

Regional Government Records Corpus Series

Teaching Case No. 2026-001

Public Participation and Representative Judgment in James City County

A Local Governance Case on Capital Projects, Citizen Opposition, and Institutional
Constraint

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Regional Government Records Corpus

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Case Note

This teaching case is based on public records from James City County, Virginia. Names of private residents and selected identifying details have been modified for instructional purposes. Names of elected officials, public institutions, and governmental entities are retained where necessary to preserve the governance and decision-making context.

This case was developed from the Regional Government Records Corpus, an independently assembled longitudinal archive of local-government records, transcripts, agenda materials, public-hearing records, and related governance documents.

The case is written for instructional and analytical purposes. It is intended to support discussion of representative governance, procedural legitimacy, public participation, financing structures, administrative sequencing, and institutional decision making. It is not written as an advocacy memorandum and does not offer a definitive policy conclusion.

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Relationship to Parent Corpus

This case study is derived from the Regional Government Records Corpus parent archive.

Parent corpus DOI: [10.5281/zenodo.20088874](https://doi.org/10.5281/zenodo.20088874)

The parent corpus contains the underlying public-record structure, provenance framework, transcript architecture, canonical naming system, retrieval manifests, and supporting governance records from which this instructional case was developed.

AI-Assisted Research and Assembly Note

The underlying corpus and associated instructional materials were assembled through a hybrid workflow combining conventional archival methods, scripted retrieval systems, and AI-assisted research tooling.

Anthropic Claude workflows were used extensively during corpus construction, categorization, metadata normalization, organizational structuring, and analytical synthesis.

OpenAI systems, including Whisper and ChatGPT, were used selectively for transcription support, transcript

processing, comparative analysis, drafting assistance, and instructional-material development.

Google Gemini and related systems were used selectively for external-source discovery, comparative policy sourcing, literature identification, and methodological review.

AI-generated outputs were treated as provisional analytical aids rather than authoritative records. Underlying public documents, official minutes, meeting recordings, and source materials remained the controlling verification layer.

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The Vote Before the Vote

Barbara Null had been on the James City County Board of Supervisors for less than two years when the Government Center vote reached its most visible point.

It was October 14, 2023. The November election was three weeks away. Residents had filled the public comment period with objections to the County's proposed Consolidated Government Center. Several cited an online petition approaching 1,000 signatures. Some asked the Board to delay action until after the election. Others asked why voters could not be consulted directly before the County committed more money to the project. One resident read petition language into the record.

The Board was not being asked that night to approve the Government Center from scratch. The project had already moved through design agreements, financing approvals, staff updates, public meetings, land-use steps, and earlier Board votes. But the two items before the Board mattered. The first was an ordinance vacating part of the Ashbury Lane right-of-way. The second was a \$16.5 million Early Site Work Package authorizing physical preparation of the project site.

To residents opposing the project, the site-work vote looked like a point of no return. Once the land was cleared and the work began, the project would be much harder to stop, regardless of what happened in the election three weeks later.

To the Board majority, the vote looked different. The Government Center had been discussed for years. The County had followed required procedures. Supervisors had been elected to make long-term decisions, including decisions that might not be popular with the residents who appeared at a particular meeting.

Null sat between those arguments.

Her record was not simple. She had voted for most of the Government Center steps that had come before her. But she had also begun dissenting at the project's most public and physically consequential moments. On October 14, she had to decide whether to dissent again.

A Project Already in Motion

The Consolidated Government Center proposal formally entered the Board's decision sequence on November 14, 2023. The Board voted 4-1 to accept the proposal and direct the County Administrator to negotiate an interim agreement with the Henderson-Gilbane team. John McGlennon, a long-serving supervisor and professor of government at William & Mary, cast the lone no vote. Null was not yet on the Board. Sue Sadler still held the seat Null would later occupy.

That vote did not build the Government Center. It began a sequence.

Over the next two years, the project moved through interim agreements, design work, financing approvals, change orders, land-use approvals, a plat vacation, site-work authorization, and construction-management contracts. No single vote built the project. Each step was narrower than the whole. Each also made the next step easier to describe as implementation rather than reconsideration.

Null joined the Board in January 2024. Her first Government Center vote came almost immediately. On January 23, 2024, she voted with the rest of the Board to approve an interim agreement for the project's 30 percent design phase. The vote was 5-0.

She continued to support several later steps. In October 2024, she voted for the Plan of Finance. In December 2024, she voted for the Second Interim Agreement. In March 2025, she voted for a change order adding library schematic design. In June and September 2025, she voted for additional change orders.

Then came the break.

On June 10, 2025, the Board considered the special-use permit for the Government Center. The agenda was adjusted because of the volume of public speakers for the item. The Board approved the permit 4-1. Null cast the lone no vote.

Her next Government Center no votes would come on October 14.

Null's Pattern

Null's Government Center record could be read two ways.

One reading was inconsistency. She had voted yes on design, financing, and project-change items, then voted no when public opposition intensified. A critic could ask why a supervisor would support a project through multiple stages and then resist it later.

Another reading was selective dissent. The votes were not all the same. A design agreement was not the same as a land-use approval. A change order was not the same as a site-work package. A supervisor could believe that earlier steps preserved options while later votes made the project harder to reverse.

During her tenure, Null had eleven Government Center-related votes. She voted yes eight times and no three times. Her three no votes were clustered in a four-month period, from June 10 through October 14, 2025. Those no votes fell on the special-use permit, the plat vacation, and the Early Site Work Package.

That pattern made Null a useful protagonist for a public leadership case. She was not an outsider protesting from the audience. She was not a consistent project opponent. She was an elected official who had helped move parts of the project forward, then reached a point where she questioned whether the public should have another chance to weigh in.

Financing and the Referendum Question

One source of public concern was the project's financing structure.

On October 8, 2024, the Board approved a Plan of Finance authorizing up to \$75.785 million in lease-revenue bonds through the James City County Economic Development Authority. The Government Center was included among the listed Series 2024 Projects. The vote was 5-0. Null voted yes.

The legal structure mattered because it affected the form of public consent.

In Virginia counties, general-obligation bonds generally require voter approval. Lease-revenue financing through an authority does not require the same referendum step. The County's own financing documents

distinguished the two. The October 2024 staff memo described lease financing as a legal alternative in cases where the County could not commit to general-obligation financing. The Preliminary Official Statement explained that general-obligation bonds generally require public referendum approval, while lease payments under the County's capital and operating leases do not constitute general-obligation debt.

The lease-revenue structure was legal. It was also a common tool in local public finance. It allowed the County to proceed without asking voters directly to approve project debt.

That was precisely why some residents objected.

By 2025, residents were asking why a project of this scale was not being put to voters. At one meeting, a resident questioned the use of EDA bonds and said he believed the structure was being used to avoid a referendum. Others requested a budget referendum or direct voter input before major capital spending proceeded.

Null raised the referendum question herself. On February 11, 2025, she asked the County Attorney whether a referendum was possible for the Government Center. He responded that Virginia was not a referendum state. On March 25, she asked again. He gave the same answer.

The answer treated the matter as closed. But the underlying issue was not quite so simple. If Null meant a citizen-initiated referendum, the answer was essentially no. If she meant a Board-initiated advisory question, or a financing path that would require voter approval, the answer was more complicated. The Board had chosen a lawful financing structure that did not require direct voter approval. The political question was whether it should have sought voter input anyway.

Public Meetings and Public Participation

The project also moved through different kinds of public meetings.

James City County held both Business Meetings and Regular Meetings. Business Meetings were public and recorded, but their standard agenda template did not include a Public Comment section or Public Hearings. Regular Meetings included both.

The Government Center appeared repeatedly in Business Meetings. Between January 2024 and October 2025, the project appeared in at least eighteen Business Meeting agenda items, often as a recurring 'Government Center Update.' Several substantive project votes also occurred in Business Meetings or as Board Consideration items without item-specific Public Hearings.

That structure was lawful and public. Residents could attend, watch, and later review recordings and records. But the structure also shaped participation. At Business Meetings, residents could observe the Board and staff discussing the project, but the agenda did not provide a Public Comment period. Public Hearings occurred only for certain items. Contract authorizations, change orders, and financing actions did not necessarily trigger item-specific public testimony.

For the Board, that structure helped move technical project work through the normal machinery of local government.

For residents, it could feel as though the public was being invited to speak only after the project had already gathered momentum.

The question was not whether the public had been excluded from every step. It had not. The question was whether the public had a meaningful opportunity to affect the decision before the project became difficult to stop.

The October Pressure Point

By October 14, 2025, the opposition had become organized and visible.

Several residents spoke during public comment. They did not all make the same argument. Some focused on cost. Some focused on election timing. Some focused on public awareness. Some focused on direct voter input. Some focused on the practical irreversibility of site work.

One speaker, here called Linda Warren, urged the Board to postpone the \$16.5 million commitment until after the election. Another, Robert Wells, cited the petition and argued that nearly 1,000 residents had expressed dissatisfaction with the project. Karen Griffin said many residents had only recently learned enough about the issue to engage. Michael Sands read petition language into the record and called for voter input before the County proceeded.

The resident-side argument had force. The Board did not have to cancel the project that night. It could wait. A delay until after the election would not answer every question, but it would avoid locking in a major visible step before voters had their say.

The Board-side argument also had force. The project had been public for years. It had gone through multiple meetings and votes. A petition, even one approaching 1,000 signatures, did not necessarily represent the whole county. Supervisors were not elected merely to count whoever appeared at the latest meeting.

That was the tension as the Board moved toward deliberation.

“Yes or No?”

Null spoke in an uncertain register. She acknowledged that people had come out, that there was a petition, and that she did not know what the Board could do. Could residents be given one more chance? Could the Board put the matter out there as a 'yes or no' question?

It was not a formal referendum motion. It was closer to a public expression of the dilemma. Null seemed to be asking whether the Board had any way to restore public consent before the site-work vote moved the project forward.

Hipple moved approval.

Icenhour asked to speak before the vote. He described his own constituent outreach outside the meeting. Beginning in June, he said, he had knocked on more than 2,300 doors and had more than 1,000 conversations. Of those, he said, exactly one person had expressed opposition to the Government Center. His point was not that no one opposed the project. His point was that the residents in the Board room were not the only public he had heard from.

McGlennon then made the broader case for representative judgment. He acknowledged that he had once been skeptical of the project. But he argued that elected officials sometimes had to make decisions whose

long-term value might not be reflected in immediate public opinion. The decision, he said, could not be decided by public opinion alone.

That was the Board majority's position in its strongest form. Public comment mattered, but it was not a veto. A petition mattered, but it did not automatically outweigh years of planning, staffwork, prior votes, and elected judgment.

The residents' position was equally clear. If public input mattered, this was the moment to show it. The site-work vote was not another study or update. It was a major contract three weeks before an election.

Null had to choose.

The Decision

The votes were divided, but not close.

The Board approved the plat vacation 4-1. Hipple, Icenhour, Larson, and McGlennon voted yes. Null voted no.

The Board then approved the \$16.5 million Early Site Work Package 4-1. Again, Hipple, Icenhour, Larson, and McGlennon voted yes. Again, Null voted no.

The petition had entered the record. The request for voter input had entered the record. Null's dissent had entered the record. So had the Board's judgment that the project should proceed.

By the end of the meeting, the Board had followed the required process. Residents had spoken. The petition had been cited. The request for voter input had been made. Null's dissent was recorded. So was the Board's decision.

For Null, the vote settled the immediate question. It did not settle the harder one.

Had the public participated in the decision, or only in the record of the decision?

Exhibits

Exhibit 1: Government Center Board Vote Chronology

The Consolidated Government Center project advanced through twelve Board votes from November 2023 through December 2025. Eight passed 5-0. Four passed 4-1. McGlennon cast the original lone NAY in November 2023. Null cast three later NAY votes in 2025.

#	Date	Item	Vote	Dissent	Meeting / item type
1	Nov. 14, 2023	Consolidated Government Center Proposal, PPEA acceptance	4-1	McGlennon	Regular, Public Hearing
2	Jan. 23, 2024	4th Interim Agreement, 30 percent design	5-0	None	Business, Board Consideration
3	Oct. 8, 2024	EDA Plan of Finance, up to \$75.785M, includes Government Center	5-0	None	Regular, Board Consideration
4	Dec. 10, 2024	Second Interim Agreement, 100 percent design	5-0	None	Regular, Public Hearing
5	Mar. 25, 2025	Change Order, library schematic design	5-0	None	Business, Board Consideration
6	June 10, 2025	Government Center SUP / height-width application	4-1	Null	Regular, Public Hearing
7	June 24, 2025	Change Order, off-site roadway improvements	5-0	None	Business, Board Consideration
8	Sept. 23, 2025	Change Order, library to 100 percent design	5-0	None	Business, Board Consideration
9	Oct. 14, 2025	Plat vacation, Ashbury Lane right-of-way	4-1	Null	Regular, Public Hearing
10	Oct. 14, 2025	Early Site Work Package, \$16.5M	4-1	Null	Regular, Board Consideration
11	Dec. 9, 2025	First Phase Comprehensive Agreement, \$46M cap	5-0	None	Regular, Board Consideration
12	Dec. 9, 2025	Construction Management Services contract	5-0	None	Regular, Board Consideration

Discussion prompt: Where in this sequence was the real decision point?

Exhibit 2: Barbara Null's Government Center Vote Profile

Null cast eleven Government Center-related votes during her tenure in the case period: eight AYE and three NAY. Her NAY votes were clustered from June 10 through October 14, 2025.

#	Date	Item	Null vote	Why it matters
1	Jan. 23, 2024	4th Interim Agreement, 30 percent design	AYE	First Government Center vote of Null's tenure
2	Oct. 8, 2024	EDA Plan of Finance	AYE	Financing structure approved
3	Dec. 10, 2024	Second Interim Agreement, 100 percent design	AYE	Project moves deeper into design
4	Mar. 25, 2025	Change Order, library schematic design	AYE	Library added to project scope

#	Date	Item	Null vote	Why it matters
5	June 10, 2025	Government Center SUP	NAY	First Null NAY; public opposition visible
6	June 24, 2025	Change Order, off-site roadway improvements	AYE	Infrastructure-related project work advances
7	Sept. 23, 2025	Change Order, library to 100 percent design	AYE	Design work advances
8	Oct. 14, 2025	Plat vacation, Ashbury Lane	NAY	Site prerequisite
9	Oct. 14, 2025	Early Site Work Package, \$16.5M	NAY	Physical site work authorized
10	Dec. 9, 2025	First Phase Comprehensive Agreement	AYE	Post-election construction phase
11	Dec. 9, 2025	Construction Management Services contract	AYE	Project implementation continues

Discussion prompt: Is Null’s pattern inconsistent, selective, or both?

Exhibit 3: Meeting Type Comparison

James City County used two recurring Board meeting formats. Both were public and recorded. Their participation channels differed. Business Meetings did not include Public Comment or Public Hearings. Regular Meetings did. The Government Center appeared in at least eighteen Business Meetings between January 2024 and October 2025.

Feature	Business Meeting	Regular Meeting
Typical start time	1:00 PM	5:00 PM
Public and recorded	Yes	Yes
Public Comment	No	Yes
Public Hearings	No	Yes, when scheduled
Resident role	Observe	Observe and speak during designated sections
Government Center use	Updates, discussions, change orders, some contract actions	Public Comment, Public Hearings, some major votes

Discussion prompt: Is a public meeting without a public-comment opportunity still meaningful participation?

Exhibit 4: Financing Structure and Voter Approval

On October 8, 2024, the Board approved a Plan of Finance authorizing up to \$75.785 million in EDA lease-revenue bonds. The Government Center was included among the Series 2024 Projects. County documents distinguished this structure from general-obligation bonds, which generally require voter approval in Virginia counties.

Feature	EDA lease-revenue structure	General-obligation bond structure
Issuer	Economic Development Authority	County
Repayment	County lease payments, subject to annual appropriation	Full faith and credit of County
Voter approval generally required?	No	Yes, for Virginia counties, with exceptions
Legal character	Lease payments do not constitute GO debt	General-obligation debt
Governance implication	Board can proceed without direct bond referendum	Voters are generally asked to approve debt

Discussion prompt: When a financing structure does not require voter approval, should elected officials seek voter input anyway?

Exhibit 5: October 14, 2025 Public Comment Themes

At the October 14 meeting, residents raised several concerns about the Government Center. Several cited a petition approaching 1,000 signatures. Several asked for delay until after the November election. Others asked for direct voter input.

Speaker alias	Theme	Concern
Charles Hendricks	Deferral	Do not take prerequisite steps before the site-work vote
Linda Warren	Election timing	Delay the \$16.5M commitment until after the election
Robert Wells	Petition	Nearly 1,000 residents had signaled dissatisfaction
David Joseph	Democratic timing	Let voters speak before irreversible action
Karen Griffin	Public awareness	Many residents learned about the project late
Alan Otto	Voter input	A project this large should go to citizens
Michael Sands	Petition record	Read petition language into the public record
Katherine Roth	Political signal	Fast petition growth showed public concern

Discussion prompt: Which resident argument is strongest: cost, timing, consent, awareness, or irreversibility?

Exhibit 6: October 14 Deliberation Frames

Selected Board positions from the October 14 deliberation.

Actor	Frame	Core idea
Barbara Null	Public consent and uncertainty	Residents had come out; petition existed; could the Board give them one more chance or put the question out "yes or no"?
Michael Hipple	Proceed to decision	Motion to approve
Jim Icenhour	Broader constituency	Door-knocking and constituent conversations suggested public comment did not represent all residents
John McGlennon	Representative judgment	Some long-term decisions cannot be decided by public opinion alone

Discussion prompt: When does representative judgment become insulation from public input?

Exhibit 7: Decision Options Facing Barbara Null

October 14, 2025.

Option	Possible rationale	Risk
Vote yes	Prior process had been followed; project had momentum	Appears to dismiss organized opposition
Vote no	Site work was consequential; public asked for delay	Symbolic if majority is secure
Move to defer	Preserves legitimacy until after election	May fail procedurally or politically
Ask for advisory voter input	Gives residents direct voice	Timeline and authority uncertain
Request financing review	Reopens consent question tied to EDA structure	Late-stage disruption
Vote yes with oversight demand	Accepts project but improves transparency	May look like capitulation
Vote no on narrow grounds	Separates timing/site-work concern from total project opposition	Hard to communicate clearly

Discussion prompt: Which option is responsible, not ideal, given the constraints?

Exhibit 8: Board-Side and Resident-Side Arguments

Board-side argument	Resident-side argument
The project had been public for years.	Many residents understood it only late in the sequence.
Required legal procedures were followed.	Legal procedure is not the same as meaningful consent.
Supervisors are elected to exercise judgment.	Petition signatures deserved more than acknowledgment.
Public comment may not represent the whole county.	Election timing made delay appropriate.
Delay could increase cost and uncertainty.	Site work would create practical irreversibility.
Lease-revenue financing is legal and routine.	The chosen path avoided the direct referendum generally associated with GO debt.
Capital projects require continuity.	Large obligations require stronger consent.

Discussion prompt: Which side has the stronger legitimacy claim?

Exhibit 9: Timeline of Project Sequence and Public Opposition

Date	Event	Participation significance
Nov. 14, 2023	Board accepts Government Center proposal, 4-1	Public Hearing held; no speakers; McGlennon dissents
Jan. 23, 2024	4th Interim Agreement approved, 5-0	Business Meeting, no Public Comment
Oct. 8, 2024	EDAPlan of Finance approved, 5-0	Lease-revenue financing path approved
Dec. 10, 2024	Second Interim Agreement approved, 5-0	Public Hearing held; no speakers
Feb. 11, 2025	Null asks about referendum	County Attorneys says Virginia is not a referendum state
Mar. 25, 2025	Null asks again about referendum	Same answer; change order also approved
June 10, 2025	Government Center SUP approved, 4-1	High speaker volume; Null dissents
June 24, 2025	Off-site roadway change order approved, 5-0	Business Meeting, no Public Comment
Sept. 23, 2025	Library design change order approved, 5-0	Business Meeting; CIP funding update
Oct. 14, 2025	Plat vacation and site work approved, both 4-1	Petition cited; delay and voter input requested; Null dissents
Nov. 2025	County election	Occurs after site-work authorization
Dec. 9, 2025	Comprehensive Agreement phase and construction-management contract approved, both 5-0	Null returns to AYE

Discussion prompt: Did October 14 represent a real choice, or had the real choice already been made?

Source Note

This case packet was developed from the project source files: govctr_vote_chronology_2026-05-04.md, null_govctr_vote_profile_2026-05-04.md, eda_financing_govctr_2026-05-04.md, business_meeting_govctr_no_public_comment_2026-05-04.md, public-comment and deliberation extracts for October 14, 2025, and related verification materials.

The student case is written as a teaching case, not as an advocacy memorandum. It ends on the decision dilemma rather than offering a verdict.