

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
WORK SESSION
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
June 23, 2020
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

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

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

Mr. Icenhour requested a motion to allow Ms. Sadler to participate remotely for the Work Session, due to an illness which did not allow her attendance.

A motion to Allow Ms. Sadler to Participate Remotely for the Work Session was made by Ruth Larson, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Icenhour Jr, Larson, McGlennon

Absent: Sadler

Mr. Icenhour welcomed Ms. Sadler to the meeting.

Ms. Sadler acknowledged her presence on the call.

A motion to Amend the Agenda to add an item under Board Considerations for Busch Gardens discussion 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. Icenhour introduced the Honorable Tommy Norment, Member of the Virginia Senate, the Honorable Montgomery Mason, Member of the Virginia Senate, and Mr. Neil Morgan, York County Administrator, who would all be participating via phone.

Mr. Icenhour introduced the Honorable Amanda Batten, Virginia House of Delegates, the Honorable Michael Mullin, Virginia House of Delegates, and Mr. Kevin Lembke, Park President of Busch Gardens Williamsburg (Busch Gardens), who were all present in the audience.

C. BOARD DISCUSSIONS

1. Busch Gardens Discussion

Mr. Stevens noted ongoing conversations with Mr. Lembke and our legislative group concerning the reopening of Busch Gardens in a safe manner in regard to Phase 3 Guidelines.

Mr. Lembke offered to answer any questions and gave an overview of recent communications with the Governor's Office. He noted Busch Gardens employed over 4,000 employees and based on the guidelines and the limit of 1,000 patrons within the park, the theme park would remain closed. He further noted the local impacts of Busch Gardens remaining closed in terms of taxes and local employment. He acknowledged disappointment in the guidance and discussed the Busch Gardens Comprehensive Safety Plan put forward to ensure guest and employee safety within the parks. He commented the lack of nuance in detail regarding reopening guidance was unlike anything experienced in other states in which their company operates. He stated Water County USA was in risk of not opening this season, noting the impact on tax and related revenue for York County. He appreciated the collaboration, communication, and partner continuation in order to find a way forward with the goal of having a safe operation while putting employees back to work. He asked if there was anything on the County's behalf, or at the state level, which could be pushed forward in a more formalized way to get the spec going and was open to any collaboration and/or suggestions.

Ms. Larson inquired about safety precautions to be put in place.

Mr. Lembke replied that in Phase 1 of reopening, and from a limited capacity standpoint, reservations would be required to visit the park, noting these procedures were currently in place in Busch Gardens Tampa. He stated upon arrival to the park, there would be temperature screening to all guests, and all guests as well as employees would be required to wear masks. He further stated six-foot distancing would be in place, with markings on the ground and signage in place. He briefly discussed personal protective equipment as well as training for employees, emphasizing new protocols and regulations.

Mr. Icenhour addressed Mr. Stevens and inquired about a follow-up discussion regarding the proposal in terms of the number of people that could be accommodated in the parks based on the guidance.

Mr. Stevens addressed Mr. Lembke and inquired if he could speak regarding the common space that is the public walkway as well as a reasonable safe guest capacity for the park.

Mr. Lembke replied square footage within the park and common areas consisting of pathways or walkways were reviewed. He explained that figure was then divided by 36 square feet, which is essentially the six-foot distancing desired, noting this was only outdoor common space. He further explained an attendance figure was arrived at which would allow safe distance between patrons as well as revenue to operate the park.

Mr. Hipple inquired about the proposed number.

Mr. Lembke replied a rough estimate of the attendance minimum would be 5,000-7,000 guests.

Mr. Hipple stated he understood the 1,000 patron figure for smaller locations; however, this park is spread out. He commented he would like to speak with the General Assembly and the Governor in an effort to see if there was anything that could be done, due to the uniqueness of the park, noting the governing officers may provide some advice or suggestions.

Mr. Lembke cited operating parks in Pennsylvania, Virginia, Florida, Texas, and California, and remarked Virginia is the only state out of that grouping that has not given specific guidance relative to the industry.

Mr. McGlennon inquired about experiences in the states referenced.

Mr. Lembke briefly discussed the reopening of Busch Gardens Tampa.

Mr. McGlennon asked about the levels of patronage allowed in the various parks.

Mr. Lembke replied he could not get too specific, but Texas opened at 25% capacity; whereas the Florida parks are closer to 30-50%. He commented those parks had a cap which was more than 1,000 and more than 5,000 in most cases, but they are under a restriction and monitor that through a reservation system.

Senator Norment stated he and Senator Mason had been working on this situation and were pushing for a minimum of 5,000 capacity.

Mr. Icenhour expressed his appreciation.

Senator Mason addressed Mr. Lembke and asked for clarification that Virginia was the only state which had not supplied specific guidance to parks.

Mr. Lembke replied that was correct. He stated that in Florida the park specifically presented its plan at the request of its Governor. He further stated Texas and California were specifically called out.

Senator Mason asked Mr. Lembke if he could provide the specific guidance given to his park operations in other states, in an effort for Senator Norment, Delegates Batten and Mullin, and himself to go back and have examples of what has been provided to other parks.

Mr. Lembke replied absolutely.

Mr. Icenhour opened the discussion to Delegates Batten and Mullin asking if there was anything either would like to add.

Delegate Batten addressed Senators Norment and Mason and inquired about a person limit percentage as opposed to using a 5,000 figure capacity. She inquired if the 1,000 capacity was specific to Busch Gardens or did it also include Kings Dominion, and asked Mr. Lembke what was the park's full guest capacity.

Mr. Lembke replied the park capacity was 20,000-24,000.

General discussion ensued regarding amusement park capacities, tourism, and the financial importance of the Historic Triangle economy to have Busch Gardens reopen with substantial attendance.

Ms. Sadler inquired to both Senators if they had an idea of when a solution to this problem could be expected.

Delegate Mullin expressed his appreciation to all of the elected officials, as well as to Mr. Lembke and his team, for the jobs that they do. He stressed the business of the Peninsula is tourism, noting it is the backbone of our economy and more uniquely situated than many other parts of the Commonwealth. He discussed social distancing practices and lumping entertainment industries into one section. He mentioned his office was in constant contact with the Governor's Office and Cabinet Secretaries in an effort to see what could be done for this to move forward. He stated he liked the reopening plan Mr. Lembke and his team had put together. He further stated when dealing with unique circumstances like the Peninsula and a unique facility like Busch Gardens, a one-size-fits-all rule is not as helpful.

Ms. Larson expressed her frustration with the current situation in Virginia Beach as she feels an unequality to the opening up of tourism and did not feel that keeping Busch Gardens closed was right. She emphasized anyone who does not feel comfortable going to the park does not have to go. She noted 42% of area tourists come to this destination for Busch Gardens and thanked everyone involved in getting this presentation together.

Mr. Icenhour expressed his thanks to the legislators for the work they had done and felt there was legitimate reasoning behind what was being asked. He mentioned it was three weeks until the next Board of Supervisors meeting; however, if necessary, a special meeting could take place, but felt at this point it would be beneficial to allow a little opportunity to see if results could be obtained from the administration.

Mr. McGlennon stated most people realize the important role Busch Gardens and tourism play in the local economy. He remarked many people are concerned about the impact of the COVID-19 Pandemic in regard to their own health and safety, with a lot of nervousness, concern, and uncertainty because of never having gone through something like this in recent history. He stated that the Commonwealth has started moving toward allowing larger congregations of individuals in smaller settings; therefore, perhaps a way to address this question would be to break out of the entertainment category, to instead be considered by the potential size of the congregation. He mentioned expected protocols for area education institutions as well as workplaces which employ large numbers of individuals. He referenced an earlier comment regarding “anyone who does not feel comfortable going to the park does not have to go.” He stated that was not the real point; the point was the potential to spread beyond, by way of individuals from other areas visiting the theme park as well as other local businesses. He noted if the Commonwealth had not been thinking of how to address such large populations, what criteria to put in place, and what protocols to expect, it certainly should.

Mr. Hipple echoed his sentiments to the comments made by Ms. Larson regarding the Virginia Beach situation, commenting “maybe we should put more sand in Busch Gardens and call it a beach and then we can do whatever we want.” He briefly discussed that it was crazy to hold something hostage when a great plan was being assembled regarding how to remain safe. He mentioned articles in the paper regarding his and Ms. Larson’s intentions on reopening Busch Garden’s and emphasized that was not what either of them were doing. He expressed his gratitude to the legislators who attended this meeting and the efforts of trying to safely reopen Busch Gardens and noted if someone is scared, just stay home as that is the safest place to be. He commented that we are America and are born to be free, and that is the way we should be.

Ms. Larson referenced that Senator Norment mentioned he had been speaking with the Governor’s Office, and Senator Mason had as well, and questioned if either Senator had gotten anywhere regarding the reopening.

Senator Mason responded that he and Senator Norment had each spoken daily to the Governor’s Office and would forward to that office the information regarding guidance from other states as soon as it was received. He stated the Governor’s announcement today regarding July 1, 2020, gives us more urgency to share with them that we need an answer and to nuance this situation. He further stated he and Senator Norment had brought it to the Governor’s attention and to the Cabinet-level officials. He asked Mr. Lembke about a timeline to get the park reopened.

Mr. Lembke replied a minimum of two weeks, but more likely three weeks, depending on the availability of the team.

Senator Norment addressed Delegate Mullin and inquired if he had received any additional information.

Delegate Mullin replied his timeline was similar to Senator Mason's and discussed with whom he had recently been in contact. He commented he received multiple reassurances that this issue was being worked on.

Senator Norment expressed his appreciation to Delegate Mullin, noting he did not intend to put him on the spot.

Ms. Larson emphasized the importance of wearing masks in public in an effort to keep the spreading of the Coronavirus to a minimum.

Mr. Icenhour expressed his gratitude to the legislative representatives for their attendance at the meeting via telephone and in the audience. He reminded Mr. Lembke to forward the information requested to the legislative team as well as the Board of Supervisors.

2. Consent Item: Grant Award - James City County Child Health Initiative - \$270,000

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

3. Consent Item: Supplemental Funding Request - Children's Services Act - \$281,885

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

4. Consent Item: Revisions to Chapter 5 of the James City County Personnel Policies and Procedures Manual

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

5. Workforce Housing Task Force - Findings and Recommendations

Mr. Paul Holt, Director of Community Development and Planning, gave an overview of the memorandum included in the Agenda Packet from he and Ms. Rebecca Vinroot, Director of Social Services. In conclusion, he noted they were each available for any questions.

Ms. Larson stated she was interested in moving ahead with the effort and hoped her colleagues would join her.

Mr. McGlennon inquired if there was a particular target in mind.

Mr. Holt replied no; however, we regularly work with two local nonprofit partners that do business within the County.

Mr. McGlennon inquired if the grant program would focus on rehabilitation of existing housing and construction of new housing.

Mr. Holt replied it could be new housing.

General discussion ensued regarding availability of affordable housing.

Ms. Larson inquired about the Area Median Income (AMI).

Mr. Holt stated this figure is gotten from Housing and Urban Development (HUD) for our geographic area, not specific to James City County. He explained those numbers are published periodically and based on that information we work with Financial and Management Services (FMS) to calculate those affordability price points for purchase. He remarked that based on the state and federal programming levels, the price points are typically targeted at those making 80% of AMI, 60% of AMI, down to 30% of AMI. He explained that HUD updated its AMI for our statistical area on May 22, 2020, and with a current AMI of \$82,500 the 80% workforce housing price point would be targeted to a household with an annual income of approximately \$66,000, and 60% of AMI would translate to just under \$50,000.

Mr. Icenhour commented that most likely a large portion of area school teachers and first responders would fall into this category; therefore, it is one of the few ways of making it possible for those who work here to live here.

Mr. Hipple briefly discussed the benefit of using the term “starter homes” in advertisements; as “workforce housing” sometimes receives a stereotype after prolonged usage.

Ms. Larson expressed her desire for area caregivers, who provide invaluable service to the aging population in the County, to be able to afford to live in the community in which they work.

Ms. Vinroot briefly discussed the housing program and existing local residents obtaining an opportunity to receive the voucher. She referenced ongoing discussions regarding how to support residents who do not have a current place to reside. She mentioned the local women’s shelter, run through the community faith mission, and safety concerns with the current pandemic.

Mr. Icenhour emphasized coming before the Board if there was a structural change needed to be made regarding the upcoming fall season.

Ms. Vinroot agreed and commented conversations were currently taking place regarding the upcoming fall season in order to have a plan in place.

Mr. Hipple referenced the current pandemic and inquired about a possible opportunity to rent out hotel/motel rooms for winter months.

General discussion ensued regarding working within the time limits of existing partnerships, as well as safe, warm housing shelter for the upcoming winter season and plans other communities have in place.

Ms. Larson expressed her appreciation to the volunteers and efforts that go into providing relief to those in need. She referenced the area hot weather and asked about the homeless.

Ms. Vinroot replied joint efforts to ensure individuals are in a safe residence are made between area partners, the City of Williamsburg, and the County. She briefly discussed cooling programs and assistance as well as funding.

Mr. Icenhour summarized there was Board agreement to continue with the approach being looked at in regard to the affordable housing issue.

6. Resolution in Support of the Redesignation of the Local Workforce Development Areas 14 and 16 into a New Single Local Workforce Development Area

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

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

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

Ms. Vinroot stated there are presently two local Workforce Boards, one being the Peninsula and the other being Hampton Roads. She explained the resolution is asking to combine the two Boards together. She noted the opportunities and being certain our voices are heard.

Mr. McGlennon referenced material he circulated last fall to his fellow Board members regarding this proposal to merge the two workforces. He noted feedback concerns about getting lost in the shuffle. He stated the issue was raised directly with individuals who are heading the two organizations and was assured they understood the importance of this area and would make certain we were treated fairly. He briefly discussed that this proposal is part of a movement of two Workforce Boards toward a more entrepreneurial type of approach, where they have been working to identify models around the country.

General discussion ensued regarding Thomas Nelson Community College plans moving forward regarding workforce development training services.

7. CARES Act/FEMA Funding

Ms. Sharon Day, Director of FMS, provided an overview of the various COVID-19 funding sources awarded to date as well as the expected uses of those funds. She noted seven COVID-19 funding sources totaling approximately \$7.2 million and explained each of the funding sources has its own eligibility requirements and different time period restrictions for using those dollars. She commented the majority of the \$7.2 million is the most recent funding received, referred to as the CARES Act (Coronavirus Aid, Relief, and Economic Security Act), was approximately \$6.7 million and received in one lump sum on June 1, 2020. She further explained out of that funding source approximately \$1.7 million has gone to the school division, dispersed on June 15, 2020, which it is utilizing for electronic funding to continue in its virtual learning environment status. She referenced the economic stimulus grants recently approved in the amount of approximately \$500,000 and noted the check has been written with the money going to the Greater Williamsburg Partnership. She remarked the remainder of the funding spent thus far has been to County expenditures amounting to approximately half a million dollars, surmising the majority of spending on masks, disinfectants, cleaning supplies, temperature scanners, as well as technology to continue to work remotely and expand services to the public. She referenced \$6.7 million received on June 1, 2020, stating that approximately half of the funds have been committed and briefly discussed other requests for that funding. She remarked at this point we are not able to use any of that funding for any revenue shortfalls, which continues to be the biggest challenge, noting this funding source expires on December 30, 2020. She highlighted additional funding sources acknowledging receipt of approximately \$85,000 being utilized to help the revenue shortfall for the Medic Recovery Program awarded from the Department of Health and Human Services: a \$47,000 grant in Social Services; a \$34,000 grant in the Police Department to be used in any County department for items such as masks and gloves; a \$40,000 grant in the Housing Department, in addition to another grant in the amount of \$348,000; and a not-yet-determined dollar amount from the Federal Emergency Management Agency since the COVID-19 Pandemic is an on-going scenario. She stated FMS is recommending continuation of monitoring all expenditures; keeping in mind grants with the most restrictions as well as the shortest time periods; and utilizing grant funding opportunities first before moving to other funding sources. She mentioned recent notification by the School Division that it directly received approximately \$1.2 million in CARES Act

funding, which will be utilized for virtual learning opportunities. She discussed a certification form, which was created in conjunction with the County Attorney's Office, for anyone to whom payment is remitted.

Mr. Stevens stated he and Ms. Day were communicating with counterparts and other communities regarding CARES Act funding. He discussed conversations with the School Division in regard to small-scale projects, such as reaching out to Cox Communications (Cox) regarding coaxial cable for aiding distance learning students who are at home and do not have access to the internet. He emphasized he did not want to set an expectation that everyone would be served; however, we will do what we can. He further discussed some ideas regarding the funding and commented that within the County facilities we cannot build a better COVID-prepared building in seven months; however, we can move some doorways, add windows, and build better public reception counterspace. He noted it really comes back to Ms. Day and himself to defend that the use of the money meets the requirements. In conclusion he stated we are trying to do what other communities are doing so that together we all have some cooperative defense for future audits.

Mr. Hipple discussed the challenges of not having internet available in homes with school-aged children. He inquired if there was a way to enter into a contract with Cox in order to obtain internet across the County.

Mr. Stevens replied the short answer to that possibility would be we can do something, but we do not currently have anything from Cox to know that number. He noted conversations had taken place to start that dialogue and according to maps the County was fairly well covered. He recognized some areas within the County were without that accessibility and felt some of those areas could absolutely get done before the end of December 2020. He discussed it was his understanding the CARES Act funds needed to be spent, built, and delivered by the end of December 2020. He emphasized something could not be ordered in December that would arrive in the summer using CARES Act monies, it has to be done for the period between early March and December 30, 2020.

Ms. Day confirmed between March 1, 2020 and December 30, 2020, noting that falls into the prepayment category which is specifically excluded.

Discussion ensued regarding the regulation qualification interpretations and technology accessibility in the outer parts of the County.

Mr. Stevens noted past conversations with the School Superintendent in terms of using CARES Act funds and that she was very supportive if we could figure out how to use some of this funding to get internet service and broadband to homes that are not served.

Mr. McGlennon stated it was something to consider both in terms of using CARES Act monies to get started on this and then perhaps thinking about it as a regular part of the Capital Improvements Program over time. He noted at one point there was discussion about the \$6.7 million figure as half of the money that would be allocated and inquired if that was still the expectation.

Ms. Day replied that was the full allocation received in one lump sum payment.

Mr. McGlennon clarified there was no significant additional federal money expected at this point, unless the next effort to address the economic recovery includes something.

Ms. Day replied that was her understanding and noted the state was withholding half of the total allocation.

Discussion ensued regarding the CARES Act funding.

Ms. Larson expressed her appreciation for each of the grants mentioned as well as their departmental breakdowns. She inquired about the Virginia Department of Housing and Community Development 348104 and the figures cited.

Mr. Hipple referenced the Economic Stimulus Grant and discussed a recent phone conversation from an appreciative local business owner. He revisited the subject of Cox and discussed possible advantages of putting drops in various locations to be buried at a later date, in an effort to allow usage of many more connections at a faster rate.

Mr. Stevens noted efforts would be made to work with Cox as much as possible and then return to the Board to discuss future projects.

D. BOARD REQUESTS AND DIRECTIVES

Ms. Larson stated she and three others recently had the first in-person meeting scheduled at the jail and commented that Zoom, the videoconferencing application, did not work and the meeting was cancelled. She reminded her colleagues the Tourism Council will meet in July and open finance meetings are held monthly if anyone would like to join. She commented the Virginia Association of Counties would be meeting this year in Norfolk and hoped her fellow Board members had registered to attend.

No other Board members had anything further to add.

E. CLOSED SESSION

None

F. ADJOURNMENT

1. Adjourn until 5 p.m. on July 14, 2020, for the Regular Meeting

A motion to Adjourn 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

At approximately 6:52 p.m., Mr. Icenhour adjourned the Board of Supervisors.