy Clerk