

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
BUSINESS MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
July 25, 2023
1:00 PM

A. CALL TO ORDER

B. ROLL CALL

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

ADOPTED

SEP 26 2023

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

C. PRESENTATION

1. Retiree Recognition - Brigitte White

Mr. Patrick Page, Director of Information Resources Management (IRM), addressed the Board noting it was his pleasure to recognize Ms. Brigitte White, Information Technology (IT) Specialist, regarding her employee service with the County. He noted Ms. White was retiring after 30 years of service with James City County. Mr. Page cited the various positions Ms. White held over her tenure with the County. He highlighted several significant accomplishments which included the following: maintaining and accounting for Microsoft software licensing for over 20 years; building, maintaining, and improving the Electronic Document Management System, maintaining databases for County primary software systems, managing the County's email system and Cloud migration. Mr. Page noted positive remarks about Ms. White's work ethic. He expressed his sincere thanks to Ms. White and wished her well in retirement.

The Board and audience applauded.

Mr. Page presented Ms. White with a certificate.

Ms. White's response was inaudible.

Mr. McGlennon noted Ms. White was the very first of the IT staff to aid him regarding his technology concerns, adding she did a great job.

The Board thanked Ms. White.

2. 2023 Historical Commission Essay Contest Awards

Mr. Mark Jakobowski, Chairman of the Historical Commission, addressed the Board to recognize the 2023 Historical Commission Essay first place winner, Mr. Aaron Green of Warhill High School. He noted Mr. Green had written his essay on the Life of Lady Frances Berkeley, adding it was well written.

Mr. Jakobowski presented Mr. Green with a certificate.

The Board and audience applauded.

Mr. Jakobowski mentioned next year the focus was on private school and homeschool students to allow further participation and involvement. He thanked the Board and Mr. Stevens for their support.

Mr. McGlennon asked if the essay would be available for viewers.

Mr. Jakobowski confirmed.

Mr. McGlennon asked how it would be accessed.

Mr. Jakobowski remarked he would email the essay to the Board members.

Mr. McGlennon thanked Mr. Jakobowski.

3. Proclamation for the Master Gardeners

Mr. McGlennon noted the James City County Williamsburg Master Gardener Association (JCCWMGA) celebrated its 40th Anniversary and service to the County and the Historical Triangle area. He mentioned his attendance at the 40th Anniversary Picnic, which was held on Sunday, July 23, 2023. Mr. McGlennon asked if the Master Gardener members in attendance would come forward for recognition purposes. He read the Master Gardeners Proclamation. He stated in the current year-to-date the Master Gardener volunteers had contributed approximately 13,000 hours to maintaining gardens, education, providing various sustainability services, adding that equated to the value of approximately \$377,000 of their time and efforts to the community. Mr. McGlennon recognized Ms. Deborah Bussert, President of JCCWMGA, Ms. Vickie Rockwell, Incoming President of JCCWMGA, Ms. Linda Neilson, Treasurer of JCCWMGA, Ms. Terry McGlennon, Training member of the JCCWMGA, and Ms. Elizabeth Myers, Vice President of Projects of JCCWMGA.

Mr. McGlennon welcomed comments from the Master Gardeners.

Ms. Bussert expressed her thanks to the Board for the support and recognition. She noted collaborative efforts with County departments and various local partners. Ms. Bussert remarked JCCWMGA staff were delighted to celebrate its 40th Anniversary with the Board and citizens. She handed out 40th Anniversary pins to the Board of Supervisors.

Mr. Hipple commended JCCWMGA staff for their outstanding service to the community over the years.

4. National Night Out 2023 Proclamation

Mr. Hipple read the National Night Out 2023 Proclamation joined by members of the Police Department at the podium.

Police Chief, Mark Jamison, addressed the Board and citizens noting National Night Out was an important aspect of what the Police Department does, and community involvement was significant in serving the community. Chief Jamison mentioned the importance of community engagement and building relationships and this event offered that opportunity. He welcomed citizens to participate and thanked Chairman Hipple for the proclamation.

5. Awards and Commendations - Information Resources Management

Mr. Hipple welcomed Mr. Page to the podium.

Mr. Stevens expressed his desire to take a moment while the presentation efforts were being conducted as he wanted to mention one other award. He noted he and Ms. Larson had an opportunity to attend the 2023 National Association of Counties (NACo) Annual Conference where James City County Planning Department was recognized for the 2045 Comprehensive Plan. Mr. Stevens stated this award exemplified the quality County staff serving the community. He displayed the Planning Award and recognized Planning staff for all their outstanding efforts.

The Board and citizens applauded.

Mr. Page addressed the Board to provide an overview of awards and recognition received by James City County and the IRM staff. He highlighted the various County Website Awards and Video Service Awards displayed on the PowerPoint presentation. He indicated the County's IRM Department was recognized for the 2023 Digital Counties Survey and ranked fourth nationally in the "Up to 150,000" Population Category. He concluded the presentation and welcomed any questions the Board might have.

Mr. Hipple asked if any Board members had questions and/or comments.

Ms. Larson extended congratulations to Mr. Page and IRM staff for the outstanding work.

Mr. McGlennon stated IRM had done a fantastic job in telling the story of James City County.

Mr. Hipple noted the importance of presentations such as this to recognize the high-level national awards received. He further noted the awards spoke volumes of the quality staff here in James City County.

Mr. Icenhour expressed his belief that an award should be given for the annual Happy Holidays from the Board of Supervisors video. He remarked IRM does a phenomenal job of putting those videos together. He extended his congratulations to the IRM Department.

Ms. Sadler extended her thanks.

Mr. Stevens echoed the Board's comments and expressed the importance of County citizens to be aware of the dedicated and talented County staff serving this community and the awards received justify that. He thanked the Planning and IRM staff for a job well done.

D. CONSENT CALENDAR

Mr. Hipple asked if any Board member wished to pull an item.

Mr. Icenhour wished to pull Item No. 12 for discussion.

Ms. Larson stated she did not wish to pull an item; however, wanted to recognize Mr. Aaron Thompson, Executive Director of Olde Towne Medical & Dental Center. She extended her thanks to all participants and the work conducted regarding Consent Calendar items.

1. Contract Award - \$594,350 - James City County Marina Floating Dock Extensions

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

2. Contract Award - \$279,337 - James City County Recreation Center Boiler Replacement

A motion to Approve was made by John McGlennon, the motion result was Passed.

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

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

3. Contract Renewal - \$762,406.74 - Microsoft Enterprise Software Agreement

A motion to Approve was made by John McGlennon, the motion result was Passed.

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

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

4. Grant Award - \$9,160 - Chesapeake Bay Restoration Fund Grant

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

5. Grant Award - \$170,432 - Commonwealth's Attorney - Victim Witness Assistance Program

A motion to Approve was made by John McGlennon, the motion result was Passed.

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

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

6. Grant Award - \$41,030 - Commonwealth's Attorney - Virginia Domestic Violence Victim Fund

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

7. Minutes Adoption

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

The Minutes Approved for Adoption included the following meeting:

-May 23, 2023, Business Meeting

-June 13, 2023, Regular Meeting

-June 27, 2023, Business Meeting

-July 11, 2023, Regular Meeting

8. Official Intent to Reimburse Expenditures with Proceeds from a Borrowing

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

9. Olde Towne Medical & Dental Center: Part-Time to Full-Time Positions

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

10. Resolution of Support for Transportation Alternatives Funding Application

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

11. Revisions to the County Administrator's Contract of Employment

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

12. The Virginia Department of Transportation Revenue Sharing Program - Fiscal Years 2027-2028

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

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

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

Mr. Icenhour wanted to point out one component regarding this item. He stated some County roads had not been recorded in the Virginia Department of Transportation (VDOT) system such as the Skiffes Creek Industrial Park. He noted the improvements to the Skiffes Creek Industrial Park were constructed by private developers several decades ago and was never submitted to VDOT to be recorded into the system. Mr. Icenhour further noted in order for VDOT to accept these roads improvements were required. He requested that Mr. Paul Holt, Director of Community Development and Planning, and his staff identify the County roads that were not currently a part of the VDOT system to make sure improvements could be made in the near future. Mr. Icenhour added he wanted to ensure this was not an ongoing issue moving forward due to developer negligence.

Mr. Holt addressed the Board noting this program was an objective to utilize innovative concepts which the Board had authorized with transportation match and providing various resources to address these road concerns. He mentioned the uniqueness of this case and noted the development of the Skiffes Creek Industrial Park was around year 2000, adding there was surety on it; however, due to the amount of time passed and construction inflation the surety amount was no longer adequate. Mr. Holt indicated there was no developer left to complete the necessary work. He mentioned this VDOT Revenue Sharing Program would help fund 50% of the costs to accept these roads into the VDOT system. He noted there were several County roads that were not currently in the VDOT system; however, the objective was to prioritize them based on aged projects and surety opportunities. Mr. Holt stated Community Development staff were currently working on approximately 25-26 projects County-wide totaling a surety amount of approximately \$5.6 million. He added the County Attorney's Office had a different set of applications which had to be escalated to court level action to authorize

surety draw. Mr. Holt advised the County Attorney's Office was currently working on approximately 15 applications with a total surety amount value of approximately \$1.7 million. He noted since additional resources became available staff had been able to eliminate year-to-date approximately \$1.6 million. Mr. Holt mentioned there were more projects; however, staff would continue to prioritize and maximize resources and funds as much as possible.

Mr. Icenhour thanked Mr. Holt for the recap. He remarked he felt more comfortable with the details as previously there was much uncertainty. Mr. Icenhour thanked staff, adding if additional resources were needed to inform the Board.

E. BOARD DISCUSSIONS

1. ORD-22-0001. Amendments for Scenic Roadway Protection

Mr. Thomas Wysong, Senior Planner, addressed the Board for discussion on a potential Ordinance amendment for Scenic Roadway Protection which would help achieve protection and preservation of scenic roadways to help retain the character of the rural lands. He referenced Goals, Strategies and Actions (GSA) Land Use (LU) 6.3 in the adopted 2045 Comprehensive Plan. Mr. Wysong noted the Board adopted an Initiating Resolution in late 2021 to explore opportunities regarding the subject. Mr. Wysong touched on the Board directives for Planning staff at its May 23, 2023, Regular Meeting. He noted based on the analysis conducted there were 40 lots abutting Old Stage Road, 34 of which were developed and six undeveloped. Mr. Wysong further noted 38 of those lots would be subject to the minimum lot size requirement of three acres for residential subdivision and two would be subject to the size requirement of 20 acres for residential use. He indicated of the 38 lots with a three-acre minimum, 30 lots could not be subdivided. Mr. Wysong indicated the eight lots fronted on Old Stage Road and could potentially have lots created with frontage. He advised of the two parcels with a 20-acre minimum, only one could be subdivided and had potential lot creation directly fronting Old Stage Road. Mr. Wysong mentioned based on Board questions and concerns regarding the setback and nonconformities staff had revised the setback concept to ensure shallower lots did not have their building envelope eliminated by the proposed setback. He noted this addition would allow for lots with a depth of 300 feet or less to have the 75-foot setback requirement, lots with a depth between 300 and 500 feet would have a setback requirement of 200 feet, and lots with a depth greater than 500 feet would have the 400-foot setback requirement. Mr. Wysong discussed the number of lots within each setback category. He displayed maps of the developed and undeveloped lots on the PowerPoint presentation for visual purposes. He advised if a structure were to become nonconforming due to the proposed setbacks, the setback would not require the structure to be removed and the use of the property would not be prohibited. Mr. Wysong noted expansion was permitted if it did not interfere further into the setback. He displayed visual examples of the setbacks from the Old Stage Road right-of-way on the PowerPoint presentation. Mr. Wysong touched on the options moving forward which included the following: 1) A proposed setback of 400-foot setback for lots greater than 500 feet in depth, 200-foot setback for lot depth of between 500 and 301 feet, and a 75-foot setback for lot depth of 300 feet or less; 2) The creation of an Overlay District; 3) Community Character Corridor (CCC) Designation Change; and 4) No Change. He mentioned Planning staff recommended Option No. 1 as this option helped achieve the objective without creating lawful nonconformities. Mr. Wysong concluded the presentation and welcomed any questions the Board might have.

Mr. Hipple asked if any Board members had questions.

Mr. Icenhour asked if the level of impacts on Forge Road with the proposed depth setbacks were not as significant as Old Stage Road.

Mr. Wysong replied correct and based on Board guidance the focus was on Old Stage Road.

Mr. Icenhour asked if there were potential nonconforming structures on Forge Road based on the proposed setbacks.

Mr. Wysong replied he believed so; however, he was uncertain of the exact number at this time.

Ms. Sadler expressed her concern with how the setbacks would affect property owners long-term. She recommended Option No. 3 to revise designation on the next Comprehensive Plan update. Ms. Sadler asked if an amendment would need to be conducted ahead of time regarding the Comprehensive Plan. She looked for guidance regarding the timeline component.

Mr. Wysong deferred the timeline question to Mr. Holt.

Mr. Holt noted legally the Board had the option to do an off-cycle Comprehensive Plan amendment by an Initiating Resolution or wait until the next Comprehensive Plan update to conduct the amendment which was the preferred recommendation of the Planning staff.

Ms. Sadler asked would it be guaranteed on the next cycle for the Comprehensive Plan update. She asked if it would be included based on the Board's recommendation. She questioned on how that aspect worked.

Mr. Holt replied it was based on the consensus of the Board, adding the next Comprehensive Plan update would be forthcoming in the next couple of years. He noted staff could take the verbal directive and/or the Board request for the item to be one of the work elements. He reassured the Board it would be on the list if requested.

Ms. Larson asked why Planning staff recommended to wait until the Comprehensive Plan update opposed to the off-cycle Comprehensive Plan amendment.

Mr. Holt replied he was uncertain if an off-cycle Comprehensive Plan amendment had been conducted previously in addition to various components within the Comprehensive Plan tie into one another, so focusing on one item opposed to the whole picture. He explained his point in further detail.

Mr. Hipple asked if an amendment were done would it affect both Forge Road and Old Stage Road.

Mr. Holt confirmed yes, adding if Option No. 1 was desired for one specific road and not both it would require Option No. 2 which would essentially require Option No. 3 to amend the Comprehensive Plan. He noted with Option No. 3 it would allow Forge Road to be looked at independently.

Mr. Hipple mentioned he preferred to proceed with Option No. 1; however, at the next Comprehensive Plan update to look further into Old Stage Road regarding the depth setback concerns. He explained his point in further detail and asked if that could be accommodated.

Mr. Holt replied it was really a matter of timing. He used an off-cycle Comprehensive Plan CCC designation change as an example, adding if the proposed amendment were to be implemented today it would apply to both Forge Road and Old Stage Road. He explained once the Comprehensive Plan update occurred would be when the Old Stage Road regulations would no longer apply.

Mr. Hipple expressed his belief that option was the most suitable. He reiterated his point.

Ms. Sadler expressed her concern with moving forward with Option No. 1 if there should be an issue it would be hard to retract. She questioned property owners and limitations during that deferred timeframe.

Mr. Holt replied the draft language included in the proposed Ordinance amendment did not put limitations on property owners in terms of building additions, decks, etc. other than the exception of building into the front setback. He clarified building on the side or rear of the property was still permitted.

Ms. Sadler asked if residents were aware of this proposed amendment.

Mr. Holt replied no, adding it was simply a discussion at this point. He noted if the Ordinance amendment were to move forward then it would proceed to the public hearing process.

Ms. Larson asked if the Board needed to select an option this evening.

Mr. Holt confirmed, adding it was more for staff direction.

Ms. Larson expressed the challenges of making the appropriate decision before hearing from the residents first. She asked if an option could change based on public hearing input.

Mr. Holt confirmed.

Discussion ensued.

Ms. Sadler asked during the Comprehensive Plan update, should the CCC designation change how would County residents who reside on Old Stage Road become aware of their property being directly affected. She inquired if written correspondence would be sent out to those County residents.

Mr. Holt replied as part of a Comprehensive Plan update the County did not send out notifications as the Comprehensive Plan was County-wide.

Ms. Sadler reiterated her concern and noted she preferred to handle the matter now.

Mr. McGlennon mentioned Option No. 1 allowed for the objective to be achieved while providing conditions to ensure property owner rights were not diminished until a more comprehensive decision could be made.

Mr. Holt agreed.

Ms. Larson reiterated the point of once public input had been received the Board could change direction, if necessary.

Mr. Holt confirmed.

Mr. McGlennon asked if written correspondence would be sent out to those County residents affected.

Mr. Holt apologized for any confusion, he clarified with a Comprehensive Plan update notifications were not sent out; however, depending on the number of parcels affected there were provisions in the State Code that would need to be looked at.

Ms. Sadler reiterated her preference to move forward now.

Mr. Icenhour expressed his concern with collateral damage as Forge Road was the focus; however, because of the designation it would affect Old Stage Road as well which he was not ok with. He noted Option No. 2 or Option No. 3 would allow the roads to be separated without adversely affecting Old Stage Road. Mr. Icenhour mentioned his preference would be Option No. 3 and to do an off-cycle Comprehensive Plan amendment with an Initiating Resolution.

Ms. Sadler agreed.

Mr. Hipple asked about the timeframe of Option No. 2 or Option No. 3.

Mr. Holt replied most likely this fall. He noted both Option Nos. 2 and 3 required a public hearing process, in addition to reviewing the State Code, and other various tasks.

Mr. Hipple looked to the Board for a choice selection.

The Board members agreed to select Option No. 3.

Mr. Holt replied Planning staff would move forward with the Board's directive and would be back before the Board at a future meeting.

2. Large-Scale Solar Farms

Ms. Ellen Cook, Principal Planner, addressed the Board noting at its March 14, 2023, meeting, Board members expressed concern that its consideration of any owner applications involving solar farms would be done without the benefit of the completion of three solar-farm related goals set forth in the Natural & Cultural Assets Plan. She stated the Board directed staff to begin an analysis of these goals and to present information at today's meeting. Ms. Cook noted to assist with the analysis the County contracted with The Berkley Group, a local governmental consulting firm, with experience providing land use planning services to local and regional governments, including renewable energy land uses. She recognized Mr. Michael Zehner, Director of Planning and Community Development of The Berkley Group, who would provide a presentation to the Board.

Mr. Zehner addressed the Board introducing himself and highlighting a brief overview of The Berkely Group and its focus of services and knowledge in Utility-Scale Solar Facilities. He began the PowerPoint presentation noting Utility-Scale Solar Facilities were generally one megawatt in generating capacity or greater. Mr. Zehner mentioned one megawatt typically required approximately 10 acres and the national average for one megawatt essentially powered up to approximately 173 homes; however, in Virginia for various reasons the average for one megawatt powered approximately 100 homes. He noted solar was the fastest growing energy source in the world. Mr. Zehner further noted in conducting the analysis The Berkley Group reviewed the County's existing policies and regulations such as the 2045 Comprehensive Plan, James City County Zoning Ordinances, and the Stormwater Management and Chesapeake Bay Preservation Ordinances. He indicated solar farms typically required a change in Land Use designation such as the Agricultural and Forestal, Industrial, and in some cases Residential. He explained that point in further detail. Mr. Zehner highlighted various infrastructure, environmental, and visual concerns with relation to solar farms on the PowerPoint presentation. He advised decommissioning was required per state statutes and typically required the applicant to provide a Decommissioning Plan, cost estimates, and a surety bond. Mr. Zehner discussed the policy best practice components that

should be included in Solar Farm policies including regulatory best practices for general and application procedures and regulatory best practices for construction mitigation and decommissioning purposes. He stated some portion of a solar farm facility must be within a one-mile or two-mile proximity to transmission lines. Mr. Zehner displayed various questions for consideration with answers included on the PowerPoint presentation to help initiate policies and regulations for solar farms. He stated based on Board guidance the following elements could be implemented into a Board policy on Utility-Scale Solar Facilities, guidance based on 2045 Comprehensive Plan Land Use designations, resource impacts, criteria to evaluate Special Use Permits (SUP) and conditions, and guidance for location, etc. Mr. Zehner concluded the presentation and welcomed any questions the Board might have.

Mr. Hipple asked if any Board members had questions.

Mr. Icenhour asked if the Board decided to move forward the final product would be a packet of recommendations for Board policies, potential Ordinance amendments, and other various components for Utility-Scale Solar Facilities.

Mr. Zehner replied correct.

Mr. Icenhour asked the anticipated timeframe.

Mr. Zehner replied he believed it would be for a Board meeting in September.

Mr. Holt approached the podium and noted once the framework was completed and before the Board it would not be ready for adoption at that meeting as there was still the public hearing process, bringing it before the Policy Committee and Planning Commission, etc. He mentioned based on Board feedback received today and in the coming weeks as the Board worked through some of the various questions and expectations then those recommendations, if approved by the Board would be formalized for potential adoption, following the public hearing process.

Mr. Icenhour asked Mr. Holt if September was the anticipated timeframe.

Mr. Holt confirmed. He mentioned the various questions for consideration which The Berkley Group had included on the PowerPoint presentation would help Planning staff initiate the framework on various aspects regarding the Utility-Scale Solar Facilities.

Mr. Icenhour replied he intended to provide Planning staff an outline of recommendations, pertinent components, conditions, etc. to help staff with the framework. He encouraged his fellow Supervisors to do the same. Mr. Icenhour remarked he believed that Planning staff had done an outstanding job of incorporating detailed SUP conditions for the approved solar farms thus far within the County and that those SUP conditions could help implement future policies and regulations. Mr. Icenhour expressed his belief that there was a place for solar farms within the County; however, he did not believe large-scale solar farms were suitable and recommended focus on smaller solar farms. He questioned SUP specifics with these applications regarding designation within the Primary Service Area (PSA) or outside the PSA.

Mr. Holt replied these applications were classified as Electrical Generation Facilities which were not specifically defined in the County's Ordinance. He noted this opportunity would allow opportunities to better categorize and separate uses such as switching stations, battery storage facilities, solar farms, etc.

Mr. Icenhour suggested determination on the type of facilities the County desired to allow.

Ms. Larson inquired if the Stormwater and Resource Protection Division could conduct

readings regarding stormwater impacts on the currently approved County solar farm properties. She expressed vital importance in determining various impacts regarding stormwater and to residential subdivisions.

Mr. Holt replied he could provide the staff reports and SUP conditions for the approved solar farms within the County. He noted the stormwater aspect he would need to evaluate; however, he could come up with some context and explained that point in more detail.

Ms. Larson questioned the decommissioning component and the uncertainty of that process. She inquired about the wind energy systems and if that was the something that should be investigated as well.

Mr. Zehner replied that depended on if the County desired to authorize that land use and if there was a market for it in the area. He stated from a standpoint of supporting renewable energy there was decentralized wind and those wind turbines were significantly smaller than commercial grade utility-scale wind turbines. Mr. Zehner remarked concerns depended on wind conditions; however, he pointed out the evolving technology. He mentioned a potential project within the Commonwealth to explore some of those addressed concerns and opportunities.

Ms. Larson questioned the revenue share aspect for solar energy projects, adding she would be interested in looking into that component and pros and cons of land limitations regarding solar within a community.

Mr. Zehner expressed the challenges with land restrictions and limitations based on locality size in addition to potential zoning district regulations. He mentioned potential competing interests regarding preservation opportunities and evaluating the pros and cons to determine the best options for the County.

Mr. Holt replied if that was the Board's consensus it could be incorporated into possible Ordinance amendments and/or policies.

Discussion ensued.

Mr. McGlennon questioned the future advancement of technology concerns regarding renewable energy sources and locations deemed acceptable and/or more efficient. He asked if there was any research available based on the different types of solar panels and the impacts associated with each type.

Mr. Zehner replied he would investigate that point.

Ms. Sadler agreed to Mr. Icenhour's point regarding the desired smaller-scale solar projects in the County opposed to large-scale solar projects. She expressed the vital importance of protecting surrounding neighborhoods and appropriate buffers to screen the solar farms. Ms. Sadler desired consideration of avoidance of at-grade railroad crossings and that the site access was extremely safe and secure. She also requested specifics regarding the decommissioning process and determination of disposal of hazardous materials.

Ms. Larson asked if the new utility poles installed on Richmond Road were to aid with renewable energy opportunities or what reason Dominion Energy replaced them. She asked where the solar panels were manufactured and if there were safety concerns regarding the manufactured location(s). She requested those questions be addressed.

Mr. Hipple expressed his desire to allow solar opportunities at landfills, school rooftops, commercial buildings, etc. He mentioned the importance of screening and buffering these solar

projects. Mr. Hipple questioned the land restoration component after the decommissioning process, cost estimates in future dollars when decommissioning occurs, utility poles, etc.

Mr. McGlennon noted current policies in place made it clear that renewable energy sources was the future. He questioned what the current limitations were regarding state regulations through the State Corporation Commission and the General Assembly. Mr. McGlennon expressed his belief that this was a transitional period in the initial stages of a new technology that over time would become more developed and questioned how to best manage this period without impacting the community, long-term land damage, and other factors.

Discussion ensued.

Ms. Larson asked if the information packet that would be provided would include specifics on potential solar energy projects associated with schools, warehouses, landfills, etc.

Mr. Zehner replied he did not believe that was part of the scope of work; however, he would attempt to incorporate some of those opportunities within the information packet.

Ms. Larson thanked Mr. Zehner.

Mr. Hipple asked Mr. Zehner if he had knowledge on solar windows.

Mr. Zehner replied he had not done a lot of research on solar windows, but he had heard of them. He noted he did not have knowledge on the performance of solar windows.

Mr. Hipple mentioned that could also be another alternative option. He thanked Mr. Zehner.

F. BOARD CONSIDERATION(S)

None.

G. BOARD REQUESTS AND DIRECTIVES

Mr. Icenhour mentioned he had attended a Habitat for Humanity ceremony, adding Mr. McGlennon would provide further details on that event. He noted he attended the United States Coast Guard Training Center Yorktown as part of the Military Affairs Committee to present Certificates of Achievement. Mr. Icenhour remarked yesterday he attended a ribbon cutting ceremony for ChooseHome Riverside for the relocation of the facility from McClaws Circle to New Town. He expressed positive remarks of the program.

Mr. McGlennon noted he, Chairman Hipple, and Mr. Stevens attended a tour at Coresix Precision Glass this morning with the Honorable Caren Merrick, Secretary of Commerce and Trade. He noted after the tour he visited the Habitat for Humanity ReStore to make a contribution to the Sleigh Hunger: Christmas in July Drive-Thru Food Drive. Mr. McGlennon spoke about two ribbon cutting Habitat for Humanity ceremonies that took place on Pocahontas Trail in the Grove area last week. He recognized the various local organizations that partnered in the efforts and welcomed the two new families who now resided in those homes. Mr. McGlennon stated on July 13, 2023, he and Mr. Holt attended a meeting for the Virginia Coalition of High Growth Communities in Culpeper County. He mentioned he served as Chair to the group and there were presentations on Arlington County's efforts to deal with affordable and workforce housing, solar, and other topics. He discussed that point in further detail.

Ms. Sadler mentioned she had attended a ribbon cutting ceremony for HALO Inspirations, LLC, and recognized Mr. Chris Johnson's attendance as well as the Greater Williamsburg Chamber of Commerce for its participation in the event. She mentioned she had attended the Croaker Community Day at York River State Park on Saturday, July 22, 2023, adding it was well attended.

Ms. Larson recognized Coresix Precision Glass for its support and involvement in the County's annual Manufacturing Day. She stated she met with Ms. Jerri Marr, Superintendent of National Park Service, for discussion on fees to support deferred maintenance within National Parks. She mentioned for public notification purposes to be aware that the Colonial Parkway had a new fee structure implemented and that there was a fee for leisure visits. She discussed National Park pass opportunities and other details regarding the new fee. Ms. Larson noted construction had commenced on Colonial Parkway and was occurring for the next two years. She further noted her attendance at the NACo Annual Conference and various workshops she had attended pertaining to affordable and workforce housing, mental health, etc. Ms. Larson stated she was proud of the awards James City County received at the NACo Annual Conference and encouraged other Board members to attend the conference next year. She mentioned she, Mr. Stevens, Ms. Carla Brittle, Tourism & Recreation Centers Administrator, and Mr. Hipple were invited to a discussion with the Honorable Senator Mark Warner regarding the upcoming 250th Birthday of the United States of America. Ms. Larson noted other various topics were discussed which included conversation about Interstate 64 and additional funding opportunities for the continued efforts of expansion.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens noted a correction for the Good Neighbor Grant deadline was September 15, 2023. He further noted the grant was a matching grant which awarded neighborhood associations and/or community groups up to \$500 annually to enhance beautification efforts. Mr. Stevens advised if individuals had questions to please call 757-259-5375. He mentioned a public meeting was scheduled for Monday, July 31, 2023, from 5:30-7:30 p.m. at the James City County Library Meeting Room regarding the Yarmouth Creek Watershed Management Plan. He indicated this was the second public meeting and would provide an overview of the progress to date, survey results, and an opportunity for recommendations. Mr. Stevens spoke about the opening of the 5 & Dime Trail ribbon cutting ceremony scheduled for Thursday, August 3, 2023, at 11 a.m. at the Billsburg Brewery.

I. CLOSED SESSION

A motion to Enter a Closed Session 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 3:27 p.m., the Board entered Closed Session.

At approximately 4:55 p.m., the Board re-entered Open Session.

A motion to Certify the Board only spoke about those items indicated that it would speak about in Closed Session was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

1. Discussion of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body pursuant to Va. Code § 2.2-3711(A)(3) and pertaining to property located at 2054 and 2054B Jamestown Road.
2. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel; specifically, regarding a proposal under the Virginia Public Procurement Act, and pursuant to Section 2.2-3711(A)(8) of the Code of Virginia.

A motion to Accept the Competing Proposal for a New Government Center by Clancy & Diaz 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

3. Discussion of the award of a public contract involving the expenditure of public funds, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(29) of the Code of Virginia and pertaining to the contract between the County and the City of Williamsburg for the Williamsburg Regional Library System.
4. Discussion of the award of a public contract involving the expenditure of public funds, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(29) of the Code of Virginia and pertaining to the contract between the County, the City of Williamsburg, and WJCC Schools.

A motion for a Resolution Electing to Terminate the Restated Contract for the Joint Operation of Schools, City of Williamsburg and the County of James City 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

5. Consideration of a personnel matter, the appointment of individuals to County Boards and/or Commissions, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia
6. Reappointments - Clean County Commission

A motion to Reappoint Mr. Kevin Radcliffe, Ms. Rachel West, and Mr. Heath Richardson to the Clean County Commission for three-year terms expiring July 31, 2026, was made by James Icenhour, the motion result was Passed.

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

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

7. Reappointments - Economic Development Authority

A motion to Reappoint Ms. Lynn Meredith and Mr. Joseph Stanko to the Economic Development Authority for four-year terms expiring on August 1, 2027, was made by James Icenhour, the motion result was Passed.

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

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

J. ADJOURNMENT

1. Adjourn until 5 pm on September 12, 2023 for the Regular 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 4:57 p.m., Mr. Hipple adjourned the Board of Supervisors.


Deputy Clerk