

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Adjourned Meeting
May 2, 2013

6:00 p.m.

Meeting Convened. An Adjourned Meeting of the York County Board of Supervisors was called to order at 6:01 p.m., Thursday, May 2, 2013, in the East Room, York Hall, by Chairman Walter C. Zaremba.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zaremba, Sheila S. Noll, Donald E. Wiggins, and George S. Hrichak.

Thomas G. Shepperd, Jr., was in attendance remotely by telephone.

Also in attendance were James O. McReynolds, County Administrator; J. Mark Carter, Assistant County Administrator; Vivian A. Calkins-McGettigan, Deputy County Administrator; and James E. Barnett, County Attorney.

WORK SESSION

PROPOSED FISCAL YEAR 2014 BUDGET

Chairman Zaremba noted that Mr. Shepperd was not able to be physically present at this evening's meeting due to a medical emergency. Mr. Shepperd's wife had broken her leg and was at present in surgery, but Mr. Shepperd was present to participate in the meeting by telephone from the hospital if the Board agreed.

Mr. Hrichak made a motion to allow Mr. Shepperd to participate in the meeting remotely by telephone from Riverside Regional Medical Center, 500 J. Clyde Morris Boulevard, Newport News, Virginia.

On roll call the vote was:

Yea:	(5)	Noll, Wiggins, Hrichak, Shepperd, Zaremba
Nay:	(0)	

Mr. McReynolds then reviewed slides that depicted what had taken place at the prior meetings held since December of 2012 to discuss the proposed budget. During the last meeting the Board directed him to provide information on a 1 cent tax rate increase with all other tax rates remaining the same. He stated the real property/mobile home tax rate would then be 75.15 cents per \$100 of valuation, with an adjusted budget of \$130,103,905. The adjusted school contribution would be \$57,886,916, an increase in funding of \$1,173,493 over the FY2013 contribution. Mr. McReynolds indicated staff had prepared the draft ordinance and resolutions to approve the tax rates, adopt the budget and Capital Improvements Program, and designate a certain amount of the real property tax rate for school purposes.

Mr. Hrichak indicated he was hoping the Board could get through this process without any tax increase; but in a spirit of compromise, he stated he would vote yes for the 1 cent increase.

Mrs. Noll thanked staff for the input they had provided, stating she was prepared to support the 2.3 cent increase; but in the spirit of compromise, she, too, would vote for the 1 cent increase.

Mr. Wiggins stated he was also prepared to go the full amount. He stated everyone needed to remember that the schools were not getting everything they wanted, but they were getting the full 1 cent increase. Mr. McReynolds was going to have to do some juggling on the County side, but it was the best that could be done at this time.

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Mr. Shepperd thanked everyone for providing comments and thoughts on the budget, although he wished that citizens would have been more active in terms of providing their inputs earlier in the schedule. He stated the Board had gone through this whole process and now had run out of time. The staff did a great job of providing information, noting it was the most meetings the Board had ever had on the budget since he had been on the Board. Staff needed to be commended for a stellar job. Mr. Shepperd noted the 1 cent increase on the tax rate was acceptable with him. It would require some action by the School Division to make it work, but it would also get additional money from the new revenue. No further funding would be cut from the County side, and the Board was not cutting the contribution to the School Division. The Board had provided more revenue every year to the School Division, and this year the amount was almost \$1.2 million. Mr. Shepperd stated he appreciated everything everyone had done, and he was ready to proceed with the budget adoption.

Chairman Zaremba stated he was very discouraged with the citizen participation until the last couple of days. Early on both the County and the School Division had to have a pretty good understanding as to what, if any, increase in revenue there would be. He noted the Board could not always provide funding for everything requested.

Mrs. Noll moved the adoption of proposed Resolution R13-49 that reads:

A RESOLUTION TO APPROVE THE BUDGETS AND APPROPRIATE FUNDS FOR THE COUNTY OF YORK AND THE YORK COUNTY SCHOOL DIVISION FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, AND ENDING JUNE 30, 2014

WHEREAS, the County Administrator has submitted to the York County Board of Supervisors a proposed annual budget for the County for the fiscal year beginning July 1, 2013, and ending June 30, 2014, which has been reviewed by the Board of Supervisors; and

WHEREAS, it is necessary to adopt said budget and appropriate sufficient funds to cover the requirements included therein; and

WHEREAS, the Board of Supervisors, in exercising its independent judgment and in concert with the York County School Board, has considered the school's annual operating budget; and

WHEREAS, after considering the availability of local funds, approval of the York County School Board's fiscal year 2014 educational budget is based upon funding from the federal government in the amount of \$14,412,585; from the state government in the amount of \$56,511,989; from the local appropriations in the amount of \$50,034,444; and other local revenues in the amount of \$1,588,216;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 2nd day of May, 2013, that the fiscal year 2014 annual budget of the York County School Division for school operations in the amount of \$122,547,234 be, and is hereby, approved subject to and contingent upon the availability of funds as indicated in the preamble hereto.

BE IT FURTHER RESOLVED that the annual budget in the sum of \$4,961,984 for fiscal year 2014 be, and is hereby, approved for the operation of food service programs for purposes authorized and approved by the York County School Board subject to and contingent upon the availability of funds.

BE IT STILL FURTHER RESOLVED that an annual appropriation in the sum of \$5,829,000 for fiscal year 2014 be, and is hereby, made for school capital projects.

BE IT STILL FURTHER RESOLVED that the fiscal year 2014 annual budget for the County of York be, and is hereby, adopted as proposed on this date.

BE IT STILL FURTHER RESOLVED that the following annual appropriations for fiscal year 2014 be, and are hereby, made in the General Fund for the following functions:

<u>Function</u>	<u>Amount</u>
General Administration	\$ 2,092,444
Judicial Services	2,682,674
Public Safety	30,093,276
Environmental & Development Services	3,709,586
Finance & Planning	8,771,800
Education & Educational Services	60,564,818
Human Services	3,207,446
General Services	6,702,211
Community Services	2,898,942
Capital Outlay, Fund Transfers & Non-Departmental	<u>9,380,708</u>
Total General Fund	<u>\$130,103,905</u>

BE IT STILL FURTHER RESOLVED that the County Administrator be, and is hereby, authorized to transfer the appropriations in the General Fund Non-Departmental function to the related categories in the various General Fund functions.

BE IT STILL FURTHER RESOLVED that the appropriation of the transfer of one-half (1/2) of the actual meals tax collections to the Water and Sewer Utility Funds and Stormwater Management Fund be, and is hereby, adjusted in the General Fund to effect the funding for County water, sewer and stormwater projects.

BE IT STILL FURTHER RESOLVED that the appropriation of the transfer of an amount equal to actual revenues received as a result of the three percent (3%) increase in the Transient Occupancy Tax rate to the Tourism Fund be, and is hereby, adjusted in the General Fund to effect the funding for tourism and travel related activities.

BE IT STILL FURTHER RESOLVED that the \$60,564,818 appropriated above from the General Fund for Education and Educational Services, includes \$50,034,444 for the local contribution to the School Division for support of the School operating budget and, of this amount \$48,913,079 is appropriated as a non-categorical appropriation to be allocated among the various school operating categories as the School Board deems necessary and \$1,121,365 is appropriated to the Operation and Maintenance Category for continuation of the School Grounds Maintenance Agreement, dated July 20, 2010, as adopted by the York County Board of Supervisors and the York County School Board.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$3,021,200 for fiscal year 2014 be, and is hereby, made in the Tourism Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Tourism Fund be, and is hereby, increased if and when additional revenues from the transient occupancy taxes become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$5,920,871 for fiscal year 2014 be, and is hereby, made in the Social Services Fund for the operation of the York/Poquoson Department of Social Services.

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Social Services Fund be, and is hereby, increased if and when additional federal and/or state funds or local contributions become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$8,000 for fiscal year 2014 be, and is hereby, made in the Law Library Fund.

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BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$1,354,919 for fiscal year 2014 be, and is hereby, made in the Children and Family Services Fund for the operation of the Head Start and the United States Department of Agriculture (USDA) Programs.

BE IT STILL FURTHER RESOLVED that the annual appropriations of the Head Start and USDA Programs be, and are hereby, increased if and when additional federal and/or state funds or local contributions become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$1,181,300 for fiscal year 2014 be, and is hereby, made in the Community Development Authority Revenue Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Community Development Authority Revenue Fund be, and is hereby, increased if and when additional revenues from general property taxes, other local taxes, special assessments and interest income become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$2,859,564 for fiscal year 2014 be, and is hereby, made in the County Debt Service Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$17,625,401 for fiscal year 2014 be, and is hereby, made in the School Debt Service Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$191,574 for fiscal year 2014 be, and is hereby, made in the Stormwater Management Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$4,194,700 for fiscal year 2014 be, and is hereby, made in the County Capital Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$254,800 for fiscal year 2014 be, and is hereby, made in the Workers' Compensation Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$4,960,686 for fiscal year 2014 be, and is hereby, made in the Vehicle Maintenance Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$1,588,583 for fiscal year 2014 be, and is hereby, made in the Other Post-Employment Benefits Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Other Post-Employment Benefits Fund is hereby, increased for changes in the annual cost based on the actuarial valuations. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the following appropriations for fiscal year 2014 be, and are hereby, made in the Enterprise Funds:

<u>Fund</u>	<u>Amount</u>
Solid Waste Management Fund	\$5,313,655
Water Utility Fund	\$2,482,965
Sewer Utility Fund	\$9,944,038
Yorktown Operations Fund	\$ 95,818
Regional Radio Project Fund	\$2,596,963

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Yorktown Operations Fund be, and is hereby, increased if and when additional revenues from docking fees become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Regional Radio Project Fund be, and is hereby, increased if and when additional revenues from air time usage, reimbursements for maintenance and other sources become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the County Treasurer, upon receipt of a written order from the County Administrator, is authorized to advance monies between the several County funds under her custody provided, however, that the total advanced to any particular fund, plus the amount of monies disbursed from that fund, does not exceed the annual appropriation of said fund.

BE IT STILL FURTHER RESOLVED that, the County Administrator shall be, and is hereby, authorized to do all things necessary to apply for federal and state library aid and in addition, the annual appropriation for library operations be, and is hereby, increased for all funds received under this program in accordance with the recommendations of the York County Library Board.

BE IT STILL FURTHER RESOLVED that, upon receiving notice of grant or program opportunities offered by various federal, state, local and other outside organizations, the County Administrator or his designee be, and is hereby designated as the agent to execute the necessary grant or program application and other documentation, unless the terms of the grant or program require specific actions by the Board, to give such assurances as may be required by the agreement subject to approval as to form by the County Attorney and to provide such additional information as may be required by the awarding organization. In addition, the funding awarded, not to exceed \$50,000, shall be, and is hereby, appropriated to the applicable functional area.

BE IT STILL FURTHER RESOLVED that interest earned on grant and program awards received from federal, state, local and other outside organizations be, and is hereby, appropriated to the appropriate functional area to be expended in accordance with guidelines as established by the organizations.

BE IT STILL FURTHER RESOLVED that additional funds received for various County programs, including contributions and donations, be, and are hereby, appropriated for the purposes established by each program.

BE IT STILL FURTHER RESOLVED that funds received for the off-duty employment by deputy sheriffs program be, and hereby are, appropriated in the General Fund to cover the costs of the program.

BE IT STILL FURTHER RESOLVED that additional funds received for the Medic Transport Fee Recovery be, and hereby are, appropriated in the General Fund to cover the costs of the program.

BE IT STILL FURTHER RESOLVED that funds received from the Federal Emergency Management Agency (FEMA) for reimbursements for expenses incurred as a result of unusual or infrequent events not to exceed \$50,000 per incident be, and are hereby, appropriated under this program to the appropriate functional area.

BE IT STILL FURTHER RESOLVED that funds received through insurance claims for damages incurred to County property as a result of unusual or infrequent events not to exceed \$50,000 per incident be, and are hereby, appropriated under this program to the appropriate functional area.

BE IT STILL FURTHER RESOLVED that upon receipt of written notification from the State Compensation Board of additional funds for the Constitutional Officers (Commonwealth's Attorney, Sheriff, Clerk of Court, Treasurer, and Commissioner of the Revenue) be, and are hereby, appropriated in the General Fund to be expended in accordance with guidelines as established by the state government.

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BE IT STILL FURTHER RESOLVED that the annual contributions that are in excess of \$50,000, which are hereby appropriated, shall be disbursed on a semi-annual basis with the amount disbursed not to exceed one-half of the total appropriation, unless otherwise agreed upon. Contributions to the York County School Division and the York/Poquoson Department of Social Services are exempt from this limitation. In addition, the County Administrator may require written reports on how the previous allocation(s) was/were spent before any future disbursements are made.

BE IT STILL FURTHER RESOLVED that the monies be, and are hereby, appropriated for fiscal year 2014 in the various funds for the purpose of liquidating encumbered purchase transactions and for continuing capital and special projects as of June 30, 2013, not to exceed the applicable fund balance/net assets as recorded in the County's audited accounting records. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the County Administrator be, and is hereby, authorized to transfer funds within appropriation functions. These transfers may be made to allow the disbursement of funds for unanticipated costs incurred in daily County operations and any such transfer may not result in a change in the total appropriated for personnel or non-personnel costs within the function.

BE IT STILL FURTHER RESOLVED that the County Administrator, Controller and Chief of Budget and Financial Reporting be, and are hereby, the authorized signers for the Financial and Management Services petty cash account available to allow for emergency purchases necessary in daily County operations.

On roll call the vote was:

Yea: (5) Wiggins, Hrichak, Shepperd, Noll, Zaremba
Nay: (0)

Mr. Hrichak moved the adoption of proposed Ordinance No. O13-6 that reads:

AN ORDINANCE PURSUANT TO SEC. 58.1-3001 OF THE CODE OF VIRGINIA TO IMPOSE TAX LEVIES UPON TANGIBLE PERSONAL PROPERTY, UPON MACHINERY AND TOOLS, UPON MANUFACTURED HOMES, AND UPON REAL ESTATE FOR THE CALENDAR YEAR 2013, AND TO PRORATE TAXES ON MANUFACTURED HOMES AS AUTHORIZED BY SEC. 58.1- 3521 OF THE CODE OF VIRGINIA

WHEREAS, it is necessary for the Board of Supervisors to establish real estate and personal property tax levies for the County of York for calendar year 2013 beginning January 1, 2013, and ending December 31, 2013; and

WHEREAS, the Board has duly advertised and held a public hearing on the subject tax levies;

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this the 2nd day of May, 2013, that the following County tax levies be, and they hereby are, imposed for the calendar year 2013:

<u>Class of Property</u>	<u>Rate Per \$100 of Assessed Valuation</u>
1. Real Estate	0.7515
2. Tangible Personal Property	4.00
3. Tangible Personal Property— for one vehicle owned by a disabled veteran	1.00

- 4. Machinery and Tools 4.00
- 5. Vehicles without motive power, used or designed to be used as manufactured homes as defined in Section 36-85.3 of the Code of Virginia 0.7515
- 6. Boats or watercraft weighing five tons or more 1.00

BE IT FURTHER ORDAINED as authorized by Code of Virginia sec. 58.1-3521 that if a manufactured home as defined in Code of Virginia §36-85.3 is delivered or moved to York County after January one of any year and used as a place of full-time residence by any person, the Commissioner of the Revenue shall assess and quarterly prorate any property taxes which would have been collectible had such manufactured home been situated within York County on January one of that year.

On roll call the vote was:

Yea: (5) Hrichak, Shepperd, Noll, Wiggins, Zaremba
 Nay: (0)

Mr. Wiggins moved the adoption of proposed Resolution R13-50 that reads:

A RESOLUTION TO ADOPT THE FISCAL YEAR 2014-2023 CAPITAL IMPROVEMENTS PROGRAM AS A LONG-RANGE PLANNING DOCUMENT

WHEREAS, in consideration of materials received from the departments and agencies of the County and direction from the Board of Supervisors, the County Administrator has developed a Proposed Fiscal Year 2014-2023 Capital Improvements Program; and

WHEREAS, the Capital Improvements Program serves as a long-range planning document subject each year to review and approval of funding by the Board of Supervisors; and

WHEREAS, such review has been completed for the fiscal year 2014-2023 Capital Improvements Program;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 2nd day of May, 2013, that the County Administrator's proposed Fiscal Year 2014-2023 Capital Improvements Program be, and is hereby, adopted.

On roll call the vote was:

Yea: (5) Shepperd, Noll, Wiggins, Hrichak, Zaremba
 Nay: (0)

Mrs. Noll moved the adoption of proposed Resolution R13-51 that reads:

A RESOLUTION TO DESIGNATE A PORTION OF THE REAL PROPERTY TAX FOR SCHOOL PURPOSES

WHEREAS, Public Law 874 enacted by the 81st Congress, and codified in 20 U.S.C. Sections 236 to 241-1 and 242 to 244 (hereinafter "the Act"), provides for federal financial assistance to local educational agencies in areas affected by federal activities; and

WHEREAS, approximately thirty-eight percent (38%) of the land area of York County is controlled by the federal government, which entitles the York County School Division to fi-

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financial assistance under Section 2 of the Act, as administered pursuant to U. S. Department of Education regulations governing distribution of financial aid authorized by the Act, 34 CFR Part 222, Subpart J; and

WHEREAS, the York County School Division is a fiscally dependent local educational agency under these U. S. Department of Education regulations; and

WHEREAS, 34 CFR Section 222.3, Definitions, provides that for a fiscally dependent local educational agency, the local real property tax rate for school purposes can be defined as "that portion of a local real property tax rate designated by the general government for school purposes"; and

WHEREAS, the York County Board of Supervisors finds it to be in the best interest of the citizens of York County to designate a portion of the local real property tax rate for school purposes in conformance with 34 CFR Section 222.3;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 2nd day of May, 2013, that, for Fiscal Year 2014, a portion of the York County, Virginia, local real property tax rate equal to fifty seven and four tenths cents (\$0.574) per \$100 of valuation be, and is hereby, designated for school purposes as provided in 34 CFR Section 222.3.

On roll call the vote was:

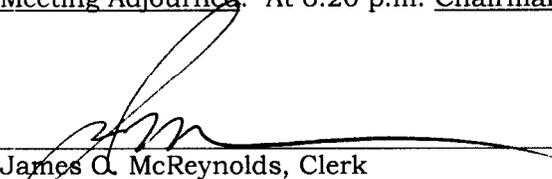
Yea: (5) Noll, Wiggins, Hrichak, Shepperd, Zaremba
Nay: (0)

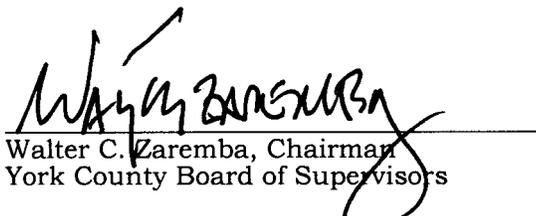
Mr. McReynolds indicated that given the Board's previous schedule to adopt the proposed FY2014 budget on May 7, there was nothing else on that agenda that could not be taken care of on May 21. If the Board wished, it could cancel the May 7 meeting and adjourn to the next regular meeting on May 21.

By consensus the Board agreed to cancel the meeting scheduled for May 7.

Chairman Zaremba thanked for Mr. Shepperd for participating remotely by telephone. He stated the Board's thoughts and prayers were with Mr. Shepperd and his wife.

Meeting Adjourned. At 6:20 p.m. Chairman Zaremba declared the meeting adjourned sine die.


James C. McReynolds, Clerk
York County Board of Supervisors


Walter C. Zaremba, Chairman
York County Board of Supervisors