

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
August 1, 2023

6:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 6:02 p.m., Tuesday, August 1, 2023, in the East 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.

Mr. Zaremba arrived at 6:11 p.m.

Also in attendance were Neil A. Morgan, County Administrator; Mark L. Bellamy, Jr., Deputy County Administrator; Brian Fuller, Assistant County Administrator; Richard E. Hill, Jr., County Attorney; and Diane C. Ingram, Senior Administrative Coordinator/Assistant Deputy County Clerk.

WORK SESSION

Virginia Department of Transportation (VDOT) QUARTERLY UPDATE

Mr. Rossie Carroll, VDOT Residency Administrator, came forward and introduced Mr. Brian Gentry, Residency Administrator Assistant for the Williamsburg Residency, and Mr. William C. Rawls, Maintenance Superintendent at the VDOT Seaford Headquarters, who services 75 to 80 percent of York County. He then provided a quarterly update, May 1, 2023, through July 31, 2023, on work completed and scheduled throughout York County. During his presentation, he provided the following information:

Maintenance Accomplishments

- *Ditching* - Route 134 and Industry Drive; Pines of York and Brandywine subdivision
- *Vactor* - Route 134 from Victory Boulevard to Lawn Green (County Partnering) and Water Street
- *Machine Patching with Asphalt* - Ballard, Reed, and Water Streets, Albacore Drive, Jernigan Lane, Autumn Way, Jessica Drive, and Bridgewood Drive
- *Tree trimming* - Old Williamsburg Road, Goosley, Yorktown, Big Bethel, and Cook Roads
- *Machine mowing* - brush cutting on Old Williamsburg Road, Cook, and Goosley Roads; Second County mowing cycle complete and third cycle scheduled to start August 22
- *Sinkhole Repair* - 414 Tides Run, 102 Henry Lee Lane and 211 Fielding Lewis Drive
- *Shoulder Repair* - Wolftrap and Cook Roads, Old York Hampton Highway and Darby Road

Planned Maintenance Projects

- Link Road ditch/shoulder improvements
 - Start work: 2/9/23
 - Proof of concept: approximately 2-foot widening at 150 linear feet
 - Interim target: 700 linear feet
 - Total project length: 1,400 linear feet
- Route 134/Route 17 south shoulder and slope repairs
 - Planned start March/April
 - T.E. detour received
 - Need to submit SUE QL-B for utility verification
- Lakeland Overflow: Lining existing pipes
 - Quick quote for spray-liner: development in progress

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- Route 17 at Main Street
 - BMP slope and erosion repair
 - Late August start
- Crawford Road crosspipe installation
- Route 17 pavement joint repair

VDOT Administered Projects

- Pilot Mid-Block Pedestrian Crossing Project
 - Mid-block pedestrian crossing on Route 60 Bypass
 - Anticipate construction to start mid-August
 - Projected completion mid-October
- Asphalt Paving 2023 – Advertised December 2022/Completion November 2023
 - Fort Eustis Boulevard (approximately 2.8 miles)
 - Kiln Creek Boulevard (approximately 1.5 miles)
 - Village Avenue (approximately 5 miles)
 - Commonwealth Drive (approximately 5 miles)
 - Wolftrap Road (approximately 2.3 miles)
 - Airport Road (approximately 2 miles)
 - Yorktown Road (approximately 1.5 miles)
- Latex 2023 – Advertised December 2022/Completion November 2023
 - Capital Landing Road (approximately 1.1 miles)
 - Lakeside Drive (approximately 1.3 miles)
 - Route 620 (contractor is working on punch list items to include sweeping and pavement marking items)
- Penniman Road/Government Road/Roadway Improvements
 - Improve safety on Penniman Road by: widening the road; adding bicycle lanes; adding curb and gutter; and realigning the intersection from “Y” to “T” configuration
 - Utility relocation 95 percent complete; advertisement in October 2023; construction should commence early 2024; Navy railroad parcel easement cleared; and completion projected for August 2025
- Route 171 Right Turn Lane Extension
 - Extend westbound Victory Boulevard right turn lane at Kiln Creek Parkway to create a fourth westbound lane to the Walmart entrance
 - Advertise December 2024 and award March 2025
- Wythe Creek Road Project
 - Comprised of two projects spanning from the Wythe Creek Road/Commander Shepperd Boulevard intersection in Hampton to Huntlandia Way in Poquoson
 - Provides a three-lane reversible roadway from Commander Shepard Boulevard to Cary’s Chapel Road
 - Two lanes will be operated in the southbound direction in the morning peak hour and two lanes in the northbound direction in the afternoon peak hour
 - In the off-peak hours, the center lane will operate as a two-way center left turn lane
 - A new 1,500-foot bridge will be constructed through the causeway area between Hampton and Poquoson, elevating the road surface above the 100-year floodplain
 - A new signal will be installed at the Wythe Creek/Cary’s Chapel Road intersection, and existing signals will be modified at the Voyager Drive and Langley Boulevard intersections
 - The existing causeway roadway will be repurposed as a sidewalk/multi-use path, and new sidewalks will be added to provide a continuous pedestrian facility within the project area
 - Project timeline: advertisement – November 9, 2023; award – March 2024; construction – November 2024; and construction complete – September 2027

SMART Scale

- SMART 18 – Route 17 widening between Route 630 and Route 173
 - Widen Route 17 from four to six lanes between 1.5 miles north of Route 630 and Route 173. Target timeline: advertisement – December 2026; construction starting summer of 2027; completion in December 2029.

- SMART 18 – Route 171 widening between Route 17 and Route 134
 - Widen Route 171 from five to six lanes between Route 17 and Route 134 to improve capacity and operational deficiencies at the intersection of Routes 17 and 171. Project timeline: preliminary engineering – underway; advertising – April 2024; completion - July 2025.
- SMART 20 - Route 171 capacity enhancements between Routes 134 and 1740
 - Intersection, turn lane, and shoulder improvements with a shared-use path along Route 171, between Route 134 and Route 1740. Project timeline: preliminary engineering – started end of 2022 and completion scheduled for 2028; and project scoping – currently underway.

Traffic Engineering Studies

- Speed Study, Route 782 (Cary's Chapel Road) – Study supports the 35 mile per hour (mph) speed limit that currently exists.
- Speed Study Route 1763 (Coventry Boulevard) – Study supports 25 mph speed limit based on the 10 mph pace speed of 22-31 mph and pedestrian/bicycle activity.
- Speed Study Route 1750 (Owen Davis Boulevard) – Study supports 25 mph limit based on the 10 mph pace speed of 22-31 mph and pedestrian/bicycle activity.
- Crosswalk Review Route 1763 (Coventry Boulevard) – Based on this review, the following is recommended for Route 1763 at Lilburne Way and Peachtree Lane:
 - Install high visibility crosswalk pavement markings across the south approach of Route 1763 at Lilburne Way and Peachtree Lane.
 - Install two pedestrian warning signs on Route 1763 at the crosswalk location on both sides of the street.
 - Supplement the two pedestrian warning signs with two down arrow panels.
- Request for Additional Traffic Control Devices Route 1800 (Kiln Creek Parkway)
 - Based on this review, traffic engineering recommends STOP HERE FOR PEDESTRIAN sign be installed in advance of these crosswalks for each approach. Additionally, a STOP LINE will be installed adjacent to the previously mentioned sign.
- Intersection Review Route 1020/Colonial Parkway/Route 1001 – Based on this review, the recommendation is to refresh the intersection pavement markings on Route 1020.

Land Use Items Completed (May 1, 2023 – July 31, 2023)

Plan Reviews	25
Permits Issued	39
Permits Completed	8
Lane Miles Added	0

Mr. Carroll notified the Board that the National Park Service is preparing to start the first phase of its pavement rehab of the Colonial Parkway. He added that this project will include a detour plan that will involve placing more traffic on local roadways.

Mr. Morgan stated that this is an issue that will have to be addressed prior to next year's July 4th Celebration as it will require rerouting those individuals who typically visit and subsequently leave after the celebration on the parkway.

During and following Mr. Carroll's presentation, Mr. Green stated that he had spoken with the National Park Service Superintendent about the possibility of installing a roundabout in the vicinity where Ballard Street, Colonial National Historical Parkway, and Zweybrucken Road intersect. He then asked if a Park Service representative had contacted VDOT in regard to this matter.

In response, Mr. Carroll stated that they have not been contacted in regard to this matter.

Chairman Shepperd asked the Board if they have any questions or comments they would like to make.

Mr. Green asked about the status of rumble strips on Goodwin Neck Road.

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Mr. Carroll stated that they are still working to get this item included in the retrofitting contract. He added that they have the funding for this project, but are now trying to obtain the associated task order.

Since we are currently in Hurricane Season, Mr. Green asked if VDOT is cleaning ditches and working on other preparatory tasks.

Mr. Carroll responded that VDOT stays in a condition of readiness from the very beginning of Hurricane Season. In addition, he noted that 72 hours prior to an expected event, they visit the problem areas to ensure they are cleared to the best of their ability. He added that VDOT has been performing a relatively extensive drainage plan in the County for the past six to eight months and that this should help if the County experiences a significant event.

Mr. Green asked if there were any plans to improve the safety of Hornsbyville Road.

Mr. Carroll stated that this item is no longer on the project plan list. However, he noted that shoulder improvements had been made to the road earlier, but as for now, there were no additional future improvements planned.

Mr. Green stated that he had recently read articles where there has been a significant increase in deaths related to vehicles and pedestrians. He then asked how the County is doing relative to safety on our roadways and if there were any plans to consider remediation of any problem areas.

In response, Mr. Carroll stated that whenever there is a traffic-related fatality, a fatal crash review is completed, which involves multiple aspects, after which a recommendation is made that involves either a large improvement project or a smaller resolution, such as increasing site distance. He noted that the County is currently participating in sidewalk and revenue share projects, and more are planned for the near future that improve pedestrian safety with sidewalk connectivity. Mr. Carroll stated that traffic/pedestrian fatalities have increased across the state and that laws that have been passed, such as distracted driving, should help minimize accidents. However, he pointed out that increasing speeds on the interstates and primary roads are resulting in more severe accidents.

Lastly, Mr. Green asked what phone number residents should use to report a pothole.

Mr. Carroll responded (757) 253-5138.

Mrs. Noll asked for clarification relative to what improvements have been made to the Tabb Lakes subdivision roadways.

Mr. Carroll stated that changes to the paving schedule are always possible. However, at this time, these specific roadways are included in the paving schedule that will be advertised in November, with the paving occurring sometime between April and November 2024.

Mr. Roane commended Mr. Rawls for the excellent job he has been doing for the County and for his responsiveness to citizens' questions and concerns. He then asked when the speed limit was changed on Route 134.

Mr. Carroll stated that as the result of a recent speed study, the speed limit was dropped to 50 mph.

Mr. Roane asked that VDOT be mindful of the small bridges that residents have erected over deep ditches in order to safely access their mail boxes.

In response, Mr. Carroll stated that they try hard not to harm these structures; however, if they have to move them to perform ditch work, VDOT is not liable.

Chairman Shepperd also commended Mr. Rawls for the excellent job he does for the County and for his positive interaction with residents. He brought to Mr. Carroll's attention a small area of the County that is located on East Yorktown Road. Specifically, he pointed out the ditches located in front of 212, 214 and 218 East Yorktown Road desperately need to be cleaned. He then asked that VDOT send a representative to visit this area and have it addressed as soon as possible.

Mr. Rawls interjected that this ditch has already been placed on the VDOT schedule for August.

Chairman Shepperd thanked him for doing so.

WILLIAMSBURG REGIONAL LIBRARY (WRL) DISCUSSION

Mr. Neil Morgan, County Administrator, reminded the Board that at its January retreat, the WRL was one of the topics of discussion. He then referred the Board to the memo that was sent to them previously in which he explained that representatives from the City of Williamsburg and James City County have asked us to consider a capital contribution for a new downtown Williamsburg Library. Although he was not looking for a definitive answer, he stated that he would like some direction this evening as to what they are prepared to consider. He pointed out that in attendance this evening are Mrs. Theresa Owens, Finance Director and the County's representative on the WRL Board; Mr. Kevin Smith, Library Director; and Mr. Brian Fuller, Assistant County Administrator, who has been engaged in the WRL's planning process. He then provided a brief presentation on this request which highlighted the following details:

- The County began contributing to the WRL in 1986 and made a formal agreement with them in 2010, which was last amended in 2013.
- The current agreement limits the County's contributions to operational costs with no obligation for capital costs.
- The current structure was erected in 1973 with its last major renovation in 1998.
- In 2022, the WRL Board of Trustees (BOT) recommended a new 55,000 square-foot facility on the current site.
- A Library Building Committee was convened in 2023, that recommended a two-phased building plan as follows:
 - Phase One: Replace the existing Williamsburg facility, beginning in FY2024; and
 - Phase Two: Start within five years an additional new library located in James City County.
- In April 2023, the BOT adopted a resolution supporting the Committee's recommendation.
- The BOT requested the affected localities to execute a formal agreement implementing the Committee's recommendation.

Mr. Morgan stated that both Williamsburg and James City County have now determined what their fiscal involvement will be relative to the first project, the replacement of the Williamsburg Library. As such, they have approached us to ask if we would be prepared to consider some type of capital contribution towards this project.

Mr. Morgan then provided the following possible scenarios and comments for the Board's consideration when making this decision:

- The County's current funding formula for the WRL is out of our control and due to various personnel/pay changes our funding bill last year grew substantially. He suggested that perhaps making a capital investment to include a governor on the growth in our operating costs might be a good option.
- Another option would be to agree to a capital contribution as a junior partner with the caveat that our operating contribution to the WRL cannot exceed our contribution to our own library system.
- The County might also include in any agreement that we will support a capital contribution if the WRL will stop charging individuals from other Peninsula localities to use their library.
- The WRL, relative to the number of employees and expenditures per capita, is substantially higher than ours. Our two libraries operate at approximately 60 percent of the cost of the two WRL libraries.
- York County only has one representative on the WRL that can vote on any pending issues.

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In conclusion, Mr. Morgan stated that he is asking the Board to give him sufficient parameters in which to negotiate over the next few months, to perhaps explore some type of capital improvement with a cap or a decreased growth on the operating side.

Mr. Shepperd asked for the reasons last year's contribution to the WRL operation grew 16 percent.

In response, Mr. Morgan stated that part of the increase was due to the COVID shutdown when the WRL had to use some federal money until they were back on a normal growth rate. He also pointed out that as the County begins preparing the six-year Capital Improvements Plan (CIP) he needs the Board's input on whether we want to consider including a capital contribution for the WRL.

Mr. Green asked why the County is a junior partner and is not equally represented like James City County and Williamsburg on the WRL Board.

Mr. Morgan stated that he was uncertain as to why, but perhaps it is because we have not been a capital contributor in the past.

Chairman Shepperd expressed concern that we are being asked to spend more money on their library system than we spend on our own. He also voiced concerns that the WRL does not provide our citizens with the same services it gives its residents. He stated that if the County is going to contribute to the WRL then our residents must be given full rights to the programs/services they offer.

Mr. Zaremba stated that it was not cost-effective when the existing Williamsburg Library was built, replacing the former library that was in excellent shape.

Mr. Morgan interjected that one data point that needs to be considered is the growth in ebooks which is included in the formula; but is not geographically dependent.

Mr. Kevin Smith explained the limitations at the WRL for County residents as follows: Williamsburg residents can check 40 items whereas York County residents can check out 32; James City County and Williamsburg residents can place 20 items on hold whereas York County residents can place 16 items on hold; and the number of interlibrary loans is three for James City County and Williamsburg whereas York County is two. However, he noted that the difference in privileges is minute and our residents can participate in all of their programs.

Mrs. Noll explained that when the original agreement was made with the WRL a formula was established that was equitable for all three localities. However, she noted that the WRL later dictated what the formula would be.

Mr. Morgan reminded the Board that the status quo arrangement we currently have with WRL, by any budgetary measure, is still the smart thing to do. He reiterated what the WRL Board asked him to relay to the Board, which is under what circumstances would the Board consider a capital investment. He then restated his earlier recommendation which would be to link it to a change in the current operating cost arrangement in order to control its growth.

Mrs. Noll suggested that we agree to a capital investment and then limit the amount of money we provide for the operating costs to be equal to that which we pay for our two libraries.

Chairman Shepperd asked how much of a contribution is the WRL seeking from York County.

Mr. Morgan stated that Williamsburg and James City County would likely be looking for a contribution in the neighborhood of \$5 million, but might find \$2.5 or \$3 million acceptable.

Mr. Fuller added that within the next five years after this contribution, they would be seeking another contribution for the library in James City County.

Mr. Zaremba noted that it does not make sense to seriously think about building a new York County library near Williamsburg.

Chairman Shepperd asked what the current budget is for both libraries located in York County.

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Mr. Smith stated that it is currently \$4 million; however, \$800,000 of that amount goes to the WRL. He also pointed out that Williamsburg's current budget for its two libraries is \$7.8 million.

Mr. Roane noted that Williamsburg received a financial windfall of COVID funding from the federal government that York County did not receive. Moreover, he stated that the footprint of Williamsburg is quite a bit smaller than that of York County. He stressed that these factors should be considered when determining the contribution we wish to make towards their request for library funding. He recommended that if the Board decides to make a capital contribution, then we need to significantly reduce our annual operating contribution.

Mr. Morgan stated that the County has several options to consider in the negotiation such as adding another County representative to the WRL Board; decreasing the annual operating contribution over a number of years; changing the formula and tying it to the growth in our own library budget; and/or committing to an increased amount of funding each year towards capital instead of paying it all at once. Since a decision on this matter does not need to be made this evening, he asked for the Board's support to explore various options.

Chairman Shepperd stated that they will never have sufficient representation on the Board to make a difference. His suggestion, he stated, is to increase our representation on the WRL Board as Mr. Green suggested, ensure that York County residents have the same library privileges as Williamsburg residents, and provide us with a capital contribution figure that is plausible.

Mr. Green noted that the Williamsburg library has value for our residents in the Upper County and he thinks that we should explore our partnership with them to maintain a good library in this vicinity.

In response, Mr. Morgan reiterated the gist of what he was hearing from the Board. As such, he stated that it appears that the Board would be agreeable to a modest capital contribution under certain conditions such as tamping down the growth in our operating budget contribution, enhancing the County's say in governance, and removing the library restrictions placed upon County residents when using the facility.

Mr. Zaremba noted that of the approximately 10,000 Upper York County residents who use this facility, he has received no complaints about how they are treated by the WRL.

Chairman Shepperd stressed the need for citizens to understand that the reason for spending this money is to be fair to the upper County residents who desire and need this facility's services and programs.

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 a Board member would like to pull, ask for clarification or offer comments on any of the consent items. Since there were none, he called for a motion.

Mr. Green moved that the Consent Calendar be approved as submitted, Item Nos. 3, 4, and 5, respectively.

On roll call the vote was:

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

Item No. 3. APPROVAL OF MINUTES

Thereupon, the following minutes were approved and resolutions adopted:

June 20, 2023, Regular Meeting.

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Item No. 4. REQUEST FOR REFUND OF REAL PROPERTY TAXES FROM DISABLED VETERANS: Resolution R23-105.

A RESOLUTION TO AUTHORIZE A TAX REFUND TO T.D.I. FOR THE TAX YEAR 2023

Item No. 5. REQUEST FOR REFUND OF PERSONAL PROPERTY TAXES – EFMT: Resolution R23-108.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH THE YORK COUNTY SCHOOL BOARD FOR THE TRANSPORTATION OF CHILDREN PARTICIPATING IN THE HEAD START PROGRAM AND PROGRAMS OPERATED BY THE DIVISION OF PARKS AND RECREATION

NEW BUSINESS

This New Business item was considered and **approved on a vote of 5:0**. A summary of actions taken is below:

Item No. 6. REPAIR SERVICES FOR RIVERWALK LANDING PARKING TERRACE: Ordinance No. 23-110

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE CONTRACTING SPECIALISTS INCORPORATED DC FOR THE RIVERWALK LANDING PARKING TERRACE REPAIRS AND TO APPROPRIATE INSURANCE PROCEEDS TO THE COUNTY CAPITAL FUND FOR THE COST OF THE REPAIRS

Mr. Morgan reminded the Board that in the fall of 2021, the Riverwalk Landing Parking Terrace underwent major rehabilitation as part of the third and final phase of a Capital Improvements Program (CIP) project. He explained that the project included the replacement of the traffic membrane and expansion joints, and the surface was restriped. However, he noted within the past year and due to tire burnouts and cars doing “donuts”, the expansion joints and traffic-bearing membrane were replaced. Unfortunately, he added that due to vandalism and needless damage caused by cars, the membrane and expansion joints need replacing again which is covered by the County’s insurance. In addition to restoring the parking facility, he stated we want to add features to reduce the chance of vandalism in the future including rumble strips, bumper blocks, and a gate that can be controlled from the 911 Center. As such, the plan is to use the insurance funds and this incremental \$80,000 to restore and upgrade this facility.

Mrs. Noll then moved the adoption of Resolution No. 23-110.

On roll call the vote was:

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

MATTERS PRESENTED BY THE BOARD

Mr. Zaremba stated that he understands the engineering report on the Springfield Road issue has been completed and asked when the Board would discuss the report.

In response, Mr. Morgan stated that he had already shared the report with the Board which indicated that it would take three years to provide a separate, alternate entrance to the Tranquility subdivision at the cost of \$2 million. He added the purpose for building the alternate road no longer exists as the new subdivision would be completed prior to the road’s construction. His suggestion would be to extend sewer to Springfield Road and pave this road at the completion of the subdivision which would likely cost less and would result in something of more permanent value.

Mr. Green stated that citizens have been asking about the number of people that attend Thursday evening events at the waterfront, the July 4th Celebration, and other such waterfront events.

Mr. Morgan stated that he had just signed a memo that day that included this type of information and other data related to the questions citizens have been asking. He noted that this memorandum will be included in the Board's Friday information packet.

Mr. Roane stated that the County's first annual cobia fishing tournament is coming up next weekend and asked if we know how many people have signed up for the event.

Mr. Fuller stated that he did not currently have this information, but noted that a second weighing option for the event has been established.

Chairman Shepperd asked Mr. Roane to expand upon how this fishing tournament came to be.

In response, Mr. Roane stated that last year he and Chairman Shepperd, after some brainstorming on how the County could capitalize on some of our natural resources, came up with the idea of an annual fishing tournament in the County.

Mr. Morgan asked Mr. Fuller to follow up on this matter and report back to the Board.

Mr. Roane asked the Acting Public Affairs Director, Ms. Jeanne Sgroi, to establish a portal on the County website that would include bullet points highlighting the upcoming road work in the County.

Mr. Morgan stated that we would need to add a caveat to the portal stating that the proposed roadwork is subject to change by VDOT.

Mrs. Noll, on behalf of the York County Church Women United Food Closet, provided the following highlights of their work for this year: from February 2022 to January of 2023, they received \$182,503.73 in donations; their expenses were \$160,904.86; they served 6,350 York County/Poquoson clients; and they averaged 125 clients per week, but saw as many as 191 clients in one week. She stressed the importance of this organization and the many other volunteer organizations in the County.

Chairman Shepperd pointed out that often times when it comes to larger state and regional organizations, York County is usually not mentioned even though we are heavily involved in such remedial activities that include our Fire Stations and the Recovery Centers located in York County. In regards to the ongoing concerns expressed about possible Princess Cruise Line visits to the County, he stated should the County prohibit them from docking at our pier, they can execute an agreement with the Watermen's Museum to unload their passengers at their site. He stated that the County Attorney has indicated that should we block them from our pier then we may have to stop everyone's use of the pier. He explained that he and Vice Chairman Roane recently met with Mr. John Pageant, Princess Cruise Line President, to discuss some of the citizens' concerns. One of the main concerns expressed by the citizens he stated is pollution and as such Mr. Pageant provided them with a tour showing how they recycle and prevent pollution of the air and waterways. He also noted that the Princess Cruise ship that will be visiting will arrive around 7 a.m. and will moor in the York River towards Gloucester from which they will run four tenders with about 50 passengers at a time to shore. Chairman Shepperd stated that the awaiting buses will have a staging area to eliminate congestion at the waterfront. He added that approximately one-half of the 2,000 ship passengers are expected to be transported to the pier, two-thirds will board a bus going elsewhere and one-third will stay and visit Yorktown. He stated that he does not see much of a problem with this as a typical Thursday night crowd consists of a little over 3,000 to 4,000 people. By 5:00 p.m. he noted the passengers will return to the ship which subsequently sails to its next port. Lastly, he noted that the cruise line will be sending out invitations shortly to various individuals to hear a presentation on this matter in the near future.

Mr. Roane added that Mr. Pageant's briefing was very thorough and addressed environmental and historical artifact concerns expressed by residents. He stated that the Coast Guard has actually determined where they are to moor. He noted that it will be the County's responsibility to ensure that the cruise line maintains its environmental friendliness and to satisfactorily address any ongoing concerns.

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CLOSED MEETING

At 7:52 p.m. Mr. Roane moved that the meeting be convened in Closed Meeting pursuant to Section 2.2-3711(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions.

On roll call the vote was:

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

Meeting Reconvened. At 7:53 p.m. the meeting was reconvened in open session by order of the Chair.

Mr. Green 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 1st day of August, 2023, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

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

APPOINTMENTS TO THE YORK COUNTY BOARD OF BUILDING CODE APPEALS. Resolution R23-69.

Mrs. Noll then moved the adoption of proposed Resolution R23-69.

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

WHEREAS, York County Code Section 7.1 stipulates that 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 registered design professional, and one fire protection representative; and

WHEREAS, Mr. William Andersen serves as a Professional Engineer, Ms. Bonnie Baffer serves in the capacity of a Licensed Architect, Robert Criner serves in the capacity of a Licensed Builder, Walter Ethridge serves in the capacity of a Master Mechanic, and William Hurst serves in the capacity of a Master Electrician; and

WHEREAS, the terms of Mr. Andersen, Ms. Baffer, Mr. Criner, Mr. Ethridge, and Mr. Hurst expired on June 30, 2023; and

WHEREAS, Ms. Baffer has indicated that she does not wish to seek reappointment creating a vacancy for a registered design professional and Mr. Etheridge has been inaccessible leaving a vacancy for a master mechanic.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 1st day of August, 2023, that the following individual be, and are hereby, appointed to the York County Board of Building Code Appeals, such term to begin retroactively on July 1, 2023, and will expire June 30, 2026.

- William R. Anderson (Professional Engineer)
- J. Mark West (Licensed Architect)
- Robert T. Criner (Licensed Builder)
- James M. Reames (Master Mechanic)
- William M. Hurst (Master Electrician)

On roll call the vote was:

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

APPOINTMENT OF MEMBERS TO THE YORK COUNTY BOARD OF ZONING/SUBDIVISION APPEALS. Resolution No. 23-100.

Mr. Roane then moved the adoption of proposed Resolution R23-100.

A RESOLUTION TO RECOMMEND THE APPOINTMENT OF MEMBERS TO THE YORK COUNTY BOARD OF ZONING/SUBDIVISION APPEALS

WHEREAS, Rob Heavner has resigned from the Board of Zoning/Subdivision Appeals effective July 15, 2023, creating one vacancy; and

WHEREAS, Natalie Shepard has been unresponsive to multiple attempts to contact her through communication by multiple departments of the County and Commonwealth’s Attorney; and

WHEREAS, it is beneficial to fill Ms. Shepard’s term by providing the Board of Zoning Appeals with two alternate, participating members.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 1st day of August, 2023, that the following individual be and is hereby recommended for appointment as a member on the Board of Zoning/ Subdivision Appeals.

- Stephen Roth
Regular Member
(Term begins immediately and expires December 31, 2027)

On roll call the vote was:

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

APPOINT A YORK COUNTY REPRESENTATIVE TO THE COLONIAL JUVENILE SERVICES COMMISSION. Resolution No. 23-52.

Mr. Zaremba then moved the adoption of proposed Resolution R23-52.

August 1, 2023

A RESOLUTION TO APPOINT A YORK COUNTY REPRESENTATIVE TO THE COLONIAL JUVENILE SERVICES COMMISSION

WHEREAS a vacancy exists due to the resignation of Ms. Kimberly A. Taylor, a York County representative on the Colonial Juvenile Services Commission;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 1st day of August, 2023, that Dr. Alfred L. Brassel, Jr. be, and is hereby appointed as a York County citizen representative on the Colonial Juvenile Services Commission for a term of four years, such term to begin immediately and end on February 28, 2027.

On roll call the vote was:

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

APPOINT A REGULAR AND AN ALTERNATE MEMBER TO THE HISTORIC YORKTOWN DESIGN COMMITTEE. Resolution No. 23-50.

Mr. Green then moved the adoption of proposed Resolution 23-50.

A RESOLUTION TO APPOINT A REGULAR AND AN ALTERNATE MEMBERS ON THE HISTORIC YORKTOWN DESIGN COMMITTEE

WHEREAS, the Yorktown Historic District Design Guidelines are administered by the Historic Yorktown Design Committee (HYDC) which is composed of three regular members and two alternates; and

WHEREAS, Jose Longoria, whose term expired May 31, 2023, has indicated that he would like to be reappointed; and

WHEREAS, one of the alternate positions on the HYDC is currently vacant.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 1st day of August, 2023, that the following individuals be appointed, one as a regular member and the second as an alternate member to the Historic Yorktown Design Committee each with a term beginning retroactively on June 1, 2023 and expires May 31, 2027:

Margaret Mack-Yaroch
(Regular Member)

Carol D. Tyrer
(Alternate Member)

On roll call the vote was:

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

Meeting Adjourned. At 7:55 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