

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
August 8, 2017
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

Ruth M. Larson, Vice Chairman, Berkeley District
Michael J. Hipple, Powhatan District
P. Sue Sadler, Stonehouse District
John J. McGlennon, Roberts District
Kevin D. Onizuk, Chairman, Jamestown District

Bryan J. Hill, County Administrator
Adam R. Kinsman, County Attorney

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader – Luke Sipes, rising 5th-grade student at Matthew Whaley Elementary School and a resident of the Jamestown District.

E. PUBLIC COMMENT

1. Mr. Roberto Guerrero, 140 Stanley Drive, addressed the Board in regard to group homes in residential neighborhoods.
2. Ms. Mary Schilling, 500 Frances Thacker, addressed the Board in regard to redistricting.
3. Ms. Linda Rice, 2394 Forge Road, addressed the Board in regard to redistricting.
4. Mr. Ken Friesen, 223 Ivy Hill Road, addressed the Board in regard to tree trimmers and how much damage they are allowed to do.
5. Ms. Morgan Goad, 118 Ferncliff Drive, addressed the Board in regard to group homes in residential neighborhoods.

6. Mr. Les Solomon, 113 Wetherburn Lane, addressed the Board in regard to redistricting.
7. Ms. Virginia Wertman, 112 Southern Hills, addressed the Board in regard to redistricting.
8. Mr. Chris Henderson, 101 Keystone, addressed the Board in regard to redistricting.
9. Ms. Nicole Trifone, 3463 Westham Lane, addressed the Board in regard to redistricting.
10. Mr. Stephen Hodges, 1906 Ben Franklin Circle, addressed the Board in regard to redistricting.

F. PRESENTATIONS

1. 2017 Historical Commission Annual Update to the Board of Supervisors and Historical Preservation Awards

Mr. Frank Abbott, Chairman of the Historical Commission, addressed the Board with an annual update on the Historical Commission and presented the 2017 Historical Preservation Awards to Ms. Edith Harris Bernard, Ms. Caren Schumacher and Ms. Merry A. Outlaw, who have each made significant contributions to the preservation of historic resources in James City County.

2. General Services Update

Ms. Grace Boone, Director of General Services, presented a six-month update on General Services and introduced a new video that highlights what General Services does.

G. CONSENT CALENDAR

Ms. Larson requested that Item Nos. 8 and 9 be pulled for discussion.

1. Grant Award - Chesapeake Bay Restoration Fund Grant - \$4,600

A motion to Approve was made by Sue Sadler, the motion result was Passed.

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

2. Grant Award – Community Development – Rural Homeowner Rehabilitation Program – \$350,000

A motion to Approve was made by Sue Sadler, the motion result was Passed.

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

3. Housing Choice Voucher Revised Administrative Plan

A motion to Approve was made by Sue Sadler, the motion result was Passed.

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

4. Hampton Roads Sanitation District - James City County Nutrient Trading Agreement

A motion to Approve was made by Sue Sadler, the motion result was Passed.

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

5. Policy for Remote Participation in Meetings

A motion to Approve was made by Sue Sadler, the motion result was Passed.

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

6. Grant Award- Virginia E-911 Services Board PSAP \$2,000

A motion to Approve was made by Sue Sadler, the motion result was Passed.

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

7. Contract Award – Replacement Ambulance – \$253,886

A motion to Approve was made by Sue Sadler, the motion result was Passed.

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

8. Fiscal Policies

A motion to Approve was made by Ruth Larson, the motion result was Passed.

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

Ms. Suzanne Mellen, Director of Financial and Management Services, addressed the Board, giving an overview of the memorandum included in the Agenda Packet.

A general discussion ensued regarding regular updates to the public and the Board.

Mr. Onizuk acknowledged the importance of updating the County's fiscal policies and expressed the Board's support of continued fiscal transparency.

9. Departmental Reorganization

A motion to Approve was made by Ruth Larson, the motion result was Passed.

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

Ms. Larson commented on eliminating the Communications Department and

reassigning staff to different departments. She inquired how County Administration will be analyzing the results of this change to make sure it is effective and whether the Board will receive updates.

Mr. Jason Purse, Deputy County Administrator, responded that there will be many updates to the Board. He then went on to recognize the importance of the Communications Department and the outstanding leadership of Ms. Jody Puckett, Communications Administrator. He described how the functions of the Communications Department will be decentralized and absorbed within other departments. Ms. Larson observed that James City County does an outstanding job at public information and asserted that it is important for the County to continue on a path of excellence in keeping its citizens informed.

Mr. McGlennon echoed Ms. Larson's comments and noted that the County has a high standard to keep and it is important to assign a high priority on this.

H. PUBLIC HEARING(S)

1. SUP-0028-2016. Solar Electrical Generation Facility at Norge

A motion to Postpone was made by Michael Hipple, the motion result was Passed.

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

Ayes: Hipple, McGlennon, Sadler, Onizuk

Absent: Larson

Mr. Paul Holt, Director of Planning, addressed the Board, stating that the applicant in this case has requested another deferral of the application for two months. Staff concurs with the request and recommends the Board keep open the Public Hearing and postpone consideration of the application until the October 10, 2017 Board meeting.

Mr. McGlennon inquired if a public meeting is scheduled at any point.

Mr. Holt was not aware of any upcoming public meetings, but reported there was one a while back and the applicant is working on solutions to inquiries from this meeting.

2. HW-0003-2017. Busch Gardens Madrid

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

Ms. Roberta Sulouff, Planner, addressed the Board, giving an overview of the staff report included in the Agenda Packet. As there were no questions for staff, Mr. Onizuk opened the Public Hearing.

1. Mr. David Cromwell, Park President of Busch Gardens and Water Country USA, addressed the Board, reviewing the park's history, endeavors to engage local citizens as well as tourists with corresponding benefits to area lodging, restaurants and other attractions, and the local sourcing of jobs.

As there were no questions for the applicant and no other registered speakers, Mr. Onizuk closed the Public Hearing.

Mr. McGlennon commented that at a recent meeting in the Kingsmill subdivision there seemed to be no opposition from residents to the height waiver.

Mr. Onizuk recognized Busch Gardens is a fantastic asset to the County and a great partner in working with the community, supporting the community and keeping the park beautiful and attractive to visitors with new rides and attractions.

Ms. Larson thanked Busch Gardens for its willingness and flexibility in talking with her about this project and the work that was done with the balloon test and photography.

3. ZO-0001-2016. Zoning Ordinance Revisions to Allow Places of Public Assembly Including those Used Primarily as an Event Facility in A-1, General Agricultural, and R-8, Rural Residential Districts

A motion to Approve was made by Kevin Onizuk, the motion result was Passed.

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

Ms. Ellen Cook, Principal Planner, addressed the Board with an overview of the memorandum and supporting materials included in the Agenda Packet.

As there were no questions for staff, Mr. Onizuk opened the Public Hearing.

1. Mr. James Satterwhite, 5107 Riverview Road, addressed the Board with concerns regarding noise generated by open air events and the frequency these events would be allowed with the proposed Zoning Ordinance changes.
2. Ms. Jessica Aiken, 8409 Attleborough Way, addressed the Board in support of the Zoning Ordinance revisions.
3. Mr. Chris Henderson, 101 Keystone, addressed the Board with concerns regarding the effects of event facilities on adjacent property owners.
4. Ms. Linda Rice, 2394 Forge Road, addressed the Board in opposition to the Zoning Ordinance revisions. She reported that she represents the community group, Friends of Forge Road and Toano, which has concerns regarding the traffic and noise issues that would occur with event facilities on rural collector roads.
5. Mr. Jim Murtha, 164 Old Field Road, addressed the Board with concerns that this action would be one more thing impacting the Upper County that does not add to it, but detracts from it.

As there were no other registered speakers, Mr. Onizuk closed the Public Hearing.

Ms. Robin Bledsoe, Chair of the Policy Committee and member of the Planning Commission, addressed the Board with a report on the Planning Commission's vote to recommend approval of the Zoning Ordinance revisions.

A general discussion ensued regarding the possible outcomes of approving the Ordinance revisions.

4. An Ordinance Rescinding Ordinance No. 179 and to Generally Reauthorize Incentive Awards

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

Mr. Kinsman addressed the Board, recommending adoption of the proposed Ordinance.

As there were no questions for staff, Mr. Onizuk opened the Public Hearing.

As no one was registered to speak to the case, Mr. Onizuk closed the Public Hearing.

I. BOARD CONSIDERATION(S)

1. James City County Personnel Policy & Procedures Manual Update: Compensation Plan

A motion to Approve was made by Kevin Onizuk, the motion result was Passed.

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

Mr. Patrick Teague, Director of Human Resources, addressed the Board with an overview of the memorandum included in the Agenda Packet.

Ms. Larson asked if there is a length of time that the new employee will need to stay before the County pays on the referral.

Mr. Teague replied that this is not outlined in the policy because having this as an administrative regulation allows the length of time to be dependent upon the introductory period of the position, which can vary from six months to a year or longer.

Ms. Larson followed up by inquiring if Mr. Teague was aware of other localities that have this type of program and how successful it has been in terms of retention and recruitment.

Mr. Teague indicated it is a fairly common practice at most state levels and specifically pointed out Chesapeake and Hampton.

Mr. Onizuk remarked that these are excellent changes and went on to say that in his personal business he has noted differentials to be a common practice and feels this will give the County an opportunity to be more competitive in the employment market.

2. Redistricting Resolution

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

AYES: 2 NAYS: 3 ABSTAIN: 0 ABSENT: 0

Ayes: Larson, McGlennon

Nays: Hipple, Sadler, Onizuk

Mr. McGlennon reported that he asked for a resolution in support of non-partisan redistricting in Virginia and James City County as he has been approached by a number of citizens who feel increasingly that the political process does not adequately reflect the preferences of the electorate, that there are too many instances in which the political system can be manipulated to serve the purposes of partisan groups and ignore the general need for the public to feel that democracy provides for the connection between votes and outcomes in policy debates.

A general discussion ensued regarding how other localities handle redistricting and what the Board's role would be if this Resolution is adopted.

Ms. Larson commented that she is in support of the Resolution. She reported that she has been a follower of One Virginia 2021 for a long time and described her participation in a year-long leadership group consisting of Republicans, Democrats and Independents, where redistricting was one of the main topics of conversation and one area in which they all agreed.

Mr. Hipple expressed his concern over putting staff in the middle of a situation where if something goes wrong it will be perceived as the staff's fault and indicated his wish to protect staff from this potential outcome. A general discussion followed in regards to staff's role, how the process was changed in 2011 and the results of this change.

Mr. Onizuk inquired how to determine whether redistricting is created in a non-partisan way.

Mr. McGlennon pointed out the degree to which districts change is a good indicator, explaining that in 2011 the districts changed radically.

Mr. Onizuk commented that he likes the general concept of fair districts; however, he is not thrilled about a Resolution telling future Boards how to do redistricting.

At 8:19 p.m. Mr. Onizuk recessed the Board of Supervisors in order to conduct the James City Service Authority Board of Directors meeting.

At 8:32 p.m. Mr. Onizuk reconvened the Board of Supervisors.

J. BOARD REQUESTS AND DIRECTIVES

The Board members generally discussed their activities in the community over the last few weeks.

Mr. McGlennon thanked the Fire Department, Police and all those who helped with getting the mulch fire under control at Yard Works.

Mr. McGlennon offered his and the Board's condolences to Mr. John Wright, Planning Commission, and Mr. Shawn Gordon, General Services, on recent

deaths in their families.

Ms. Larson announced that the Board is following up on the group homes issue that several citizens commented on and this subject will be included on an upcoming work session agenda.

Mr. McGlennon commented on recent publicity naming James City County as one of the areas in the state with the most toxic air quality.

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

Mr. Hill thanked the Board for its support of Jamestown Jams. He reported that there was about 2,100 in attendance with a wide range of ages and announced the next Jamestown Jams will be Sept. 1 and will feature music from the '90s.

Mr. Hill announced that Stormwater Neighborhood Drainage program applications are due Sept. 1.

Mr. Hill concluded by thanking the staff of James City County for being the best.

L. CLOSED SESSION

A motion to Enter a Closed Session was made by Michael Hipple, the motion result was Passed.

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

At 8:37 p.m., the Board entered Closed Session.

At 9:18 p.m., the re-entered Open Session.

1. Certification

A motion to Certify the Closed Session was made by John McGlennon, the motion result was Passed.

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

2. Consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position of the public body pursuant to Section 2.2-3711 (A)(5) of the Code of Virginia

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

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

3. Consideration of a personnel matter, the appointment of individuals to the Economic Development Authority, pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia

The Board indicated that they would be postponing this appointment until the September meeting.

4. Consideration of a personnel matter, the performance review of the County Administrator, pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia

No action necessary.

M. ADJOURNMENT

1. Adjourn until 5 p.m. on September 12, 2017 for the Regular Meeting

A motion to Adjourn was made by Sue Sadler, the motion result was Passed.

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

Ayes: Larson, Hipple, McGlennon, Sadler, Onizuk

At 9:18 p.m., Mr. Onizuk adjourned the Board.