

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
June 7, 2022

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., June 7, 2022, in the Board Room, York Hall, by Chairman Sheila S. Noll.

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

Mr. Zaremba was absent.

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; Richard Hill, Deputy County Attorney; and Heather L. Schott, Legislative Assistant.

PRESENTATIONS

EMPLOYEE SERVICE RECOGNITIONS

Mr. Mark Bellamy recognized the following employees who have achieved significant milestones during January 2022 through June 2022 timeframe.

20 Years of Service

- Kevin T. Ritchie, Event Planner, Department of Economic and Tourism Department
- James R. Hazelwood, Jr., Deputy Sheriff for the York-Poquoson Sheriff's Office
- Kenneth L. Thompson, Firefighter, Fire and Life Safety
- Michael B. Stinson, Fire Lieutenant, Fire and Life Safety
- Joseph E. Sandiford, Senior Firefighter, Fire and Life Safety
- Alexander K. Donne, Battalion Chief, Fire and Life Safety
- Amy M. Parker, Planner II, Planning and Development Services
- Elizabeth A. Webster, Dispatcher II, Emergency Communications

25 Years of Service

- Joseph A. Sisler, Deputy Director of Public Works, Public Works Department
- Douglas F. Deach, Fleet and Maintenance Superintendent, Public Works Department
- Shannon M. Worley, Administrative Assistant III, Commonwealth's Attorney Office

Chairman Noll, on behalf of the Board, offered these employees their heartfelt gratitude for their dedication, loyalty, and years of service to the County which was followed by a round of applause by all present.

AMERICAN RESCUE PLAN ACT (ARPA)

Mr. Neil Morgan, County Administrator, made the County's fifth presentation to the Board on some of the various forms of federal assistance related to COVID relief. He explained in addition to the presentation, a public hearing is being held tonight on the appropriation of the second and final tranche of ARPA funds. He stated that the presentation will include a quick history of the CARES (Coronavirus Aid, Relief, and Economic Security) Act and how those

funds were utilized, also what has been done with the ARPA money received thus far, and what the Board's direction is for use of the final tranche.

- There have been a series of federal legislation to provide COVID Relief to localities with the two largest being the CARES Act and the ARPA Act.
- The CARES Act funds have been received and appropriated with all the necessary reports and audits completed.
- The CARES Act funds received in March 2020 totaled \$11.9 million and came with several stipulations.
- Using the CARES Act funds, numerous projects spanning the entire County and School Division were completed.
- One of the CARES Act stipulations was that the County could use the money to reimburse for the public safety salaries, at \$5,550,000, the largest one-time expenditure of these funds. In doing so, these funds were used to pay these specific employees in a year when the budget was frozen with no salary increases and no Capital Improvements Plan (CIP). The money that would have been paid to the public safety employees was put aside and enabled the County to fund Fire Station No. 7 in cash.
- In addition, \$2 million was allocated to the School Division to help them set up a distance learning program for the entire school system.
- The Emergency Communications Center was renovated, technology was deployed for teleworking, and turnout gear was purchased for the Fire Department.
- The credit card fees for residents were waived that year and a certain amount of hazard pay was allowed for our firefighters who were entering homes to offer assistance in the midst of COVID when vaccinations were unavailable.
- Projects were funded which included some business assistance grants deployed via the Economic Development Authority (EDA); implementation of a badging system; dark fiber was provided for the Yorktown Library; some assistance was provided to some County non-profits who were offering childcare at a time when most of these facilities were closed; the fire alarm system was upgraded; and many more.
- Some of the funds were used to finance many of the projects on the County's long-term to do list.
- The federal government passed a law providing an additional year to use the CARES Act funds two weeks prior to the December deadline. The County was not impacted because the funds were already allocated.
- The County also received small sums of money through the Coronavirus Response and Relief Supplement Appropriations Act (CRRSA) which provided \$35,000 for the Head Start Program and an additional \$10,000 in Provider Relief Funds.
- ARPA was the most recent COVID funding from the federal government as it was issued in early 2021. It was administered by the Treasury Department, but with a different set of rules which included more time in which to allocate the funds; more flexibility in the use of the funds allowing for revenue replacement; and the funds were received directly as opposed to going through the state like the CARES Act funds.
- ARPA money came in two tranches the first of which was received and appropriated last year and the second tranche will be received shortly.
- The purpose of the public hearing scheduled at this meeting is in regards to the appropriation of the second tranche so they can be deployed in accordance with the decisions the Board has previously discussed and decided.

- The laws enacted relative to the ARPA funds allowed Virginia cities to obtain more than twice as much per capita as counties.
- From the beginning the County's philosophy was to spend approximately 80 percent of these funds for one-time capital projects which we had already planned to do or for things that needed to be done but never made it to the CIP. All of the decisions the Board has made have followed this approach.
- \$2 million has been set aside as a contingency for the new Sheriff's Law Enforcement Building which is currently out to bid, knowing that construction prices are steadily increasing.
- A similar amount of money has been approved for the upcoming Riverwalk Landing Water Street Grill renovation project. This is a County-owned building leased to the EDA with a partnership with the tenant, and using the ARPA funds the project can be done with very little local funds being utilized to complete it.
- Another project funded by ARPA funds, which is currently being installed in the upper County, is dark fiber which was badly needed in this specific area where internet service and options are not as good as they are in the southern County. This project will tie several County buildings together and could potentially provide private internet service as well.
- There are some funds to provide park upgrades which were elaborated upon by Mr. Brian Fuller, Assistant County Administrator, at the recent Board Retreat.
- 10 percent was set aside for an employee retention incentive. Since the state provided additional funds to the Sheriff's Deputies throughout the state, it seemed reasonable to give an incentive to the other employees as well.
- An extra ambulance was purchased in anticipation of opening Fire Station No. 7 knowing that it would take one year to receive.
- Some funds have been set aside for the consolidation of our IT operation.
- Funds have also been set aside for the Community Services and Social Services Departments to use in assisting citizens still impacted by COVID.
- The Community Services Grant Advisory Committee received some additional funds they could use to provide one-time small capital grants in addition to the funds provided in the annual budget.
- ARPA funds provided to the counties had fewer hoops than that provided to the cities. However, all of these funds qualified as revenue replacement, so essentially they became the County's money.
- Some of these funds, with the Board's approval, were earmarked in the CIP for small recreation-oriented projects in the school system, many of which are underway with the largest being the new turf field at Bruton High School. Not only will these projects benefit the schools, but also the County residents who will use them as well. These projects are included in the previously mentioned 80 percent one-time capital improvement projects.
- There were additional ARPA funds that did not flow directly to the County including \$300,000 to the Virginia Tourism Council Recovery Marketing Program, \$174,000 for the previously mentioned compensation for the Sheriff's bonuses; and funds for the Municipal Utilities Relief Program and the Head Start Program.

In closing, Mr. Morgan stated that all of the CARES Act funds had been expended, reported to the Treasury, and audited. He also pointed out that the first tranche of the Coronavirus State

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and Local Fiscal Recovery Funds (SLFRF) funds was appropriated in FY21, expended, reported to the Treasury and audited with the second tranche expected this month.

PUBLIC HEARINGS

STATE AND LOCAL FISCAL RECOVERY FUNDS APPROPRIATION. Resolution R22-111

The matter was considered and **approved on a vote of 4:0.** A summary of the preceding is below.

Chairman Noll opened the floor for comments and/or questions from the Board.

Mr. Roane asked if the County's portion towards Riverwalk restaurant is 80 percent.

In response, Mr. Morgan stated that the project has not yet been bid so we do not actually have the total cost yet; however, in January the architect's estimate for the project was \$4 million. When the payment formula for the renovations was set, 35 percent was to be paid by the tenant and 65 percent was to be paid by the Economic Development Authority with the County's assistance. As such, regardless of the final cost, the payment formula will not change. He added when the final cost is determined, he will return and make a recommendation to the Board in regards to this matter.

Mr. Green asked if we need to hold back some of these funds in case they are needed to replace the waterfront parking garage, which currently is experiencing structural issues.

Mr. Morgan stated that we still have approximately a half-million dollars in unallocated funds and one and a half million dollars set aside for future park projects. Moreover, the County carries property insurance with a low deductible should the garage repair qualify; however, the experts do not think it is going to be a teardown/rebuild project. He stated that the repair will likely be in the low six figures, but even if it were seven figures, we have the flexibility to fund the repair.

Mr. Shepperd asked what the total is for all COVID funds received and will receive.

Mr. Morgan responded that the County has received a total of \$11.9 in CARES Act funds and a total of \$13 in ARPA funds resulting in an approximate total of \$25 million from both acts. In addition, he noted that other smaller sums of funding came indirectly to the County, such as additional grants for the Head Start Program and the Utility Relief Program. More significantly, the Community Development Block Grant (CDBG) funds were provided by the state for business assistance and deployed by the Community Services Department and Economic Development Department. A total of \$1.3 million was received for the small business assistance which helped multiple County businesses in three series of small grants. The County received approximately \$25 million in direct COVID relief aid and a total of \$2 million in smaller indirect aid with targeted types of assistance.

Mr. Shepperd then asked what would have occurred if the County had not received COVID relief aid.

Mr. Morgan said that the total amount of relief we received is approximately equivalent to one year of capital projects for both the County and the School Division. However, he noted that in our case it was spread over three different fiscal years. He added that those localities that used the relief funds for programmatic uses face the problem of how to sustain the new programs they have initiated once the relief money stops. However, he noted that is why staff recommended using these funds for one-time uses which would not require additional money to maintain moving forward.

Mr. Shepperd added that making these one-time capital purchases with cash negates having to make ongoing loan payments for these improvements.

Mr. Morgan concurred with his statement and explained that the County is now able to pay for Fire Station No. 7 without a loan and that a reserve fund has been set aside for the new Law

Enforcement Building so even if the bid price comes in high we have the means to pay for it without borrowing more.

Chairman Noll then called to order a public hearing on proposed Resolution R22-111 that was duly advertised as required by law and is entitled:

A RESOLUTION APPROPRIATING \$6,631,295 IN THE FISCAL YEAR 2022
BUDGET FOR FEDERAL FUNDING RECEIVED FROM THE AMERICAN RESCUE
PLAN ACT

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

Mr. Green then moved the adoption of proposed Resolution R22-111.

On roll call the vote was:

Yea: (4) Green, Roane, Shepperd, Noll
Nay: (0)

APPLICATION NO. PD-57-22, COMMONWEALTH GREEN, LLLP. Ordinance No. 22-11.

The matter was considered and **approved on a vote of 4:0**. A summary of the preceding is below.

Mr. Timothy Cross, Deputy Director of Planning and Development Services, provided a brief presentation on Application No. PD-57-22 requesting to amend the conditions of approval for the overall master plan and proffered conditions for the Commonwealth Green Planned Development approved by the Board in 2012 through a rezoning request. Specifically, the applicant is requesting to remove the required road connection between Keener Way and Route 17, now identified as Jeanette Drive, and replacing the proffered extension of a public water line and a public gravity sanitary sewer line to Route 17 with a proffered dedication of a utility easement between Keener Way and Route 17.

Mr. Green stated that aligning Keener Way with Coventry Boulevard would made a lot of sense.

Mr. Cross concurred and added that is exactly what the Comprehensive Plan recommends.

Mr. Roane asked that the fundamental requests of the applicant be summarized.

Mr. Cross stated that the applicant no longer wanted to extend Keener Way to connect to Jeanette Drive as previously planned to abut Route 17. Instead, Keener Way would end in a cul-de-sac; however, the utility easement would be extended to Route 17 to allow for future development.

Mr. Donald Davis, Davis and Associates, 3630 George Washington Memorial Highway, spoke for the applicant. He provided an overview of the project and associated challenges both with VDOT and the Army Corps of Engineers. The applicant is seeking an amendment to the proffers removing the requirement to build out to Route 17 and within four months or less the applicant will provide a signed document that gives the County an easement to be able to put utilities through to this area. In addition, he noted that new plans will be submitted to the County showing where the cul-de-sac would be located at the end of Keener Way.

Chairman Noll then called to order a public hearing on proposed Ordinance No. 22-11 that was duly advertised as required by law and is entitled:

AN ORDINANCE TO APPROVE AN APPLICATION TO AMEND THE CONDITIONS
OF APPROVAL APPLICABLE TO THE PREVIOUSLY APPROVED COMMON-
WEALTH GREEN MIXED USE DEVELOPMENT

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

Mr. Green then moved the adoption of proposed Ordinance No. 22-11.

On roll call the vote was:

Yea: (4) Roane, Shepperd, Green, Noll
Nay: (0)

ESTABLISH SALARIES FOR MEMBERS OF THE YORK COUNTY BOARD OF SUPERVISORS.
Ordinance No. 22-8.

The matter was considered and **approved on a vote of 4:0**. A summary of the preceding is below.

Mr. Morgan stated an ordinance is being presented this evening to establish the salaries of the Board to compensate for the meetings attended and the business conducted. In addition, he noted that state law allows a five percent increase in their compensation and the Board has not had an increase in 15 years. As such, he stated that he hoped the Board would approve the proposed \$500 increase in salary.

Mr. Roane stated that with the overall increase in the prices of food, gas, and inflation, he was not amenable to increasing the Board's salaries.

Mr. Green concurred with Mr. Roane and stated that he would not vote for an increase in their salaries.

Mr. Morgan stated that since it appears the resolution will not be adopted as written, the Board may want to consider a revised Ordinance 22-8(R) which would maintain the Board's salary at the current rate.

Chairman Noll then called to order a public hearing on proposed Ordinance No. 22-8(R) that was duly advertised as required by law and is entitled:

AN ORDINANCE TO ESTABLISH THE SALARIES OF MEMBERS OF THE YORK COUNTY BOARD OF SUPERVISORS AT THE SUM OF \$9,450.00 PER ANNUM, PLUS AN ADDITIONAL SALARY OF \$1,890.00 FOR THE BOARD CHAIRMAN AND AN ADDITIONAL SUM OF \$1,260.00 FOR THE BOARD VICE-CHAIRMAN, EFFECTIVE JULY 1, 2022.

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

Mr. Shepperd then moved the adoption of proposed Ordinance No. 22-8(R).

On roll call the vote was:

Yea: (4) Shepperd, Green, Roane, Noll
Nay: (0)

CONSENT CALENDAR

The Consent Calendar was considered and **approved on a vote of 4:0**. A summary of actions taken is below.

Mr. Shepperd asked that Item No. 8 be pulled for further discussion. He noted that prior to Hurricane Isabel in 2003, Mr. James McReynolds, the County Administrator at that time, had already entered into contracts with trash disposal companies. He stressed that because of his forethought, the County paid far less than other Peninsula localities for this service.

Mr. Roane requested Item No. 11 also be pulled and asked what the ages are of the County's three knuckle boom trucks. He also questioned how often these trucks are on the road.

Mr. Robert Krieger, Acting Director of Public Works, responded the truck that needs to be replaced is 11 or 12 years old. He pointed out that these trucks are on the road every work day.

Discussion followed on the knuckle boom trucks including the replacement schedule, types of pickup handled, and associated challenges with debris pickup.

Mr. Shepperd moved that the Consent Calendar be approved as submitted, Item Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, respectively.

On roll call the vote was:

Yea: (4) Green, Roane, Shepperd, Noll
Nay: (0)

Item No. 4. APPROVAL OF MINUTES.

Thereupon, the following minutes were approved and resolutions adopted:

April 19, 2022, Regular Meeting

Item No. 5. FY 2023 FUNDING FOR LOCAL ARTS ORGANIZATIONS. Resolution R22-34.

A RESOLUTION TO APPROVE FY2023 COUNTY AND STATE FUNDING FOR LOCAL ARTS ORGANIZATIONS

Item No. 6. CHILD DEVELOPMENT RESOURCES, INC. LEASE AGREEMENT. Resolution R22-72.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A LEASE AGREEMENT WITH CHILD DEVELOPMENT RESOURCES, INC. A NONPROFIT VIRGINIA CORPORATION, FOR THE OPERATION OF AN EARLY CHILDHOOD CARE AND DEVELOPMENTAL SERVICE IN THE GRIFFIN-YEATES BUILDING LOCATED ON GOVERNMENT ROAD COMMENCING ON JULY 1, 2022, ENDING JUNE 30, 2024.

Item No. 7. CHILD DEVELOPMENT RESOURCES, INC., SUPPORT AGREEMENT. Resolution R22-73.

RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A SUPPORT AGREEMENT WITH CHILD DEVELOPMENT RESOURCES, INC., A NONPROFIT VIRGINIA CORPORATION, PROVIDING \$75,000 ANNUAL FUNDING DURING FISCAL YEAR 2023 FOR THE OPERATION OF EARLY CHILDHOOD CARE AND DEVELOPMENTAL SERVICES IN THE GRIFFIN-YEATES LEARNING CENTER LOCATED ON GOVERNMENT ROAD

Item No. 8. AGREEMENTS WITH VIRGINIA PENINSULAS PUBLIC SERVICE AUTHORITY (VPPSA) FOR DEBRIS COLLECTION MONITORING SERVICES FROM HURRICANES AND OTHER DISASTERS. Resolution R22-91.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ENTER INTO AGREEMENTS WITH THE VIRGINIA PENINSULAS PUBLIC SERVICE AUTHORITY FOR THE DEBRIS COLLECTION MONITORING SERVICES FROM HURRICANES AND OTHER DISASTERS

Item No. 9. SPRINGFIELD ROAD WOODS OF KINGS CREEK PSEA (AMENDED). Resolution R22-101.

A RESOLUTION TO AUTHORIZE AN AMENDMENT TO A PUBLIC SEWER EXTENSION AGREEMENT FOR THE WOODS AT KINGS CREEK DEVELOPMENT WITH TRANQUILITY RESIDENTIAL LLC TO PROVIDE \$100,000 IN SANITARY SEWER CONNECTION FEE CREDITS

Item No. 10. ENGINEERING SERVICES – WHITES FAULKNER SANITARY SEWER PROJECT. Resolution R22-70.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH BROWN AND CALDWELL FOR ENGINEERING SERVICES FOR THE WHITES FAULKNER SANITARY SEWER PROJECT

Item No. 11. PURCHASE RESOLUTION: KNUCKLE BOOM TRUCK. Resolution R22-109

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH THC ENTERPRISES FOR THE PURCHASE OF A KNUCKLE BOOM TRUCK

Item No. 12. SURVEYING SERVICES ANNUAL CONTRACT AWARDS. Resolution R22-110.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE INDIVIDUAL CONTRACTS FOR MISCELLANEOUS SURVEYING SERVICES ON AN AS-NEEDED BASIS

Item No. 13. APPLICATION UP-993-22 EXTENSION – THE DIGGES CO. RECYCLING CENTER. Resolution R22-96.

A RESOLUTION TO EXTEND THE TERM OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT FOR A RECYCLING PLANT AT 1540 AND 1558 PENNIMAN ROAD

Item No. 14. APPLICATION UP-992-22 EXTENSION – THE DIGGES CO. FIRING RANGE. Resolution R22-97.

A RESOLUTION TO EXTEND THE TERM OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT FOR AN INDOOR FIRING RANGE AT 1558 PENNIMAN ROAD

OPEN DISCUSSION

Mr. Shepperd stated that he had recently attended a ribbon-cutting ceremony for a new medical facility in the County called County Med. He stated that the practice is located on Route 17 at 4600 George Washington Memorial Highway and should anyone want additional information on this new facility to visit countymeddpc.com.

Chairman Noll stated that she had been out of the country for two weeks; however, upon her return she had received numerous comments and questions regarding the car tax and she then asked Mr. Morgan to share with everyone what, if possible, we can do to help our citizens in this regard.

Mr. Morgan stated that the Board and the County Administration are aware that the car tax has hit some residents especially hard. During the budget process, he stated that he had been focused on reducing the real estate tax rate, the impact of inflation, and the capital budget. He added that it was difficult to gauge what the personal property tax would be as it is highly variable, significantly impacting some more than others depending upon the specific vehicle. As such, looking at options to help residents, it became apparent for practical and legal reasons that what can be done for the June billing cycle is very limited. However, with the Board's support, he stated we have taken two actions: first, the Treasurer has delayed the imposition of the 10 percent tax penalty from the usual 30 days overdue until September 30, 2022 enabling citizens to make a couple of payments over the summer with minimal financing which will provide immediate practical relief for the June bill. The second thing the County did, and this

is only targeted for the true hardship cases, is developed a Hardship Assistance Program. The program incorporates the income limits specified in the recently amended Elderly and Disabled Tax Abatement Program and also includes some hardship provisions. He explained that the Treasurer has the form for this program and when her office encounters such cases they are referred to our Housing Office which is managing the evaluation of the applications. He noted that some ARPA funds had been set aside and a committee set up chaired by Mr. Brian Fuller, Assistant County Administrator, and to include representatives from Social Services, Community Services, and the Finance Department. This program became effective June 1 and is offering some limited assistance in targeted cases. He continued by stating that the potential significant fix is what we can do in the December billing cycle. He then provided the details and explained that the program will essentially recycle the windfall that the County did not anticipate in the June payment and deploy it as a reduction in the December payment. He noted that the challenge will be is that everybody is affected differently and it is not practical to make 25,000 calculations and send out 25,000 checks. However, Mr. Morgan stated that the reasonably fair way to resolve this issue is to take the windfall money and assign it mathematically to everyone so that the bill they receive in December is substantially lower. He stressed that it is not physically possible to do this for the June bill but it is possible for the December bill. He stated that he cannot tell you exactly how that will lower the bills in December as there are some legal and software issues to be addressed, but we are very motivated to figure this out. He also stated that later this summer he will come back to the Board with a specific recommendation and with the appropriate enactment of legislation.

Mr. Shepperd suggested that upon creation of the appropriate algorithm, staff should not average the old cars with the new cars, but rather apply the formula in three or five-year groups.

Mr. Morgan stated that he cannot say exactly how it will be done, but the basic concept will be to identify the June windfall, then take that money and recycle it into a discount or reduction in the December bill.

Mr. Shepperd summarized that in this proposal, our residents will see increased Personal Property Taxes in June; however, with the delayed payment system that has been approved, they can make payments until September without penalty. Then in December, they will receive a much reduced Personal Property Tax bill. Lastly, he asked how costly would it be to implement this program sooner.

Mr. Morgan stated that it is not physically possible to implement the program in June as there are a lot of implications relative to calculating the payment and sending checks. He stated that the smartest way to do it is to implement the program so it is in place for the December billing.

Mr. Roane thanked Mr. Morgan for responding to the Board's feedback and the expressed concerns of residents and also for moving quickly on the June abatement. He also asked if the information about the hardship program is on the County website and if not how is the information being distributed to residents.

Mr. Morgan stated that the Commissioner of the Revenue and the Treasurer's staffs have access to this program information. When the staff encounters an individual either by phone or in-person who they believe may meet the criteria, they refer them to the Housing Office. He noted that it could be placed online; however, the County's Housing Office is administering the program, and based on their experience, those citizens who qualify for this assistance are not going to be looking for this application online.

Chairman Noll asked the County Attorney if he had any information he wished to share with the Board.

In response, Mr. Barnett, County Attorney, stated that the Governor had not yet signed a budget, but that he would notify the Board when this occurs.

CLOSED MEETING. At 7:26 p.m. Mr. Shepperd 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.

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On roll call the vote was:

Yea: (4) Roane, Shepperd, Green Noll
Nay: (0)

Meeting Reconvened. At 7:35 p.m. the meeting was reconvened in open session by order of the Chair.

Mr. Shepperd moved the adoption of proposed Resolution SR-1 which 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 3rd day of May, 2022, 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: (4) Shepperd, Green, Roane, Noll
Nay: (0)

APPOINTMENT TO THE YORK COUNTY BOARD OF BUILDING CODE APPEALS. Resolution R22-95.

Mr. Shepperd then moved the adoption of proposed Resolution R22-95.

A RESOLUTION TO APPOINT MEMBERS TO THE YORK COUNTY BOARD OF BUILDING CODE APPEALS

WHEREAS, the York County Code Section 7.1 stipulates the Board of Building Code Appeals should be comprised of one master electrician, one master plumber, one master mechanic, one experienced licensed builder, one licensed professional engineer, one licensed architect, and one fire protection representative; and

WHEREAS, Mr. Rodney Ware serves on the Board of Building Code Appeals as a fire protection representative; and

WHEREAS, Mr. James Ealey serves in the capacity of Master Plumber on the Board; and

WHEREAS, the terms of both Mr. Rodney Ware and Mr. James Ealey will expire on June 30, 2022, and they have indicated that they wish to seek reappointment;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 7th day of June, 2022, that the following individuals be, and they are hereby, appointed to the York County Board of Building Code Appeals, such term to begin July 1, 2022, and expire June 30, 2025.

- James C. Ealey (Master Plumber)

- Rodney L. Ware, Jr. (Fire Protection Representative)

On roll call the vote was:

Yea: (4) Green, Roane, Shepperd, Noll
Nay: (0)

APPOINTMENT TO THE COLONIAL COMMUNITY CRIMINAL JUSTICE BOARD. Resolution R22-102.

Mr. Green then moved the adoption of proposed Resolution R22-102.

A RESOLUTION TO APPOINT A MEMBER TO THE COLONIAL COMMUNITY
CRIMINAL JUSTICE BOARD

WHEREAS, the Ninth Circuit Court Chief Judge B. Elliott Bondurant Circuit Court Judge has resigned from his position on the Board and it is necessary in order to comply with the *Code of Virginia* to fill the vacancy.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 7th day of June, 2022, that Judge Wade Bowie be, and is hereby appointed to the Colonial Community Criminal Justice Board to fill the vacancy created by the resignation of Chief Circuit Court Judge Elliott Bondurant, for a term of three years such term to begin immediately, and end May 31, 2023.

On roll call the vote was:

Yea: (4) Roane, Shepperd, Green, Noll
Nay: (0)

APPOINTMENT TO THE HISTORIC TRIANGLE BICYCLE ADVISORY COMMITTEE. Resolution R22-92.

Mr. Shepperd then moved the adoption of proposed Resolution 22-92.

A RESOLUTION TO APPOINT A MEMBER TO THE HISTORIC TRIANGLE BICYCLE
ADVISORY COMMITTEE

WHEREAS, an unexpired vacancy exists on the Historic Triangle Bicycle Advisory Committee; and

WHEREAS, the Board wishes to appoint a citizen to fill the unexpired term on this committee;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 7th day of June, 2022, that the following individual is, and is hereby, appointed to serve on the Historic Triangle Bicycle Advisory Committee for the term as follows:

Mark Suiter

(Term to begin June 7, 2022 and expires on June 1, 2023)

Yea: (4) Shepperd, Green, Roane, Noll
Nay: (0)

APPOINTMENT TO THE HISTORIC YORKTOWN DESIGN COMMITTEE. Resolution R22-89.

Mr. Green then moved the adoption of proposed Resolution R22-89.

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A RESOLUTION TO MAKE APPOINTMENTS TO THE MEMBERSHIP OF THE HISTORIC YORKTOWN DESIGN COMMITTEE

WHEREAS, the Yorktown Historic District Design Guidelines are administered by the three-member Historic Yorktown Design Committee (HYDC); and

WHEREAS, the 1st term of Robert F. Hodson, Regular Member, on the HYDC expired on May 31, 2022, and he is eligible to serve another term;

WHEREAS, only one of the two possible alternate member positions are filled;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 7th day of June, 2022, that the following individual(s) be, and they are hereby, appointed to the Historic Yorktown Design Committee for terms to begin June 1, 2022 and expire May 31, 2026:

Thomas E. Tragle
(Regular Member)

Margaret Mack-Yaroch
(Alternate Member – *only if necessary in the event the Board wishes to add a second alternate member*)

On roll call the vote was:

Yea: (4) Green, Roane, Shepperd, Noll
Nay: (0)

APPOINTMENT TO THE PLANNING COMMISSION. Resolution R22-98.

Mr. Roane then moved the adoption of proposed Resolution R22-98.

A RESOLUTION TO APPOINT TWO MEMBERS TO THE YORK COUNTY PLANNING COMMISSION

WHEREAS, the terms of the District 4 and District 5 representatives on the Planning Commission will expire on June 30, 2022; and

WHEREAS, the Board desires to make appointments to fill these vacancies;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 7th day of June, 2022, that it does hereby appoint the following individuals as District 4 and District 5 representatives on the York County Planning Commission to serve terms beginning July 1, 2022 and expiring June 30 2026:

Michael S. King
(District 4)

Robert J. Criner
(District 5)

On roll call the vote was:

Yea: (4) Roane, Shepperd, Green, Noll
Nay: (0)

APPOINTMENT OF MEMBERS TO THE 2022-2023 YOUTH COMMISSION. Resolution R22-36.

Mr. Green then moved the adoption of proposed Resolution R22-36.

A RESOLUTION TO APPOINT MEMBERS TO THE YORK COUNTY YOUTH COMMISSION FOR 2022-2023

WHEREAS, the York County Board of Supervisors established the York County Youth Commission on March 3, 1983; and

WHEREAS, the revised bylaws of December 5, 2000 direct there shall be up to fifteen student members appointed, three from each voting district provided each district has at least three qualified applicants, grades 9 through 12, to serve on the Commission;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors on this 7th day of June, 2022 that the following individuals be, and they hereby are, appointed to the York County Youth Commission for 2022-2023.

<u>Name</u>	<u>Election District</u>
Megan Peters	1
Abigail Roberts	1
Thomas Shriner	1
Siwen Liao	2
Connor Linehan	2
Manasi Tiwari	2
Skylar Moss	3
Amanda Poteat	3
William Walsh	3
Skylar Ficklen	4
Caroline Morris	4
Kevin Sturm	4
Daniel Cheon	5
Sona Shah	5
Adrian Ryan	5

BE IT FURTHER RESOLVED that the above-named individuals' terms will begin retroactively on July 1, 2022 and expire on June 30, 2023.

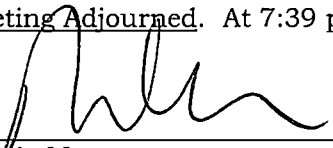
On roll call the vote was:

Yea: (4) Shepperd, Green, Roane, Noll
Nay: (0)


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June 7, 2022

Meeting Adjourned. At 7:39 p.m. Chairman Noll declared the meeting adjourned sine die.



Neil A. Morgan
County Administrator



Sheila S. Noll, Chairman
York County Board of Supervisors