

Regional Government Records Corpus Series

Teaching Case No. 2026-002

Representative Judgment After Public Opposition

A James City County Companion Case on Capital Projects, Institutional Continuity, and
Changing One's Mind

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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 may be taught independently or paired with the companion case, Public Participation and Representative Judgment in James City County, which examines the same Government Center decision sequence from Supervisor Barbara Null's position.

The 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 governance documents.

The case is written for instructional and analytical purposes. It is intended to support discussion of representative governance, institutional continuity, procedural legitimacy, public participation, financing structures, sequencing effects in public administration, and changing positions in elected office. 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.

Companion Case Relationship

This case is designed as a companion instructional case to Public Participation and Representative Judgment in James City County (The Null Case).

The paired cases examine the same Government Center decision sequence from different governance perspectives:

- The Null Case focuses on dissent, public consent, election timing, and late-stage legitimacy concerns.
- The McGlennon Case focuses on representative judgment, institutional continuity, changing positions, and the burden of public explanation.

Together, the paired cases are intended to support classroom discussion of democratic legitimacy, procedural governance, institutional momentum, and representative accountability.

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 Former Skeptic

On October 14, 2025, John McGlennon sat on the James City County Board of Supervisors as residents asked the Board to slow down the Consolidated Government Center project. The election was three weeks away. A petition approaching 1,000 signatures had been cited. Residents had asked for delay, voter input, and a chance for the public to speak before the County committed to early site work.

McGlennon was not new to the project. He was not a new supervisor. And he was not a consistent opponent. Nearly two years earlier, on November 14, 2023, he had been the only supervisor to vote no when the Board accepted the Consolidated Government Center proposal. The vote was 4-1. The Public Hearing had no speakers. His first no was not a response to a public uprising. It was his own judgment, made from the dais before the organized public opposition had formed.

By October 2025, the situation had changed. The project had moved through design agreements, financing approvals, change orders, land-use approvals, and repeated staff updates. McGlennon had voted yes at each later step. Now residents were asking the Board to pause before a \$16.5 million Early Site Work Package moved the project from paper, design, and legal approvals toward physical alteration of the site.

That made McGlennon a different kind of protagonist from a simple supporter or opponent. He had once been the skeptic. He had become one of the project's public defenders. The question was what he owed the public when his own record showed that he had changed position.

A Supervisor Whose Explanation Carried Weight

McGlennon had served for many years on the James City County Board of Supervisors. He was also a professor of government at William & Mary. His remarks on October 14 therefore carried a particular kind of weight. He was not only casting a vote. He was making a claim about representative government.

A less experienced supervisor might have framed the vote narrowly: the agenda item was before the Board, staff had presented the work, and a motion was on the floor. McGlennon did more. He acknowledged his own earlier skepticism. He then argued that elected officials sometimes must make long-term decisions whose value may not be captured by immediate public opinion.

That argument was serious. It was also risky. If public comment is only one input among many, supervisors need not follow it. But if public comment can be acknowledged and then set aside at every consequential stage, residents may reasonably ask whether participation is influencing the decision or merely decorating the record.

The First No

The formal Government Center decision sequence began on November 14, 2023, when the Board considered acceptance of the Consolidated Government Center proposal under the public-private partnership process. The Board voted 4-1 to accept the proposal and direct the County Administrator to negotiate an interim agreement. Michael Hipple, Jim Icenhour, Ruth Larson, and Sue Sadler voted yes. McGlennon voted no.

Barbara Null was not yet on the Board. Sadler still held the seat Null would occupy beginning in January 2024. That matters because McGlennon's first no was not part of Null's later dissent pattern. It was an independent early objection from the Board's most experienced supervisor.

Nearly two years later, McGlennon would describe his earlier position in plain terms. He said he had been very skeptical when Hipple first proposed what McGlennon had called the "Hipple building." The label was informal, but it captured the point. McGlennon had not begun as a cheerleader for the project. He had begun with doubts.

The Long Yes

After the November 2023 no vote, McGlennon's record changed. On January 23, 2024, he voted yes on the interim agreement that moved the project to 30 percent design. On October 8, 2024, he voted yes on the Plan of

Finance that included the Government Center among the Series 2024 Projects. On December 10, 2024, he voted yes on the Second Interim Agreement for 100 percent design.

In 2025, he continued voting yes. He supported the March change order adding library schematic design, the June special-use permit, the June roadway change order, the September library design change order, the October plat vacation, the October Early Site Work Package, and the December comprehensive agreement and construction-management services contract.

Across the full sequence, McGlennon cast twelve Government Center votes. The first was no. The next eleven were yes. That record does not prove that he was wrong, inconsistent, or captured by process. It does prove that his public position changed. A student of representative government would want to know why.

A Change of Mind, or a Change of Terrain?

There were at least two fair ways to read McGlennon's arc.

The first was learning. He had opposed the project when it was less developed, then watched the design, financing, facility needs, and implementation plan mature. Staff work may have answered his doubts. The project may have become more credible. Elected officials are not required to be frozen by early votes. On this reading, McGlennon did what experienced supervisors are supposed to do: he reconsidered as the record developed.

The second was changing terrain. Each step made reversal harder. The proposal became an interim agreement. The agreement became design. Financing was authorized. Change orders added scope. Land-use approvals came forward. Site work appeared as implementation. By the time residents appeared in force, a later no vote could be framed as disruption rather than judgment. On this reading, McGlennon's original no remained in the record, but it no longer had practical force.

The case turns on the space between those readings. Responsible learning and institutional momentum can look similar from the outside. Both produce a changed vote. Only the public explanation distinguishes them.

Financing as Governance

One of the most contested features of the Government Center was not only the building. It was the financing path.

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 Series 2024 Projects. The vote was 5-0, and McGlennon voted yes.

County documents distinguished lease-revenue financing from general-obligation debt. The 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 Virginia counties generally cannot issue general-obligation bonds unless approved by public referendum, while County lease payments under capital and operating leases do not constitute general-obligation debt.

The structure was legal and routine. It was also a governance choice. It allowed the Board to proceed through a financing structure that did not require direct voter approval. Some residents later questioned whether the EDA structure had been used to avoid a referendum and asked for budget referendum or voter input.

For McGlennon, the finance issue sharpened the representative-judgment problem. If the law did not require direct voter consent, did the Board have a greater obligation to explain why it was proceeding without it?

Public Visibility and Public Influence

The Government Center also moved through a meeting structure that was public but not always participatory.

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

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

That structure was not secret. Residents could attend. The meetings were public. Records existed. But the structure mattered. A resident who watches a public meeting is visible to government. A resident who can speak before a decision may influence government. Those are not the same thing.

By October 2025, residents were not merely arguing that they had never heard of the project. Some argued that the real decision path had moved through forms of public visibility that did not give them a meaningful chance to alter the outcome.

The Opposition Arrives Late, But Not Quietly

The public opposition reached its most visible point on October 14, 2025. The timing mattered. The election was three weeks away, and the Board was considering both the Ashbury Lane plat vacation and a \$16.5 million Early Site Work Package.

Residents cited a Change.org petition approaching 1,000 signatures. Some requested delay until after the election. Some asked why voters could not be consulted directly. Others focused on the practical effect of site work. Once clearing and preparation began, they argued, the project would be much harder to stop.

The Board majority could fairly respond that the project had been public for years and had moved through multiple votes. Late opposition was still opposition, but it did not necessarily represent the whole electorate. A petition was a signal, not a referendum.

That did not make the opposition trivial. A petition near 1,000 signatures, multiple speakers, a request for delay, and an election only three weeks away created a legitimacy question that could not be answered simply by saying the process had been legal.

Which Public Counts?

The October 14 deliberation turned partly on which public a supervisor should trust.

Null asked whether residents could be given one more chance and whether the question could be put out as a "yes or no" matter. Hipple moved approval. Icenhour then offered a counter-signal. He said that beginning in June he had knocked on more than 2,300 doors and had more than 1,000 conversations. Of those, he reported, exactly one person expressed opposition to the Government Center.

Icenhour's point was not that the meeting-room opposition did not exist. His point was that it might not be representative. The residents who signed a petition or spoke at a meeting were one public. The residents contacted at their doors were another. The election was a third. Prior public meetings were a fourth.

The question for McGlennon was not whether the public mattered. Everyone on the dais could claim to be listening to a public. The harder question was which public counted most when the signals conflicted.

The Burden of Representative Judgment

McGlennon framed the issue as a problem of representative judgment. He acknowledged that citizens might not identify the Government Center as the most important thing to them. But, he argued, they would likely feel its impact for many years. Some decisions, he said, could not be decided by public opinion alone.

That was the strongest Board-side argument. Supervisors are elected to decide, not merely to poll whoever speaks last. Long-term capital projects require continuity. Public comment is important, but it is not a veto. The residents most upset by a project may be the most visible, not necessarily the most representative.

It was also the most dangerous argument. If a supervisor can always say that long-term decisions cannot be decided by public opinion alone, then public input may never be decisive. The more consequential the decision, the easier it becomes to say that elected judgment must prevail. Representative government can become insulation if the public is never told what evidence changed the representative's mind.

For McGlennon, that burden was heightened by his own record. He had not always supported the project. He had once voted no. By October 2025, a simple yes vote did not fully answer the public question. A changed vote can be responsible. But a changed vote invites an account of what changed.

What Could McGlennon Have Done?

McGlennon had no clean option on October 14.

He could vote yes and defend representative judgment. That would be consistent with his long-term governance role and with his eleven later yes votes, but it risked sounding dismissive of organized public concern.

He could vote yes while directly acknowledging the legitimacy concerns. He could explain his original no vote, what changed, why the petition mattered but did not control, and why the election timing did not justify delay. That would not satisfy opponents, but it would give the public an account.

He could move to defer until after the election. That would protect public trust and answer the timing objection, but it could disrupt project continuity and signal that any late mobilization could stall a capital project.

He could support advisory voter input or reopen the financing question. That would address the consent issue directly, but by October 2025 it would be late, costly, and procedurally difficult.

He could vote no, returning to his original skepticism. That would align with residents asking for delay, but it would also contradict nearly two years of later support unless he explained why site work or election timing changed the decision.

The Vote

The Board first 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 delay had entered the record. The request for voter input had entered the record. Null's dissent had entered the record. McGlennon's changed position had entered the record too, though less fully than the votes themselves.

For McGlennon, the decision closed a loop that had begun nearly two years earlier, when he had been the project's lone skeptic. By October 2025, he had become one of its public defenders.

The public record showed the votes. It did not fully show the conversion.

Had he changed his mind because the project had earned his support, or because the process had narrowed the space in which dissent could still matter?

Exhibits

Exhibit 1: Government Center Vote Chronology, McGlennon Highlighted

#	Date	Item	Vote	McGlennon vote
1	Nov. 14, 2023	Consolidated Government Center Proposal, PPEA acceptance	4-1	NAY
2	Jan. 23, 2024	4th Interim Agreement, 30 percent design	5-0	AYE
3	Oct. 8, 2024	EDA Plan of Finance, up to \$75.785M	5-0	AYE
4	Dec. 10, 2024	Second Interim Agreement, 100 percent design	5-0	AYE
5	Mar. 25, 2025	Change Order, library schematic design	5-0	AYE
6	June 10, 2025	Government Center SUP / height-width application	4-1	AYE
7	June 24, 2025	Change Order, off-site roadway improvements	5-0	AYE
8	Sept. 23, 2025	Change Order, library to 100 percent design	5-0	AYE
9	Oct. 14, 2025	Plat vacation, Ashbury Lane right-of-way	4-1	AYE
10	Oct. 14, 2025	Early Site Work Package, \$16.5M	4-1	AYE
11	Dec. 9, 2025	First Phase Comprehensive Agreement, \$46M cap	5-0	AYE
12	Dec. 9, 2025	Construction Management Services contract	5-0	AYE

Discussion prompt: When did McGlennon's original no vote stop mattering, if it ever did?

Exhibit 2: McGlennon Government Center Vote Profile

Metric	Value
Total Government Center votes	12
AYE	11
NAY	1
First vote	NAY on Nov. 14, 2023
Later votes	All AYE
October 14 votes	AYE on plat vacation and Early Site Work Package

Discussion prompt: Is this a record of changed judgment, institutional momentum, or both?

Exhibit 3: A Change of Mind, or a Change of Terrain?

Learning / representative judgment	Institutional momentum
McGlennon reviewed the project as it developed. Facilities needs became clearer. Financing and design matured. Elected officials must use judgment. Public comment is one input, not a veto.	Each step made reversal harder. Public opposition intensified late in the sequence. Later votes could be framed as implementation. The sequence narrowed public influence. Prior approvals made dissent less effective.

Discussion prompt: Which interpretation best explains McGlennon's arc?

Exhibit 4: Competing Public Signals

Signal	What it showed	Limitation
Public comment	Visible organized opposition	Not necessarily representative of whole electorate
Petition near 1,000 signatures	Concern beyond meeting room	Signature context and representativeness uncertain
1cenhour door-knocking	Direct constituent contact	One supervisor's district and method
Election	Formal accountability mechanism	Occurred after site-work authorization
Prior public meetings	Process was visible	Observation may not equal influence

Discussion prompt: Which public should a supervisor trust most?

Exhibit 5: EDA Financing and Consent

The Government Center was included in a Series 2024 project list financed through EDA lease-revenue bonds. County documents distinguished this structure from general-obligation debt, which generally requires voter approval in Virginia counties.

Feature	EDA lease-revenue structure	GO bond structure
Issuer	Economic Development Authority	County
Repayment	County lease payments, subject to annual	Full faith and credit

Feature	EDA lease-revenue structure	GO bond structure
	appropriation	
Voter approval generally required	No	Yes, with exceptions
Governance implication	Board can proceed without direct bond referendum	Voters generally approve debt

Discussion prompt: Does a lawful non-referendum financing path increase the Board's obligation to explain itself?

Exhibit 6: Meeting Structure

Feature	Business Meeting	Regular Meeting
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 public visibility enough, or must there be a chance to influence the decision?

Exhibit 7: October 14 Deliberation Frames

Actor	Frame
Barbara Null	Give residents one more chance; could the Board put the question out as yes or no?
Michael Hipple	Proceed to decision; motion to approve
Jim Icenhour	Counter-public; door-knocking suggested meeting-room opposition was not the whole public
John McGlennon	Representative judgment; long-term decisions cannot be decided by public opinion alone

Discussion prompt: Who had the strongest democratic argument?

Exhibit 8: McGlennon's Options on October 14

Option	Strength	Risk
Vote AYE and defend representative judgment	Consistent with long-term governance role	Sounds dismissive
Vote AYE but acknowledge legitimacy concerns	Balances governance and public concern	May invite demand for delay
Move to defer	Protects public trust before election	Undermines project continuity
Support advisory voter input	Addresses consent issue	Too late for immediate vote
Reopen financing question	Directly addresses referendum concern	Major disruption
Vote NAY	Returns to original skepticism	Contradicts two years of later support

Discussion prompt: What public explanation did McGlennon owe, if any?