

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
**COUNTY GOVERNMENT CENTER BOARD ROOM**  
**101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185**  
**April 9, 2024**  
**5:00 PM**

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**A. CALL TO ORDER**

Ms. Larson called the meeting to order at approximately 5:04 p.m. following the James City Service Authority Board of Directors Regular Meeting.

**B. ROLL CALL**

Barbara E. Null, Stonehouse District  
Michael J. Hipple, Powhatan District  
John J. McGlennon, Roberts District  
James O. Icenhour, Jr., Vice Chair, Jamestown District  
Ruth M. Larson, Chair, Berkeley District

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

**ADOPTED**

**MAY 28 2024**

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

Ms. Larson sought a motion to Amend the Agenda to add the Public Hearing on Proposed Real Property Tax Increase as Item No. 2 under Public Hearing(s). She advised the Public Hearing was advertised in accordance with the Code of Virginia requirements; however, the Public Hearing must be held as a separate Public Hearing from the County's Budget Public Hearing.

A motion to Amend the Agenda was made by Barbara Null, the motion result was Passed.

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

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

Ms. Larson introduced the Pledge Leaders Kylie Willard and Davis Welch. She gave highlights of their various interests and activities.

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE**

1. Pledge Leaders - Davis Welch and Kylie Willard, student council members from Clara Byrd Baker Elementary School

Davis and Kylie led the Board and citizens in the Pledge of Allegiance.

Ms. Larson introduced Ms. Sarah Caputo, Senior Youth Engagement Manager for Y Street, who would give a presentation on the Share the Air Partnership.

**E. PRESENTATION(S)**

1. Share the Air Partnership

Ms. Caputo addressed the Board noting she would turn the presentation over to two Y Street local youth members to discuss the Y Street Policy in further detail and the organization's objective.

Ms. Larson requested the youth members to introduce themselves for public record purposes.

Ms. Alisha Mask, Y Street Leadership Team, introduced herself noting she was a Senior at Tabb High School.

Ms. Morgan Morris, Y Street Leadership Team, introduced herself noting she was also a Senior at Tabb High School in Yorktown, Virginia.

Ms. Morris addressed the Board noting Y Street was the Virginia Foundation for Healthy Youth's award-winning volunteer statewide youth initiative launched in 2004 to address two significant issues: tobacco and obesity prevention. She indicated Y Street partnered with numerous high schools across Virginia to train youth on how to be effective advocates to promote healthier communities.

Ms. Mask addressed the Board noting the organization's primary goal was to create 100% tobacco-free and e-cigarette-free outdoor public spaces.

Ms. Morris highlighted the various criteria for implementation of a comprehensive policy on the PowerPoint presentation.

Ms. Mask touched on several reasons to go tobacco-free and e-cigarette-free such as significant litter associated with tobacco products, parklands and recreation centers served as pillars of health and should reflect that to promote healthy communities, and recent events of banning e-cigarette products from store shelves highlight health risks associated with usage.

Ms. Morris stated over a four-year timeframe Share the Air had received substantial support from Virginians with over 7,000 support cards collected to date. She further stated based on the data collected approximately 95% of Virginians believed that cigarettes, empty e-cigarettes, and vaping cartridges were considered a form of litter and toxic to humans and animals. Ms. Morris advised approximately 90% of Virginians believed tobacco litter negatively impacted outdoor experience and 97% of Virginians were in favor of tobacco-free outdoor policies.

Ms. Mask noted localities and park authorities could adopt a voluntary tobacco-free and e-cigarette-free outdoor policy. She touched on policy implementation and partner responses in further detail.

Ms. Morris noted the organization had a few questions pertaining to the County's interest in this initiative.

Ms. Larson noted the Board typically did not answer questions during presentations, adding the Board would discuss the subject matter at a later date. She added James City County also had a Parks & Recreation Advisory Commission for additional involvement.

Ms. Morris thanked the Board.

Ms. Larson asked if any Board members had questions.

Mr. McGlennon asked if there were any partners in James City County.

Ms. Morris deferred that question to Ms. Caputo.

Ms. Caputo replied currently no; however, she was more than happy to provide partnership information if interested.

**F. PUBLIC COMMENT**

1. Ms. Peg Boarman, 17 Settlers Lane, addressed the Board to talk trash. She advised the Clean County Commission conducted its annual Great American Cleanup on March 22 and March 23 with a make-up date of March 30 due to heavy rainfall on March 23. Ms. Boarman expressed her thanks to all participants of the event. She indicated the Clean County Commission would hold its 47th Annual County-wide Litter Cleanup on April 27. Ms. Boarman stated the Clean County Commission would also plant a tree at Freedom Park on April 27 at 10:30 a.m. and encouraged the public to attend. She remarked any individuals interested in volunteering at the Annual County-wide Litter Cleanup could sign up on the County's website and/or call 757-259-5375. Ms. Boarman emphasized the importance of working together to keep the community clean. She thanked the Board for its time.

**G. CONSENT CALENDAR**

Ms. Larson asked if any Board member wished to pull an item. As there were no requests, Ms. Larson sought a motion on the Consent Calendar.

1. VPPSA Curbside Recycling Contract Extension

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, Null

2. Revised Administrative Plan for the Section 8 Housing Choice Voucher 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, Null

Ms. Larson requested members of the audience to please silence cell phones and refrain from clapping for disruption purposes.

**H. PUBLIC HEARING(S)**

1. Fiscal Years 2025-2026 County Budget

Ms. Sharon McCarthy, Director of Financial and Management Services, addressed the Board noting the purpose of this Public Hearing was to allow public comment on the Fiscal Year (FY) 2025-2026 Proposed Budget as well as the FY2025 Proposed Real Estate Tax Rates. She noted she would provide a brief overview prior to the opening of the Public Hearing. Ms. McCarthy further noted FY2025 was the first year of the County's two-year budget and the only year appropriated for spending. She indicated the FY2025 Proposed Budget equated to \$289.3 million. Ms. McCarthy advised the real estate tax rate was proposed to remain at \$0.83 per \$100 of assessed value and no change in the personal property tax rate. She noted the proposed budget included funding for investments in County staff retention and compensation in addition to increased funding for Williamsburg-James City County Schools (WJCC) personnel. She mentioned the proposed budget excluded approximately \$9 million in additional requests. Ms. McCarthy touched on the All Funds Summary on the PowerPoint presentation. She highlighted the General Fund revenue was primarily based on General Property Taxes (the County's main

funding source for ongoing operations) which was approximately 70% of the total County budget and comprised of real estate and personal property taxes. Ms. McCarthy stated this year there was approximately a \$23.2 million increase in revenue projections. She noted the bulk of that was the result of the real estate reassessments which equated to approximately \$21 million as well as overall growth in the County. Ms. McCarthy further noted looking at the County's other local taxes in which the County projected a half a million dollar decrease in that area which included sales tax, meals tax, and lodging tax. She mentioned this was the area where the County suffered most during the COVID-19 pandemic, adding the County was able to recover most of that since the pandemic; however, recent trends exhibited sales and recordation taxes had begun to flatline and reduce which economists predicted. She touched on the County's other sources of revenue which included various fees, charges for services, and revenue received from the state for the Personal Property Tax Relief Program and for the County's Constitutional Officers. Ms. McCarthy advised the County made some adjustments to the Medic Transport Recovery fees, adding this practice was conducted annually as part of the budget process to keep in alignment with the Medicare reimbursement rates. She moved on to discuss the General Fund expenditures which was broken down by the County's various departments. Ms. McCarthy indicated the largest portion of the County's budget continued to be in support of the WJCC School Division for operations and debt service totaling \$110.4 million and/or approximately 43% of the County's budget. She advised the County's second largest portion of the County's budget went to Public Safety, adding that equated to \$36 million and/or 14% of the County's budget. Ms. McCarthy noted that between education and public safety that was approximately 60% of the County's budget and the remaining 40% had to cover all County needs, other departments, capital projects, and debt service obligations. She highlighted the additional revenue allocations displayed on the PowerPoint presentation. Ms. McCarthy touched on the next steps in the budget process with various meeting dates and times. She concluded the presentation and welcomed any questions the Board might have.

Ms. Larson asked if any Board members had questions.

No Board members had questions.

Ms. Larson opened the Public Hearing.

1. Ms. Lisa Ownby, 3328 Sawyer Way, addressed the Board to share a few thoughts regarding the Proposed FY2025 Budget. She expressed her support in increasing County staff wages to keep pace with inflation. She requested that the County fully fund the WJCC School Board's Proposed Budget to allow a 5% wage increase for WJCC Schools personnel. Ms. Ownby expressed her desire for an available copy of the five-year Capital Improvements Program (CIP). She noted her interest in the potential sixth fire station and putting that item back into the existing CIP as it was removed in 2021 due to the COVID-19 pandemic. Ms. Ownby emphasized the significant need for another fire station in the Lightfoot area due to the demand. She thanked the Board for its time.

2. Mr. David Lucas, Jr., 120 Oak Hollow, addressed the Board regarding the Proposed FY2025 Budget. He expressed his lack of support for the significant increase in real estate reassessment taxes. Mr. Lucas recommended a reduced tax rate and touched on zero-based budgeting. He mentioned prioritizing needs versus wants. Mr. Lucas elaborated on his points in further detail.

3. Mr. Travers addressed the Board noting he resided in Ford's Colony; however, he declined to provide his physical address for public record purposes. He noted he was in attendance to speak against the proposed real estate tax increase. Mr. Travers mentioned his agreeance with Mr. Lucas's statements. He questioned the County's cost reduction efforts implemented. Mr. Travers requested Board consideration on a reduced tax rate.

4. Ms. Jessica Anderson, 5515 Pennington Place, addressed the Board to discuss the Proposed FY2025 Budget. She mentioned she was a WJCC School Division parent and employee. She

expressed her gratitude to the County for its contributions to the WJCC Schools Budget for increased salary wages; however, she explained the funds were not sufficient. Ms. Anderson mentioned the rising insurance premium costs, additional funds needed to expand interpreters, employees, and support staff. She highlighted significant turnover from the WJCC School Division. Ms. Anderson remarked the WJCC School Division was at high-risk of ongoing staff turnover, potential loss of accreditation, and decline in rankings on a state and national level. She stated that currently WJCC Schools had 54 employee positions and 26 summer employee positions open and advertised on the WJCC Schools website, adding that did not account for the recent resignations from the WJCC School Division. Ms. Anderson emphasized the importance of quality education and if compromised the effect it could have on local property value, economic growth, and small businesses. She elaborated on that point in further detail. Ms. Anderson stated that current WJCC School Division salary wages were approximately \$5,000-\$6,000 below neighboring districts and nearly \$12,000 below the national average. She further stated the WJCC School Division was not remaining competitive and reiterated the understaffed aspect and employee burnout. Ms. Anderson requested Board consideration on increased funds to meet the WJCC School Division needs.

5. Ms. Rhonda Roby, 124 Theodore Allen Road, did not come to the podium to speak.

6. Mr. Andrew Cason, 3205 Arran Thistle, addressed the Board to discuss the Proposed FY2025 Budget. He mentioned he also worked for the WJCC School Division as a teacher at Jamestown High School and Treasurer of the WJCC Education Association. Mr. Cason thanked the Board and County Administrator for proposing a budget that sought to increase the compensation for WJCC Schools personnel and County staff. He mentioned his attendance at the Berkeley Community Budget Meeting and the discussion on County workforce challenges experienced within the County seemed to be parallel to the challenges exhibited in the WJCC School Division. Mr. Cason touched on the high turnover and the lack of mentoring stability and support for the schoolchildren of the community. He requested Board consideration on increased funds to retain WJCC School Division personnel.

7. Mr. Marco Sardi, 4008 Governors Square, addressed the Board noting he was in attendance to speak as a constituent as well as an employee of the WJCC School Division regarding the Proposed FY2025 Budget. He thanked the Board for its support to the WJCC School Division needs. Mr. Sardi addressed the need for the current part-time translator position transitioned to a full-time translator position. He touched on the dedication and time aspect of this position in addition to growth within the WJCC School Division which had put more strain on those employees. Mr. Sardi asked for the Board's support on the request. He mentioned the concerns with the current healthcare plan offerings and the costs associated with those plans. Mr. Sardi requested the Board's consideration on more competitive benefit packages to aid in the recruitment and retention of WJCC School Division personnel. He thanked the Board for its time.

8. Ms. Evette Conwell, 6448 Yarmouth Run, addressed the Board to discuss the public safety concern regarding the delay of the addition of a sixth fire station. She mentioned she resided in Colonial Heritage, adding last year Colonial Heritage senior living community made approximately 396 calls to the fire station. Ms. Conwell emphasized the significant need for another fire station in the Lightfoot area due to the demand. She requested this item be placed back into the CIP and thanked the Board.

9. Mr. Lenny Berl, 413 Fairfax Way, addressed the Board to speak to the Proposed FY2025 Budget and the challenges regarding the WJCC School Division. He requested consideration on ways to utilize available funds in a cost-effective manner and exercise other opportunities to maximize work power. Mr. Berl requested Board consideration on reducing the real estate tax rate.

10. Ms. Star Gibbs, 44 Camelot Court, Newport News, VA, addressed the Board noting she was



a school counselor for the WJCC School Division. She expressed her desire to address some areas of concern in relation to the School Division. She mentioned teachers were resigning mid-year which impacted the continuity and quality of education, the insufficient amount of staff and resources to provide the level of education schoolchildren require, the inability to provide one-on-one professionals for special education needs due to financial restraints. She touched on employee burnout, resignation, and safety concerns. Ms. Gibbs emphasized the importance of School Resource Officers (SRO) on-site for various reasons. She mentioned the SRO position was grant-funded and the SRO ended up resigning mid-year due to more competitive pay elsewhere. Ms. Gibbs thanked the Board for its time.

11. Ms. Pat Evers, 3949 Ethan Lane, addressed the Board to discuss the public safety concern regarding the delay of the addition of a sixth fire station in the Lightfoot area. She mentioned she resided in Colonial Heritage and the response times in Colonial Heritage were already beyond the six-minute requirement. Ms. Evers noted Emergency Medical Services (EMS) were called frequently to the senior living community. She expressed significant concern regarding the postponement of the sixth fire station to 2028 and/or beyond. Ms. Evers mentioned the recent added development of new homes within the Colonial Heritage totaling 1,750 homes within the community. She requested this item be placed back into the CIP and thanked the Board.

12. Mr. Chris Henderson, 101 Keystone, addressed the Board to discuss his concerns in relation to the Proposed FY2025 Budget. He encouraged the Board to prioritize essential County staff positions and services for a cost-effective approach. Mr. Henderson touched on the public safety demand in the Lightfoot area and referenced the City of Williamsburg utilizing an innovative method of stationing EMS units in areas of projected need. He recommended utilizing that practice opposed to building a new fire station and incurring the \$10 million cost. Mr. Henderson mentioned the County's joint arrangement with York County and the recently built fire station off Mooretown Road could aid in the reduction regarding the response time to get to Colonial Heritage. He suggested as a budgetary goal for the County's Public Safety, salary wages be in the top 25 percentile within the region. Mr. Henderson noted as a small business owner he understood the challenges currently faced regarding employee recruitment and retention. He touched on the WJCC School Division concerns and suggested the City of Williamsburg increase its contributions to the WJCC School Division as most of the financial commitment was on James City County taxpayers. He thanked the Board for its consideration.

Ms. Larson closed the Public Hearing.

Ms. Larson expressed her desire to inform the public that all Board meetings were publicly available on the County's website, Board calendar, and/or contact a Board Supervisor for information.

2. Proposed Real Property Tax Increase (*Agenda Amendment Required at Meeting*)

Ms. McCarthy addressed the Board and citizens reiterating there was no proposed change to the real estate tax and/or personal property tax rate in the Proposed FY2025 Budget. She stated FY2025 was a reassessment year and advised the overall increase in the assessment was 18.06%. Ms. McCarthy indicated because the increase exceeded 1% the County was required to provide certain information relative to the tax rate. She highlighted the Lowered Tax Rate, Proposed Tax Rate, and the Effective Tax Rate Increase information displayed on the PowerPoint presentation.

Ms. Larson opened the Public Hearing.

1. Mr. Joe Swanenburg, 3026 The Pointe Drive, addressed the Board to speak against the proposed real estate tax increase. He mentioned he fit the median household in James City County perfectly noting his assessment increased by 23%. Mr. Swanenburg stated he had

conducted an informal survey on Facebook and received 60 responses of assessments that had increased over 35%, several over 70%, and two over 100%. He questioned the feasibility aspect of these substantial increases and how any possible tax reduction could correct this issue. Mr. Swanenburg questioned why the County did not have an implemented program that automatically adjusted the assessments each time a house was sold. He requested the Board to implement in the County Code that no change in the real estate assessment would ever be in the double digits and that the maximum the assessment could go up or down in one year was limited to 9.99%. Mr. Swanenburg recommended a reduced tax rate of \$0.75 per \$100.

2. Mr. Jack Fowler, 109 Wilderness Lane, addressed the Board to speak against the proposed real estate tax increase. He noted he had lived in James City County for approximately 48 years noting a 29% increase in his real estate assessment. Mr. Fowler further noted he was on a fixed income and could not afford the additional taxes.

3. Ms. Susan Tisdale, 209 Governor Edward Nott Court, addressed the Board to request a tax relief plan be developed for County residents whose land was taken and put into the Resource Protection Area (RPA). She stated these taxpayers were paying the same rate and in many cases more as a percentage increase of land that was not in the RPA. Ms. Tisdale further stated she received the real estate reassessment for her primary residence in Powhatan Woods noting her land assessment had increased by 28%. She mentioned she had appealed the increase in the land assessment for the following reasons: the majority of the land was put into the RPA by James City County, a potential buyer could not build or disturb any areas within the RPA, and she currently paid taxes on land that cannot be used at the same rate as neighbors whose property did not lie within the RPA. Ms. Tisdale expressed her belief that landowners who were affected by these circumstances should be taxed at a lower rate. She mentioned a rental property her family owned in Springhill noting properties sold in Springhill had increased at the same percentage rate as Powhatan Woods yet that land assessment increase was much lower in Springhill at 12.6%. Ms. Tisdale stated she had contacted the Real Estate Assessments Office on March 25 and spoke with Mr. Justin Wolf, James City County Real Estate Appraiser, noting he could not speak to other properties outside of his purview. She reiterated her request for the County to develop a tax relief plan for those property owners impacted by environmental regulations.

4. Ms. Linda Hoyle, 215 Buford Road, addressed the Board to discuss the recent real estate reassessments conducted resulting in a 39.7% tax increase. She noted she was 81 years old and still currently working. Ms. Hoyle asked the Board where it expected the money to come from.

Ms. Larson explained during the Public Comment process Board members were unable to answer questions.

Ms. Hoyle continued and expressed her belief that she felt she was being pressured to sell her home at this point. Ms. Hoyle mentioned last year she had applied for the tax relief program; however, she was over the income requirement by \$5,000. She requested the Board make adjustments to the program.

Ms. Larson mentioned modifications had been made this year to the tax relief program. She recommended contact with Mr. Richard Bradshaw, Commissioner of the Revenue.

5. Mr. Travers addressed the Board noting he was pleased to have the second opportunity to speak after listening to many other concerned citizens. He mentioned a large amount of the County's population was on a fixed income and could not afford these substantial tax increases. He referred back to the point of prioritizing needs versus wants. Mr. Travers requested Board consideration on a reduced tax rate.

6. Ms. Rhonda Roby, 124 Theodore Allen Road, did not come to the podium to speak.

7. Mr. Richard Timberlake, 4147 Wiffet Way, addressed the Board to speak against the proposed real estate tax increase. He mentioned the retention factor regarding personnel, services, etc.; however, it was imperative to retain citizens of this County. He asked that the Board not penalize and overcharge the citizens who live here.

8. Mr. Donnie Martin, 7196 Canal Street, addressed the Board to speak against the proposed real estate tax increase. He highlighted inflation on products and services. He mentioned he and his wife were retired noting a 38% increase on his real property tax was absurd. Mr. Martin spoke to prioritizing needs versus wants.

9. Mr. Bob Capowski, 107 Swinley Forest, addressed the Board to speak against the proposed real estate tax increase. He requested Board consideration on a reduced tax rate. Mr. Capowski referenced the California Proposition 13 and discussed that point in greater detail. He mentioned the fixed income component and inflationary costs. Mr. Capowski discussed prioritizing needs versus wants.

10. Mr. Jeffrey Rowe, 109 Hollinwell, did not come to the podium to speak.

11. Ms. Gail Reutter, 112 Killarney, addressed the Board to speak against the proposed real estate tax increase. She noted a 10% increase was fair; however, anything above that was not. Ms. Reutter further noted her real estate tax had increased by 30%. She questioned the negligence factor in relation to reviewing and assessing proper home values in the past. Ms. Reutter mentioned the vast majority of the County's population was on a fixed income. She asked for Board consideration on that point.

12. Mr. Patrick Shaver, 4304 Edward Harrington Road, addressed the Board to discuss the recent real estate reassessments conducted. He mentioned he was a retiree on a fixed income like many other citizens. Mr. Shaver understood costs increased over time. He requested Board consideration on a reduced tax rate for the affordability aspect especially for those citizens on a fixed income.

13. Mr. Jim Rooney, 1307 Queens Crossing, addressed the Board to speak against the proposed real estate tax increase. He noted he was the President of La Fontaine Homeowners Association (HOA). Mr. Rooney further noted there were 160 homeowners within the community, adding 65% of the residents who lived in the community were over 60 years of age. He mentioned La Fontaine was privately owned and highlighted the various components incorporated into the HOA fees. Mr. Rooney stated the community's average tax increase was approximately 32.5%, adding his was 34.7%. He touched on the fixed income component and the affordability aspect.

14. Mr. Lenny Berl, 413 Fairfax Way, addressed the Board to discuss the recent real estate reassessments conducted. He mentioned the City of Williamsburg's real estate tax rate was \$0.59 per \$100 of assessed value. Mr. Berl requested Board consideration on a reduced tax rate. He touched on high assessment tax rates from a consumer standpoint. Mr. Berl spoke to inflation costs and high mortgage rates. He discussed that point in further detail.

15. Ms. Karen Dailey, 2902 John Proctor E, addressed the Board to speak against the proposed real estate tax increase. She mentioned she was from California; however, she had lived here in Virginia for approximately five years. She noted she had never experienced such an astronomical tax increase. Ms. Dailey requested Board consideration on a reduced tax rate.

16. Ms. Ann Kelly, 129 Mahogany Run, addressed the Board to speak against the proposed real estate tax increase. She explained she had left Rhode Island in 2009 due to being tax-ridden. Ms. Kelly mentioned she moved to the County and was rather impressed with the tax rates and structure. She questioned why one part of Ford's Colony seemed to have a significantly lower increase than the other half. Ms. Kelly mentioned her 28% tax increase noting she was located in the Powhatan District, adding the Jamestown District was significantly less. She stated



homeowner insurance premiums would increase based on this assessment. Ms. Kelly mentioned prioritizing needs versus wants. She requested the Board provide a better understanding of how these real estate reassessments were derived.

Ms. Larson requested Ms. Kelly rewrite her email on her Public Speaker form, so someone could contact her regarding her question.

17. Mr. Digby Solomon, 106 Par Drive, addressed the Board to speak against the proposed real estate tax increase. Mr. Solomon expressed his concern was not with the real estate reassessment itself because property values had increased dramatically. He requested Board consideration on a reduced tax rate of \$0.68.

18. Mr. Paul Casanave, 3012 Ridge Drive, addressed the Board to speak against the proposed real estate tax increase. He asked if the goal was to tax citizens out of their homes. Mr. Casanave questioned personal property taxes on property already owned.

19. Ms. Karen Lahive, 1801 Old Woods Court, addressed the Board to speak against the proposed real estate tax increase. She mentioned she had attended the Community Budget Meetings and listened to the County Administrator discuss the ongoing employment challenges as it was a nationwide issue. Ms. Lahive discussed inflation and the astronomical housing market due to supply and demand circumstances. She mentioned running out senior citizens was not ideal as those individuals were not the ones utilizing the schools and/or services. Ms. Lahive understood costs were increasing and that taxes may need to increase; however, she emphasized the importance of compromise. She spoke to that point in further detail.

20. Ms. Laurie Cardenas, 5355 Rockingham Drive, addressed the Board noting she was in attendance to speak more to the Proposed FY2025 Budget in relation to WJCC Schools. She mentioned she was a Speech-Language Pathologist for 26 years and worked for WJCC Schools for the last 16 years. She mentioned she had seen a lot through her tenure with WJCC Schools; however, she explained the WJCC School Division was in a dire emergency as some schoolchildren were not receiving the services they needed. Ms. Cardenas stated the WJCC School Division was down four Speech-Language Pathologists this year. She noted her caseload was 30 students over the state's caseload limit. Ms. Cardenas further noted she worked nonstop due to the workload. She stated the need was not just for the Speech-Language Pathologists but Occupational Therapists, Physical Therapists, etc. She mentioned it was extremely challenging to retain individuals in these positions. Ms. Cardenas remarked she had exhausted all measures to try and correct the issues and was unsuccessful. She mentioned the WJCC School Division and its lack of competitiveness with surrounding localities. Ms. Cardenas expressed it was imperative to inform the public of these critical circumstances. She thanked the Board.

21. Ms. Betty Brown, 102 Woodbine Court, addressed the Board to discuss the recent real estate reassessments conducted. She mentioned she received a 44.4% tax increase, adding she understood taxes must be paid to fund essential County services. Ms. Brown expressed her astonishment that the County did not offer a methodology to allow for a phased approach to alleviate the tax burden. She asked for Board consideration on that point.

22. Mr. Chris Henderson, 101 Keystone, addressed the Board to discuss the recent real estate reassessments conducted. He mentioned the County was a highly desirable place to live due to the high quality of life component and other various factors. Mr. Henderson expressed his astoundment that Mr. Digby Solomon, the former Editor and Publisher of the *Daily Press* and the *Virginia Gazette*, had addressed the Board and voiced his concerns regarding the increased real estate tax and Proposed FY2025 Budget. He empathized and expressed significant concern for the lower-class workers who were just trying to make ends meet. Mr. Henderson mentioned affordable housing was nonexistent within the County. He questioned what strategies could be implemented for those citizens who were most vulnerable to abate the increase. Mr. Henderson requested Board consideration on that point.

Ms. Larson closed the Public Hearing as there were no additional speakers.

Mr. McGlennon stated from his understanding there were a number of individuals who had indicated they did not have a chance to review the proposed budget in its entirety. He pointed out that the proposed budget was located on the County's website. Mr. McGlennon clarified that the CIP Budget had actually decreased from last year's budget, adding fluctuations were anticipated based on what was being funded for that particular year.

At approximately 7:09 p.m., the Board recessed for a short break.

At approximately 7:17 p.m., the Board reconvened.

3. HW-23-0001. Ford's Village Retirement Center Height Waiver

A motion to Defer until the Board's June 11, 2024, Regular Meeting, was made by Michael Hipple, the motion result was Passed.

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

AYes: Hipple, Icenhour Jr, Larson, McGlennon, Null

Mr. Ben Loppacker, Planner, addressed the Board noting Mr. Christopher Frommell of Frommell Architects, LLC, had applied for a Height Limitation Waiver to permit the construction of a building associated with the previously approved continuing care retirement center at 3889 News Road. He cited the specifics of the Height Limitation Waiver application included in the Agenda Packet. Mr. Loppacker noted a Height Limitation Waiver was required due to the proposed structure exceeding the 60-foot height limitation imposed by the R-4 Zoning District. He further noted staff found that the proposed application met the criteria for height waivers found in Section 24-286 of the Zoning Ordinance and that the proposed conditions would mitigate any impacts to surrounding properties and development. Mr. Loppacker stated staff recommended approval to the Board of Supervisors, subject to the proposed conditions. He welcomed any questions the Board might have, adding the applicant was available as well.

Ms. Larson thanked Mr. Loppacker.

Ms. Larson opened the Public Hearing.

Ms. Larson closed the Public Hearing as there were no speakers.

Mr. Hipple asked if the height limitation was known beforehand.

Ms. Larson asked if Mr. Hipple would like to ask the applicant that question.

Mr. Hipple confirmed yes.

Mr. Graham Corson, Project Manager of AES Consulting Engineers, addressed the Board noting he was not the architect for this project but the site engineer. He stated that the height waiver and limit were known at the design time. Mr. Corson further stated the chimneys on the proposed building were the only part of the structure that exceeded the height limit. He advised a balloon test was performed and was not visible from adjacent properties, or from News Road.

Mr. Hipple asked if these chimneys were artificial or real.

Mr. Corson replied the chimneys were real.

Mr. Hipple replied he saw the balloon test and asked if those trees in that area would remain.

Mr. Corson confirmed yes.

Ms. Larson thanked Mr. Corson.

Mr. Icenhour mentioned he received constituent concern regarding the visual aspect from the particular area of Monticello Woods. He noted everything behind the building would be leveled out and cleared due to residential development. Mr. Icenhour further noted it may not be visible now; however, afterwards was uncertain. He expressed he was reluctant to provide an exception for the known requirements based on visual aesthetics versus the essential component.

Ms. Larson asked Mr. Loppacker if the balloon test was conducted near the Monticello Woods area of News Roads.

Mr. Loppacker replied no, the balloon test was not conducted from that side. He stated it was of staff's opinion that it would not be tall enough to be viewed from Monticello Woods.

Ms. Larson asked Mr. Icenhour if he wanted to postpone action on this item to conduct the balloon test from the Monticello Woods side to validate that point.

Mr. Icenhour replied no.

Mr. Hipple referenced another application on Forge Road regarding a height circumstance. He asked Mr. Stevens if that situation had been rectified.

Mr. Stevens replied he would need to check back with him to verify that information. He noted it was part of a restrictive easement on that particular property and he was uncertain if there was the ability to modify that or not.

Mr. Hipple pointed out the consistency aspect in relation to height waivers.

Mr. Icenhour expressed he was not a fan of height waivers as there was a height limit for a reason unless there was a very compelling reason; however, in this circumstance there was not one. He advised he would not be in support of this application.

Mr. McGlennon mentioned in the past that normally a height waiver would be presented simultaneously with the initial project application. He questioned the justification aspect and the reasoning for this height waiver after-the-fact.

Ms. Larson noted based on Board discussion that there may be an opportunity for the applicant to go back to the architect to obtain the compelling reasoning for the height waiver and then come back before the Board at a later date and/or it could be voted on this evening. She asked Mr. Corson how he would like to proceed.

Mr. Corson requested additional time.

Ms. Larson asked Mr. Kinsman if the Public Hearing should be closed or remain open.

Mr. Kinsman recommended closing the Public Hearing. He informed Ms. Larson that she would need to defer the item to a certain date.

#### 4. Solid Waste Collection

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, Null

Mr. Bob Dittman, Solid Waste Director, addressed the Board noting the timeline for the County's potential solid waste consolidation. He noted the next steps would be to hold a public hearing. Mr. Dittman added even after the public hearing had been conducted it would be at least five years before making a decision on whether or not the County wanted to manage its solid waste. He stated this was the fourth step in the Code of Virginia process that a locality must go through in order to manage its solid waste.

Mr. McGlennon asked if that was the process specifically if the County wanted to take full ownership of the solid waste collection.

Mr. Dittman replied that the way the Code of Virginia was written a locality could not displace private haulers without going through these mandated steps.

Mr. McGlennon questioned if there was an opportunity for County involvement in addition to the private haulers prior to the five-year mark.

Mr. Stevens replied that was believed to be the case after consulting with the County Attorney, adding it would be based on the customer choice aspect. He mentioned a future discussion of possibly offering that service in alternative way.

Mr. Hipple mentioned this discussion was based on starting the five-year clock to determine the potential opportunities and work out the various factors in relation to the subject matter.

Mr. Dittman stated in addition to determining whether the County wanted to provide the service County-wide and/or service just the Primary Service Area.

Mr. Hipple thanked Mr. Dittman.

Ms. Larson opened the Public Hearing.

1. Mr. Tad Phillips, 12022 Pine Bark Lane, Midlothian, VA, addressed the Board noting he represented the Virginia Waste Industries Association (VWIA), a nonprofit organization with a mission to promote the management of solid waste in an environmentally responsible, efficient, profitable, and ethical manner that benefited the public and protected private hauler employees. He noted VWIA's disappointment in proceeding with the process of displacing private haulers prior to consideration of alternative opportunities that may be available. Mr. Phillips further noted VWIA was of the opinion that the County was not satisfying the four finding requirements in Section 15.2-5121 of the Code of Virginia. He stated VWIA requested County consideration on exploring alternative options opposed to the displacement process. Mr. Phillips mentioned four of the largest solid waste and recycling service companies in North America serviced James City County and were affiliated with VWIA. He touched on the high-quality performance of these private haulers and were valuable resources. Mr. Phillips highlighted the significant County costs in creating its own solid waste management. He discussed the beneficial factors of a free market system. Mr. Phillips advised VWIA supported the restriction of displacement for ensuring County residents have the best long-term options for efficient, environmentally safe, and competitive collection. He thanked the Board for its time.

2. Mr. Dan Ciesla, 13802 Turtle Hill Road, Midlothian, VA, addressed the Board noting he was representing Republic Services, Inc., one of the four leading solid waste and recycling service companies serving James City County. He mentioned he was not in support of the County's potential solid waste consolidation. Mr. Ciesla stated that Republic Services, Inc., had been serving the County for over 20 years. He requested Board consideration on all factors regarding this decision such as staffing shortages, breakdowns of waste collection vehicles, large impacts to constituents if private haulers were eliminated, increased costs, employee retention, etc. Mr. Ciesla indicated that in the past four years Republic Services, Inc., had experienced almost a

50% increase in operation costs due to driver labor hours, parts, increased costs in vehicles, staffing challenges, etc. He highlighted the beneficial factors of a free market system. Mr. Ciesla encouraged the Board to allow County citizens to retain the ability to choose.

3. Mr. Chris Henderson, 101 Keystone, addressed the Board noting he supported the free market system and the choice ability. He noted he utilized Republic Services, Inc., for his solid waste disposal and was satisfied with the services provided. Mr. Henderson further noted Ford's Colony at one point negotiated a blanket contract with a private hauler and was able to save residents approximately \$50 per month. He expressed beneficial factors of co-ops to aid in cost reduction, consumer choice, specific pickup requests, etc. Mr. Henderson encouraged the Board to conclude consideration on this matter.

4. Mr. Joshua Palmer, Jr., 138 Ron Springs Drive, addressed the Board noting he was a garbage collector and had served the County for 75 years. He emphasized the importance of consumer choice.

Ms. Larson closed the Public Hearing as there were no additional speakers.

Mr. McGlennon mentioned he was in support of continuing the process to significantly reduce the amount of traffic on County roadways and to improve public health by terminating waste incineration in residential areas. He expressed the importance of consideration on the subject matter and the opportunity to potential cost reduction to County citizens.

Mr. Hipple asked if by continuing this process it would allow all options to be explored and not to indicate the County was taking over solid waste.

Inaudible confirmation to Mr. Hipple's question.

5. Ordinance to Permit Use of Golf Carts on Public Highways in Meadow Lake

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, Null

Police Chief Mark Jamison addressed the Board stating in 2007, the Board adopted an Ordinance permitting neighborhoods to apply to have public highways in neighborhoods designated for golf cart use. He noted several neighborhoods had roads designated. Chief Jamison further noted Mr. Scott Maye, President of the Meadow Lake HOA submitted an application on behalf of the homeowners in the community requesting that the Board designate streets for golf cart use. He added the HOA had agreed to pay for the appropriate signage on Meadow Lake Drive. Chief Jamison stated following careful consideration of Meadow Lake's request and the results of a subsequent traffic study conducted by the Police Department, staff felt that golf carts may be safely accommodated along the public highways in Meadow Lake. He indicated these roads included Meadow Lake Drive, Thomas Higgs Court, and Oak Lawn Way. Chief Jamison noted staff recommended adoption of the Ordinance designating certain roads in Meadow Lake for golf cart use.

Ms. Larson thanked Chief Jamison.

Ms. Larson opened the Public Hearing.

Ms. Larson closed the Public Hearing as there were no speakers.

6. An Ordinance to Impose a \$50 Penalty for Failure to Comply with a Traffic Light Signal



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, Null

Mr. Kinsman addressed the Board noting this was a housekeeping amendment as County Code Section 13-15 lacked an essential element regarding a civil penalty for Failure to Comply with a Traffic Light Signal. He recommended the Board adopt the amendment to set a \$50 civil penalty.

Ms. Larson opened the Public Hearing.

Ms. Larson closed the Public Hearing as there were no speakers.

7. An Ordinance to Impose a \$100 Penalty for Speeding in School Zones

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, Null

Mr. Kinsman addressed the Board noting during the 2020 session of the General Assembly a new law was enacted that allowed localities to install photo speed monitoring devices in highway work zones and school zones. He stated at one of its recent meetings the Board requested staff to prepare any necessary revisions to the County Code to allow the County the option to install these devices in school zones. Mr. Kinsman noted the proposed revision to Chapter 13 of the County Code allowed the County to install these devices in school zones and establish a \$100 civil penalty for infractions in those zones. He further noted the County would identify school zones of interest and would contract with a third party to install the photo speed monitoring devices. Mr. Kinsman stated signage advising motorists of these devices would be posted within 1,000 feet of any such school zones and would take photos of vehicles traveling at speeds of at least 10 mph over the posted speed limit. He noted these photos would be reviewed by a Police Officer to ensure a speeding violation had occurred. Mr. Kinsman further noted after validation a summons would then be produced and issued to the owner of the vehicle via mail. He elaborated on the subject matter in further detail. Mr. Kinsman recommended adoption of the proposed Ordinance.

Mr. Hipple expressed his support as safety measures in school zones was vital. He mentioned speeding in school zones in the Norge and Toano area. Mr. Hipple expressed concern with some of the existing signage and the visibility aspect. He requested that be looked into.

Mr. Stevens stated he had addressed that concern with the WJCC School Division and that he would follow up to determine the status on that.

Mr. Hipple thanked Mr. Stevens.

Ms. Larson asked Chief Jamison if the Police Department received complaints in relation to speeding in school zones.

Chief Jamison confirmed yes quite frequently. He mentioned speeding was most likely the number one complaint received.

Mr. McGlennon mentioned there was a recent presentation in relation to the level of speeding in County school zones. He asked Chief Jamison to provide an overview of the findings.

Chief Jamison stated two different companies had conducted speed studies within County school zones areas noting several of the schools had motorists traveling 11 mph over the posted speed limit. He remarked that the speed studies indicated significant speeding concerns.

Mr. McGlennon thanked Chief Jamison.

Ms. Larson opened the Public Hearing.

Ms. Larson closed the Public Hearing as there were no speakers.

8. ORD-22-0001. Amendments for Scenic Roadway Protection Comprehensive Plan Amendment: Community Character Corridor and Short-Term Rental Development Standards Revision

A motion to Approve an Indefinite Deferral was made by James Icenhour, the motion result was Passed.

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

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

Mr. Paul Holt, Director of Community Development, addressed the Board noting at its February 27, 2024, meeting, the Board believed these particular changes should be indefinitely deferred while some alternative options may be considered. He advised that staff recommended the Public Hearing on these items be closed and an indefinite deferral.

Ms. Larson thanked Mr. Holt.

Ms. Larson indicated the Public Hearing was open.

1. Mr. Chris Henderson, 101 Keystone, addressed the Board to discuss the Community Character Corridors (CCC) and disagreed with the one size fits all aspect. He mentioned consideration on long-term effects, existing vegetation, and buffer type to achieve the desired vista of these CCCs.

Ms. Larson closed the Public Hearing.

**I. BOARD CONSIDERATION(S)**

None.

**J. BOARD REQUESTS AND DIRECTIVES**

Ms. Null noted she had no comments.

Mr. Hipple expressed his desire to address the subject regarding the need for a sixth fire station. He advised there was a mutual aid agreement for the areas of the County with higher demand. Mr. Hipple mentioned all locations within the County were of equal importance. He discussed the challenges with placing EMS units in areas of projected need due to County and State Code regulations. Mr. Hipple explained the City of Richmond offered that as a private service; however, the City of Richmond had contemplated discontinuing that service as that system was not effectively working. Mr. Hipple elaborated on that point in further detail. He clarified that was a private service and did not reside under the Fire Department service. Mr. Hipple pointed out tax reassessments had been conducted every two years for a very long time. He mentioned the possibility of conducting yearly reassessments to aid in gradual tax increases.

Mr. McGlennon thanked Mr. Hipple for his point on annual tax reassessments as he agreed it may be less impactful to citizens to do it on an annual basis opposed to every two years. He advised for public notification purposes that the County offered a tax relief program for lower income residents who met the eligibility criteria. Mr. McGlennon stated the Board had raised the income limit and level of exemption this year for that program. He noted he attended the Williamsburg Community Foundation's (WCF) Spring Awards Luncheon, adding

approximately two dozen nonprofit organizations were awarded funding from the WCF to provide programs to aid in local needs. Mr. McGlennon expressed his gratitude to County Administration and staff for all efforts in relation to the Community Budget Meetings.

Mr. Icenhour reminded his fellow Board members that he would be participating remotely for the next Board meeting. He noted he would be unable to attend the last two Community Budget Meetings; however, he requested for Mr. Hipple and Mr. McGlennon to provide an update on those meetings. Mr. Icenhour thanked Ms. McCarthy for her assistance and education on the Proposed FY2025 Budget in relation to Fund Balance particularly the Unassigned Fund Balance for the General Fund. He spoke to that point in further detail. Mr. Icenhour anticipated challenges through the FY2025 Budget process. He mentioned many constituents had made very valid points and there were considerations that the County had to address noting it would be a balancing act.

Ms. Larson requested fellow Board members to be proactive and obtain answers from County staff prior to the Board's April 23, 2023, Business Meeting. She agreed on further Board consideration on potential annual reassessments. Ms. Larson expressed her gratitude for all participants and efforts in relation to the Community Budget Meetings. She elaborated on that point in further detail. Ms. Larson noted she participated in a bench dedication, adding The Historic Rivers Chapter of Virginia Master Naturalists donated 11 benches along the Greensprings Interpretive Trail. She spoke about the positive experience she had during that event. Ms. Larson advised a Community Budget Meeting would be held tomorrow, April 10, 2024, at Lois S. Hornsby Middle School at 6 p.m. She touched on upcoming meetings and events she would be attending.

**K. REPORTS OF THE COUNTY ADMINISTRATOR**

Mr. Stevens extended his thanks to all participants in relation to the Community Budget Meetings. He stated the Citizen Police Academy applications would conclude next week and encouraged those interested in learning more about the County's Police Department to contact 757-253-1800. Mr. Stevens advised the class begins April 24 and ran until July 17, adding the class would be held on Wednesday evenings. He indicated April 16, 2024, was the deadline to submit an application and encouraged public participation.

**L. CLOSED SESSION**

None.

**M. ADJOURNMENT**

1. Adjourn until 6 pm on April 10, 2024, for the Budget Community Meeting at Lois Hornsby Middle School

A motion to Adjourn was made by Barbara Null, the motion result was Passed.

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

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

At approximately 8:17 p.m., Ms. Larson adjourned the Board of Supervisors.

*Teresa J. Saeed*

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Deputy Clerk