

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
February 18, 2020

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., Tuesday, February 18, 2020, in the Board Room, York Hall, by Chairman W. Chad Green.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zarembo, Sheila S. Noll, W. Chad Green, Jeffrey D. Wassmer, and Thomas G. Shepperd, Jr.

Also in attendance were Neil A. Morgan, County Administrator; Mark L. Bellamy, Jr., Deputy County Administrator; Vivian A. Calkins-McGettigan, Deputy County Administrator; and James E. Barnett, County Attorney.

Invocation. Pastor Alvin Georges, The Mount Leads, gave the invocation.

Pledge of Allegiance to the Flag of the United States of America. Chairman Green led the Pledge of Allegiance.

PRESENTATIONS

GREATER PENINSULA WORKFORCE DEVELOPMENT INITIATIVES

Mr. William H. Mann, Jr., Executive Director, Greater Peninsula Workforce Board provided an overview on workforce development within Hampton Roads. He stated that Mr. Shawn Avery, President and CEO of the Hampton Roads Workforce Council would also be making a presentation regarding military outreach and initiatives on the Southside. He explained that both boards were focused on youth who have various barriers to completing their education or post-secondary education and noted the importance of making sure that young people complete their secondary education. The agency works in collaboration with vocational educational institutions to ensure the quality of the training provided meets the needs of the business community. Mr. Mann provided the Board with specific guidelines they must meet due to the federal funding guidelines. He spoke of the services provided at the Virginia Career Works Center in Hampton and the extensive network of outreach sites to access services. Currently, 31 active sites within the local area exist with 468 trained volunteers who work alongside of the professional staff providing services to the community. Mr. Mann stated that they worked closely with Newport News Shipbuilding, the Virginia Ship Repair Organization, and a variety of other organizations and businesses to help find the workforce that is going to be required by the Maritime Industry sector of the local economy. An overview of funding for the program year, participant numbers, and the fourth quarter performance metrics were provided to the Board.

Mr. Shawn Avery, President and CEO, Hampton Roads Workforce Council, provided the Board with an update concerning the Southeastern Virginia Regional Workforce Collaborative. He spoke of the combined achievement regarding to business interactions, visits to the career work centers, American job centers, and one-stop career centers. Mr. Avery stated they had started a Veterans' Employment Center on the Southside which had become an important tool for economic development by connecting transitioning members, veterans, and military spouses. He stated they were in the planning stages to set up a Hampton Roads Veterans' Employment Center on the Peninsula. Mr. Avery stated it was very important to see a positive return on their investment. He stated the Peninsula had contracted with their organization on the Southside this year to serve as the connection to the business community and economic development.

Mr. Wassmer stated he had the privilege over the past couple of years to serve on this board and represented York. He thanked Sheri Newcomb and noted the phenomenal job she did by

representing York County. He stated this organization had struggled a couple of years ago, and noted that Mr. Mann and Mr. Avery's leadership had put it on solid footing. He stated this was a great example of collaboration between the Peninsula and the Southside serving the same mission crossing different businesses to help communities, businesses, and individuals. He stated the shipyard was hiring 3,000 more employees and it was going to be a huge challenge to find skilled people. He encouraged the citizens to reach out to the Greater Peninsula Workforce Development Board for guidance, retraining, and phenomenal resources. He thanked Mr. Mann and Mr. Avery for the services they provide to the citizens.

Discussion followed on the types of programs offered at both organizations noting a lack of skilled, qualified workers, the types of programs that were offered after high school, mentoring and internships, and the Youth Builders Program which was a fast track program from New Horizons into the Apprentice School.

Mr. Zaremba asked about the numbers of the actual placement of employment.

Mr. Avery stated that non-federally funded programs did not have the ability to be tracked because they did not want to turn anyone away. He noted that the Veterans Employment Center was currently investigating the opportunities that are available within the region.

Chairman Green asked for contact information people would use to connect with the programs.

Mr. Mann stated all the contact information was available on the front page of their websites as follows:

Greater Peninsula Workforce Board – www.vcwpeninsula.com

Hampton Roads Workforce Council – www.vchamptonroads.org

RECYCLING PROGRAM STATUS REPORT

Mr. Brian Woodward, Director of Public Works, introduced Ms. Laurie Halperin, Waste Services Manager, and explained that she would be making the presentation this evening on "recycling right."

Mrs. Laurie Halperin stated her presentation was to cover the appropriate way to recycle. She noted that individuals who did not recycle properly posed a detriment to the program as everything was ruined by contamination. She stated the current County contamination rate under the VPPSA contract ranged between 10 to 25 percent, and noted that everyone needed to do better. She stated that recycling was consistent with the Board's Strategic Priorities. Mrs. Halperin then reviewed the acceptable items that were to be placed in the curbside recycle containers. While plastic bags were not to be placed in the recycling containers, and were one of the worst offenders of the program; the County offered recycling of plastic bags at various locations. Plastic bags could be recycled at both of the York County Libraries and the York County Waste Management Center. Benches were being created from the bags and were being received every six months. The benches were then placed in public spaces located within the County. Mrs. Halperin stated the County had household hazardous waste and computer recycling days the second Saturday of every other month, March through November each year. She also reminded citizens of the drop-off recycling center where County residents can bring some additional items that cannot be put into the curbside recycle container. Mrs. Halperin stated the main purpose of the presentation was to educate the citizens to get cleaner and acceptable recyclable items. She then reviewed the many ways the Beautification Committee got educational material out to the public on acceptable recycling materials. Those methods included printed material, *Citizen News*, social media, the County website www.yorkcounty.gov/recycle, and regionally at the AskHRGreen.org website <https://askhrgreen.org/gtk-gtd/recycling-lookup/york-county/> through the Hampton Roads Planning District Commission.

Discussion followed on the misconceptions of what can and cannot be recycled, whether or not there is any value in recycling glass bottles, and the exceptions regarding cans, aluminum, and plastic.

Mr. Shepperd explained it would be best if citizens were ever in doubt as to whether an item was recyclable, to simply throw it out.

Mrs. Halperin stated if citizens did not know for sure if it was an acceptable curbside item, their motto was to throw it out.

Chairman Green thanked Ms. Halperin for the informative presentation.

CITIZENS COMMENT PERIOD

No one appeared to speak at this time.

COUNTY ATTORNEY REPORTS AND REQUESTS

Mr. Barnett highlighted a couple of bills, and stated two bills going through the General Assembly would mostly equalize the taxing authority between cities and counties. He explained the Senate Bill if passed would impose a cap of 40 cents on cigarette tax, but the House Bill had no taxing limits. He stated there were a couple of bills that had survived regarding collective bargaining by public employees. He also spoke regarding the bills concerning minimum wage with an \$11.50 per hour target. He stated if any of the Board members were interested in the entire list of bills to let him know.

Discussion followed on collective bargaining and the fact that Virginia is a right-to-work state.

Mrs. Noll asked if she was correct regarding the energy bill and the possibility of raising home energy bills about \$50 more per month.

Mr. Barnett stated that he would have to research that bill.

COUNTY ADMINISTRATOR REPORTS AND REQUESTS

Mr. Morgan stated snow flurries were expected on Thursday night, but no significant accumulation was expected.

MATTERS PRESENTED BY THE BOARD

Mrs. Noll spoke regarding the electrical fire at Grafton School Complex. She explained it had upset many families, but was thankful that no one was hurt. She then stated this past month, the County had two amazing women to retire who together had given 70 years of their professional lives to the service of the County and its citizens. She stated Ellen Simmons had provided support and guidance for both Board members and Administration for the past 40 years. She noted Ms. Simmons had been a friend and had mentored others who would follow in her footsteps also, and had certainly left an indelible mark on County Administration, and would be missed by all those she had touched. She then spoke regarding Annetta Norwood Perry. Mrs. Noll noted that Ms. Perry had touched the lives of so many of the families in York County with her enthusiasm and dedication to the children in the School Division through the County's Safety Town Program. She stated the County needed to be grateful for their service. Mrs. Noll suggested that everyone should read the article on technology. Mrs. Noll also reminded everyone of the importance in receiving routine health screenings.

Mr. Shepperd stated he thought the briefing on recycling this evening had been outstanding. He wanted to make sure that citizens were aware that not recycling correctly was costing the County over a million dollars. He stated if citizens wanted to continue having the recycling program, then better attention was needed on what was recyclable. He stated it was interesting that with the recent rain, the County had begun receiving calls about ditches flooding. He stated staff and VDOT crews had responded quickly and expressed his appreciation to the

drainage crews responding to the issues. He applauded both the County staff and VDOT staff for their prompt drainage assistance.

Chairman Green held up a copy of Citizens News and stated it was a great publication. He encouraged everyone to read it, noting a great article about technology. He informed everyone that the County would be getting a new area code in 2020.

PUBLIC HEARINGS

APPLICATION NO. PD-51-20, COMMONWEALTH GREEN, LLLP

Mr. Timothy Cross, Deputy Director of Planning and Development Services, gave a brief presentation on proposed Ordinance No. 20-3 to amend the conditions of approval applicable to the previously approved Commonwealth Green Mixed Use Development.

Mr. Shepperd asked questions regarding the proposal of the business component with the residential component of the development.

Discussion followed on the amount of commercial versus residential space, road connection to Route 17, and visibility of commercial businesses being proposed within the development.

Mr. Donald Davis, 3630 George Washington Memorial Highway, spoke with developers Tom Tucker and Jack Davis, regarding the application. He provided a brief history of the project, and explained the site had been under development for about 7 years. He stated the multi-family site was finished in late 2015 or 2016, and noted that the rest of site including a substantial amount of roadways and infrastructure were in place. He stated the end of Keener Road would be paved within the next week. He explained that the developers were asking for three components: to extend the deadline for completing the Route 17 connection; to reduce the commercial square footage from 40,610 to 35,640 square feet; and to eliminate the requirement for completion of commercial space within two years. Mr. Davis explained the project had seen significant delays due to obtaining the required permits from the federal government from such agencies as the Department of Environmental Quality and Army Corps of Engineers due to the wetlands on the property. In total it had taken around six years to obtain the necessary permits, as it was viewed as an individual permit. The project had moved much slower than anticipated with the exception of the multi-family development. A new developer that was working on the project has submitted new building plans. He stated they were hopeful to record the plat to allow for the next group of units on Keener Way to be constructed in the very near future. He explained that projects were still in the works to continue the mixed use areas, but requested not to be required to build at the commercial location on Keener Way and Commonwealth Drive

Mr. Shepperd stated his concern was the Board had gone to great lengths with the staff and the developers to try and give an opportunity for this type of establishment in York County, noting he understood that markets change. He stated he would not support the plan this evening and he was not going to give up on the fact that there was a commercial component to this property that needed to be built. He stated in concept this neighborhood was to be a complete neighborhood and was supposed to have the amenities for shopping as previously proposed for the residents. He stated without the road being connected to Route 17, there was no opportunity for anyone to come in and feel that this was a business development. He stated there needed to be some incentive to move forward in building the commercial component and the road.

Mr. Davis stated they were asking to postpone the connection to Route 17 until the 29th unit received an occupancy permit. He stated the other commercial areas that were located on Commonwealth Drive would be built, noting they already had an approved site plan, a building permit, and a building under construction right now that will be finished by June.

Discussion followed regarding the reduction of square footage to the commercial building, the percentage of the commercial square footage that has already been built, how many more units needed to be built before the road would be extended to Route 17, the number of units that had currently been built, the number of units currently under construction, the water and sewer lines that had been extended to the Coxtan property, and how long the actual construction of the roadway would take.

Mr. Wassmer asked how much of the 4,500 square feet of commercial space had been leased or potential prospect to lease the space.

Mr. Davis responded they had no prospects at this point. He stated the 4,500 square footage of commercial space was currently under construction and would be finished in June.

Mr. Wassmer stated if the road to Route 17 had been completed, it would give increased visibility to the commercial space. He hated to force someone to build commercial property just to sit vacant because it would cause people not to want to live there.

Mr. Zaremba voiced his concerns and questioned whether York County was building too many subdivisions too soon. He had asked the County Administrator about the surge of subdivision construction in the upper County.

Mr. Davis stated the 384 multi-family units had been constructed with very nice amenities and stay rented all the time.

Discussion followed on the layout of the square footage to be built in the commercial space and how the type of commercial building would be determined.

Mr. Shepperd stated he was having a problem with the sense that this whole development could be completed without a commercial space.

Chairman Green then called to order a public hearing on Application No. PD-51-20 that was duly advertised as required by law. Proposed Ordinance No. 20-3 is entitled:

AN ORDINANCE TO APPROVE AN APPLICATION TO AMEND THE
CONDITIONS OF APPROVAL APPLICABLE TO THE PREVIOUSLY
APPROVED COMMONWEALTH GREEN MIXED USE DEVELOP-
MENT

There being no one present who wished to speak concerning the subject application, Chairman Green closed the public hearing.

Mr. Shepperd stated the Board had said this was a proof of concept and wanted it done right. He stated the Board does not want businesses to fail, but at the same token this project has had three developers already. He stated he wanted the commercial component in the building sequence.

Mr. Zaremba spoke of all the empty buildings in the upper County, stating he did not see the necessity to hold up the development because the developer would like to delay the construction of the commercial part of the project and he was ready to approve the recommendation of the staff.

Mr. Wassmer stated the applicant had explained the connection to Route 17 was going to be built, wanted to reduce the square footage for commercial space from 4,500 to 3,500 based on the 10 acres of wetlands, and was still committed to building the commercial as the demand necessitated. He stated if he had heard that all correctly he would support the application.

Mrs. Noll stated she voted against this proposal in 2012, because of location and the fact that at that time they were looking for a connection to Coventry Boulevard. She knew the apartments had been rented, but the other part was on life-support. Mrs. Noll asked them to please solve their problems.

Mr. Wassmer then moved the adoption of proposed Ordinance No. 20-3 that reads:

AN ORDINANCE TO APPROVE AN APPLICATION TO AMEND THE
CONDITIONS OF APPROVAL APPLICABLE TO THE PREVIOUSLY
APPROVED COMMONWEALTH GREEN MIXED USE DEVELOP-
MENT

WHEREAS, on February 21, 2012, the York County Board of Supervisors approved Application No. PD-31-12 to amend the York County Zoning Map by reclassifying approximately 45.9 acres of land located at the end of Commonwealth Drive (Route 1839) on the east side of the York County-City of Newport News boundary from Economic Opportunity (EO) to Planned Development Mixed Use (PDMU) for the purpose of developing a mixed-use development consisting of a maximum of 334 rental apartments, 94 townhouses, 16 “live-above” condominium or rental units, and a minimum of 40,610 square feet of commercial space; and

WHEREAS, on November 15, 2016, the Board of Supervisors approved an Application No. PD-44-16 to amend the conditions of approval to provide that the proffered road connection to Route 17 will be completed within two years of the issuance of the first building permit for a townhouse in the development rather than within two years of the issuance of the first building permit for a townhouse or apartment; and

WHEREAS, Commonwealth Green LLLP has submitted Application No. PD-51-20 to request various amendments to the conditions of approval for the above-referenced Commonwealth Green development now under construction on property located at 511, 600, and 701-Z Commonwealth Drive and 201, 300-Z, 301, and 500 Keener Way and further identified as Assessor’s Parcel Nos. 36-1-A2, 36-1-A3, 36C-1-C, 36C-1-A, 36C-1-D, and 36-1-A, said amendments relating to 1) the deadline for completing the proffered road connection between George Washington Memorial Highway (Route 17) and Commonwealth Drive (Route 1839); 2) the minimum amount of commercial space to be built within the project; and 3) the proffered sequencing requirements for commercial and residential construction; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has carefully considered the public comments and Planning Commission recommendation with respect to this application;

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this the 18th day of February, 2020, that Application No. PD-51-20 be, and it is hereby, approved to amend the conditions of approval for the Commonwealth Green development as they apply to the property located at 511, 600, and 701-Z Commonwealth Drive and 201, 300-Z, 301, and 500 Keener Way and further identified as Assessor’s Parcel Nos. 36-1-A2, 36-1-A3, 36C-1-C, 36C-1-A, 36C-1-D, and 36-1-A amending the conditions of approval set forth in Ordinance No. 12-1(R), as amended by Ordinance No. 16-13, to read and provide as follows:

1. General Layout, Design, and Density

- a) The development shall be designed and constructed in accordance with the provisions of 24.1-361.1, Planned Development Mixed Use district, except as modified herein.
- b) A site plan, prepared in accordance with the provisions of Article V of the Zoning Ordinance, shall be submitted to and approved by the Department of Environmental and Development Services, Division of Development and Compliance prior to the commencement of any land clearing or construction activities on the site. Except as modified herein, said site plan shall be in substantial conformance with the overall development master plan titled “Master Concept Plan of Commonwealth Green,” prepared by Davis & Associates, P.C., dated October 25, 2011 as revised by the concept plan titled “Master Plan Commonwealth Green,” prepared by Davis & Associates, P.C. and dated November 26, 2019, supplemented by the Narrative Description, Residential Design Guidelines, Sign Guidelines, and Building Materials Palette, with revisions through February 6, 2012,

copies of which shall be kept on file in the office of the York County Planning Division.

- c) The maximum number of residential units shall be 444, including 334 rental apartments, 94 townhouses, and 16 “live-above” units. No accessory apartment, as defined by Sections 24.1-104 and 24.1-407 of the Zoning Ordinance, shall be permitted in conjunction with any residential unit in the development.
- d) The development shall include a minimum of 35,460 square feet of commercial/office/civic/institutional (i.e., non-residential) floor area.
- e) Architectural design of all buildings shall be in substantial conformance with the building elevations and “Building Materials Palette” submitted by the applicant, copies of which shall be kept on file in the office of the York County Planning Division, and with the standards set forth in Zoning Ordinance Section 24.1-361.1(f), Planned Development Mixed Use district.
- f) Off-street and on-street parking for the rental apartment buildings shall be provided in accordance with the minimum numerical standards set forth in Section 24.1-606(a) of the Zoning Ordinance (1.5 spaces per unit plus one space for every 3 units for visitor parking). Any proposed deviation from this minimum standard shall be subject to approval by the Zoning Administrator following the submission of a site- and use-specific parking space analysis and plan in accordance with the provisions set forth in Section 24.1-604(b) of the Zoning Ordinance.

2. Signs

- a) Freestanding signage shall be limited to one development identification sign at each entrance to the project. Said signs shall be monument-style and shall not exceed forty (40) square feet in area and six feet (6') in height. Materials and colors shall be compatible with overall development architecture. In addition, the apartment component of the project may be identified by a monument-style community identification sign at each of its entrances from Commonwealth Drive with such signs not to exceed twenty-four (24) square feet and six (6) feet in height.
- b) In accordance with the Zoning Ordinance standards applicable to development in the LB (Limited Business) district, wall and marquee/canopy signs having a maximum cumulative area of 1.25 square feet for each linear foot of principal building width shall be permitted for the mixed-use and commercial buildings.

3. Streets and Roads

Subject to approval by the Virginia Department of Transportation (VDOT), the developer shall install a 200-foot southbound right-turn lane on George Washington Memorial Highway (Route 17) at the entrance to the project. All public road improvements shall be constructed in accordance with all applicable VDOT standards.

4. Fire and Life Safety

- a) In accordance with Section 503.1.1 of the 2009 International Fire Code, approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

- b) The roundabout, sidewalks, inside and outside curbs, traffic islands, parking lot islands, etc. shall be designed to accommodate the turning radius (33' inside) of large fire and rescue apparatus.
- c) A water supply shall be established with a minimum of 2500 GPM (gallons per minute) in accordance with Newport News Waterworks requirements.

5. Open Space and Recreation

- a) A minimum of 10.16 acres of common open space shall be provided as depicted on the overall development master plan and in accordance with the provisions set forth in Section 24.1-361.1(g)(2) of the Zoning Ordinance.
- b) Indoor recreational amenities shall consist of, at a minimum, a 1,800-square foot town center with a kitchenette, dining area, exercise area, and restrooms. Said facility shall be available to all property owners and residents of the development and their guests and shall be completed and available to residents.

6. Utilities

The proposed gravity sanitary sewer system shall connect into the existing York County Manhole #039208 at the lowest invert possible. The sanitary sewer pipeline shall be designed with the minimum slope allowed in accordance with York County Standards.

7. Environment

- a) Prior to the approval of any site plans for this development, the developer shall submit a Natural Resources Inventory of the property prepared in accordance with Section 23.2-6 and evidence of all environmental permits.
- b) Any proposed disturbance of wetlands on the property shall require a permit from the U.S. Army Corps of Engineers and/or Virginia Department of Environmental Quality.
- c) Development of the property shall be in accordance with the provisions of the Watershed Management and Protection Area overlay district set forth in Section 24.1-376 of the Zoning Ordinance.

8. Proffered Conditions

The reclassification shall be subject to the conditions listed in the proffer statement titled "Commonwealth Green Proffers-Revised," dated October 25, 2011 and amended through October 30, 2019, and signed by Thomas R. Tucker and John Olivieri.

BE IT FURTHER ORDAINED that in accordance with Section 24.1-114(e)(1) of the York County Zoning Ordinance, a certified copy of this ordinance, together with a duly signed copy of the October 30, 2019 proffer statement, shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court prior to application for site plan approval.

BE IT STILL FURTHER ORDAINED that the conditions set forth herein shall supersede previously approved conditions of approval set forth in Ordinance No. 12-1(R) and Ordinance No. 16-13 as they apply to the properties located at 511, 600, and 701-Z Commonwealth Drive and 201, 300-Z, 301, and 500 Keener Way and further identified as Assessor's Parcel Nos. 36-1-A2, 36-1-A3, 36C-1-C, 36C-1-A, 36C-1-D, and 36-1-A.

On roll call the vote was:

Yea:	(4)	Zaremba, Noll, Wassmer, Green
Nay:	(1)	Shepperd

Mr. Morgan gave a brief presentation on proposed Ordinance No. 20-2 to County Code Section 19-6 (a) and Section 19-6 (j) providing that the failure to keep property free of accumulations of solid waste, trash, garbage, refuse, and litter on private property shall be enforced as a civil, rather than a criminal, violation.

Mr. Zaremba stated Mr. Morgan had spoken before of the difficulty of the County enforcing residents to maintain the law, and he asked if it was primarily because of the criminal penalties.

Mr. Morgan stated that had been an issue at times, but the other part was that the County did not have a property maintenance code and this ordinance would allow a better enforcement of excessive trash and debris.

Mr. Zaremba asked about abandoned houses that might have broken or missing windows.

Mr. Morgan stated for structures, the building official has to make a determination whether not the structure is structurally unsound.

Chairman Green then called to order a public hearing on proposed Ordinance No. 20-2 that was duly advertised as required by law and is entitled:

AN ORDINANCE TO AMEND COUNTY CODE SECTION 19-6 (A)
AND SECTION 19-6 (J) PROVIDING THAT THE FAILURE TO
KEEP PROPERTY FREE OF ACCUMULATIONS OF SOLID WASTE,
TRASH, GARBAGE, REFUSE, AND LITTER ON PRIVATE PROP-
ERTY SHALL BE ENFORCED AS A CIVIL, RATHER THAN A
CRIMINAL, VIOLATION

There being no one present who wished to speak concerning the subject ordinance, Chairman Green closed the public hearing.

Mr. Shepperd then moved the adoption of proposed Ordinance No. 20-2 that reads:

AN ORDINANCE TO AMEND COUNTY CODE SECTION 19-6 (A)
AND SECTION 19-6 (J) PROVIDING THAT THE FAILURE TO
KEEP PROPERTY FREE OF ACCUMULATIONS OF SOLID WASTE,
TRASH, GARBAGE, REFUSE, AND LITTER ON PRIVATE PROP-
ERTY SHALL BE ENFORCED AS A CIVIL, RATHER THAN A
CRIMINAL, VIOLATION

Sec. 19-6. Maintenance of premises; duty of owner.

- (a) Duty to maintain free from health and safety endangering substances and nuisances. It shall be the duty of the owners of real property in the county to maintain such property at all times free from any accumulation of solid waste, trash, garbage, refuse, litter or other substances which might endanger the health or safety of other residents of the county or otherwise constitute a nuisance.

* * *

- (j) Penalty for violation.
1. A violation of subsections (b) shall be subject to a civil penalty, not to exceed \$100.
 2. A violation of subsections (a), (c), (d), and (f) shall be subject to a civil penalty, not to exceed \$50 for the first violation, or violations arising from the same set of operative facts. The civil penalty for subsequent violations arising from the same set of operative facts within 12 months of the first violation shall not exceed \$200. Each business day during which a violation is found to have existed

shall constitute a separate offense. In no event shall a series of specified violations arising from the same set of operative facts result in civil penalties that exceed a total of \$3,000 in a 12-month period.

On roll call the vote was:

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

SCHOOL CAPITAL PROJECT FINANCING

Mr. Morgan gave a brief presentation on proposed Resolution R20-14 to authorize the issuance of not to exceed \$9,000,000 General Obligation School Bond of the County of York, Virginia, to be sold to the Virginia Public School Authority and providing for the form and details thereof.

Chairman Green then called to order a public hearing on proposed Resolution R20-14 that was duly advertised as required by law and is entitled:

A RESOLUTION TO AUTHORIZE THE ISSUANCE OF NOT TO EXCEED \$9,000,000 GENERAL OBLIGATION SCHOOL BOND OF THE COUNTY OF YORK, VIRGINIA, TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF

There being no one present who wished to speak concerning the subject resolution Chairman Green closed the public hearing.

Mrs. Noll then moved the adoption of proposed Resolution R20-14 that reads:

A RESOLUTION TO AUTHORIZE THE ISSUANCE OF NOT TO EXCEED \$9,000,000 GENERAL OBLIGATION SCHOOL BOND OF THE COUNTY OF YORK, VIRGINIA, TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF

WHEREAS, the Board of Supervisors (the "**Board**") of the County of York, Virginia (the "**County**"), has determined that it is necessary and expedient to borrow an amount not to exceed \$9,000,000 and to issue its general obligation school bond (as more specifically defined below, the "**Local School Bond**"), to finance the costs of public school projects contained in the County's Capital Improvements Program, as the same may be amended by the Board from time to time (collectively, the "**Project**");

WHEREAS, the County held a public hearing, duly noticed, on February 18, 2020, on the issuance of the Local School Bond in accordance with the requirements of Section 15.2-2606, Code of Virginia 1950, as amended (the "**Virginia Code**");

WHEREAS, the School Board of the County (the "**School Board**") has, by resolution, requested the Board to authorize the issuance of the Local School Bond and consented to the issuance of the Local School Bond;

WHEREAS, Virginia Public School Authority ("**VPSA**") has offered to purchase the Local School Bond along with the local school bonds of certain other localities with a portion of the proceeds of certain bonds to be issued by VPSA in the spring of 2019 (the "**VPSA Bonds**");

WHEREAS, the Bond Sale Agreement (as defined below) shall indicate that \$8,000,000 is the amount of proceeds requested (the "**Proceeds Requested**") from VPSA in connection with the sale of the Local School Bond;

WHEREAS, VPSA's objective is to pay the County a purchase price for the Local School Bond which, in VPSA's judgment, reflects the Local School Bond's market value (the "**VPSA**");

Purchase Price Objective"), taking into consideration of such factors as the amortization schedule the County has requested for the Local School Bond relative to the amortization schedules requested by other localities, the purchase price to be received by VPSA from the sale of the VPSA Bonds and other market conditions relating to the sale of the VPSA Bonds; and

WHEREAS, such factors may result in the Local School Bond having a purchase price other than par and consequently (i) the County may have to issue the Local School Bond in a principal amount that is greater than or less than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested, or (ii) if the maximum authorized principal amount of the Local School Bond set forth in section 1 below does not exceed the Proceeds Requested by at least the amount of any discount, the purchase price to be paid to the County, given the VPSA Purchase Price Objective and market conditions, will be less than the Proceeds Requested.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 18th day of February, 2020:

1. **Authorization of Local School Bond and Use of Proceeds.** The Board hereby determines that it is advisable to contract a debt and issue and sell its general obligation school bond as the Local School Board reference above in an aggregate principal amount not to exceed \$9,000,000 for the purpose of financing the Project. The Board hereby authorizes the issuance and sale of the Local School Bond in the form and upon the terms established pursuant to this Resolution.

2. **Sale of the Local School Bond.** The sale of the Local School Bond, within the parameters set forth in paragraph 4 of this Resolution, to VPSA is authorized. Given the VPSA Purchase Price Objective and market conditions, the County acknowledges that the limitation on the maximum principal amount of the Local School Bond set forth in paragraph 1 of this Resolution restricts VPSA's ability to generate the Proceeds Requested, however, the Local School Bond may be sold for a purchase price not lower than 95% of the Proceeds Requested. The Chairman of the Board, the County Administrator, or either of them (each a "Delegate") and such other officer or officers of the County as either may designate are hereby authorized and directed to enter into an agreement with VPSA providing for the sale of the Local School Bond to VPSA (the "Bond Sale Agreement"). The Bond Sale Agreement shall be in substantially the form submitted to the Board at this meeting, which form is hereby approved, with such completions, insertions, omissions and changes not inconsistent with this Resolution as may be approved by the County officer executing the Bond Sale Agreement.

3. **Details of the Local School Bond.** The Local School Bond shall be dated 16 days prior to the date of its issuance and delivery or such other date designated by VPSA; shall be designated "General Obligation School Bond, Series 2020"; shall bear interest from its dated date payable semi-annually on each January 15 and July 15 beginning January 15, 2021 (each an "Interest Payment Date"), at the rates established in accordance with paragraph 4 of this Resolution; and shall mature on July 15 in the years (each a "Principal Payment Date") and in the amounts acceptable to a Delegate (the "Principal Installments"), subject to the provisions of paragraph 4 of this Resolution.

4. **Interest Rates and Principal Installments.** Each Delegate is hereby authorized and directed to accept the interest rates on the Local School Bond established by VPSA, provided that each interest rate shall be five one-hundredths of one percent (0.05%) over the interest rate to be paid by VPSA for the corresponding principal payment date of the VPSA Bonds, a portion of the proceeds of which will be used to purchase the Local School Bond, and provided further that the true interest cost of the Local School Bond does not exceed five and fifty one-hundredths percent (5.50%) per annum. The Interest Payment Dates and the Principal Installments are subject to change at the request of VPSA. Each Delegate is hereby authorized and directed to accept changes in the Interest Payment Dates and the Principal Installments at the request of VPSA based on the final term to maturity of the VPSA Bonds, requirements imposed on VPSA by the nationally-recognized rating agencies and the final principal amount of the Local School Bond; provided, however, that the principal amount of the Local School Bond shall not exceed the amount authorized by this Resolution and the final maturity of the Local School Bond shall not

exceed 20 years from the date of the issuance and delivery of the Local School Bond shall be in accordance with an amortization schedule not to exceed 20 annual principal payments. The execution and delivery of the Local School Bond as described in paragraph 8 hereof shall conclusively evidence the approval and acceptance of all of the details of the Local School Bond by the Delegate as authorized by this Resolution.

5. **Form of the Local School Bond.** The Local School Bond shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A.

6. **Payment; Paying Agent and Bond Registrar.** The following provisions shall apply to the Local School Bond:

(a) For as long as VPSA is the registered owner of the Local School Bond, all payments of principal, premium, if any, and interest on the Local School Bond shall be made in immediately available funds to VPSA at, or before 11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next succeeding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption.

(b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Local School Bond.

(c) U.S. Bank National Association, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Local School Bond. The County may, in its sole discretion, replace at any time the Bond Registrar with another qualified bank or trust company as successor Bond Registrar and Paying Agent for the Local School Bond. The County shall give prompt notice to VPSA of the appointment of any successor Bond Registrar and Paying Agent.

7. **Prepayment or Redemption.** Unless otherwise provided by VPSA, the Principal Installments of the Local School Bond held by VPSA coming due on or before July 15, 2030, and the definitive bond for which the Local School Bond held by VPSA may be exchanged that mature on or before July 15, 2030, are not subject to prepayment or redemption prior to their stated maturities. The Principal Installments of the Local School Bond held by VPSA coming due on or after July 15, 2031, and the definitive bond(s) for which the Local School Bond held by VPSA may be exchanged that mature on or after July 15, 2031, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2030, upon payment of the prepayment or redemption prices (expressed as percentages of Principal Installments to be prepaid or the principal amount of the Local School Bond to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2030 through July 14, 2031	101%
July 15, 2031 through July 14, 2032	100½
July 15, 2032 and thereafter	100

Provided, however, that the Principal Installments of the Local School Bond shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of VPSA or other registered owner of the Local School Bond. Notice of any such prepayment or redemption shall be given by the Bond Registrar to VPSA or other registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

If VPSA refunds the VPSA Bonds in the future and such refunding causes the Local School Bond to be deemed refunded, the prepayment or redemption of the Local School Bond will be subject to VPSA approval and subject to similar prepayment or redemption provisions as set forth above that correspond to the call period of the VPSA bonds issued in part to refund the Local School Bond.

8. **Execution of the Local School Bond.** The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are authorized and directed to execute and deliver the Local School Bond and to affix the seal of the County thereto.

9. **Pledge of Full Faith and Credit.** For the prompt payment of the principal of, premium, if any, and the interest on the Local School Bond as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any portion of the Local School Bond shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on the Local School Bond as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

10. **Use of Proceeds Certificate and Tax Compliance Agreement.** The Chairman of the Board, the County Administrator and such other officer or officers of the County or the School Board as either may designate are hereby authorized and directed to execute and deliver on behalf of the County a Use of Proceeds Certificate and Tax Compliance Agreement (the "Tax Compliance Agreement") setting forth the expected use and investment of the proceeds of the Local School Bond and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Local School Bond will be invested and expended as set forth in such Tax Compliance Agreement and that the County shall comply with the other covenants and representations contained therein, and (ii) the County shall comply with the provisions of the Code so that interest on the VPSA Bonds will remain excludable from gross income for federal income tax purposes.

11. **State Non-Arbitrage Program; Proceeds Agreement.** The Board hereby determines that it is in the best interests of the County to authorize and direct the County Treasurer to participate in the State Non-Arbitrage Program in connection with the Local School Bond. The Chairman of the Board, the County Administrator and such officer or officers of the County as either may designate are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Local School Bond by and among the County, the other participants in the sale of the VPSA Bonds, VPSA, the investment manager and the depository, substantially in the form submitted to the Board at this meeting, which form is hereby approved.

12. **Continuing Disclosure Agreement.** The Chairman of the Board, the County Administrator and such other officer or officers of the County as either may designate are hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix D to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12, under the Securities Exchange Act of 1934, as amended, and directed to make all filings required by Section 4 of the Bond Sale Agreement should the County be determined by VPSA to be a MOP (as defined in the Bond Sale Agreement).

13. **Refunding.** The Board hereby acknowledges that VPSA may issue refunding bonds to refund any bonds previously issued by VPSA, including the VPSA Bonds issued to purchase the Local School Bond, and that the purpose of such refunding bonds would be to enable VPSA to pass on annual debt service savings to the local issuers, including the County. Each of the Delegates is authorized to execute and deliver to VPSA such allonge to the Local School Bond, revised debt service schedule, IRS Form 8038-G or such other documents reasonably deemed necessary by VPSA and VPSA's bond counsel to be necessary to reflect and facilitate the refunding of the Local School Bond and the allocation of the annual debt service savings to the County by VPSA. The Clerk to the Board is authorized to affix the County's seal on any such documents and attest or countersign the same.

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14. **Filing of Resolution.** The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

15. **Election to Proceed under Public Finance Act.** In accordance with Section 15.2-2601 of the Virginia Code, the Board elects to issue the Local School Bond pursuant to the provisions of the Public Finance Act of 1991, Chapter 26 of Title 15.2 of the Virginia Code.

16. **Further Actions.** The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Local School Bond and otherwise in furtherance of this Resolution and any such action previously taken is hereby ratified and confirmed.

17. **Effective Date.** This Resolution shall take effect upon adoption.

The undersigned Clerk of the York County Board of Supervisors hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the York County Board of Supervisors held on February 18, 2020, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. The front page of this Resolution accurately records (i) the members of the Board of Supervisors present at the meeting, (ii) the members who were absent from the meeting, and (iii) the vote of each member, including any abstentions.

WITNESS MY HAND and the seal of the York County Board of Supervisors, this 18th day of February, 2020.

Clerk, York County Board of Supervisors

[SEAL]

CONSENT CALENDAR

Mrs. Noll moved that the Consent Calendar be approved as submitted, Item Nos. 4, 5, 6, 7, 8, 9, and 10 respectively.

On roll call the vote was:

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

Thereupon, the following minutes were approved and resolutions adopted:

Item No. 4. APPROVAL OF MINUTES

The minutes of the January 21, 2020, Regular Meeting of the York County Board of Supervisors were approved.

Item 5. CDBG FUNDING: Resolution R20-13

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SUBMIT THE NECESSARY DOCUMENTS TO REQUEST CDBG FUND-ING FROM THE VIRGINIA DEPARTMENT OF HOUSING AND COM-MUNITY DEVELOPMENT FOR THE CARVER GARDEN

REHABILITATION PROJECT (PHASE III), AND TO ACCEPT AND APPROPRIATE THESE FUNDS IF AWARDED

WHEREAS, in recognition of the comments received at two duly advertised public hearings, the York County Board of Supervisors has determined that there is a need to apply for \$769,196 of Virginia Community Development Block Grant funds, to be supplemented with a local match of \$37,671 from the County of York, to address the rehabilitation needs of 15 Low or Moderate Income (LMI)-occupied houses in Magisterial District 1, in the Carver Gardens community; and

WHEREAS, the rehabilitation activities will include repairs to occupied homes necessary to meet the Federal Department of Housing and Urban Development and Housing Quality Standards; and

WHEREAS, the proposed project area will include houses located in the portion of the Carver Gardens community along Bethune Drive, Booker T. Road, Drew Road, Luther Drive, Park Circle, and Weaver Road in the County; and

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of February, 2020, that the County Administrator is hereby directed and authorized to submit the above-described CDBG application and to execute any necessary grant agreements, assurances, related contracts, or other documents, subject to approval as to form by the County Attorney, to provide such additional information as may be required by the terms of the grant agreement, and to take all necessary actions to accept and implement the grant award.

BE IT FURTHER RESOLVED that the County Administrator is hereby authorized to accept any subsequent offer of funding that would not exceed available re-sources for any matching funds and to increase amounts in the budget if and when funds become available and to advise the Board of all such actions in writing.

BE IT STILL FURTHER RESOLVED that such grant funds and other funds as may be received for the Carver Gardens, Phase III project be, and they are hereby appropriated.

BE IT STILL FURTHER RESOLVED that the County Administrator be, and he is hereby, authorized on behalf of the County to assume the status of a responsible official under the National Environmental Policy Act of 1969, and the regulations which implement such Act.

Item No 6. CUSTODIAL SERVICES IFB: Resolution R20-16

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH BROOKS & BROOKS SERVICES, INCORPORATED, FOR CUSTODIAL SERVICES FOR VARIOUS COUNTY OF YORK FACILITIES

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditures of \$50,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurements are necessary and desirable, it involves the expenditure of \$50,000 or more, and complies with all applicable laws, ordinances, and regulations;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of February, that the County Administrator be, and he is hereby, authorized to execute a multi-year contract with Brooks & Brooks Services, Inc., for custodial services for various County of York facilities in an initial amount of \$568,258, with allowance for adjustments as service requirements change.

Item No. 7. REAL ESTATE APPRAISAL AND APPRAISAL REVIEW SERVICES: Resolution R20-17

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH BOWMAN CONSULTING GROUP, RINKER DESIGN ASSOCIATES AND BUTLER APPRAISAL SERVICES FOR REAL ESTATE APPRAISAL AND APPRAISAL REVIEW SERVICES FOR FEDERAL, STATE AND LOCALLY ADMINISTERED PROJECTS

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$100,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurements are necessary and desirable, it involves the expenditure of \$100,000 or more, and complies with all applicable laws, ordinances, and regulations;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of February, that the County Administrator be, and hereby is, authorized to execute a contract with Bowman Consulting Group, Rinker Design Associates, and Butler Appraisal Services for Real Estate Appraisal and Appraisal Review Services for Federal, State, and Locally Administered Projects at a cost not to exceed \$200,000 per year.

Item No. 8. COMMENDATION OF RETIRING EMPLOYEE: Resolution R20-21

A RESOLUTION TO COMMEND ANNETTA L. PERRY, FIRE AND LIFE SAFETY EDUCATOR, DEPARTMENT OF FIRE AND LIFE SAFETY, ON THE OCCASION OF HER RETIREMENT FROM COUNTY SERVICE

WHEREAS, Annetta L. Perry began employment on January 8, 1990, and on January 31, 2020, retired from her present position as Fire and Life Safety Educator, Prevention and Community Safety Division of the Department of Fire and Life Safety; and

WHEREAS, Annetta obtained her formal post-secondary school education in the education field and, after graduating from college, sought to teach fire safety education at the local government level; and

WHEREAS, during her tenure, she impacted the lives of numerous individuals from children to senior citizens through her innovative and caring approaches to teaching various aspects of not only fire safety education, but all facets of injury prevention; and

WHEREAS, Fire and Life Safety Educator Perry developed a creative program to educate the elementary school age children of York County initially in all fourth grades through a program known as the "SAFE Club" which eventually transitioned to a second grade program that incorporates broader lessons in fire and injury prevention known as "RISK Watch;" and

WHEREAS, virtually every elementary age child in local elementary schools in York County has had the wonderful opportunity to experience Annetta's fantastic teaching style and her passion for their safety; and

WHEREAS, Annetta took on additional duties to manage the department's Childseat Awareness and Restraint Education (CARE) program resulting in the prevention of deaths or injuries to infants and young children; and

WHEREAS, the County's much sought after Safety Town program has benefit-ted from Annetta's leadership and teaching since its inception with Annetta affectionately being known, for many years, as the "Mayor" of Safety Town; and

WHEREAS, Ms. Perry has given lectures and training to all age levels through-out the county to include fire extinguisher classes, development of fire safety plans, as well as ways to generally prevent fires and emergencies that could be experienced by them or their family; and

WHEREAS, Annetta has coordinated the county's Community Emergency Response Training program known as CERT for a number of years resulting in a much better prepared community when disaster strikes; and

WHEREAS, Ms. Perry has conducted numerous other programs that protect the lives of our citizens and is extremely well respected in the fire and life safety/fire and injury prevention community around the Commonwealth of Virginia; and

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 18th day of February, 2020, that the Board takes great pleasure in recognizing the significant service of Fire and Life Safety Educator Annetta L. Perry, and herewith expresses its sincere gratitude for the invaluable contributions she has made to York County throughout the past 30 years.

BE IT FURTHER RESOLVED that the appreciation of the citizens of York County is hereby extended to Fire and Life Safety Educator Perry for her service, and the heartfelt best wishes of this Board of Supervisors are extended to her and her family for a long, well-deserved and pleasurable retirement and continued success in future endeavors.

Item No. 9. ARCHITECTURAL DESIGN SERVICES – YORK POQUOSON SHERIFF'S OFFICE: Resolution R20-22

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH RRMM ARCHITECTS FOR ARCHITECTURAL DESIGN SERVICES FOR THE YORK-POQUOSON SHERIFF'S OFFICE

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$100,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurements are necessary and desirable, it involves the expenditure of \$100,000 or more, and complies with all applicable laws, ordinances, and regulations;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of February, that the County Administrator be, and he is hereby, authorized to execute a contract with RRMM Architects for Architectural Design Services for the York-Poquoson Sheriff's Office in an amount not to exceed \$1,500,000.

Item No. 10. EMPLOYEE OF THE QUARTER: Resolution R20-23

A RESOLUTION TO COMMEND MELINDA L. DUNLAP, ENGINEERING SPECIALIST II, DEPARTMENT OF PUBLIC WORKS, AS EMPLOYEE OF THE QUARTER

WHEREAS, Melinda L. Dunlap, has been employed with the County since January 3, 1994 where she began as an Accounting Technician, was promoted to Engineering Specialist in April of 2006, and has continued to advance, being promoted to her current position as Engineering Specialist II in October of 2009; and

WHEREAS, Ms. Melinda Dunlap has diligently supported York County staff and citizens for over 25 years in a meritorious and earnest manner; and

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WHEREAS, Ms. Melinda Dunlap has helped to oversee and organize the renovations and the rearranging of offices in the County Administration building recently, and it was reported that her professionalism, remarkable positive attitude, and highly regarded skill set produced great results; and

WHEREAS, Ms. Melinda Dunlap’s attention to detail and high level of organization helped the impacted staff to transition to the new space with the least amount of disruption; Ms. Dunlap was always available to help the onsite crew members, and ensured the work was completed to everyone’s satisfaction; and

WHEREAS, Ms. Melinda Dunlap has always given more than was asked of her job position, as she takes personal accountability for the projects she is involved with and continually strives to excel in her work, always looking to help her co-workers, contractors, and our citizens, whenever needed; and

WHEREAS, Ms. Melinda Dunlap exemplifies the word “service” in customer service, treating her internal customers with the upmost respect, and admired and viewed as a role model by her co-workers; and

WHEREAS, Ms. Dunlap is recognized and highly regarded and valued as one of the Department of Public Works most dedicated employees;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this 18th day of February, 2020, that Melinda L. Dunlap be, and she is hereby, congratulated upon her selection as Employee of the Quarter for the quarter ending December 31, 2019.

CLOSED MEETING. At 8:13 p.m. Mr. Zarembo moved that the meeting be convened in Closed Meeting pursuant to Section 2.2-3711(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions.

On roll call the vote was:

Yea: (5) Zarembo, Noll, Wassmer, Shepperd, Green
Nay: (0)

Meeting Reconvened. At 8:22 p.m. the meeting was reconvened in open session by order of the Chair.

Mr. Zarembo moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT REGARDING MEETING IN CLOSED MEETING

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 18th day of February, 2020, hereby certifies that, to the best of each member’s knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

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

APPOINTMENT TO THE YORK COUNTY WETLANDS BOARD

Mrs. Noll moved the adoption of proposed Resolution R20-10 that reads:

A RESOLUTION TO APPOINT A MEMBER TO THE YORK COUNTY
 WETLANDS BOARD

WHEREAS, Diane K. Short resigned from the York County Wetlands Board on October 8, 2019; and

WHEREAS, the term of the resigned board member expires on June 30, 2021; and

WHEREAS, the Wetlands Board Chair has requested a new board member to be appointed to fill the remainder of the term;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of February, 2020, that Barbara Dunbar be, and she is hereby, appointed to the York County Wetlands Board to fulfill the remainder of Diane Short's term, such term to begin immediately and to expire on June 30, 2021.

On roll call the vote was:

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

APPOINTMENT TO THE YORK COUNTY LIBRARY BOARD

Mrs. Noll moved the adoption of proposed Resolution R20-19 that reads:

A RESOLUTION TO APPOINT A REPRESENTATIVE TO THE YORK
 COUNTY LIBRARY BOARD

WHEREAS, a vacancy exists due to the resignation of Heba Elkobaitry, and her term expires on December 31, 2023; and

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 18th day of February, 2020, that Michelle Wind be, and is hereby appointed to the York County Library Board to fill the unexpired term of Ms. Heba Elkobaitry, such term to begin immediately and expire on December 31, 2023.

On roll call the vote was:

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

APPOINTMENT TO THE YORK-POQUOSON SOCIAL SERVICES BOARD

Mr. Green moved the adoption of proposed Resolution R20-24 that reads:

A RESOLUTION TO APPOINT A YORK COUNTY MEMBER TO THE
 YORK-POQUOSON SOCIAL SERVICES ADVISORY BOARD

WHEREAS, the newly formed York-Poquoson Social Services advisory Board is made up of seven members, five appointed by York County and two appointed by Poquoson; and

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WHEREAS, all York County appointments have been made except for one;

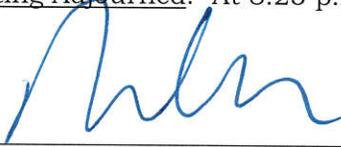
NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 18th day of February, 2020, that the following York County resident be, and is hereby, appointed to the York-Poquoson Social Services Advisory Board for a term to begin immediately and expire December 31, 2023:

Lourdes Guidicelli-Gadea

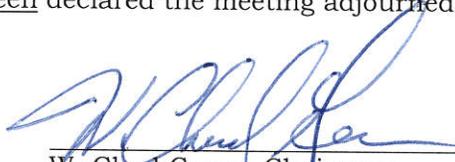
On roll call the vote was:

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

Meeting Adjourned. At 8:25 p.m. Chairman Green declared the meeting adjourned sine die.



Neil A. Morgan
County Administrator



W. Chad Green, Chairman
York County Board of Supervisors