

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
December 10, 2024
5:00 PM

A. CALL TO ORDER

ADOPTED

B. ROLL CALL

JAN 28 2025

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

Board of Supervisors
James City County, VA

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

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Amelia Purse, a 5th grade student at Matthew Whaley Elementary School and a resident of the Jamestown District

Mr. Icenhour gave highlights of Amelia's interests and activities.

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

E. PRESENTATION(S)

Ms. Larson noted she had some closing comments for 2024 prior to the Chair Award presentations. She stated 2024 had been a very busy year with some major challenges which included the potential restructuring of the school system, adding the united school system looked promising moving forward. Ms. Larson noted there was still more work ahead, but she recognized some of James City County's 2024 accomplishments. She commented on upcoming projects such as the Government Center which would consolidate most County departments and provide assistance to ensure greater efficiency for citizens. Ms. Larson continued noting the Williamsburg Sports and Events Center, which was currently under construction, would provide amenities to the community and serve as a premier athletic facility for sports tourism. She added that Visit Williamsburg's new Chief Executive Officer would work to promote the community and encourage future tourism locally. Ms. Larson noted that Kongsberg Defence & Aerospace, a global provider of defense and aerospace systems, was investing and building a facility in the County bringing over 180 jobs to the area. She addressed the parking lot fire at the Williamsburg Premium Outlets from November 23-29 in which the County's Fire

Department led a 122-hour operation with the assistance of surrounding localities, state and federal groups, the County's Police Department, Henry S. Branscome, LLC, excavator team, and Premium Outlets staff. Ms. Larson commended the work of those involved with monitoring air quality, safety, and other aspects. She noted significant staffing had occurred in both the Fire and Police Departments with recruitment, adding other County departments had also experienced staffing challenges. Ms. Larson further noted the Board had supported implementation of a Classification and Compensation study to ensure the County was a more competitive employer. She stated improvements were being seen in the recruitment and retention levels of attracting very dedicated staff. Ms. Larson extended her appreciation to County Administrator Scott Stevens for his leadership, professionalism, and transparency, adding those qualities were admired by both staff and the Board. She also noted her honor at serving as the Board chair for the past year and acknowledged her fellow Board members, adding her thanks to them, staff, and citizens.

1. Chair Awards

Ms. Larson noted the first award, which went to a citizen, was presented to Ms. Janet Green. Ms. Larson read highlights of Ms. Green's career and service as the Chief Executive Officer of Habitat for Humanity Peninsula and Greater Williamsburg where she began her career in 2002. She acknowledged Ms. Green's consistently innovative approach to the organization and its work in providing housing to worthy families both on the Peninsula and in James City County. Ms. Larson highlighted partnerships Ms. Green had developed with the Peninsula Housing and Builders Association as well as hosting for AmeriCorps Volunteers in Service to America (VISTA) volunteers. She referenced Ms. Green's work on the 2018 Workforce Housing Task Force as the Habitat's representative and the introduction of the Neighborhood Blitz concept to the County. Ms. Larson noted the County hosted its first Neighborhood Blitz in the Forest Glen subdivision in 2019 with assistance to 16 families. She further noted another blitz took place in 2023 in the James Terrace neighborhood with assistance to eight families. Ms. Larson acknowledged Ms. Green's leadership and direction with the Habitat were instrumental in the building of the world's first owner-occupied 3D-printed house located in James City County. Ms. Larson noted Ms. Green's work with the Habitat to build 174 homes with 60 of those in the County, adding that as of 2024 the Habitat homes built in the County had a total assessed value in excess of \$14.3 million. She acknowledged Ms. Green's work to acquire property for families, adding 19 new lots were available for construction of new, affordably priced homes. Ms. Larson noted the profound impact of Ms. Green's work and Habitat's work on families and housing. She extended her thanks to Ms. Green.

Ms. Green thanked everyone for the award. She noted all of Habitat's work was a partnership and she acknowledged the many groups who assisted. Ms. Green encouraged everyone to continue their assistance in providing more affordable housing opportunities to deserving citizens.

Ms. Larson noted the second award was presented to County staff. She further noted it was a difficult decision as there were numerous hard-working staff on a daily basis who served County citizens as well as the Board and she extended her appreciation to everyone. Ms. Larson acknowledged Ms. Renee Dallman, a County employee since 1993, and the current Public Information Officer where she handled news releases, media relations, leading the County's external affairs team during major storms and such crises. Ms. Larson noted Ms. Dallman provided communications support to the Board in addition to hosting and producing the podcast, "This Week in James City County." She stated Ms. Dallman launched the County's social media presence in June 2008 while also leading a team to increase the County's Facebook audience to more than 14,000 followers. Ms. Larson referenced Ms. Dallman's daily positivity during the COVID-19 pandemic with her Good Morning, JCC! Posts, adding many citizens looked forward to those positive daily updates. She acknowledged Ms. Dallman's creativity, compassion, and commitment to public service particularly during emergencies in the County. She extended her thanks to Ms. Dallman.

Ms. Dallman thanked everyone. She added her family was honored to be part of the County and working with the citizens across the years.

F. PUBLIC COMMENT

Ms. Larson noted Ms. Peg Boarman, Vice Chair of the Clean County Commission, was unable to attend. Ms. Larson further noted she wanted to remind everyone not to litter.

G. CONSENT CALENDAR

None.

H. PUBLIC HEARING(S)

Ms. Larson acknowledged Dr. Kira Allmann, the Planning Commission representative, at the meeting.

1. Amendment to Cell Tower Lease at 3201 Monticello Avenue

Ms. Liz Parman, Deputy County Attorney, noted the resolution in the Board's Agenda Packet addressed the 15-year extension of the current cell tower lease at 3201 Monticello Avenue. She further noted the lease would end March 27, 2047. Ms. Parman stated the location was at Fire Station 5 for reference. She noted the 25% rental increase would be effective on March 1, 2032, with the tenant signing an additional \$30,000 signing bonus. Ms. Parman further noted staff recommended approval of the resolution.

Ms. Larson opened the Public Hearing.

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

2. MP-24-0004/Z-24-0010. Powhatan Terrace Master Plan and Proffer Amendment

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. Josh Crump, Principal Planner, addressed the Board noting the details of this case. He stated the developer was no longer planning to build the 36 townhomes and was seeking to amend the Master Plan and proffers to allow four single-family lots. Mr. Crump noted the proposed changes included a new Master Plan for the four single-family lots, a 150-foot vegetative buffer, and a 5-foot sidewalk along Jamestown Road. He stated at its November 6, 2024, meeting, the Planning Commission voted 7-0 to recommend approval of this application to the Board. Mr. Crump noted no additional changes had been made to the application since the Planning Commission's approval. He further noted staff recommended the Board approve the application and accept the amended proffers. Mr. Crump stated the applicant was in attendance.

Ms. Larson noted she would follow up with Mr. Crump after the Planning Commission report.

Dr. Allmann addressed the Board noting the Planning Commission recommended approval of this application with a 7-0 vote. She noted during the Planning Commission's Public Hearing on this case, the applicant's representative spoke in more detail about significant runoff from the nearby Raleigh Square development. Dr. Allmann stated that runoff had created a ditch as well as discharge flow into Powhatan Creek. She added the revised development plans for the four units contained a mitigation plan to address the discharge while also hearing comments from the engineering firm's representative. Dr. Allmann noted no additional public comments were made at the Planning Commission Public Hearing. She further noted one Planning Commissioner

referenced concerns from residents regarding the original 36-unit proposal and possible runoff from that development. Dr. Allmann stated this revised plan offered a welcomed improvement. She added that another Planning Commissioner noted the impact to affordable housing with the reduction from 36 to four units. Dr. Allmann noted the consideration of environmental factors for this property seemed better suited to the property with the revised plan.

Ms. Larson asked the Board members if there were questions for Dr. Allmann or staff to which there were no questions.

Ms. Larson opened the Public Hearing.

1. Mr. Greg Davis, Kaufman & Canoles, P.C., 4801 Courthouse Street, Suite 300, addressed the Board noting he was representing JTR Properties, LLC. He began the PowerPoint presentation highlighting the project team. Mr. Davis noted the property owner, JTR Properties, LLC, was represented by Mr. Scott Wise. He explained that Mr. and Mrs. Wise planned for their daughter and her husband to build a home on this property. Mr. Davis continued the project team introductions citing Mr. Steve Romeo with Vanasse Hangen Brustlin, Inc., and the Kaufman & Canoles, P.C. legal team of himself and Mr. Benming Zhang. Mr. Davis noted the proposal was a less intense residential one with the reduction from 36 units to four single-family lots. He highlighted other components of the proposal included maintaining the 150-foot Community Character Corridor buffer as well as little or no traffic impact, retainment of the proffered open space, and less environmental impact. Mr. Davis identified the Raleigh Square runoff on a property diagram, adding the runoff currently emptied onto Mr. Wise's property. He noted the Raleigh Square development was in place prior to the stormwater management science and regulations currently in use and thus significant erosion had ensued. Mr. Davis stated remediation would be required for that erosion area. He noted the Planning Commission's support as well as that from adjacent property owners, TK Asian Antiquities and Lyman Hall for less density and greater sensitivity toward Powhatan Creek.

Mr. Icenhour referenced the Master Plan layout and asked Mr. Davis about Lot 4.

Mr. Davis indicated the Lot 4 location, adding it would have Jamestown Road frontage. He noted an access road would be available with maintenance by the homeowners association (HOA) which would be created.

Mr. Icenhour noted he had spoken with Mr. Davis earlier and expressed concern regarding the stormwater facility. He asked if the facility would be under the HOA's management.

Mr. Davis replied no, adding the plan was for the HOA to maintain the cul-de-sac road he identified on the diagram. He added the association would also maintain the micro-bioretenion facility which would handle any runoff from the access road. Mr. Davis noted stormwater on the lots would be addressed on a lot-by-lot basis. He spoke to that point in more detail.

Mr. Icenhour questioned the maintenance of the facility where the erosion had occurred in relation to a remedy for the situation and the responsible party for the long-term maintenance.

Mr. Davis responded it was a rock structure. He noted the intention was the HOA would maintain it though a great amount of maintenance was not anticipated.

Mr. Icenhour noted it was not similar to a Best Management Practice.

Mr. Davis responded it was a pile of rocks.

Mr. Icenhour asked about the slope of the land.

Mr. Davis replied the slope was toward the creek.

Mr. Icenhour referenced the diagram and the topography lines (topo lines) and asked if there was a slope from the top.

Mr. Davis confirmed yes it was a slope.

Mr. Icenhour noted the HOA would be responsible for the main road and any structure there. He thanked Mr. Davis.

Ms. Larson asked if the proposed 36-unit project was based on that developer and costs which failed to allow the project to move forward.

Mr. Davis confirmed yes. He noted his client felt the 36-unit project was not economically viable and in turn offered the land to housing partnerships in an attempt to create affordable housing with grant money and fundraising. Mr. Davis further noted that initiative was unsuccessful with the four lots as a result.

Ms. Larson thanked Mr. Davis and asked the Board if there were additional questions.

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

Mr. McGlennon noted he regretted that the affordable housing piece was not accomplished with this project but added his appreciation to the landowner for his support of the affordable housing aspect. He further noted his support of the positive impact on Powhatan Creek.

Mr. Kinsman clarified the motion was to move the Master Plan and the proffer amendment.

Mr. McGlennon confirmed yes.

Ms. Larson thanked Mr. Kinsman for that point.

Mr. Icenhour stated he had concerns when he had reviewed this application's materials, but after speaking with Mr. Davis those concerns had abated. Mr. Icenhour noted he wanted to address the point that many applications were approved by the Board with actions dependent on HOAs. He further noted that dependence transferred a great deal of responsibility onto the associations which meant the County was not responsible on tax rolls nor did the developer have much responsibility post-development. Mr. Icenhour addressed cases where those responsibilities existed but then the HOAs became basically defunct. He noted when that situation occurred, particularly with a stormwater facility, the County had the choice of filing a lawsuit against its citizens, which he added was not a popular option, or the County absorbed the tab for the work. Mr. Icenhour further noted historically that option had been the case. He stated that in reviewing these cases, the Board needed to implement a reasonable manner approach which meant the HOA had to have both adequate numbers and resources to handle the responsibilities that the Board had asked of the HOA and not placing an undue burden on the HOA. Mr. Icenhour stated he felt this point was an ongoing concern, adding he was in support of this application as his concerns had been addressed. He explained he felt each HOA was responsible to the County for specific items on its own property, adding the responsibilities of these four units with regard to its HOA was not particularly unreasonable. Mr. Icenhour noted the importance of reviewing these points in applications in the future.

3. SUP-24-0025. 7516 Richmond Road Dollar Tree

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

Ms. Morgan Risinger, Senior Planner, addressed the Board noting the details of this application which included a Special Use Permit (SUP) to construct a commercial building exceeding 5,000 square feet of floor area in the Norge Crossing Shopping Center. She noted staff had proposed mitigating conditions which addressed requirements regarding architectural elevations and prohibition of merchandise display outside of the building. Ms. Risinger noted staff recommended that the Board approve this SUP application, subject to the proposed conditions. She noted the applicant team was in attendance.

Dr. Allmann addressed the Board noting the Planning Commission recommended approval of this SUP with the proposed conditions by a 7-0 vote. She noted one Planning Commissioner questioned the property in relation to Croaker Road. Dr. Allmann further noted staff provided an aerial diagram of an additional road, adding several Planning Commissioners noted that road was completed. She addressed additional points and stated support for the application from several Planning Commissioners.

Ms. Larson asked the Board members if there were questions for Dr. Allmann or staff, to which there were no questions.

Ms. Larson opened the Public Hearing.

1. Mr. Vernon Geddy, Geddy, Harris, Franck & Hickman, LLP, 1177 Jamestown Road, addressed the Board noting he was the applicant's representative. He stated he was joined by Mr. Rick Bushy and Mr. Joe Bushy, principals of the applicant. Mr. Geddy noted the location, use, and existing infrastructure were advantageous points to this application.

Ms. Larson asked the Board members if there were questions for Mr. Geddy or the applicant, to which there were no questions. She thanked Mr. Geddy.

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

Ms. Null stated she was pleased to have the Dollar Tree store in the Stonehouse District and welcomed the addition. She noted she was available to contact if questions arose as she was that district's supervisor.

4. Second Interim Agreement for New Consolidated Government Center

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. Brad Rinehimer, Assistant County Administrator, addressed the Board noting that in January 2024, the Board authorized Mr. Stevens to execute an interim agreement with the Henderson, Inc.-Gilbane Building Company, a joint venture group, to reach 30% design on the proposed new government center. He acknowledged members of Henderson, Inc. and GuernseyTingle Architects for their presence at the meeting and their support during the process. Mr. Rinehimer noted the collaboration between both groups and the County working group was tremendous. He further noted he had provided the Board with a deliverables update at its Business Meeting earlier in the day. Mr. Rinehimer stated a resolution was before the Board in its Agenda Packet which authorized Mr. Stevens to take the next step to 100% design for the new consolidated government center at 5231 Longhill Road. He noted the agreement was in the final stages, but the interim agreement would not exceed \$11.5 million with funding approved in the County's Capital Improvements budget for Fiscal Year (FY) 2024 and FY 2026.

Mr. McGlennon noted he had no questions for Mr. Rinehimer but extended his appreciation to him and those working with him on all their efforts with the project.

Ms. Larson also extended her thanks to everyone involved on the project, adding Mr. Rinehimer had ensured the Board had continual information. She noted there was no Planning Commission report on this item.

Ms. Larson opened the Public Hearing.

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

I. BOARD CONSIDERATION(S)

None.

J. BOARD REQUESTS AND DIRECTIVES

Ms. Null noted her attendance at the ribbon-cutting ceremony for the new Grove Christian Outreach Center's food facility. She further noted the facility allowed Grove area residents and others to receive free food. Ms. Null stated the facility was like a grocery store, adding an area was designated for donated children's clothing. She noted all the items at the facility were free. Ms. Null further noted that residents in this section of the Grove area were five miles from any available grocery store, adding the importance of this facility and its impact to the community. She stated all the local grocery stores had contributed stock. Ms. Null noted she attended the New County Employee Orientation recently which was held at the James City County Library. She further noted welcoming approximately 25 new employees. Ms. Null stated she attended the Greater Williamsburg Chamber of Commerce's Military Affairs Committee's Home for the Holidays event at the Naval Weapons Station Yorktown, adding it was an honor to attend the event.

Mr. Hipple extended holiday wishes to everyone.

Mr. McGlennon noted his attendance with several fellow Board members at the Swearing-In Ceremony for four new County Police Officers the previous week. He commended the successful recruitment efforts. Mr. McGlennon extended his appreciation to Mr. Stevens, Mr. Paul Holt, Director of Community Development, Ms. Risinger, Ms. Christy Parrish, Zoning Administrator, Mr. Joe Davis, Fire Marshal, and Mr. Mitchell Anderson and Ms. Emma Polen of the County's Video Team for their assistance with a meeting he held on December 9 for Kingsmill residents regarding a conceptual plan submitted by Kingsmill Resort's owner, Escalante Golf. He noted the conceptual plan addressed the development of land within the Kingsmill community. Mr. McGlennon stated 250 Kingsmill residents attended the meeting with 120 viewers on YouTube. He noted the meeting allowed residents an opportunity to express opinions, ideas, and gather information on the County's involvement regarding the development. Mr. McGlennon further noted that residents were appreciative of the engagement with County staff regarding their questions. Mr. McGlennon echoed Mr. Hipple's wishes for the holiday season.

Mr. Icenhour stated he attended a Goodwill Store ribbon-cutting ceremony on November 14, adding it was the first Goodwill facility in the County. He noted the facility made use of a former Rite Aid on News Road. Mr. Icenhour stated the Goodwill store was doing very well and it was a great use of the previously empty space. He noted the Celebration of Business occurred on November 21 at The Maine of Williamsburg. Mr. Icenhour stated there had been a scheduling conflict with an event hosted by the Greater Williamsburg Chamber of Commerce.

Ms. Larson noted the event was the Jingle Fest at Busch Gardens.

Mr. Icenhour noted scheduling concerns were being addressed to increase participation at more events. He further noted he attended Eleva Coffee ribbon-cutting ceremony in New Town. Mr.

Icenhour stated the Police Officer Swearing-In Ceremony was of paramount importance to the community and the Officers, adding three of the four Officers were graduates of local high schools. He referenced Mr. McGlennon's comments and echoed the significance of people staying, living, and working in the community, adding the fourth Officer was a military retiree who was also staying in the community. Mr. Icenhour extended his appreciation to his fellow Board members noting their 100% support for the Home for the Holidays program. He spoke about the four-year history of the program which benefited 23 service people in the first year and had increased to 45 last year. Mr. Icenhour noted there were approximately 60-80 applicants and the challenges of reviewing the applications to determine recipients of the program. He stated that 2024 had been a stellar year and acknowledged Mr. Wilford Kale, a local reporter, who got an article on the program into *The Virginia Gazette* and *The Daily Press*. Mr. Icenhour noted the article generated a great deal of community participation. He stated there were 90 applicants for the program this year and all 90 applicants were sent home as the program raised \$27,000. Mr. Icenhour noted Ms. Null was in attendance at the Home for the Holidays presentation where she photographed the activities. He spoke to the program's recipients in more detail, adding this program was one of the best examples of the business community, community members, and military members of the community coming together in mutual support. Mr. Icenhour extended his thanks to everyone who participated.

Ms. Larson thanked Mr. Icenhour. She noted her participation in the 250th anniversary of the establishment of the James City County Committee of Observation, sponsored by the National Society of the Sons of the American Revolution at Freedom Park. Ms. Larson thanked Ms. Carla Brittle, Tourism & Centers Administrator for James City County Parks & Recreation Department, and the 250th Anniversary Committee for their help. She expressed her appreciation at the opportunity to participate in the event. Ms. Larson also thanked Mr. Icenhour for his assistance connecting her with that group. She reminded everyone that the Board of Supervisors or Williamsburg City Council aired on the radio on Wednesday nights at 5 p.m. to learn about events and news in the community. Ms. Larson referenced the Joint Meeting with the City of Williamsburg and the Williamsburg-James City County (WJCC) School Division, adding she thought the meeting went well. Ms. Larson noted the Board's appreciation to Dr. Olwen Herron, WJCC Superintendent, who would be retiring at the end of January 2025. Ms. Larson thanked everyone for all their work.

K. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens noted he had nothing to report.

L. CLOSED SESSION

Ms. Larson noted there was no Closed Session.

M. ADJOURNMENT

1. Adjourn until 4 pm on January 14, 2025 for the Organizational Meeting

A motion to Adjourn 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

At approximately 5:57 p.m., Ms. Larson adjourned the Board of Supervisors.

Teresa J. Saeed

Deputy Clerk