

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
**COUNTY GOVERNMENT CENTER BOARD ROOM**  
**101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185**  
**November 28, 2023**  
**1:00 PM**

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**A. CALL TO ORDER**

**ADOPTED**

**B. ROLL CALL**

**DEC 1 2 2023**

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

Board of Supervisors  
James City County, VA

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

Mr. Hipple sought a motion to amend the Agenda to move the FY 2023 Annual Report to Board Discussion Item No. 3.

A motion to Amend the Agenda 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 requested Mr. John Carnifax, Director of Parks & Recreation, join him at the podium. He asked Mr. Carnifax about his involvement with Henderson, Incorporated and the work done at a local park.

Mr. Carnifax stated Mr. Hipple contacted him about a possible project for Henderson, Incorporated. Mr. Carnifax noted Henderson, Incorporated had been a local company since 1957 and sponsored an annual Community Day over the years that entailed a firewood cutting project. He added the company was seeking another project. Mr. Carnifax noted Henderson, Incorporated participated on December 18, 2022, at Chickahominy Riverfront Park. He added more than 30 employees worked for several hours with heavy equipment to clear an area for a future picnic area for County residents near the new pier. Mr. Carnifax further noted additional work with some local Eagle Scouts for other components to finish the project. He added his appreciation to Mr. Hipple and Henderson, Incorporated for the work on this project and the commitment to the County.

Mr. Hipple referenced Henderson, Incorporated's annual Wood Drive and the changing trends toward woodburning and a possible corporate project. He noted the project was a cost-saver for County residents and was greatly appreciated. Mr.

Hipple stressed this type of partnership and its positive strengthening for the community and the County. He welcomed the Henderson, Incorporated team to the podium for presentation of a certificate of appreciation.

The Henderson, Incorporated team thanked Mr. Hipple and the County for the opportunity. The team also thanked Mr. Carnifax.

**C. PRESENTATION(S)**

1. Retiree Recognition - Brenda Grow

Mr. Patrick Page, Director of Information Resources Management, addressed the Board in recognizing Ms. Brenda Grow, Records and Imaging Administrator and the County's Official Records Manager. He noted Ms. Grow started with James City County in 1988. He cited Records at that time consisted mainly of paper documents which were converted to microfilm and microfiche. Mr. Page noted Ms. Grow and the Records staff were responsible for the proper preservation, accessibility, and destruction of recorded information under the laws administered by the Library of Virginia. He cited numerous accolades throughout Ms. Grow's 35-year, eight-month tenure with the County. Mr. Page extended well wishes for retirement and appreciation of Ms. Grow's service.

Ms. Grow expressed her appreciation, adding it was her privilege and honor to work for James City County.

Ms. Larson noted the importance of Records Management could not be overstated.

2. Proclamation - James City-Bruton Volunteer Fire Department 75th Anniversary

Mr. Hipple welcomed Mr. Mike Powers, the 2023 President of the James City-Bruton Volunteer Fire Department, to the podium. Mr. Hipple read the proclamation honoring the 75th anniversary.

Mr. Powers thanked Mr. Hipple. He also thanked the Board for its continued support with financial and training assistance.

Mr. Hipple extended thanks to the volunteers who worked at the James City-Bruton Volunteer Fire Department.

**D. CONSENT CALENDAR**

Mr. Hipple asked if any Board member wished to pull an item. As no items were pulled, he sought a motion on the Consent Calendar.

1. Contract Award - Bulk Fuel Delivery Services

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

2. Grant Award - \$24,644 - Bulletproof Vest Partnership

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

3. Grant Award - \$25,000 - Competitive Litter Prevention and Recycling Grant

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

4. Grant Award - \$1,000 2023 Fall Green Grant

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

5. Grant Award - \$160,078 - Fiscal Year 2022 Homeland Security Grant Program - Urban Area Security Initiative

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

6. Grant Award - \$32,246 - Litter Prevention and Recycling Program

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

7. Reallocation and Appropriation of Housing and Neighborhood Development Fund Balance

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

8. Minutes Adoption

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

The Minutes Approved for Adoption included the following meetings:

- October 10, 2023, Regular Meeting
- October 24, 2023, Business Meeting
- November 14, 2023, Regular Meeting

**E. BOARD DISCUSSIONS**

1. Historic Triangle Recreational Facilities Authority Update

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. Stevens addressed the Board to provide an update on the Historic Triangle Recreational Facilities Authority (HTRFA). He noted he served as a Board member, the Vice Chair, on the HTRFA and was pleased to introduce this exciting project for the community. Mr. Stevens highlighted various points regarding the HTRFA as a governmental entity formed to evaluate, and if feasible, oversee regional recreational and tourism facilities in construction and

management. He noted HTRFA Board membership, responsibilities, and other highlights in a PowerPoint presentation. Mr. Stevens extended his appreciation to the Board, consultants, and design team for the time and work involved in presenting this project. He introduced fellow HTRFA Board members in attendance: Chair, Mr. Andrew Trivett (City Manager, the City of Williamsburg), Secretary, Mr. Neil Morgan (York County, County Administrator), City of Williamsburg Parks & Recreation Director, Mr. Robbi Hutton, and James City County Parks & Recreation Director, Mr. John Carnifax. Mr. Stevens continued the PowerPoint presentation highlighting background dates and grant opportunities for funding regarding this project. He noted site evaluation that benefited all three localities in terms of restaurants, hotels, and opportunities for visitors with sports tourism as a driver for all the financing of this facility. Mr. Stevens stated the HTRFA Board had approved moving forward on this project, adding this meeting provided an opportunity for the Board of Supervisors to ask questions and gather additional information. He noted the HTRFA hoped for approval on the financial agreements at the Board's next meeting or in the December timeframe to move the project forward. Mr. Stevens continued the presentation with the project's current status regarding setup, location, and other project components. He noted the following recommendations from the HTRFA Board included: financial feasibility, positive economic impact to all three localities, and additional recreational facilities for residents. Mr. Stevens added James City County particularly needed additional gymnasium space and he felt this project presented a low-cost alternative to benefit residents on a weekly basis with benefits to local businesses during weekends. He continued the presentation highlighting the remaining steps, adding James City County was the first locality being presented with the project timeline. Mr. Stevens introduced Mr. Rick Hibbett with MEB General Contractors, Inc. He noted Mr. Hibbett was the Business Development Manager with MEB.

Mr. Hibbett addressed the Board to explain the project design aspect. He noted that in addition to being joined by MEB team members, he was also honored to work on this project as he was a James City County resident. Mr. Hibbett thanked the HTRFA and the Design Committee for guidance, input, and leadership. He continued the presentation with a visual depiction of the facility and acknowledged the Design-Build team which consisted of MEB (lead design builder), Clark Nexsen (lead architect/engineer), GuernseyTingle (consulting architect), Timmons Group (civil engineer), Henderson, Incorporated (site and civil contractor), and Victus Advisors (consulting firm). Mr. Hibbett continued with details of the interim agreement and the upcoming design document timeline in addition to schedule and cost details. He provided a breakdown of the original project scope. Mr. Hibbett noted state-of-the-art technology was incorporated into the project for maximum use and lower operational costs. He added the facility included 115,000 square feet of hardwood maple flooring which equated to just less than three acres of wooden flooring. Mr. Hibbett noted additional tasks were presented during the interim agreement and he detailed those scope additions. He continued the presentation with an aerial view of the site with an emphasis on maintaining the majority of existing infrastructure in terms of parking, roadways, and entrances while minimizing impact to the site and incorporating sustainability. Mr. Hibbett provided additional details of the project in the presentation which also included a plan for future development and amenities. He noted the southern part of the plan focused on entertainment and sports with the northern part focused on future commercial development. Mr. Hibbett highlighted the unique architectural features with a 360° view of the facility. He continued the presentation with details on the first and mezzanine level floor plans. Mr. Hibbett added one feature, the Ninja Clip 'n Climb, was very popular with both children and adults. He noted the flexibility of design where rooms could be divided if needed or used as one large room for an event. Mr. Hibbett highlighted the large conference room which could serve as a VIP suite for potential event hosts as a hospitality space. He continued the presentation detailing a breakdown of the facility and its multiple uses of converting basketball/volleyball courts into pickleball courts and other sporting events. Mr. Hibbett stressed the flexibility of uses for the facility. He noted some economic impacts and financial projections in the presentation. Mr. Hibbett further noted the initial budget was \$53,122,000 with \$26,859,000 in design scope changes added for the contract budget of \$79,981,000. He highlighted the schedule with an anticipated substantial completion in the first

quarter of 2026 with some factors dependent on the City of Williamsburg's reviewing, permitting, and planning. Mr. Hibbett noted Mr. Stevens would continue with the presentation.

Mr. Stevens addressed the Board with a breakdown of the financial commitment per locality. He noted a variety of reasons had affected the construction costs including the additional space component and inflation. Mr. Stevens added the initial commitment from the City of Williamsburg was less than the \$2.5 million displayed in the PowerPoint presentation. He noted the City of Williamsburg had stepped up to cover the capital based on the proposal presented to the Board several years ago. Mr. Stevens further noted additional funding from the HTRFA maintenance of effort funding. He added James City County and York County would pay the operating subsidy. Mr. Stevens stated that the financial commitment from two years ago was still in place currently. He provided the subsidy commitment for Year One, Years Two-Five, and Years Five-30 with the County and York County. Mr. Stevens noted the County was in need of gymnasium space currently for residents and ongoing programs. He discussed the management of the facility and the tourism/community aspects. Mr. Stevens noted he and Mr. Morgan were in discussion on a shared funding agreement between the Counties and the details of that agreement. He stated this overview would be presented to each locality. He asked the Board if it had any questions or concerns regarding the cost and the project.

Mr. McGlennon referenced constituent questions regarding what benefits residents would receive from this project and if it was viable. He asked if the County were building its own facility, though smaller, would both operating and capital expenses be included and asked what that impact would be to the County.

Mr. Stevens noted the construction of two gymnasiums was slated for future Capital Improvements Program (CIP), though not in the current five-year CIP. He further noted it would likely occur in five to 10 years after the current CIP. He added if the HTRFA project did not move forward, a gymnasium space would appear in one of the County's parks. Mr. Stevens noted that space would address local needs for citizens with a multi-million capital cost and its association to the debt service. He added the cost of County staff to operate the gymnasium space with no guaranteed return on investment. Mr. Stevens stated he felt the County would get its money back on the HTRFA facility, adding some revenue may be indirect in the form of meals and sales tax. He noted the cost for the County to build a stand-alone facility versus participation in the proposed HTRFA facility would be more expensive.

Mr. Carnifax added in 2008 the County had completed the design process on a three-gymnasium project, which was ready for bid, when the recession hit, and the Board pulled the project. He noted the cost for the three-gymnasium complex in 2008 was over \$200,000 annually for the County to operate. Mr. Carnifax stated the capital cost then to build that project was approximately \$4 million.

Mr. McGlennon thanked Mr. Carnifax. He noted some constituent concerns were also during a time of reports from Virginia Beach regarding significant deficits from its sports center. Mr. McGlennon asked what differences would be between the HTRFA facility and that of the City of Virginia Beach.

Mr. Stevens noted he would invite Mr. Walter Franco of Victus Advisors to come forward and address that point. He further noted the facility was successful, but the management was problematic.

Mr. Franco addressed the Board noting Victus Advisors had been hired by the City of Virginia Beach several years earlier to conduct a feasibility study which then led to the construction of the Virginia Beach Sports Center (VBSC). He added Victus Advisors was also hired to evaluate potential operators to manage the facility. Mr. Franco stated Victus Advisors had initially projected an operational loss. He added the majority of sports tourism complexes often operate at a cost recovery which required some form of subsidy. Mr. Franco noted the City of Virginia

Beach was notified of that point in the projection with three bidders for operation providing details. He further noted two of the bidders' projections were similar to those of Victus Advisors. Mr. Franco stated the third operator projected a positive operation margin which raised a red flag to Victus Advisors who then advised the Virginia Beach City Council and City staff. He noted the Virginia Beach City Council was in favor of the positive margin and chose Eastern Sports Management (ESM). Mr. Franco further noted the actual operation of the facility was neither the challenge nor the issue for the City of Virginia Beach, but rather the operating agreement. He provided details regarding costs and incentive fees incurred with ESM. Mr. Franco noted the City of Virginia Beach then hired Victus Advisors to assist them with the termination from the operating management agreement, determination of the true losses, and selection of a new operator. He provided the details of the approximately \$6.1 million the City of Virginia Beach paid to terminate the agreement and discussed the differences in the VBSC agreement and the agreement with HTRFA. Mr. Franco noted the VBSC agreement was a good learning lesson for many communities regarding operator agreements. He added the importance of this project to aid residents and generate an economic impact. Mr. Franco reiterated the VBSC challenge was with the operating agreement and not the facility operation itself.

Mr. McGlennon thanked Mr. Franco. Mr. McGlennon asked Mr. Carnifax about the weeknight versus weekend demand for court space, particularly for the community.

Mr. Carnifax responded that the community use was high and exceeded the County's gymnasium capacity. He noted the increase in local pickleball participation and the court use.

Mr. McGlennon noted the 36 pickleball courts and questioned the County facility size in relation to the Alabama facility referenced in the presentation.

Mr. Hibbett noted generally it would exceed the Alabama facility which contained 11 courts. He further noted the County facility allowed for ample free space during tournaments with a greater hosting opportunity.

Mr. McGlennon thanked Mr. Hibbett.

Ms. Larson thanked the team and the HTRFA for all the work and presentation. She referenced her association with the Williamsburg Tourism Council and the need for such a local facility. Ms. Larson noted Virginia Beach was not a year-round tourist destination, while the Historic Triangle had become one. She further noted the efforts of Busch Gardens to operate almost 12 months a year. Ms. Larson acknowledged Colonial Williamsburg and Jamestown-Yorktown were also available for families during January tournaments. She referenced the use of tourism money to reinvest in tourism, adding the decision to use the half percent of the Historic Triangle taxes toward capital projects. Ms. Larson noted that may be a decision to consider and requested the amount of the Historic Triangle taxes received to determine its impact for the December meeting. She stressed the need to coordinate operation as the Virginia Association of Counties (VACo) had noted tournaments were being scheduled several years in advance. Ms. Larson noted she was in favor of moving forward on the facility and encouraged development of a slogan.

Ms. Sadler referenced the VACo conference presentation on tourism in rural areas. She noted the HTRFA facility far surpassed her expectations. Ms. Sadler reiterated Ms. Larson's point of tourism money reinvested into tourism. She noted the construction of County gymnasiums were advantageous for citizens, but the HTRFA facility would impact on a broader economic range. Ms. Sadler further noted local businesses would benefit. She commended the team for the presentation.

Mr. Icenhour noted each locality had a fiscal responsibility to the citizens of its jurisdiction. He referenced the projected annual regional tax of \$1.3-\$1.4 million generated from the facility. Mr. Icenhour noted the majority of the surrounding hotels and restaurants in proximity to the

facility were in York County and the City of Williamsburg, but not as much in James City County. He questioned what percentage of the projected \$1.3-\$1.4 million would be generated from County facilities, adding what percentage of the tax benefit would come back to the County. Mr. Icenhour stated that was a critical piece to consider. He referenced two previous studies done for a swim facility and a community gymnasium and the associated cost/benefit of each one. Mr. Icenhour noted the community gymnasium clearly indicated a stronger benefit for County citizens. He further noted the need for comparative costs in relation to the proposed facility versus a community gymnasium in relation to the benefits offered to citizens. Mr. Icenhour requested that information for consideration at the December deliberations. He noted tourism revenue and its use and subsequent decisions to channel revenue into capital projects and the impact on lower-income citizens. Mr. Icenhour further noted his support of tourism revenue, but that revenue should come from the tourism business. He cautioned if certain revenues would exist long-term. He noted that was one of the reasons the Board decided to put money received into funding for one-time capital projects and not part of an ongoing operating budget. Mr. Icenhour further noted that revenue could disappear.

Ms. Larson clarified she was referencing the lodging tax.

Mr. Icenhour stated he understood the lodging tax and room tax aspect. He noted he was referencing the 1% Historic Triangle sales tax. Mr. Icenhour further noted the need for the additional information he requested to make the best decision for the citizens.

Mr. Hipple noted facilities such as the proposed one do not break even on their own. He referenced the Parks & Recreation Department with 54% revenue and the remaining 46% was subsidized. Mr. Hipple compared the HTRFA facility to a Parks & Recreation facility with the varied options offered. He noted the difference was the Parks & Recreation facility would not be able to compare with overnight stays and restaurant visits generated by opportunities offered with the other facility.

Mr. Stevens noted the Board could send him any additional questions or comments over the next few weeks. He further noted he had a draft of the operating agreement he would share with the Board.

Mr. Hipple stated he was hopeful the Board would make a decision at its December 12, 2023, Regular Meeting. He noted that date could change based on receipt of additional information.

Mr. McGlennon referenced the Historic Triangle sales tax and the adjustment made to it for exclusion of groceries. He noted the \$3 head tax was then reinstated to ensure benefits to all participating localities.

Ms. Larson requested the impact of sports tourism to Virginia's economy. She noted Visit Williamsburg could assist with the request. Ms. Larson addressed concerns regarding pools and swim facilities serving citizen needs. She added some local swim teams were using neighborhood facilities, adding the swim community was large and needed swim facilities. Ms. Larson noted that while a swim facility may not be a revenue generator, it served citizen needs.

## 2. James City County Marina Improvements

Mr. Alister Perkinson, Parks Administrator, addressed the Board with an update on the County's marina improvements. He highlighted the current progress in the PowerPoint presentation which included demolition of covered boat slips that were in poor condition. Mr. Perkinson noted smaller, operational repairs had also been completed and those included structural repairs to the building. He further noted the first phase was completed during summer 2023 and included the fuel and marine pump-out installed and operational. Mr. Perkinson addressed the need for a Stormwater Master Plan to encompass many details in that area for the marina. He noted the contract was set for the installation of additional docks and work would

begin this winter with opening slated for April 2024. Mr. Perkinson further noted a conceptual design for a new bathhouse was in the works. He continued the presentation highlighting the remaining improvements which included 65-70 additional boat slips, bathhouse, new boat ramp, and parking and stormwater infrastructure to support marina operations and the proposed on-site restaurant. Mr. Perkinson noted the County was also reviewing use of the leased property from the Jamestown-Yorktown Foundation for dry storage. He continued highlighting several challenges on the remaining improvements. Mr. Perkinson noted much of the funding was through the American Rescue Plan Act (ARPA). He further noted there were deadlines and requirements for the ARPA funding use. Mr. Perkinson stated the coordination with multiple projects, a Special Use Permit (SUP) for the proposed restaurant and traffic study, permit renewals, stormwater management, and the budget were challenges on this project. He noted the plan for the remaining improvements included pursuit of a design-build to complete all the remaining projects collectively and to coordinate those remaining elements. Mr. Perkinson stated public meetings were also included to ensure public input was gathered on the design decisions. He highlighted the budget and timeline, adding the entire project was not fully funded by ARPA and staff projections were \$2.5-\$3 million were still needed for completion of the projects. Mr. Perkinson stated in early spring 2024 the Request for Proposals for the design-build team would begin. He noted the targeted completion date for all projects was spring 2026. Mr. Perkinson further noted he was joined by Mr. Barry Moses, Capital Projects Coordinator, for any questions.

Mr. Stevens noted there would be a meeting with the boating community to provide an update on the marina project. He further noted his recommendation was to construct uncovered docks and he welcomed opinions over the ensuing weeks. Mr. Stevens stated the covered slips were a significant cost addition compared to the marginal rent markup. He added there had been a number of positive comments received regarding the aesthetics of the Powhatan Creek viewshed with the new uncovered slips.

Ms. Sadler asked if that point impacted the \$2.5-\$3 million price.

Mr. Perkinson noted covered slips would be an additional cost. He added the importance of public input regarding the design-build.

Ms. Larson expressed caution in soliciting public input.

Mr. McGlennon asked about a rate charge that would still provide the same level of revenue.

Mr. Stevens said that could be done with a market study on the rates. He noted previously the covered and uncovered rates were similar due to the poor condition of the covered slips. Mr. Stevens further noted significant pushback when the covered slip rates were considered for an increase. He added the rate increase would need to be substantially higher in his opinion and an annual contract was required. Mr. Stevens referenced Ms. Larson's comment on public input, adding the input was important, but balancing the recommendations was also necessary.

Mr. Hipple noted the price of covered slips and notifying the public of the increased costs for those slips when garnering public input. He further noted that option allowed citizens to see the cost to them for that amenity and allowed staff to gauge responses to determine feasibility.

Ms. Larson asked how many other local marinas offered covered slips. She referenced Gloucester County as an example. Ms. Larson questioned if marinas were eliminating covered slips as they aged and needed repairs.

Mr. Perkinson responded few marinas had covered slips based on market studies. He referenced covered slips were used in Hopewell, but that marina was experiencing a similar situation to James City County's experience last year.



Ms. Larson noted the future maintenance costs for covered slips.

Mr. Hipple asked if the design for uncovered slips could be modified in the future to add covered slips.

Mr. Perkinson noted deferment to Mr. Moses, adding he thought some challenges due to flotation were presented there.

Mr. Moses addressed the Board confirming it would be difficult to have that capability later. He noted such a modification would also reduce the number of slips slightly to accommodate the covers. Mr. Moses further noted uncovered slips required less flotation and walkways were not between every boat slip.

Mr. Carnifax addressed the Board regarding the fees. He noted a market study was currently being done with studies done at least every two years for all department programs and fees. Mr. Carnifax stated the studies allowed the department to remain current with costs, adding the current slip rate was under market. He noted additional fees for covered slips could be implemented, but the decision needed to be made sooner in the process. Mr. Carnifax stated a rate increase was more likely for implementation once the facility updates were completed. He noted whether the slips were covered or uncovered, the rates would go up to match the market.

Mr. Icenhour referenced several constituents who had used the boat slips and then removed or sold their boats. He noted those people were concerned regarding the ability to get a slip and the process, whether it would be a lottery system or something else. Mr. Icenhour further noted the process should be addressed when speaking to the boating community. He referenced the cost of the covered slips as another discussion point, adding some boat owners may opt to not pay the higher rate for a covered slip. Mr. Icenhour noted constituent concern regarding a lack of communication and time information. He further noted the need to address those concerns when speaking to the boating community.

Mr. Hipple noted the marina had seen major improvements, particularly in the timeline identified.

The Board thanked Mr. Perkinson.

### 3. FY 2023 Annual Report

Ms. Latara Rouse, Communications Manager, addressed the Board with an overview of the County's Fiscal Year (FY) 2023 Annual Report. She noted the Annual Report highlighted County departmental accomplishments which she would show in her presentation. Ms. Rouse stated the full report would be posted on the County's website, [jamescitycountyva.gov](http://jamescitycountyva.gov). She began the presentation with highlights from Community Development which included finalization of the Skiffes Creek Connector project, Board adoption of the Natural & Cultural Assets Plan, and leverage of a state grant for assistance to 25 households for septic tank pump-outs. Ms. Rouse continued with Economic Development's accomplishments, which included presentation of Founder's Awards to three local businesses celebrating their 50th anniversaries. The companies included AB InBev, Ball Metal, and the Williamsburg-Jamestown Airport. Ms. Rouse noted the County received an award of \$485,500 in Virginia Business Ready Sites Program grant funding for work toward the Hazelwood Farm Enterprise Center. She further noted Economic Development facilitated the sale of 58 acres of property owned by the Economic Development Authority. Ms. Rouse noted Financial and Management Services overcame unprecedented staffing challenges, achievement of two major milestones with software enhancements which included the launch of a budget module in MUNIS and a Teams/OneDrive channel, and processing of over 4,100 sales and 1,100 permits through its Real Estate Assessment Division. She stated the Fire Department began carrying O+ whole blood on the Emergency Medical Services Supervisor's vehicle (James City County is one of

only a handful of Virginia localities with this capability), placed a new technical rescue truck and fire boat into service, and continued collaboration with the Social Services Department for the Community, Outreach, Network, Educate, Care, Thrive (CONNECT) program. Ms. Rouse noted General Services received a \$10,000 grant from the Virginia Department of Environmental Quality for septic pump-outs for income-eligible property owners, staff rehabilitation of the Warhill Sports Complex baseball infield and basketball court renovation, and installation of a dual port electric vehicle charging station at the James City County Recreation Center through a Dominion Energy grant. She continued noting Human Resources was honored by the Greater Williamsburg Chamber of Commerce as the Health Promoter of the Year, received a 96% approval rating from employees on the Open Enrollment online process, and increased the minimum wage to \$14.78 per hour. Ms. Rouse noted Information Resources Management's Video Team expanded live streaming to all public, education, and government channels, the Geographic Information System (GIS) completed the requirements for Next Generation 9-1-1 implementation, and the County was announced as a winner in the 20th Annual Digital Counties Survey by the Center for Digital Government and the National Association of Counties. She further noted Parks & Recreation installed a new grant-supported outdoor classroom at Freedom Park, provided year-round accommodations to over 400 special needs customers, created new tourism activities including the 5&Dime Trail, and received six national Parks & Recreation top honors. Ms. Rouse stated Police highlights included securing \$177,159 in grants for public safety enhancement, hosting the 3rd Annual Halloween with Heroes, and hosting the Shop with a Cop event for local children. She noted Social Services' Children's Services Division had a 90% success rate in placing foster care youth with Kinship families, the Housing Unit implemented the local Housing Voucher Subsidy Program funded by ARPA with a 90% goal attainment, local homeowners received assistance with repairs through a partnership with Habitat for Humanity, affordable housing construction through grants, first-time homebuyer support, and significant participation increases in Medicaid and the Supplemental Nutrition Assistance Program (SNAP). Ms. Rouse noted the Williamsburg Regional Library's (WRL) accomplishments included its ranking as one of the country's top public libraries, recipient of the Friends of the Library Award from the Virginia Library Association, and recipient of a \$7,000 national grant from the Public Library Association for digital literacy workshops.

Mr. McGlennon asked about a slide for the Public Information Office. He noted some substantial accomplishments from that Department also. Mr. McGlennon acknowledged congratulations there as well.

Ms. Rouse thanked Mr. McGlennon.

Mr. McGlennon noted the tree on the front cover of the Annual Report and the numerous times official County publications had a tree displayed on their covers. He further noted the importance of that aspect in ways to improve the community.

Ms. Larson noted the familiarity of the tree and its location.

Ms. Rouse responded it was Chickahominy Riverfront Park.

Mr. Hipple reflected on the amazing work of County staff for the citizens. He thanked staff for all their work across the many County departments.

The Board extended its thanks for a great presentation.

**F. BOARD CONSIDERATION(S)**

**1. 2024 Legislative Program**

A motion to Adopt the resolution 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. Kinsman addressed the Board noting its 2024 Legislative Program was included in the Agenda Packet. He stated the Board had discussed various points at its October 24, 2023, Business Meeting, and the documentation represented those points. Mr. Kinsman noted three points to highlight included an amendment to Virginia Code Section 24.2-604 to extend the 40-foot no contact rule to include the entire building, not just the entrances. He further noted this first point dealt with County voting centers. Mr. Kinsman stated the second point was support for an additional Circuit Court judge in the 9th Judicial Circuit. He added this request had already been viewed by the Judicial Review Panel and was included on all the Board and Council Agendas in the 9th Circuit. Mr. Kinsman noted short-term rentals continued to be a contentious point in every General Assembly. He further noted James City County permitted short-term rentals as a matter of right in approximately 40% of the land area in James City County, adding an SUP was required for the other cases where no homeowners association (HOA) was present and the Board almost acted as the HOA if the short-term rental was appropriate in that location. Mr. Kinsman stated the County had fought hard to retain that local ability regarding short-term rentals while Airbnb had fought against it. He welcomed any questions and if there were none, he recommended adoption of the resolution establishing these points as the Board's 2024 Legislative Agenda. Mr. Kinsman noted that upon the Board's approval then he would forward it to all the legislators.

Mr. McGlennon questioned the establishment of relationships with the new legislators.

Mr. Kinsman replied he had not met the Honorable Virginia Senator Ryan McDougle, but he was familiar with the Honorable Delegate Amanda Batten and the Honorable Senator-Elect J. D. Diggs. Mr. Kinsman noted he would introduce himself in the letter when he forwarded the Legislative Agenda.

Mr. McGlennon asked about the Honorable Delegate-Elect Chad Green.

Mr. Kinsman noted he would include the Honorable Delegate-Elect Green also.

Ms. Larson stated she and Mr. Hipple met with the Honorable Delegate-Elect Green last week and reviewed the Board's Legislative Agenda with him. She noted the Honorable Delegate-Elect Green was familiar with the local control aspect and was not planning on introducing any legislation that would differ from that aspect. Ms. Larson further noted she and Ms. Sadler had an opportunity to meet the Honorable Virginia Senator McDougle, but due to the timing of their arrival at the meeting, she was not able to convey what legislation he would or would not bring forward.

## **G. BOARD REQUESTS AND DIRECTIVES**

Ms. Sadler reminded everyone of precautions for the pending cold weather.

Mr. McGlennon noted his recent attendance at a session on the state of transit in Hampton Roads. He noted representatives from the Williamsburg Area Transit Authority (WATA), the Hampton Roads Transportation, and Suffolk Transit were present. Mr. McGlennon further noted the local area was well represented with WATA and local business leaders.

Ms. Larson thanked Mr. McGlennon for his attendance at the transit meeting. She noted the prior week Verizon had experienced a failure in her part of the County with citizens receiving an SOS message on their phones. Ms. Larson further noted people's reliance on their phones and many no longer had landlines. She stated citizens who called Verizon were told there was no issue in the area. Ms. Larson noted she contacted Mr. Stevens over the weekend about the

issue. She further noted the need to get an answer from Verizon on the problem.

Mr. McGlennon referenced a previous meeting when a Verizon representative had addressed the Board after numerous concerns. He noted requesting a written report from the representative regarding that particular time period when the issues occurred.

Discussion ensued.

Mr. Icenhour addressed several Board members' attendance at the Swearing-In ceremony for the County's newest Police Officers. He noted nine Officers were sworn in at that ceremony and he was impressed. Mr. Icenhour further noted he was very pleased with the progress in that area.

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

Mr. Stevens noted a Swearing-In ceremony would take place on December 12, 2023, for newly elected and re-elected Board members. He stated the reception would begin at 3:30 p.m., followed by the ceremony at 4:15 p.m. and prior to the Board's December 12, 2023, Regular Meeting. Mr. Stevens noted family, friends, and community members were invited to attend the ceremony. He further noted leaf disposal collection was beginning December 1, 2023, and would run until the middle of the month. Mr. Stevens stated the leaves should be in clear plastic bags for neighborhood pickup. He noted if anyone had questions, call General Services. He added residents could drop off leaves at no charge at the Jolly Pond Convenience Center until January 15, 2024. Mr. Stevens addressed public meeting notice, adding Ms. Larson had a resident contact her about the meeting changeover to CivicClerk and the ease of the process. He added that once Agendas were published on the website, residents could sign up and receive notification of that publishing to get information. Mr. Stevens noted sign up was also available on the website under the Agenda and Minutes tab or call the Clerk to the Board at 757-253-6609 to sign up for that notification service when Agendas for Boards and Commissions are published.

Ms. Larson thanked Mr. Stevens. She noted some background on the request and the accessibility for citizens regarding Agendas.

Mr. McGlennon reiterated that leaf collection would start on December 1, 2023, for the Roberts and Berkeley Districts. He added leaves should be curbside at 7 a.m. on that date.

## **I. CLOSED SESSION**

A motion to Enter a Closed Session 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

At approximately 2:52 p.m., the Board of Supervisors entered a Closed Session.

At approximately 3:39 p.m., the Board re-entered Open Session.

A motion to Certify the Board only spoke about those matters 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. Code of Virginia section 2.2-3711.A(8): 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, the New Town Section 7 and 8 Proffers.

2. Discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3) of the Code of Virginia and pertaining to Fire Station 6 Land Acquisition.
  
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, the City of Williamsburg, and WJCC Schools.
  
4. 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.
  - a. Appointments - Chesapeake Bay Board and the Wetlands Board
  
  - b. Appointment - Stormwater Program Advisory Committee

A motion to Appoint Mr. John Lynch to the Stormwater Program Advisory Committee for a four-year term effective immediately and expiring June 30, 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

5. Certification of Closed Session


## **J. ADJOURNMENT**

1. Adjourn until 8:30 a.m. on December 1, 2023 for the Joint Meeting located at Room 127 in the Stryker Building, 412N Boundary Street, Williamsburg, VA

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 3:41 p.m., Mr. Hipple adjourned the Board of Supervisors.

  
Deputy Clerk