

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
February 1, 2022

6:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 6:02 p.m., February 1, 2022, in the East Room, York Hall, by Chairman Sheila S. Noll.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zaremba, Sheila S. Noll, W. Chad Green, G. Stephen Roane, Jr., and Thomas G. Shepperd, Jr.

Also in attendance were Neil A. Morgan, County Administrator; Mark L. Bellamy, Jr., Deputy County Administrator; Brian Fuller, Assistant County Administrator; James E. Barnett, County Attorney; Richard Hill, Deputy County Attorney; and Heather L. Schott, Legislative Assistant.

WORK SESSION

AMERICAN RESCUE PLAN ACT (ARPA)

Mr. Morgan stated that Mr. Gregory Gillette, Senior Budget Analyst, has been and continues to be the County's lead as it pertains to federal aid from both the Coronavirus Aid, Relief, and Economic Security Act (CARES) and more recently the American Rescue Plan Act (ARPA). He explained that the purpose of tonight's discussion is to update the Board on the second tranche of ARPA funding and to review the tentative decisions made relative to these funds. He added there was a little under \$1 million deferred for future discussion and that tonight's work session is an excellent opportunity to provide a restatement of what we have done thus far and to introduce our initial thoughts on how we might deploy the remaining balance of funds. He commended Mr. Gillette and the entire Finance Department staff as the reporting procedures for the grants are quite complicated and this work has been added to their responsibilities.

Mr. Gillette began his presentation on ARPA by providing details on the funds that have been awarded to the County. He briefly listed the funds received from the Federal Government which included: \$156,000 to cover overdue utility service fees for qualified residential accounts; \$2.6 million in CDBG (Community Development Block Grant) to offer regional business assistance; \$140,000 applied to the Head Start program for COVID related expenses; and \$13.3 million in State and Local Fiscal Recovery Funds (SLFRF) received in two equal tranches. He stated that when he last addressed the Board on this matter, the County was operating under the State Treasury's interim rule, which allows these funds to be used as revenue replacement funds. He explained that the Treasury provided the methodology to be used when determining revenue loss due to COVID. He stated that under the Treasury's Final Rule issued on January 6, 2022, the County's annual growth assumption grew from 4.1 to 5.2 percent, which raised the reported losses to \$14.7 million making the entire allotment of \$13.3 million eligible for revenue replacement. In September, he briefed the Board on the County Administrator's general recommendations for spending these funds that included focusing on one-time expenses with approximately 80 percent being used for capital projects, 10 percent for community support, and 10 percent as a contingency for other one-time County purposes. Since that briefing, he stated that action had been taken on two specific items and, as appropriate, incorporated into the County Administrator's preliminary CIP, those being: dark fiber; and a new ambulance for new Fire Station Number 7. Separately the Board has approved a one-time retention incentive for County employees. He then briefly highlighted the other listed expenditures and stated that if the CIP is adopted in its present form the fiscal recovery funds will be accounted for leaving a balance of approximately \$900,000. He pointed out the recommendations for these remaining funds which included: \$200,000 to support exiting Community Services/Social Services programs; \$50,000 for additional one-time agency contributions; and contingency for COVID related expenses; and reserves.

Subsequent to the presentation, the Board discussed the matter and offered their comments and/or asking the following questions.

Chairman Noll asked how it was determined on how much SLFRF each locality would receive.

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Mr. Gillette stated that the Federal Government allocated \$350 billion out of the ARPA funds to be utilized as SLFRF relief. He noted that population did have a bearing on the amount received, but pointed out that SLFRF, which came directly to the localities, was different from the CARES Act funds, which first went to the state and then allocated to the localities.

Mr. Morgan stated that the SLFRF amount each locality would receive was built into the legislation.

Mr. Zaremba asked who is managing the \$2.6 million, CDBG funds awarded for regional business assistance. He also inquired if there are any remaining unused funds in this category. He asked whether the unused funds will need to be returned and what department will be the recipient of the Provider Relief Funds.

Mr. Gillette stated that Mr. Abbitt Woodall, Housing Manager and his team in conjunction with the Economic Development Department oversees the funds, and that the Provider Relief Fund will cover medical transport fees and is managed by Fire and Life Safety (FLS).

Mr. Morgan added that Mr. Woodall could provide details on this matter should the Board so desire and any unused funds will have to be returned.

Mr. Roane asked if the funds are directly disbursed or if businesses have to apply for them. He also asked how much is expected to be received in Tourism Recovery Funds and whether they will go directly to the County's Tourism Department.

Mr. Gillette responded that there is an application process. He then stated that in addition, \$300,000 will be received in Tourism Recovery Funds.

Mr. Morgan stated that a portion of the funds will go to the Williamsburg Tourism Council of which the County is a participant, but another portion of the funds will go directly to County's Tourism Promotion Program.

Chairman Noll asked how many businesses applied for the business loans.

Mr. Bellamy replied that approximately 140 businesses submitted applications.

Mr. Zaremba asked who the Board liaison is to the Williamsburg Tourism Council.

Mr. Green stated that he is and that things were greatly improving relative to increased tourism. The regional council is preparing for a heavy marketing push that should positively impact tourism for all three participating localities.

Mr. Roane asked if the \$140,000 for Head Start had been received.

Mr. Brian Fuller, Assistant County Administrator, confirmed that they have.

Mr. Zaremba asked how the \$13.3 million was calculated.

Mr. Morgan stated that the amount for each locality was set by federal legislation. In addition he pointed out subsequent legislation detailing the methodology to be used to calculate lost revenue. Using that method, the County reported a loss of \$11.7 million for 2020 in our initial report to the Treasury.

Mr. Zaremba asked if the list of expenditures had been prioritized.

Mr. Morgan responded that the provided expenditure list is, from staff's perspective, the County's priorities. However, he noted that it is the Board's CIP and they can make changes. He added the rationale for each project is unique. He gave the Riverwalk Landing improvements as an example. The building is 17 years old and the renovation otherwise would require local funds. He added that if any funds remain after the list of projects is complete the County has the freedom, under the Final Rule, to place these funds into our savings or use as the Board deems appropriate.

Mr. Green asked Mr. Morgan to elaborate on the \$3 million contribution to the County School Division and \$1.5 million to the Park Space and Design Project.

Mr. Morgan stated that both of these items are going to address many small projects in the schools and throughout the County, with the replacement of the Bruton High School football field being the most expensive. He noted that in the past, more pressing projects have occurred and there was insufficient funds to invest in our park facilities. Mr. Morgan explained that we have a couple of years to consider what park improvement(s) would be most advantageous, noting that Board Members have asked what projects are most needed. He stated that one worth considering is to establish a park area at the school site at the Marquis, similar to what was done in Kiln Creek. Another example is to invest in more park improvements at New Quarter Park. He explained that Mr. Brian Fuller is leading a staff team to brainstorm the best possible use of these funds; however, this money now belongs to the County under the final rule. He added if any of the larger, priority projects exceed the planned amount, these funds could also be used in this manner. He then listed the current sequence of projects proposed in the CIP as follows: consolidation of Planning and Development Services Department, which will free up the Building Safety Building to become the new consolidated Information Technology (IT) facility. With IT leaving the Finance Building, he stated it can be renovated one floor at a time without disturbing the Finance Department operations.

Mr. Roane asked if the building currently occupied by the Building Safety Department will be adequate to house the entire IT Department and its hardware.

Mr. Morgan stated that this will be addressed in the renovation process.

Mr. Zaremba asked the Board to consider using some of the funds designated for some of the less important CIP projects to fill any budget deficiencies that might otherwise result in raising real estate taxes.

Mr. Morgan stated that most of the Board has agreed that these funds should be used for one-time items and not be used to subsidize the operating budget because these funds will go away. He added these relief funds can assist with the CIP with one-time expenses such as the Sheriff's Building as opposed to accruing more debt. He commended the Board for establishing an effective funding plan for the capital budget which is now 50 percent non-debt funded. He noted one real concern in the upcoming budget is if the General Assembly does not uphold the local grocery tax, the County will lose \$3 million, or two percent of our operating budget. Unfortunately, he added the Board will likely have to adopt the County budget before a final determination is made on this matter by the General Assembly. He stated should the local grocery tax be eliminated, the Board will have to revisit the budget.

Mr. Zaremba again noted that one solution to the tax issue would be to use some of the discretionary money to meet the budget demands.

Mr. Shepperd stated it appears staff has taken the \$13 million one-time funds and tried to utilize and distribute them most efficiently.

Mr. Morgan stated that there are different ways to approach this matter and many things that are on the list are problems that the County will have to resolve. He pointed out if we can address some of these with the ARPA funds, it will take some pressure off the regular process.

Mr. Shepperd reiterated Mr. Zaremba's earlier statement that eventually the one-time funds will be gone and the County will have to start cutting back. He asked the implications of losing the grocery tax in relation to the proposed projects.

Mr. Morgan stated that there would be a number of strategies the Board would need to consider should this occur. Certainly one, would be to lock down the capital budget, but that has tremendous consequences for the community. You would likely have to move forward selecting which projects to fund and which ones not to fund.

Mr. Shepperd stated that whatever the state decides falls on the localities to implement and to fund. He said that in the past, the County had to manipulate the CIP based on what we can afford. Eventually taxes have to be raised to fund the delayed projects. He noted that big items such as taking care of the County's employees are paramount. The Board must ensure to discuss these things if the state passes laws negatively affecting our budget.

Chairman Noll stated that the possible situation provided by Mr. Shepperd is reflective of what the Board had to do during the Great Recession. The County had to cut back on the CIP and took care of the employees.

Mr. Shepperd pointed out that during the recession; the Board considered cutting twelve deputies from the Sheriff's Department that had many negative repercussions. He reiterated that the Board is the body that must make the budget work regardless of the state. He stated that the public needed to be educated on this matter and know that the state can jeopardize regarding the County budget, leading to hard decisions by the Board to lessen the impact on citizens.

Mr. Morgan stated that Ms. Margaret Mack-Yaroch, York/Poquoson Social Services Director, and Mr. Abbitt Woodall, Housing Manager, can provide details on how special allocations have been utilized during the pandemic as well as the recommended use of the \$200,000 to support existing Community Services and Social Services programs. He said since all of the other relief funding is going away, it was deemed wise and appropriate to set aside \$200,000 to assist some of the existing programs.

Mr. Woodall stated that over the past year they have been working to provide eviction prevention funds and have received assistance from the State Rent Relief Program and the Williamsburg Community Health Foundation. He noted that the County has been fortunate to receive a \$300,000 grant award for the program whereby families are assisted who are facing eviction due to COVID related issues. He stated that he and Ms. Mack-Yaroch have been working with the various programs such as utility assistance to help families who are behind in their utility payments. He explained that currently there is a great need for home repairs and home assistance plus a growing need for homeless assistance.

Ms. Mack-Yaroch added that public utilities are negotiating down on their bills for those behind on their bills. However, the bills with some of our residents are for large amounts. Even though staff is trying to assist citizens with these bills, utility companies are only going to reduce them some much. She stated that the same thing is occurring in other Social Services benefit programs as well; because the state has once again started enforcing the rules. The applications for insurance have greatly increased. She stated that the affordable housing situation has become a bigger issue. Ms. Mack-Yaroch explained that the four or five community partners that help us provide temporary shelter assistance typically do so for no more than two weeks. She noted that special welfare needs and special situations arise and she is very grateful that the Board is considering additional funding for this need.

Mr. Woodall explained that due to COVID, the winter shelters have not been operating at their typical level. Community Services and Social Services have had to find and fund more housing for the homeless placing a strain on our respective budgets.

Mr. Shepperd asked what Community Services and Social Services do for people that are homeless with no place to live.

Ms. Mack-Yaroch stated that they try to find temporary shelter at a hotel. She noted that this is the last resort after they try to determine if there is a family member with whom they can stay, if one of the local churches can assist, or a host of other programs they first try before renting a hotel room for them.

Mr. Shepperd asked if any of these individuals wind up on the street.

Ms. Mack-Yaroch stated that there is no definite way to determine; however, many of these individuals move between the three adjacent localities: York County, James City County, and Williamsburg. She explained if they do not get help from one locality, they will relocate to one of the others hoping to receive assistance.

Mr. Zaremba asked if this problem stems from COVID.

Ms. Mack-Yaroch confirmed that it was indeed a large part due to COVID since many of the shelters could not find volunteers and had to close. Even now only a few are open to the homeless. She noted that a virtual meeting was held with Community Services, Social Services and other providers in an effort to try to re-establish the network that has in the past helped provide housing for the homeless. She added that not only has shelter for the homeless taken a major hit by COVID, but childcare has as well.

Mr. Morgan clarified that often the money that helps in these situations comes from a variety of sources, but are tied to special criteria. He stated that often an individual or family only meet part of the qualifications to receive the funds. Mr. Morgan explained that the proposed alloca-

tion to address this issue would be a tool they can use when the normal system does not assist for some reason. He stated that what is being proposed is that the current team led by Mr. Woodall and Ms. Mack-Yaroch will run a parallel program for one-time only situations.

Mr. Roane asked how many people on average they help with housing.

Mr. Woodall stated that it depends on which program you are addressing. For instance, he explained for the Eviction Prevention Program since last summer they have helped 78 adults and 63 children, 65 total households. He added that the County completes about 65 to 70 home repair projects a year through this same program. Regarding utility assistance, he explained that staff work in partnership with the United Way, but the criteria is strenuous. On a monthly basis, the County is getting five to ten new cases; however, this does not include similar cases being handled by Social Services.

Mr. Roane asked if Habitat for Humanity and other non-profits help with the home repairs.

Mr. Woodall stated Habitat for Humanity does not assist with home repairs; however, there are other non-profits that do help. Due to COVID the number of volunteers has decreased preventing them from helping.

Mr. Roane asked how many individuals they help in securing housing.

Mr. Woodall stated that the Community Services programs are not traditional housing programs. He noted that the County has a HUD special allocation called emergency housing vouchers. He added that Community Services works in conjunction with Social Services and our non-profit partners to assist in properly disbursing the 50 vouchers.

Mr. Green stated six years ago, he learned that some homes in the northern part of District 3 and the lower part of District 1 had been identified as not having indoor plumbing and having substandard roofs. He asked for an update on these homes and whether these issues had been remedied.

Mr. Woodall responded by saying that all of the homes have had indoor plumbing installed. He added that there is one vacant house, which remains unplumbed, and that when these issues were addressed some septic system repairs were made. He stated that the allocation being discussed could also address these same issues if other homes were found lacking indoor plumbing.

Mr. Roane asked if Newport News Waterworks has assisted people who have fallen behind on their bill due to COVID.

Mr. Woodall stated that they have, but the funding is diminishing and staff are expecting requests for assistance to increase.

Mr. Morgan asked Mr. Gillette to provide the Board with an overview of the reporting process that is required to use these funds.

Mr. Gillette stated that the County's first interim report was sent to the Treasury in August 2021 at which time it was reported a total of \$11.7 million loss in revenue. The reporting requirements are very straight forward as revenue replacement is an eligible expense category and there is no deadline for use of the ARPA funds.

REDISTRICTING

Mr. Morgan reminded the Board that the first presentation on redistricting had occurred on December 7, 2021. He noted that the County was under some pressure to make these decisions, but were unable to do so as the state had not yet provided the necessary guidance. He explained at that first presentation Mr. Timothy Cross, Deputy Director of Planning and Development Services, shared four ideas that would meet the overall five percent variation requirements. He stated that since the state has now made the decisions regarding redistricting, a second brief presentation on this issue is needed. The state has said the localities need to decide upon the redistricting and subsequently the County Attorney, Mr. James Barnett, will proceed with the required public hearing to receive citizen input and complete the process by March 2022.

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Mr. Barnett explained that there is another step to obtain approval of our redistricting request. He stated that several years ago the state adopted Section 5 of the voting rights pre-clearance requirement so that the County will have to either hold additional public hearings and the possibility of an appeals to court or utilize the faster procedure of submitting our redistricting plan to the Attorney General's office which will have up to 60 days to approve. He added that it appears most jurisdictions are choosing the expedited process since the entire procedure must be completed by March 21, 2022.

Chairman Noll stated that the pressure is on since the Registrar's office must send out notification cards to all residents letting them know their district and where they will vote, especially if a primary is shortly forthcoming.

Mr. Morgan stated that the staff team has been working on this issue and have narrowed the redistricting possibilities down to a couple alternatives that were more favorably received at the first presentation. He then asked Mr. Cross to come forward and provide his presentation.

Mr. Cross highlighted the following information relative to redistricting:

- The ideal population for each district after redistricting would be within 13,339 and 14,743.
- Two alternatives for redistricting, Alternative A and Alternative B, are provided for the Board's consideration.
- In Alternative A, District 1, the area between the Naval Weapons Station and Route 238 is shifted into District 3, which brings District 1's population into the required range.
- Also in Alternative A since District 3 is already too large, we have taken the area bounded by Fort Eustis Boulevard, Route 17, Denbigh Boulevard and the Newport News boundary line and shifted this area into District 2.
- In addition, in Alternative A, the area bounded by Goodwin Neck Road, Wolf Trap Road and the area on the east side of Route 17, Acree Acres, Rosewood Lane and Willow Lakes move from District 3 to District 4, which places District 3 into the acceptable population requirement. Then shifting the McReynolds Athletic Complex and the adjacent mobile home park into District 2 will then make all five districts within the acceptable population.
- Regarding Alternative B, the only difference is alternatively the Naval Weapons Station is shifted into District 3 as District 3 is extended into the Upper County up to Penniman Road. This would include Marquis Hills, Springfield Road, Jones Drive area, the Marquis apartments when they are eventually built and other housing developments currently in the pipeline.
- The advantage of Alternative B is that it plans for future development and helps to keep the populations in all five districts in the next decade somewhat similar.
- The negative of Alternative B is that District 3 becomes a sprawling district and lacks the compactness of Alternative A. Also Alternative A would better maintain the current boundaries and is more compact. However Alternative B factors in future growth, but both alternatives meet the numerical requirements.
- He addressed the racial breakdown as required by state law that you cannot dilute minority voting strength. He noted that currently the racial breakdown is even in each district and that is the same with both proposed alternatives. The Hispanic population is a language group and not a race and in both alternatives there is less than one percent difference among the existing districts.

Mr. Zaremba asked what would happen to Whittaker's Mill in Alternative B.

Mr. Cross stated that it would stay in District 1.

Chairman Noll asked when the Marquis apartments and other developments in the pipeline scheduled to be completed. She also asked if compactness is one of the state's criteria.

Mr. Cross said both compactness and contiguous are required.

Mr. Zaremba stated that he sees no changes to District 1 in Alternative A. However, Mr. Cross stated that the area to the north of Route 238 which includes Riverwalk Townes, the Woods of Yorktown and the apartments on Route 238 are shifted from District 1 to District 3 in this alternative. This is a very small change to District 1 impacting approximately 810 residents.

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Following a brief discussion among the Board members, the consensus was that Alternative A is the best option for redistricting in order to meet state requirements.

CONSENT CALENDAR

The Consent Calendar was considered and **approved on a vote of 5:0**. A summary of actions taken are below.

Chairman Noll asked for clarification on Item Number 3.

Mr. Brian Woodward, Public Works Director, explained that the County has the ability to require a developer to make the sewer deeper or extend it a little further than what is required similar to the Harpers Station development. He further explained that the pump station, Don Juan, located off Route 17 behind Southern Plumbing is very old and the County has been trying to get this station offline. This development provides an opportunity to negotiate with the developer to make the sewer line deeper and extend it a little further than what is required for the development.

Mr. Roane asked if the old pump station can be offline once the new development is on public sewer.

Mr. Woodward stated that the added improvements will not enable the County to do so, but should occur in the near future via a CIP project.

Chairman Noll agreed that these improvements will be needed to accommodate the forthcoming senior housing development in this same area.

Mr. Zaremba asked an approximate timeline for Item Numbers 1 and 2.

Mr. Woodward stated that the timelines are based upon the Board's approval this evening. Should both of these items be approved, he noted that then we will work with purchasing to issue contracts giving the contractor 30 days to hold a pre-construction meeting, after which a notice to proceed would be issued.

Chairman Noll asked if these projects are expected to be completed by summer.

Mr. Woodward stated that they should both be completed by the fall.

Mr. Morgan explained that we will need the Commonwealth Transportation Board's approval since there is revenue sharing money involved in these projects.

Chairman Noll stated that Item Number 4 regarding drainage in Edgehill has been a problem for quite a while and asked for an update on this project.

Mr. Woodward stated that this too is a revenue sharing project, which will also require the Commonwealth Transportation Board's approval subsequent to the Board of Supervisors' approval. Upon receipt of both approvals, the timeline is the same, and hopefully get this under construction in the spring.

Mr. Shepperd asked what the contractor will be tasked to do.

Mr. Woodward stated that the drainage improvements for Edgehill will be installed under Route 17, Cook Road and Old York-Hampton Highway.

Mr. Roane asked if the County will be improving existing drainage or installing a new drainage system.

Mr. Woodward responded by stating that additional drainage pipes will be added to the existing drainage system.

Mr. Shepperd asked where the existing drainage system is located.

Mr. Woodward stated the existing drainage is adjacent to the 55+ community accessible via Route 17 and Cook Road and flows down to Wormley Creek.

Mr. Morgan explained that some improvements in Edgehill and Wormley Creek had already been installed and if these improvements, under consideration this evening, are approved the drainage project will be complete.

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Mr. Roane asked if we had worked with Howard Brothers Contractor, Inc. before, to which Mr. Woodward concurred.

Mr. Roane then asked how much of the cost will be covered by revenue sharing funds.

Mr. Morgan stated that 50 percent of this project is paid by revenue sharing funds, as well as the two sidewalk projects under consideration this evening.

Mr. Green stated that he has been working with the Edgehill residents in an effort to resolve their drainage issues and thanked staff, specifically Mr. Woodward for his diligence in this matter; Mr. Morgan for prioritizing this much needed project; and Mr. Bellamy for meeting with the residents on numerous occasions.

Mr. Zaremba moved that the Consent Calendar be approved as submitted, Item Nos. 1, 2, 3, 4, 5 and 6, respectively.

On roll call the vote was:

Yea: (5) Zaremba, Green, Roane, Shepperd, Noll
Nay: (0)

Item No. 1. BYPASS ROAD SIDEWALK PROJECT. Resolution R22-18:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CTN ENTERPRISES, INC., FOR THE BYPASS ROAD SIDEWALK PROJECT

Item No. 2. PEDESTRIAN ACCESS IMPROVEMENTS. Resolution R22-19:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH J. SANDERS CONSTRUCTION CO. TO PROVIDE CONSTRUCTION SERVICES FOR THE VDOT LAP PEDESTRIAN ACCESS IMPROVEMENTS

Item No. 3. CREDIT FOR INSTALLATION OF ADDITIONAL SANITARY SEWER CAPACITY HARPERS STATION. Resolution R22-20:

A RESOLUTION TO AUTHORIZE SYSTEM FACILITY CREDITS TO THE DEVELOPER OF HARPERS STATION DEVELOPMENT FOR OVERSIZING THE SANITARY SEWER TO ACCOMMODATE FUTURE USE CAPACITY AND TO ALLOW THE ABANDONMENT OF LIFT STATION #29

Item No. 4. WORMLEY CREEK EDGEHILL CULVERTS. Resolution R22-21:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH HOWARD BROTHERS CONTRACTOR, INC. TO PROVIDE CONSTRUCTION SERVICES FOR THE WORMLEY CREEK EDGEHILL CULVERTS

Item No. 5. APPROVAL OF MINUTES

Thereupon, the following minutes were approved and resolutions adopted:

December 21, 2021
January 4, 2022

Item No. 6. EMPLOYEE OF THE QUARTER. Resolution R22-22:

A RESOLUTION TO COMMEND SHAWN WILLIAMS, FACILITIES SERVICES SUPERVISOR, AS THE EMPLOYEE OF THE QUARTER

OPEN DISCUSSION

Mr. Green stated that the County is looking for applicants for the Colonial Criminal Justice Board. Specifically a candidate who is a practicing attorney is needed for this board. He then encouraged qualified residents to apply.

Mr. Zaremba asked if there was a staff member who would be knowledgeable of possible grants that could assist the Queens Lake community to restore the trees along the spillway in order to stabilize the shoreline, which was heavily damaged by Hurricane Isabel.

Mr. Morgan stated the County has staff that are quite familiar with grant processes and noted that there is a state agency that enforces dam safety. Additionally he noted that the Virginia Department of Transportation (VDOT) owns the road surface and if it experiences a spillover, the road would be undermined very quickly. He added that staff can certainly do some research on this matter; however, if the County is not the responsible party he was unsure how we could proceed.

Mr. Zaremba stated that he recently learned via an online news report that one of the Governor's Executive Orders stated that masks are not required for children attending public kindergarten through twelfth grade. Since then he noted several northern Virginia counties have filed a lawsuit against the Governor regarding this matter. He then asked how the County School Division responded to this order.

Mr. Morgan said it is his understanding that the Superintendent and the School Board do not believe the Executive Order trumps the General Assembly law that was passed last year on a bipartisan basis that said the schools should follow the CDC guidelines. However, he noted they have not joined the lawsuit and are waiting for legal clarification. He added that this might become irrelevant since the crisis seems to be decreasing and the CDC will likely reverse its mask requirement.

Mr. Shepperd added that the Governor has also stated that this matter needs to be resolved in court and meanwhile parents and children should adhere to whatever the respective school division says.

Mr. Roane asked the County Attorney, Mr. Barnett, about a bill in the General Assembly that addresses parents' participation in drivers' education. He would like to know exactly what the bill would mean for parents and children.

Mr. Barnett stated that he had spoken with Deputy County Attorney, Melanie Berry, who works at the School Division and asked her which General Assembly bills are significant enough to be monitored. In response, he stated that she had provided a list of bills; however, he did not recall seeing one regarding drivers' education. He stated that he would research the bill and report back to the Board.

Chairman Noll stated that unemployment has become a problem since there appears to be few individuals seeking jobs. She then asked how many vacancies the County currently has.

Mr. Morgan stated approximately fifty.

Chairman Noll commended County staff for picking up additional duties wherever needed and noted that those employees she has spoken with enjoy working for the County. She pointed out that the Hampton Roads Workforce Council is working hard to assist with this issue and has developed two new programs. They have opened a Veterans Employment Center with a \$300,000 grant they received from Smithfield Foods and they have opened a Career Center in the Williamsburg area. This specific center helps people who are working, but have found their current field unsuitable. She stated that they have started a program called Campus 757 which helps young college graduates to obtain interviews and/or internships with local businesses and shares with them the advantages of living in the area and what social activities, etc. are available here. She also mentioned the Next Gen Opportunity Fair which will bring employers and college students together in order to arrange internships for them in the various business sectors. Not only will this keep young people and professionals in our communities, but it will also provide the needed employees as older people retire.

Mr. Roane agreed that workforce development is very important and such programs as Chairman Noll detailed will enable government and businesses to fill their job vacancies with trained and educated individuals.

Mr. Shepperd asked Mr. Barnett to provide an update on the transportation bill before the General Assembly.

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Mr. Barnett stated that there are actually three bills that will impact state gasoline taxes. He noted that HB 297 would suspend the imposition of any regional fuel tax in Virginia between July 1, 2022 and July 1, 2023. HB 1059, sponsored by Delegate Cordoza, who represents a portion of the County, would do the same thing and HB 1144 would also lower the rate of tax on gasoline and diesel fuel and again this one would revert to regular pricing on July 1, 2023. He contacted the Virginia Association of Counties (VACo) to find out what the fiscal impact would be as a result of the bills and was told that a fiscal impact study is in the process but has not yet been completed. However, on their preliminary analysis if HB 1144 were to pass, with the assumption that all three related bills will be rolled into this one bill, he stated it would be a decrease somewhere between \$200 and \$250 million in transportation funding for the Commonwealth. Mr. Barnett stated that once the bills are considered by the General Assembly, he will report back to the Board.

Mr. Shepperd stated that HB 1144 if adopted will not impact the gasoline tax that we collect for the major road projects in Hampton Roads. He noted that Mr. Kevin Page, Executive Director of Hampton Roads Transportation Accountability Commission (HRTAC), will be in attendance when these bills come forward for a vote. He then asked Chairman Noll to explain how citizens can submit comments to the General Assembly committees.

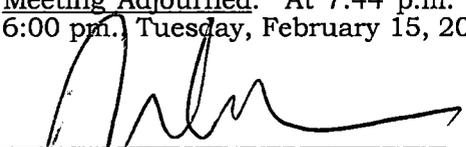
Discussion followed on how to submit comments concerning various bills that the General Assembly will consider.

Mr. Morgan stated that Public Affairs Director, Paula Hersh, will place this link on the County website tomorrow for residents' convenience. He pointed out a bill, introduced by Delegate Cordoza, which calls for the state to mandate a different structure of the Peninsula Airport Commission. Specifically the bill states that there will be two seats for Poquoson, two seats for Williamsburg, two would be removed from Newport News, and York and James City County would each have one seat on the Airport Commission. Lastly, he asked if the Board would support him in making it clear that the Board does not support this bill to which they concurred.

Mr. Green stated that he had spoken with Delegate Cordoza today who had asked him to speak to the bill tomorrow via Zoom. He shared with him that the County, although in favor of his being involved in the Airport Commission, is not supportive of this bill as written. He added that 40 percent of the airport is located in York County; we have 70,000 residents compared to Poquoson's 12,000 residents and Williamsburg's 13,000 residents, so it makes no sense to give two small cities two representatives each.

Mr. Morgan stated that the City of Newport News has been the sole source of the airport's operating budget for 25 years. They also contributed substantially to the airport terminal in the 1980s, but since then the contributions have been for air service. Of course all localities gave some, but he stated that Newport News gave proportionately more.

Meeting Adjourned. At 7:44 p.m. Chairman Noll declared the meeting adjourned sine die/to 6:00 p.m. Tuesday, February 15, 2022, in the Board Room of York Hall.



Neil A. Morgan
County Administrator



Sheila S. Noll, Chairman
York County Board of Supervisors