

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
April 18, 2023

6:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 6:01 p.m., Tuesday, April 18, 2023, in the Board Room, York Hall, by Chairman Thomas G. Shepperd, Jr.

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, Jr., County Attorney; and Heather L. Schott, Assistant to the County Administrator/Deputy Clerk.

Invocation. Mr. Timothy C. Cross, Deputy Director of Planning and Development Services, gave the invocation.

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

PRESENTATIONS

YORK COUNTY PUBLIC LIBRARY UPDATE

Mr. Kevin Smith, Director of Library Services, gave a presentation on the new Yorktown Library, stating that the renovation/expansion of the facility had been completed and reopened on March 20. He pointed out that the original facility of 11,000 square feet had been expanded to 22,000 square feet. He then provided its opening statistics as of April 13:

- o Checkouts: 4,890
- o Programs: 33 (30 Youth, 3 Adults)
- o Attendance: 631 (574 Youth, 57 Adults)
- o New Patrons: 329
- o Patron Visits: 4,280

Mr. Smith recognized Elizabeth Land, Yorktown Branch Manager, and then gave some opening highlights. He also identified the different locations throughout the newly renovated facility, specifically noting the new areas that were added:

- o Young Adult/Teen Room
- o Children's Wing
- o Multiple Meeting Rooms
- o Electric Vehicle (EV) Charging Stations in the front parking lot
- o Individual/Group Study Rooms

He gave a special thank you to The Bargain Box and their parent company the York County Volunteer Association for donating a substantial amount of money that was used to outfit the Children's Wing. Mr. Smith stated the Trex receptacles are now placed at the back of the library for anyone who wants to recycle their plastic bags. He added that he reports to Trex monthly and approximately every six months the County receives a bench which is made out of the plastic bags they recycle. He also spoke about the Immersive Technology which is included in the meeting/conference rooms. He explained that the associated software can be integrated by downloading an app so that wires are not required to cast to the media screens for presentations. Next, he highlighted some of the new activities taking place at the library that allow interaction and community building:

- o Open Play on Monday, Wednesday, and Fridays in the Children's Wing

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- o Teen Gaming on Wednesday evenings
- o MakerSpace Programs

He thanked Kathy Wall, Director of On The Hill Gallery, and her staff, for outfitting the library with artwork and displaying the sculpture work located in the atrium. He also noted the Comte de Grasse Chapter of the Daughters of the American Revolution gave two \$250.00 donations to purchase children's books related to the Revolutionary War and Victory in Yorktown, as well as museum displays. Mr. Smith invited the public to the Reopening Celebration on April 30, 2023, from 1:00 p.m. to 4:00 p.m. to include the following various activities:

- o Friends of the Library Books and More Sale
- o MakerSpace Open House
- o Teeny Tiny Farm (Outside)
- o Open Play (Youth Services Area)
- o Ben and Jerry's Ice Cream Truck and Music by Hannah Jai

Mr. Green stated that Mr. Smith's presentation was first class.

Mrs. Noll noted Mr. Smith's enthusiasm is infectious and thanked him for all of his visible and behind the scene hard work. She then thanked him and added that the citizens have benefited greatly from all that has been done.

Mr. Roane commented that he had toured the facility earlier in the week and really liked what he saw, adding that it is a very comfortable environment, and he is interested to see what happens in the MakerSpace with the new technology.

Mr. Zaremba wished Mr. Smith and his staff good luck moving forward and thanked him for the presentation and great job moving the library in the right direction.

Chairman Shepperd thanked Mrs. Noll for keeping the new library at the forefront of the Board of Supervisors' consciousness as she kept pushing through this long process of it getting developed and making it a reality. He added that he did attend the first opening day, at which time he was in sensory overload due to the many new things it contained and to the beauty of the facility. Mr. Shepperd then addressed anyone that might think it is a waste of money on things like Teen Gaming. He explained that he found out recently that William and Mary has a degree program in gaming and that a professor who has either been accepted or is going to be accepted in the gaming program at the next Olympics as part of its development or as one of the judges. He was astounded by how gaming is associated with business and social endeavors and how the world now uses computers and gaming. Mr. Shepperd then thanked Mr. Smith for a beautiful operation.

CITIZENS' COMMENT PERIOD

Mr. James Chapman, 130 Yorkshire Drive, stated he had a couple of comments to make as a result of the meeting that he listened to recently, as during that discussion, there was a recommendation made to do away with the \$25 vehicle fee from the Personal Property Taxes. He added there was discussion on it, and part of that discussion was that there was an area of the budget that was off limits for consideration, that if they did away with the \$25.00 as to where to get the revenue to make up for it. He did not think there should ever be an item that is off-limits to the Board in approving a budget. He asked the Board how can something be off limits and make public comments on it when the budget has not been approved yet. He then stated a \$25.00 fee was recommended to be done away with, and the County Administrator agreed to it but recommended that it be done next year, adding that this is the year that it needs to be done; why put it off. Mr. Chapman stated the discussion included the fact that if you did away with the \$25.00, you had to lose about \$1.3 million in revenue. He recommended doing away with the \$25.00 fee and taking the \$1.3 million that is needed from the proposed salary increase. The County had a pay raise last year; do employees need another one this year. He then added the \$0.10 Personal Property Tax reduction is insufficient, and if you check the records of all the local areas around here, are all saying that the value of used vehicles is still high, so he recommends that the \$0.10 be made to \$0.20. Mr. Chapman said the budget process is constrained and commented on the green and red light indicators, adding there is a period where the budget is proposed, then there is a Work Session, then there is this night, then two or three may come around for approval of that, and there is not enough time in there to have citizen input for

recommended changes. He recommended that the County start the budget process two weeks earlier and add one more night, like tonight, in the process so that they can have citizen input, then citizens can have conversations with their representative as to how that is being discussed within the Board and then another meeting where you hear from the Board what has happened to it. He closed by stating that this would give the citizenry more time to make suggestions to improve the budget process and have feedback to the citizens and input from the citizens to the Board that makes these. Mr. Chapman also submitted the following printed statement to the Board asking for it to be included in the minutes and that the Board gives a response to it in the next meeting:

I watched the last closed meeting and have these comments for the Board meeting on April 18, 2023.

- A recommendation was made to remove the \$25.00 vehicle fee from Personal Property Tax; during the discussion, a statement was made by the Administrator that the area of the Budget was not open for consideration to change funds if the \$25.00 vehicle fee was removed.
- Wow, how can an area be off limits when the budget has not yet been approved, the budget itself is an open item until approved by the Board.
- I recommend that the Board not allow any announcements of commitment prior to the approval of the budget.
- The County Administrator agreed to remove it but to wait until next year. Why, it will only take an hour or so of time to make adjustments to the budget and it is done.
- Would have to make up \$1.3 million in revenue, which is possible by taking it from the \$3.6 million for salary increases. Why wait, or are there other reasons?
- The budget process/time constraints are unfair. It is time constrained and does not allow ample citizen review, discussion, and consideration with their representatives or the County.
- I recommend you change the budget review open public review process, as it limits public review and input. There need to be two open public review meetings, two weeks apart, to allow time for public input and consideration. As of now, there is a three-minute limit to speak, public input is constrained.
- No off-limit items in the proposed budget.
- Remove the \$25.00 vehicle fee this year.
- Take \$1.3 million from salary increase.
- Change the budget process to have two separate two-week open public review dates.
- Request the Board to provide/give a statement/explanation on each at the next Board of Supervisors meeting.

Ms. Deb Wesley, 902 Dare Road, President of the York Education Association, wanted to educate and share some information about collective bargaining in Virginia. She stated Virginia House Bill 582 took effect in May 2021, and empowers local governments to allow employees to negotiate a contract. She noted that this Legislation reversed a 1977 Virginia Supreme Court ruling, banning local governing bodies from entering collective bargaining agreements with their employees. She stated that what this law does not allow is striking by public employees or any kind of work stoppage. One of the first steps in achieving Collective Bargaining is educating all members of the community. Also, by providing information to understand what can and cannot be negotiated, she explained. She stated that the Code of Virginia dictates non-negotiables for schools, employees, and management, but Collective Bargaining is a process in which the management and employee representatives negotiate a contract for a group of employees. She added that it can and should be a mutual, professional, and respectful obligation to bargain in good faith. She stated that since House Bill 582 passed, an ever-growing number of Virginia School Boards have enacted policies establishing collective bargaining processes with their employees, employers, and local education associations are getting close to enacting similar agreements. In fact, she noted that the Richmond Education Association recently adopted a three-year Collective Bargaining Agreement with the Richmond School Board. Additionally, Ms. Wesley said Collective Bargaining is and will be a win-win situation, not only for employees, but for students, families, and the community at large. She continued by stating that Collective Bargaining does not deliver a utopia, but it does give educators a voice that can have a profound effect on our professional lives. She stated that rapid turnover has a negative effect on any

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organization, and school turnover is detrimental for both students as well as employers, and employees. It is well-known that happy and loyal employees tend to not only stay in one place, but go about their work with strong skills, positive energy, and joy. She added that as a Reading Specialist for many years, she is excited about the Yorktown Library and very thankful for it and all of the staff's work in providing wonderful things. Thank you.

Mr. Steven F. Kennedy, 104 Penn Drive, Williamsburg, Vice President of the Conserve York County Foundation, ConserveYorkCounty.org, asked where you would rather be on tax day than right here in Historic Yorktown. He stated tonight's topic, communication with the public and your minutes that you published from the February 21, 2023, Board of Supervisors' meeting. Mr. Kennedy stated that having sat on many boards, both for-profit and not-for-profit, he was always taught at a young age as a Wall Street intern, do not let them, or the committee of them, put words in your mouth or do not let them delete words or your views before approving those minutes and in reading your minutes, which were published, there were two glaring examples that jumped out. They cited Dana DeJager, who is sitting behind me, and by the way, it might not be a bad idea to go and reread the Springfield Road citizen comments as well. He then held up a sheet of paper and stated check them out for edification, full public comments are here, I will email them to you, I had them transcribed for you, and it is just not that difficult in the year 2023, words mean things; and for all the lawyers in the room and Dana used the F word 14 times, she used the word faith and in your attempt to summarize, you deleted that word, and it did not show up anywhere in the words that you used. You published my comments with 60 words, there were 538 words in that little chitchat, as I do talk at 90 miles an hour with gusts up to 120. He reiterated, your attempts to summarize, look more like a deliberate attempt to suppress, dilute, or eliminate the message, and he has some degree of empathy, albeit very little, for this business of summarizing all the data and all the speeches that you receive, but what about the 70-year-old neighbor of mine who is not watching this video and as Mr. Smith said, set the table beautifully, how many of the 70,000 residents do not have a computer and are watching this; they need a transcript. Additionally, they do read the newspaper, believe it or not, every morning, and he has clients like this. He continued stating your actions are purposeful omissions in the published comments, remembering last time he stood here he said, this is an election year, remember one day each and every one of you will not be here, congrats on retirement Mr. Zaremba and maybe Chad, congrats early on your 69th District Delegate seat early on. He concluded that some may just suggest as your new employers that you go home in November, we need to get this right ladies and gentlemen; before my time runs out to illustrate what I am talking about, he stated I have right in front of me, 412 words and counting, adding I can give this to you if you would like the transcript of my speech here this evening, it is not that difficult; please stop whitewashing our words and please publish the entire concept or in the entire minutes of all the words spoken during public Comment Sessions. Thank you, Kennedy out.

Ms. Angier Brock, 220 Bacon Street, urged the esteemed members of the Board of Supervisors in York County to adopt what some would call a Code of Ethics and others call a Code of Conduct; the purpose of such a code is to identify the best practices by which a group does its work. She added sadly, we live in a time when there is an increased distrust of government officials and other public servants at all levels. For you to adopt a Code of Ethics, articulating your own best practices, she believes would be a significant step towards maintaining the public's trust and confidence in the work you do and maybe increasing it. Adopting a Code of Ethics would demonstrate that each Supervisor intends to serve in a manner that aligns with the greater good for the County. She added she hopes that this is what you already intend, but by adopting a Code of Ethics, you would make those intentions visible to all, being an outward and visible sign of your concern for our community's economic and natural resources. Ms. Brock also stated it would reflect your respect for the diverse interests and abilities of York County citizens, for their various spiritual and religious commitments and beliefs, for our ethnic and cultural differences, and for our varied hopes, needs, and customs. She added she here heard in the past at least one of the Board say that you did not think you needed the Code of Ethics because you were accountable to your voters in your district. To that she said she does not get to vote for all of you, but all of you in some way affect me because by your conduct, you reflect on all of York County. Ms. Brock closed by stating that the York County School Division has a 75-page Student Handbook and Conduct Code that goes into a lot of detail about Code of Ethics or Code of Conduct for its students; but among the things that the code asks students to do is to demonstrate respect, trustworthiness, respectfulness, fairness, responsibility, and caring; to appreciate democratic values and institutions; to strive to understand the past, participate in the present and care about the future; to recognize diversity as a strength; and to act as a steward of

self, community, and the world. She added, what a wonderful example it would be for our students to have you, our County leaders, to adopt a similar kind of Code of Ethics or Code of Conduct. Thank you.

Ms. Dana DeJager, 108 Horseshoe Drive, Williamsburg, wanted to speak regarding the sidewalks. She stated she looked at the agenda and was absolutely thrilled that West Queens is going to get a few more meters of sidewalk. She then spoke regarding her personal experience growing up, when she had two working parents and was responsible for getting the food after school before her folks got home, there were sidewalks in her community and she could walk from her home to the grocery store and do the other shopping and make it home and it is the equalizer for every community. She added that more recently, her four children, who have grown up in York County, attended York County schools and are now attending Virginia state universities, that some of their friends were excluded from after-school activities because there were sidewalks missing on Hubbard and West Queens, so they could not walk from our community to the after-school events at the elementary school and vice versa. She is thrilled that there is some progress, but on the other hand, this could have been addressed earlier, stating that as you think about Creekside Landing, having no sidewalks. She was talking with one of her neighbors that lives in the most recent neighborhood, James on the Merrimack, an apartment complex across from Food Lion on 143, and she asked them if they were thrilled about having a grocery store across the street and they responded no, they do not go there because they cannot cross the road because there is no crosswalk or traffic light, so they stop on their way home at the Harris Teeter, which is in James City County. Ms. DeJager closed by stating that a lot of people think that sidewalks are just for strolling, but they are a great equalizer and it is also good for York County and the residents, it is good for shared resources that York County invests in, and it is good for York County businesses; so when you think about communities, when you think about the Edge District, when you think about commercial districts, think about sidewalks, because that is what draws local residents to local businesses and local resources. Thank you.

Ms. Beverly Krams, 105 and 107 Church Street, stated her two homes overlook Yorktown Beach and she has 175 feet of front yard that is directly adjacent to the Pub and Larry's restaurants. The land was formally owned by her family, and York County's multimillion-dollar Riverwalk Landing Annex proposal includes this privately owned property. She added the proposal will greatly affect her property and her quality of life, and the architect hired for this major expansion of Riverwalk Landing was sent to visit her and she gave him full access to her home and property. She stated on two occasions, he took photos from her bedroom floor on the second floor of her bedroom windows, which directly overlooks the restaurants. Ms. Krams stated that none of our meetings were discussed in his presentation to the Board earlier, and no one asked about the impact of any adjacent property owners. She then commented that they also walked the Church Street stairs, which connect the Village Historic core and the commercial waterfront as they also discussed her family's association with this project, but the only thing mentioned by him was the removal and replacement of the stairway. Ms. Krams added that when York County was trying to gain control of the Yorktown Waterfront from the Town Trustees, they called her and asked for help; she was asked to speak before the Virginia General Assembly to dissolve the hundred-year-old group that held Yorktown's Waterfront in trust for the property owners of this Village, not for the County but for the property owners. Her family and friends had been on the Trustee Board, she spoke before the General Assembly to dissolve it, and she did not make friends. She was later asked to participate in the writing of the Historic District Zoning laws, which the Board said were necessary to protect Yorktown's special place in our Nation's history and to preserve our special character. She then stated that the proposed multimillion-dollar remake of our historic village ignores the basic principles of our Historic District Zoning laws and it hurts private property owners and affects our quality of life. She requested that each of the Board members take time to visit her at her property and discuss this area, in particular, the history and impact of your proposal, along with any other concerned property owner in the Village. She closed by stating we have been good stewards of this historic land for hundreds of years, both sides of the story need to be heard and carefully considered, and this multimillion dollar expense should be tabled and the money put to better us as it does nothing to enhance Yorktown's special history. She also requested that Supervisor Green and Chairman Shepperd hold meetings with the County people who live here in the Village, because they have many ideas, as she has lived here for 84 years and you might learn something interesting before the vote. Thank you.

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COUNTY ATTORNEY REPORTS AND REQUESTS

Mr. James E. Barnett, Jr., County Attorney, shared with everyone that this would be his last meeting as the York County Attorney as he has decided to retire, with his last day in the office being April 28. He stated that the Board has already appointed Richard Hill, as the County Attorney. Mr. Barnett felt the County is in great hands since Mr. Hill has already hired his Assistant County Attorney, Sherree Konstantinou. Mr. Barnett stated they will be an excellent team to work along with the other Deputy County Attorney, Melanie Berry, who is assigned exclusively to the School Board. Mr. Barnett then thanked the Board, the School Board, Social Services, staff, and citizens that he has worked with over the last 32 years, and for the excellent opportunity he has had to serve a marvelous community. Mr. Barnett then gave a brief summary of his time working for the County, starting in December of 1990 as an Assistant County Attorney with prior local government experience in Prince William County, and when his predecessor left in 1999, the Board elevated him, adding a special thank you to Mr. Zarembo and Mrs. Noll, who were on the Board at that time. He added that his children were raised in the County and went through the York County School Division and noted there is no greater blessing to give a child than to graduate from York County schools. He closed by thanking the Board and stating that the next time you see him, there is a good chance he will be on the other side of the podium expressing his own thoughts, hopefully in support of something you have proposed.

Mrs. Noll stated it had been wonderful to work with Jim throughout the years. She noted her admiration for him also, as he always knew when to obtain expert advice, and kept the Board out of trouble through all these years.

Chairman Shepperd shared that it is hard to put together the right words for a person that has been providing service to the community for over 30 years and the value that he has brought to the Board of Supervisors. He reminisced about the time Mr. Barnett had to go to Richmond as our representative to the Supreme Court on issues dealing with the history of the County being one of the original shires of the United States. He explained that he had done a great job and thanked Mr. Barnett for all his work and the tremendous impact he has had on the County.

COUNTY ADMINISTRATOR REPORTS AND REQUESTS

Mr. Neil A. Morgan, County Administrator, wanted to let the viewers know that with the approval of the revised franchise agreement, Cox Cable is now broadcasting in High Definition (HD) on channel 86. Mr. Morgan shared that Fire Station Number 7, off Mooretown Road, will be operational next week. He also updated the Board on the status of James City County 911 personnel, who have been operating out of the York Poquoson Williamsburg 911 Center as part of our operations complex since an electrical fire a couple of months ago. He noted that this situation has triggered conversations with James City County about the advantages of combining our 911 centers. He added that they have worked on this issue before and were hesitant to move forward, but it appears they are poised to consider action next week to authorize their County Administrator to enter into negotiations with the County, and if this should happen, the James City County employees will become York County employees. Mr. Morgan stated that he will insist that any arrangement be fair to York County and our current partners; therefore, if the decision is affirmative next week, stand by for a couple of months as we try to figure out all of the details. He then expressed his appreciation for Mr. Barnett and his support and the integrity he has always shown during his tenure with the County, along with his commitment to this community, adding they were going to miss him, but his retirement is well-deserved.

Chairman Shepperd stated that he wanted to address the comments that people provided during Citizen Comments, but the Board's procedures prohibit the Board from engaging with the public at that time. He asked Mr. Morgan to address some of the issues that were brought to their attention. He then questioned the comment pertaining to the budget being off-limits and if there are parts that are off-limits.

Mr. Morgan responded that he, too, wanted to engage in conversation with Mr. Chapman, adding that the staff presented the idea of doing away with a license fee as an option for the Board to consider at the January retreat. Subsequent to a discussion regarding the pros and cons of such a decision and what it would cost, which was estimated at approximately \$1.6 million, Mr. Morgan continued that they could possibly consider that if they could afford some reductions,

but the other items that might be on the table were Real Estate and Personal Property Taxes, and as the Board knows, the budget he recommended included a reduction on that side. He further added that the arithmetic of that particular conversation was a recommendation to cut \$1.6 million, which would include the license fee and another \$750,000 cut by doubling the Personal Property Tax reduction and the Board could pick where that would come from, but to follow the gentleman's suggestion would reduce the compensation increase from five percent to about two percent.

Chairman Shepperd commented that the public elects people, a representative democracy, who go through a process and offer opportunities to hear from the public concerning things that interest them so the Board can respond. As such, for the budget we make decisions, get a lot of input from the staff and each other, and some input from the public. He added that there have been times, for years, during Public Hearings on the budget that no one from the public showed up. He agreed with the gentleman that there needs to be a new process and that next year there will be an opportunity for more citizen comments. Chairman Shepperd then asked Mr. Morgan to comment on the suggestion regarding the minutes.

Mr. Morgan replied that it is his understating that it has always been the practice in the County to provide minutes that are a summation of the discussion, adding that he did not expect his nor the Boards' comments to be recorded verbatim and that if anyone ever got into a situation where there was a substantive dispute on what was said, it is very simple to go onto the website and view the video feed for the meeting. He added that the spirit of the minutes is to reflect the general conversation, not a verbatim transcript. Mr. Morgan further explained that the public can go to the website and count the number of words a speaker states, but the fair question is if there is anything in the minutes inaccurately represented, as we have several people proof them and if you want a higher level of detail, then we can provide it.

Chairman Shepperd responded that over time many government meetings were required to keep minutes, and as we do summations, the idea is to capture the gist of what is being said and not specifically every word. He added that the Board knows there is a technology offered with the capability to transcribe, but we run our business in this way and a summation form is what we are using. He then asked Mr. Morgan if he had any comments on the bargaining issue.

Mr. Morgan replied that the General Assembly made it lawful and it is at the discretion of the local governments and the School Boards. He added that from his knowledge of labor management, since there is no right to strike or have any work slowdown, it is unclear to him how it would work. He stated his practice has been to have a good-faith dialogue with our employee groups that are part of the unions and tell them what our challenges and concerns are. He added that he does not believe that this Board or citizens of York County desire to have a more pure public sector of collective bargaining, so he has never recommended it.

Chairman Shepperd then referenced the Code of Conduct comment and stated the number of rules and regulations they have governing their activities on the Board - basically their conduct - which allows them to do what is necessary while guiding their actions so as not to violate the laws. He stated that after reviewing this particular set of issues, it may not be a bad idea to actually have a code to some degree.

RECESS

Chairman Shepperd called a brief recess at 6:58 p.m.; the meeting reconvened at 7:05 p.m.

PUBLIC HEARINGS

APPLICATION NO. UP-1003-23, JACOB WINN. Resolution R23-57.

The matter was considered and **denied on a vote of 1:4**. A summary of the proceeding is below.

Mr. Earl W. Anderson, Senior Planner, gave a presentation on Application No. UP-1003-23, Jacob Winn to authorize the establishment of a firearms sales and gunsmithing business as a home occupation with on-site customer/client contact located at 111 Rich Road. In conclusion, Mr. Anderson stated that the Planning Commission considered this application on March 8,

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2023, and subsequent to conducting a public hearing at which only the applicant spoke, the application was approved on a 7:0 vote.

Mr. Zaremba asked if there is any security in the home besides the gun safe and how many people live in the house.

Mr. Anderson responded that he will defer to the applicant for that question.

Mr. Roane stated he received a message that no one has lived there since the property was purchased and that the yard has not been maintained to County Code. He added that he had looked it up and wanted to verify the situation.

Mr. Anderson replied that since the applicant applied, he has visited the property, which was maintained.

Mr. Green questioned if visits are by appointment only and, if there are no signs, how will customers know where to go.

Mr. Anderson stated that Mr. Winn can describe how he plans to operate, but usually, someone will buy a firearm online, and it will be mailed to a person who is an intermediary who completes all of the background checks before the firearm is acquired by the purchaser.

Mr. Jacob Winn stated he is an eight-year Army veteran with three deployments, married with three children, and currently employed with Lockheed Martin as an aircraft mechanic at Langley Air Force Base. He added that he did not believe the people who emailed in concerns actually read the proposal because their comments/concerns were about parking on the street.

Mr. Roane asked Mr. Winn to address the earlier question concerning the home being maintained and how long he has lived at this address.

Mr. Winn replied he has lived at this location for three years and that he had some work in the front yard completed where they were tearing up an old brick path and replacing it with concrete.

Mr. Roane questioned if this is a gunsmithing business or a gun sales business.

Mr. Winn responded that it is primarily gunsmithing, which is working and repairing people's firearms that they already own.

Mrs. Noll questioned how many neighbors Mr. Winn had talked to about his request for a Special Use Permit (SUP).

Mr. Winn stated he had spoken to three neighbors and the one that wrote into the Board was not at home during the time he went door to door.

Mrs. Noll was surprised Mr. Winn had not talked to some of the neighbors as she had received a lot of calls about this situation. She added that normally when someone wants to have a Special Use Permit they go around and talk to neighbors to see if they are in agreement.

Mr. Green asked how people will discover where the business is located, if he is going to advertise on the Internet, and also about his business plan. He also stated if someone leaves their firearm with him, he would have to log it in.

Mr. Winn responded that he will not be selling guns; he will be working on guns. He then spoke on the Federal Firearm License (FFL) and referenced Mr. Anderson's presentation. He stated that if someone purchased a firearm online and it was sent to his house, he would be responsible for doing the individual's background check and that was also part of gunsmithing as well. Mr. Winn then stated if an individual were to commit a felony while the gun was in possession, he would not be able to give the firearm back to the individual. He added that advertising will mostly be by word of mouth, as he is a member of Lafayette Gun Club and has spoken to people while he is at the range.

Chairman Shepperd thanked Mr. Winn for his service and explained how the Board has to try and decide whether a business is good in a community or if it is a disturbance. He added one of the thresholds he considers for a business is that the neighbors do not complain about the proposal, and it would have been beneficial for him to have any supporters either email or speak in support.

Mr. Roane stated that with the FFL, you are required to log in and safely secure all of the firearms that you are working on with your customers. He then asked Mr. Winn to speak on the storage issue and how the firearms are secure for both the customers and your neighbors.

In response to Mr. Roane, Mr. Winn stated he has a safe that is approximately 900 pounds when empty.

Mr. Zaremba thanked Mr. Winn for his service in the military and asked him how many guns he would have at one time in his home.

Mr. Winn replied four.

Chairman Shepperd then called to order a public hearing on proposed Resolution R23-57 that was duly advertised as required by law and is entitled:

A RESOLUTION TO APPROVE AN APPLICATION TO AUTHORIZE FIREARMS SALES AND GUNSMITHING AS A HOME OCCUPATION WITH ON-PREMISES CUSTOMER/CLIENT CONTACT ON PROPERTY LOCATED AT 111 RICH ROAD

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

Mrs. Noll then moved the adoption of Resolution R23-57.

Chairman Shepperd opened the floor for Board discussion.

Mr. Green stated that it seems more like a hobby than a business, and the Board has received some complaints, but he didn't know if it would be a burden to the neighborhood. It would have been better if more citizens were in attendance to provide their input on the request. He added that he still has some reservations about the application.

Mr. Zaremba remarked on the timing of the application as related to the timing of the discussion on weapons at the federal, state, and local levels. He added that timing is very important in terms of making the decision on whether or not to approve the application.

Mr. Roane stated that the feedback he received was concerning a business in a residential area, and it has to be considered carefully to see if the business is transparent to the neighbors. He added that the County has been very successful with this, as approximately two-thirds of the business licenses in York County are home-based businesses and are able to serve the community without disturbing the neighbors. He then verified with Mr. Anderson that there will be no sales of guns or ammunition and no one stopping by to browse inventory and that the largest amount of traffic that could possibly occur would be eight vehicles, so an additional sixteen trips a day.

Mrs. Noll clarified that this application was for a Special Use Permit (SUP) and that not all home-based businesses need a SUP. She stated she had checked on the ones the Board approved in the past, the location, and also no gun sales, but the ones she has approved in the past, the citizens and neighbors have come up and supported them. However, on this application, she has not seen anything from a neighbor that supports it.

Mr. Zaremba explained the need for a Special Use Permit compared to just a Home-Based Business.

On a roll call the vote was:

Yea: (1) Roane

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Nay: (4) Zaremba, Noll, Green, Shepperd

FISCAL YEAR 2024 BUDGET

Chairman Shepperd called on Mr. Morgan to provide a presentation on the 2024 Budget.

Mr. Morgan gave a brief overview of the proposed FY 2024 Budget. He explained that pursuant to state law and County policy, two public hearings are required, one on the Fiscal Year 2024 Proposed Budget and the second being the Calendar Year 2023 Proposed Tax Rates.

- The one required by Code is the All Funds Budget and it is recommended at \$244 million.
 - General Fund \$174.7 million
 - Special Revenue Funds 16.1 million
 - Debt Service Funds 24.2 million
 - Capital Project Funds 15.2 million
 - Internal Service Funds 26.7 million
 - Enterprise Funds 28.6 million
 - Less: Transfers (41.4 million)
 - Total County Budget \$244.1 million
- The Budget priorities reflected in the General Fund are employee compensation, school contribution, and the Capital Improvements Program, and while hitting those priorities, they can recommend a small Real Estate Tax and Personal Property Tax rate reduction.
- In regards to the Expenditure Priorities:
 - Employee Compensation \$5.5 million
 - School Contribution 2.35 million
 - Cash Capital Contribution 4.2 million
 - Regional Jail 382,500
 - Williamsburg Regional Library 116,850
 - Other inflationary/contractual 550,000
- Employee compensation is the largest category, as it is not just the five percent raise for next year, but it also has the carryover of the special adjustments that were made in Public Safety in reaction to James City County, and the small compensation increase the Board authorized in January.

Mr. Morgan pointed out that since the work session presentation, the Finance Department has identified some adjustments that will reduce the overall Expenditure and Revenue Budget by \$75,000.

FISCAL YEAR 2024 BUDGET

Mr. Morgan continued on the budget recommendation with the summary of the tax rates.

- Last year's Real Estate rate reduction of one and a half cents and then this year an additional one cent, which is an actual net decrease in people's taxes due to there being no real estate reassessment until next year.
- There is a small Personal Property Tax rate reduction which is approximately two and a half percent. They also have general information on used car values and the way the Commissioner of the Revenue assesses them on average, having come down significantly from the aberrational year that we have just come through.
- York County has one of the lowest tax rates in the region and under this recommendation, it will go down another penny.

Mr. Morgan added that he worked on his first local government budget in the City of Roanoke in 1986, and this is the 12th local government budget for which he has been principally responsible. He has recommended tax increases, tax decreases, new positions, layoffs, new programs, and the elimination of programs throughout his eight years in York County and although reasonable people can disagree on many specifics in this or any budget, we should be grateful that we are living here in York County. It is a place with low taxes, excellent services, strong schools, and a

top-notch staff. He closed by stating he believes they have the right approach to maintain all of those strong attributes, which make York County a great place to live, and he appreciates the work and support of so many as the budget was developed as it will keep the County on sound footing going forward. He especially appreciates the fact that the Board and most of the citizens support taking a long-term, responsible approach to budgeting rather than just making it to the next fiscal year.

Chairman Shepperd then called to order a public hearing on Fiscal Year 2024 Budget that was duly advertised as required by law:

Mr. Thomas Chamberlain, 270 Barlow Road, Williamsburg, stated that three minutes is a very, very short period of time to talk about a \$270 million budget with a lot of details, and a lot of stuff behind the scenes, and he is glad to hear that there is talk about looking for a different way to do that. He managed \$100 million plus budgets throughout his career in the Shipyard, and he is also a Shipyard retiree who is living on a pension who has had no cost of living increase for the rest of his life, and his pension is fixed. So if costs start going up, we have got to figure out what to do. You have to look at the private sector, and he is not saying it is not done in the public sector, but you are always looking for ways to gain efficiency, and he doesn't hear any discussion about efficiency. He asked how we could improve the efficiency of the County by one percent. What things would need to get done to help people do their job faster, easier, and better, and how could we reduce the cost of stuff that we are purchasing and all those kinds of things. He added that it takes a lot of time and effort, and he would just say if you are looking at changing the process, he is more than happy to volunteer to be part of that change in the process and get involved in it much earlier. Where we have got time to have those discussions because you cannot do it in three minutes standing before you. He stated he will deviate completely to a discussion that was earlier, and hopefully, he will not go too far off-topic, but you appointed him to the Employee Grievance Panel and he thinks he is on his third term. They have not met in years, so that tells him that we have a pretty good organization here, a pretty good management team, and pretty good staff throughout.

Dr. Victor Shandor, 302 Dare Road, stated he is an active citizen in the community with his three children attending County schools and participating in many of the recreational programs that the schools offer. He stated that he has enjoyed the opportunities that he has had to coach and work with the kids in the County through the recreational programs. He noted that he has served as the County's School Superintendent for almost nine years, and he would like to say a few words this evening on the budget and about the County staff. However, like any good superintendent, he would start by sharing a few recent honors that our schools have received. We have a National Blue Ribbon School at Tabb Elementary School. He thanked Chairman Shepperd for attending that award event. The York County School Division was named the Best Community of Music Education in 2022, and 16 of our schools are recognized as Purple Star Schools for their support of military families. Niche Rankings has us number one as the best school division and the best teachers in our region. We have also ranked the third-best school division in the State of Virginia. We also found out yesterday that we have the 2024 Region 2 Teacher of the Year, Mr. Craig Reynolds, from Magruder Elementary School. He pointed out that the female athletes did a wonderful job this year, as they have four state titles in athletics. We have one in each zone this year. We have put signs up in parts of the County recognizing them, and then recently, we have two schools, Mount Vernon Elementary and Grafton Middle School, that won the state Odyssey of the Mind title and now are advancing to the world competition. As such, he stated that we are proud of all of our students and our staff members. Great things are happening around the School Division. So first, to our Supervisors, I appreciate your ongoing support and the relationships we have developed over the last several years. The relationship between the County and Schools, in my opinion, has only gotten closer over the years, and I am really proud of that. Our support means more - a lot more - than you will ever know. I appreciate your trust in me and my team to lead the School Division as far as the budget is concerned. I appreciate your financial management approach to the long-term needs of the School and County. It has proven extremely effective over the last several years. As you are aware, Mr. Morgan and I meet twice a month. We keep each other up to speed on projects and situations that we are working through and we talk on the phone quite a bit, including this morning. We collaborate and problem-solve together to try and continually improve our County and our Schools. We share information related to the Capital Improvements Plan and the operating budget year-round. There are really no surprises because we talk all the time about our financial situations. So I appreciate this open dialogue. I also want to acknowledge some

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other senior staff members in the room. I want to acknowledge Theresa Owens. I really appreciate her work with Mr. Bowen regarding finances, a great example of collaboration. Also, he acknowledged Mr. Bellamy and the work he does with facilities and operations and his work supporting the schools and collaborating with Mr. Carroll on the school side. There are many others who support our schools, and please know that we appreciate all of you. For example, Mr. Fuller, Mr. Bellamy, and Mr. Morgan were able to tour the Seaford Elementary School construction project last week. We had a wonderful opportunity to walk them through and see that progress. We appreciate them taking the time to do that. Again, thank you so much for supporting our schools.

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

COMMENTS ON THE PROPOSED FY2024 BUDGET SUBMITTED BY OTHER MEANS

As directed by the Board of Supervisors, included in the proceedings of this meeting are the following comments on the proposed budget and tax rates that were received from citizens by way of email, phone call, or letter prior to the close of business on this date:

I am encouraged by our partnership with York County in addressing QL's stressful condition. Please support the full funding of the CIP to allow for the necessary repairs.

Judy McCormack
102 Sheriffs Place
Williamsburg, VA 23185

I am encouraged by our partnership with York County in addressing QL's stressful condition. Please support the full funding of the CIP to allow for the necessary repairs.

James McCormack
(Queens Lake Resident)

Greetings!
I am writing to ask that you fully fund the Capital Improvement Project in Queens Lake which will address the ravine erosion, repair the concrete spillway and assist with our earthen dam. We are grateful for the partnership with the County on this project.

Thank you,

Melissa and Chris Ferguson
121 Sherwood Drive
Williamsburg, VA

My wife and I have lived in Queens Lake for thirty years and we continue to be grateful for the relationship that Queens Lake Club Association has with the County of York. At this time; we want the lake project to be fully funded to allow comprehensive repairs.

Thank you,

Alexander Oliver
126 Little John Road
Williamsburg, VA 23185

Dear Sirs,

I want to thank you and acknowledge the partnership of the County and Queens Lake. I would urge the approval of the budget vote that includes funds for helping with the erosion and

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siltation into the lake, improvements to the earthen dam, and improvement to the York River Watershed. All great projects!

Thank You,

Thomas C. Taylor
(Queens Lake)
195 W. Queens Drive
Williamsburg, VA 23185

Dear Supervisors,

Thank you for your efforts to address stormwater remediation and erosion to preserve Queens Lake. They are very much appreciated.

Also appreciated is the wisdom and the care with which you have taken with our York County budget and planning over the years.

Wishing you all the best,

Carolyn and Russell Campbell
141 Little John Road
Williamsburg, VA 23185

Dear BOS,

I'm writing to encourage you to fully fund the CIP to allow for comprehensive repairs in Queens Lake.

Thanks for your service to our community,

Ashley Pettus
108 Old Glory Court
Williamsburg, VA 23185

Board of Supervisors,

Please support our national resource Queens Lake by funding the improvement project. Do not let Queens Lake turn into Lake Powell, the lake in Kings Wood, or the Jollypond Road fiasco. Also please support the tax reduction measures and the kayak launch at New Quarter. Access to our natural resources builds our community.

Thanks,

Brian Timm

To the York County Board of Supervisors,

I've perused the 2024 budget and applaud the sound fiscal management of the County for minimizing the tax burden on residents while continuing to address infrastructure and needed capital improvements. Thank you for protecting our interests.

I want to specifically voice my support for the stormwater management budget and included repairs to Queens Lake, its dam, and spillway. The lake has been damaged by runoff from I-64 construction and the dam is aging and degrading. Dam failure would impact not only Queens Lake, by Queen Creek, the York River, and Chesapeake Bay, as we are all part of the watershed. In addition, as a resident of the area, I can say that the lake is a wonderful place to live and

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home to a plethora of wildlife. It would be a great loss to many creatures if the repairs were not completed. Queens Lake community is grateful for the County's help and partnership in this project. Please continue to help preserve our waterways and wildlife!

Barbara Reid Timko
(Queens Lake
129 Hunter Lane
Williamsburg, VA 23185

My name is Ronald Fox and I live in Queens Lake. I would like to thank you for including the much-needed support and partnership to include the lake work in your draft upcoming budget. It demonstrates County and residents working together in a positive way.

We are writing to request your approval of the budget for next year recently submitted by the York County staff. As residents of Queen's Lake we are particularly supportive of the \$1.7 million in the Capital Improvement Project (CIP) allocated to our community for stormwater remediation. The CIP will address ravine erosion, repair the concrete spillway, and provide some assistance for the earthen dam – all essential elements for the stability of our community. Please fund the CIP fully to allow for the comprehensive repairs needed in Queens Lake.

Thank you in advance for your consideration of this important issue.

Lawrence Cardman and Helen-Andrea Cardman
284 E. Queens Drive
Williamsburg, VA 23185

If you have to reach us by phone for further discussion our number is 757-220-1077

Greetings,

I am a longtime resident of the County (40+ years) and I write to you today to ask that you please keep the \$1.7 million in the Capital Improvement Project (CIP) allocated for stormwater remediation in the Greater Queens Lake basin. This is a sorely needed project that will help end, and correct, decades of poor management and neglect of stormwater issues in this area. I hope you will give this a high priority, only behind public safety and education, in this year's budget.

Thank you,

Robert Evans
193 W. Queens Drive

CALENDAR YEAR 2023 TAX RATES

Chairman Shepperd called to order a public hearing on proposed Ordinance No. 23-7 that was duly advertised as required by law. Proposed Ordinance No. 23-7 is entitled:

AN ORDINANCE TO IMPOSE TAX LEVIES UPON TANGIBLE PERSONAL PROPERTY, UPON MACHINERY AND TOOLS, UPON MOBILE HOMES, AND UPON REAL ESTATE FOR THE CALENDAR YEAR 2023, AND TO PRORATE TAXES ON MOBILE HOMES AS AUTHORIZED BY SEC. 58.1-3001 OF THE CODE OF VIRGINIA

Mr. Doug Holroyd, 103 Marina Point, Williamsburg greeted the Chairman and Board of Supervisors and thanked them for the opportunity to speak. He repeated each of the three statements on the budget that was provided to the Board in previous meetings. Number one, Fiscal Year 2022 surplus for Personal Property Tax was \$5.13 million of which \$3.5 has been applied as a credit on the December 2022 bills. His recommendation was to provide a second tax credit or rebate of the \$1.5 million to be applied on Personal Property Tax invoices from June of

this year to basically use up the remaining \$5.13 million that was not credited. Number two was Real Estate Tax revenues are up by over 10 percent in the past two years. Fiscal Year 2022 surplus for Real Estate Taxes was \$400,000. My recommendation was to lower the Real Estate Tax rate by an additional half-cent. So in other words, \$0.76 and half cents per hundred dollars for the fiscal year 2024, that is an additional half million dollar reduction in property tax and equivalent to the Real Estate Tax surplus generated in Fiscal Year 2022. And then my favorite topic, Personal Property Tax revenue, it is up by seven and a half percent over last year. As we learned at the last Board meeting, vehicle assessment values have decreased from their peak in 2022 when they reached nearly 36 percent. 2020 on average vehicles for the June 2023 bill are now four percent below the December 2021 assessment values as reported at the last Board meeting. However, car values should have dropped by much more due to depreciation; 10 to 12 percent per year is the expected depreciation on a vehicle. They did not because of COVID supply chain issues. The assessment value for the vehicles should be 20 to 22 percent below the December 2021 assessment values if corrected for depreciation, not four percent. So simply put, cars are still assessed for tax purposes 18 percent above their depreciated value. This will generate a budget surplus of nearly \$1 million in 2023. I had recommended in January the tax rate be dropped to \$3.20 cents, but based on the latest assessment value summary, the tax rate should be in the neighborhood of \$3.70 to avoid that \$1 million budget surplus this year. So, in summary, \$1.5 million dollar rebate on the June 2023 Personal Property Tax bill, \$0.76 and a half cents per hundred on the Real Estate Tax, and \$3.70 cents per hundred on the vehicle assessment value. Thank you.

Mr. James Chapman, 130 Yorkshire Drive, first I would like to clarify a point of the earlier discussion, and that is on the vehicle fee. What I understand Mr. Morgan to say at your work session was that there had been public announcements of certain items or areas, and if we were looking to take revenue from those areas, it would be difficult because of the public announcement that had already been made. Now, in my memo that I gave you all, I used the words off limits. That is my interpretation of what I understood him to say, and really, in reality, if there were obligations made through public announcements, what else you got. Okay. I will let that rest. Personal Property Taxes, I think that the \$0.10 that is being recommended this year is insufficient. As the gentleman says, the value of used vehicles has not gone down far enough. If you have read the articles in the paper about other localities around the area, they are still up there. They are making larger adjustments. I think that \$0.10 is too low. I think it needs to be \$0.20, and in addition to that, the \$25 vehicle fee is done away with. Thank you very much.

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

Chairman Shepperd opened the floor for comments from the Board; however, no comments were made. He then stated that the public hearing that just occurred was to talk about the budget that has been proposed. In addition, he noted that on May 2, a work session will be held by the Board at which time there is no opportunity for public comments. Then at the second meeting in May, the Board will vote on the proposed budget. He pointed out that in the past, people have expressed discontent that they were not allowed to speak about the budget at the work session, which leads him to believe that the process is not the best way to do business, but right now, this is the process. As such, he then explained that on May 2, the Board would vote on the proposed budget, and there will be no further public comment received.

CONSENT CALENDAR

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

Chairman Shepperd asked if there are any questions or further discussion regarding the Consent Calendar or if any item(s) needs to be pulled.

The Board did not request that any items be pulled; however, Mr. Roane asked if a special presentation will be scheduled in the future to present the Outstanding Youth Awards to the four youths selected for scholarships.

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Chairman Shepperd assured him that the chosen youth will be invited to a dinner followed by a presentation of the scholarships at a regular Board meeting.

Mrs. Noll moved that the Consent Calendar be approved as submitted, Item Nos. 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, respectively.

On roll call the vote was:

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

Item No. 5. APPROVAL OF MINUTES

Thereupon, the following minutes were approved and resolutions adopted:

March 21, 2023

Item No. 6. GRANT APPLICATION FOR EMERGENCY HOME REPAIR PROGRAM: Resolution R23-46.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO TAKE ALL ACTIONS NECESSARY TO CONTINUE TO IMPLEMENT THE EMERGENCY HOME REPAIR PROGRAM AND TO ACCEPT AND APPROPRIATE ANY GRANT FUNDS AWARDED TO THE COUNTY BY THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Item No. 7. HOUSING CHOICE VOUCHER PROGRAM ANNUAL FUNDING RENEWAL: Resolution R23-47.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO TAKE ALL ACTIONS NECESSARY TO ACCEPT FUNDING AND CONTINUE TO IMPLEMENT THE HOUSING CHOICE VOUCHER PROGRAM FUNDED THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE VIRGINIA HOUSING DEVELOPMENT AUTHORITY

Item No. 8. ENDORSEMENT OF FAIR HOUSING PRINCIPLES: Resolution R23-45.

A RESOLUTION ENDORSING THE PRINCIPLES OF FAIR HOUSING AS SET FORTH IN TITLE 36, CHAPTER 5.1 OF THE CODE OF VIRGINIA (1950) AS AMENDED

Item No. 9. REQUEST FOR REFUND OF REAL PROPERTY TAXES – AMERICAN BATTLEFIELD TRUST: Resolution R23-48.

A RESOLUTION TO AUTHORIZE A REAL ESTATE TAX REFUND TO AMERICAN BATTLEFIELD TRUST FOR TAX YEAR 2022

Item No. 10. REQUEST FOR REFUND OF REAL PROPERTY TAXES FROM A DISABLED VETERAN: Resolution R23-56.

A RESOLUTION TO AUTHORIZE A TAX REFUND TO AN INDIVIDUAL ELIGIBLE FOR REAL PROPERTY TAX RELIEF PURSUANT TO CODE OF VIRGINIA § 58.2-3219.5, TAX RELIEF FOR DISABLED VETERANS, FOR THE TAX YEARS 2020-2022

Item No. 11. ANNUAL AUDIT AND FINANCIAL COMPLIANCE SERVICES: Resolution R23-61.

A RESOLUTION TO AUTHORIZE A CONTRACT FOR ANNUAL AUDIT AND FINANCIAL COMPLIANCE SERVICES

Item No. 12. COMMENDATION OF A RETIRING EMPLOYEE: Resolution R23-66.

A RESOLUTION TO COMMEND ANDREW T. BARDEN, BATTALION CHIEF, YORK COUNTY DEPARTMENT OF FIRE AND LIFE SAFETY, ON THE OCCASION OF HIS RETIREMENT FROM COUNTY SERVICE

Item No. 13. ELECTRIC POWER EASEMENT TO SUPPLY POWER TO COUNTY PROPERTY LOCATED AT 159 GOODWIN NECK ROAD: Resolution R23-62.

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN EASEMENT AGREEMENT WITH VIRGINIA DOMINION ENERGY, FOR AN ELECTRIC POWER EASEMENT TO PROVIDE SERVICE TO A COUNTY-OWNED PROPERTY LOCATED AT 159 GOODWIN NECK ROAD

Item No. 14. OUTSTANDING YOUTH AWARDS SCHOLARSHIP PROGRAM: Resolutions R23-30, R23-31, R23-32, and R23-33.

A RESOLUTION TO COMMEND AND CONGRATULATE GAVIN PETERS ON HIS SELECTION AS THE 2023 YORK COUNTY OUTSTANDING YOUTH OF THE YEAR FOR COMMUNITY SERVICE

A RESOLUTION TO COMMEND AND CONGRATULATE ELISE HOGLUND ON HER SELECTION AS THE 2023 YORK COUNTY OUTSTANDING YOUTH OF THE YEAR AWARD FOR COMPASSION

A RESOLUTION TO COMMEND AND CONGRATULATE NATHANIEL LAMBRIGHT ON HIS SELECTION AS THE 2023 YORK COUNTY OUTSTANDING YOUTH OF THE YEAR FOR COURAGE

A RESOLUTION TO COMMEND AND CONGRATULATE INDIA GIVENS ON HER SELECTION AS THE 2023 YORK COUNTY OUTSTANDING YOUTH OF THE YEAR FOR OVERALL ACHIEVEMENT

NEW BUSINESS

Item No. 15. APPLICATION NO. UP-1007-23, DISH WIRELESS: Resolution R23-3

A RESOLUTION TO AUTHORIZE MINOR ENLARGEMENT OF A CONFORMING DOMINION ENERGY POWER PYLON FROM 111 TO 123 FEET IN HEIGHT TO ALLOW CONSTRUCTION OF A COMMUNICATIONS TOWER WITH ANTENNA ARRAYS

Mr. Timothy Cross, Deputy Director of Planning and Development Services, stated that this request is to erect a power tower telecommunication facility inside an existing Dominion Energy Power pylon. He explained that the structure is located at 200-Z Corrotoman Run and involves increasing the height of the existing 110-foot power pylon which is an 11.8 percent increase in height. Since the requested height increase is greater than five percent and less than 25 percent, it only requires consideration and approval by the Board. He noted that the request is consistent with the Comprehensive Plan, and staff is recommending approval of the request subject to the conditions included in proposed Resolution R23-3.

Chairman Shepperd asked if staff had received any concerns, complaints, or comments from the public.

In response, Mr. Cross stated that they had not.

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Chairman Shepperd asked if there are any questions or further discussion regarding this application.

Mr. Green asked about the proposed resolution number as it appears out of sync with the numbering of other resolutions being considered this evening.

Mr. Cross explained that this resolution number was a number assigned to another item earlier in the year that never moved forward, so it was assigned to this item instead.

Mr. Roane asked if there is a County ordinance limiting the height of these structures and if there are federal rules governing them as well.

Mr. Cross stated that the applicant will have to submit an application to the FAA (Federal Aviation Administration) to ensure that the proposed increased height of the tower will not interfere with aircraft. In addition, he noted that the increased tower height will have to be in compliance with our Airport Safety Management Overlay District; will not penetrate any of the protected surfaces around Langley Air Force Base or Newport News Airport; and can be adequately addressed by the County Fire Department if needed.

Mrs. Noll then moved the adoption of Resolution R23-3.

On roll call the vote was:

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

Item No. 16. BRUTON FIRE STATION FUEL POINT 3 UPGRADE: Resolution R23-64.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH JF ACQUISITION LLC, DBA JF PETROLEUM GROUP FOR THE UNDERGROUND FUEL STORAGE TANKS FOR BRUTON FUEL STATION #3

Mr. Morgan explained that the County currently has three fueling facilities, all of which are in the process of renewal. He stated that the headquarters' facility at the Operation Center was the first to have the tanks replaced and is now fully operational; the second one located next to Tabb High School is going to be rebuilt this summer; and the one at Hubbard Lane is the third and final one to be replaced. Due to procurement issues, he stated that it is necessary to proceed with procuring the fiberglass and underground tanks so that next year we will not be delayed in initiating and completing this replacement.

Chairman Shepperd asked if there are any questions or further discussion regarding this application.

Mr. Roane asked what the lifespan is on the tanks.

In response, Mr. Morgan stated that it is approximately 25 years.

Mr. Green asked why the tanks are placed underground as opposed to above ground.

Mr. Morgan stated that the most practical reason is that the tanks take up too much real estate, limiting vehicle access to the site.

Mr. Roane then moved the adoption of Resolution R23-64.

On roll call the vote was:

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

Item No. 17. WEST QUEENS DRIVE SIDEWALK PROJECT: Resolution R23-65.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CTN ENTERPRISES, INC., FOR THE WEST QUEENS DRIVE SIDEWALK PROJECT

Mr. Morgan explained that this is one of the special grant programs where the County gets an extra percentage of Federal and State funds because it connects a neighborhood to a school. He added that this project has been in the making for about four years, but is now ready to commence to connect a small neighborhood to the Queens Lake Middle School.

Chairman Shepperd asked if there are any questions or further discussion regarding this application.

Mr. Zaremba then moved the adoption of Resolution R23-65.

On roll call the vote was:

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

Item No. 18. REVENUE SHARING AUTHORIZATION FOR THE EASTERN VIRGINIA REGIONAL INDUSTRIAL FACILITY AUTHORITY PROPERTY: Resolution R23-63.

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO IMPLEMENT REVENUE SHARING FOR THE EASTERN VIRGINIA REGIONAL INDUSTRIAL AUTHORITY PROPERTY PURSUANT TO SECTION 15.2-6406.B OF THE CODE OF VIRGINIA

Ms. Kristi Olsen, Director of Economic and Tourism Development, explained that approval of this item will authorize the County Administrator to implement revenue sharing with the Eastern Virginia Regional Industrial Facility Authority (EVRIFA) that is involved in the Kings Creek Commerce Center (KCCC) project. Since the project is in York County and we are the host locality, the State Code requires the Board's approval codifying the revenue sharing agreement so that the Commissioner of the Revenue and Treasurer can actually facilitate the transfer of the funds from the project to the participating localities. She pointed out that this is simply a formality of what was already in the agreement, which was approved several years earlier.

Chairman Shepperd stated that he understood that since York County is the host locality, we will get five percent of the proceeds to start with.

In response, Ms. Olsen explained that the first five percent goes to EVRIFA, secondly five percent goes to York County, and then the County also receives 42 percent of the remaining 90 percent.

Chairman Shepperd asked if there are any questions or further discussion regarding this application.

Mrs. Noll then moved the adoption of Resolution R23-63.

On roll call the vote was:

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

CLOSED MEETING - none

MATTERS PRESENTED BY THE BOARD

Mr. Green stated that it is time for students in District 3 to submit their applications for the 2023/2024 York County Youth Commission (YCYC). He explained that students who are homeschooled or who go to private school can also submit their applications as long as they reside in the County.

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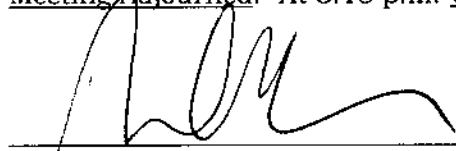
Mrs. Noll encouraged all of the youth residing in all five districts to submit their application to serve on the upcoming YCYC. She explained that serving on this commission offers great leadership training for our youth. Mrs. Noll noted that the County's community garden at the McReynolds Athletic Complex has been a tremendous success, so much so that they have run out of garden spots. However, she stated that additional vacant garden spots have been located at Charles Brown Park, with only nine vacant spots remaining. She also encouraged citizens who enjoy gardening to claim a spot at Charles Brown Park.

Mr. Zaremba stated that he regrets that the School Superintendent and his deputy had already left the meeting as he wanted to extend a public apology to them and a number of people on this special day for York County schools. He explained that something unexpected had occurred that morning which precluded his attendance at a special question-and-answer session with the senior class. However, he wanted to share his regret for not having been a part of this event in which he has participated and enjoyed for numerous years.


Mr. Roane stated that he wanted to share with the public a new program sponsored by the Sheriff's Office, which he had also included in his latest newsletter to the residents in his district. Specifically, the Sheriff had instituted a new program called the Autism Acceptance Program which is composed of two parts. He noted that the first part is the specialized training of the deputies so they can identify and safely interact with anyone who has been diagnosed with autism. Secondly, he stated that the Sheriff's Office will supply stickers to those persons having or caring for someone with autism that can be placed on their vehicle windshield or on their home noting the presence of someone who has been diagnosed with this malady. He then encouraged applicable residents to reach out to the Sheriff's Office for these stickers. He also pointed out that this new program is closely related to another program, the Heads Up Program, whereby people with any special needs are identified in the Sheriff's Office so should they need help, the Sheriff's Office and Fire and Life Safety will better know how to prepare to address their special needs.

Chairman Shepperd stated that on April 14, he had the pleasure of attending and participating in the grand reopening of the Walmart in District 1. He added that it was quite a gathering and that he enjoyed seeing all of the Walmart associates and managers at the event. In addition, he pointed out that the two Walmarts in the County are very important and generate millions of dollars in revenue for the County, issue grants for education and churches, and have been good neighbors in the County. He stressed that since the County is a safe community, businesses thrive whereas in larger cities, businesses are closing due to extreme theft/shoplifting. He also pointed out that the sales tax in the County is far lower than surrounding larger localities.

Meeting Adjourned. At 8:18 p.m. Chairman Shepperd declared the meeting adjourned sine die.



Neil A. Morgan
County Administrator



Thomas G. Shepperd, Jr., Chairman
York County Board of Supervisors