

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
September 6, 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., September 6, 2022, in the East Room, York Hall, by Chairman Sheila S. Noll.

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

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

WORK SESSION

Mr. Morgan reminded the Board that at their May retreat Mr. Fuller provided a presentation that included a list of potential investments in our park system. He explained the list included improvements to existing facilities/programs as well as new projects and facilities. He stated that County staff is currently working on the Capital Improvements Plan (CIP) which will be presented to the Board later in the fall. As such, he stated that Mr. Fuller will give a presentation this evening that will provide additional details on the potential list of park projects, as well as offer new information that has surfaced since his last presentation to the Board. In conclusion, Mr. Morgan stated that staff is seeking the Board's guidance as to which projects they deem most significant for inclusion in the forthcoming CIP.

UPCOMING CAPITAL IMPROVEMENT PROGRAM PROJECTS – PARKS AND RECREATION FACILITIES

Mr. Brian Fuller, Assistant County Administrator/Director of Community Services, stated that the County has \$1.5 million in ARPA (American Rescue Plan Act) funds which have been identified for future CIP park improvements and/or facilities. As a result of this evening's presentation, he stated that the Board will have the additional information needed so that they may begin identifying those projects that are most important. He then provided his presentation, highlighting the following information:

Potential Parks and Recreation Projects

- Current CIP projects
- Potential additions to current parks
- Parks and Recreation Advisory Board items
- Pickleball
- Other potential recreational projects/concepts

Current CIP Projects

- Back Creek Park improvements
- Artificial turf field at the McReynolds Complex
- Splash pad

Potential Additions to Current Parks

- New Quarter Park
 - Kayak launch
 - Splash pad
 - Off-leash dog area park
- Charles Brown Park
 - Picnic shelters
 - Splash pad

September 6, 2022

McReynolds Athletic Complex

- Batting cages
- Large picnic shelter

Chisman Creek and Wolf Trap Parks

- Playgrounds
- Picnic shelters
- Shade structures (Chisman Creek)
- Dog park (Wolf Trap)

Parks and Recreation Advisory Board Items of Interest

- Dog park – study completed in 2019
- Skateboard/BMX park – Citizen interest group and survey conducted in 2022
- Pickleball – Citizen group of over 80 participants presented some ideas to the PRAB (Parks and Recreation Advisory Board) to help support their efforts for more opportunities to play this sport which is the fastest growing sport in the world.

Other Potential Recreation Projects

- Marquis site
- Adjacent acreage to Seaford Elementary School (playground/trails/picnic area)
- HRSD property (trails/playground/open space)
- Tabb stormwater area (pocket park)
- Waterfront park access
- Expanded indoor space (seniors/instructional/E-sports)

During and following the presentation, the following comments and questions were offered.

Chairman Noll asked if pickleball and tennis could be played on the same court.

In response, Mr. Fuller stated that you could; however, the net for pickleball is lower than that used for tennis. In addition, he noted that you can take one full-size tennis court and turn it into two pickleball courts by using the tennis net to separate the tennis court into two courts and bringing in two temporary lower nets for each pickleball court.

Mr. Morgan interjected, as a pickleball player himself, that this sport involves more players, is multi-generational and includes social interaction among the participants. Since Back Creek Park already has the parking, bathrooms, and paving, it would be the logical location for a cluster of pickleball courts. He added as a former tennis player also, he observed that our tennis courts are currently being used mostly for pickleball at Back Creek Park.

Mr. Fuller agreed that Back Creek Park appears to be the best location for a pickleball hub. However, he also noted that pickleball courts could also be established at New Quarter Park, Charles Brown Park, and Kiln Creek Park by modifying some of the existing basketball courts. Although County staff is working with the schools to repurpose some of their tennis courts into pickleball courts, he reminded the Board these courts cannot be used during the week when school is in session.

Mr. Shepperd asked about lighting for the pickleball courts in the evening.

Mr. Fuller stated that lights are available at Back Creek Park and at Tabb High School.

Mr. Green asked if pickleball is expected to continue growing at its current fast pace. He expressed some concern that if the sport does not continue to grow we could be left with many unused pickleball courts.

Mr. Fuller stated that using portable netting to convert the existing courts into pickleball courts is less expensive and temporary should the sports craze end. He added that the sport has longevity attributes since it includes a social aspect and also is less strenuous than either tennis or basketball.

Mr. Zaremba asked about the possibility of introducing this sport to the kindergarten through the twelfth-grade school system.

Mr. Fuller stated that it would not take the place of an existing school sport but could simply be added.

Mr. Morgan stated that it is already being taught in schools and could become a varsity sport.

Mr. Shepperd asked about the cost of the court conversions.

Mr. Roane stated that there are two aspects to be considered relative to cost. The first is the reuse of existing facilities and the second is whether new facilities should be constructed.

Mr. Morgan explained, in response to Board questions, that eSports is really playing games online. However, he noted that providing a facility for eSports will add structure to the sport and a team element, thereby providing a more positive impact on the participants.

Mr. Roane asked Mr. Fuller to keep in mind that a youth facility is needed where teenage students can congregate for recreational activities as well as eSports. He stated that he is a supporter of youth football and pointed out that there is a positive economic aspect to hosting youth sports tournaments.

At the conclusion of the Board's discussion, Mr. Morgan stated that it appears staff should develop plans for inclusion in the CIP that will allow us to leverage some of our facilities and roll out some additional courts. He recommended that we provide pickleball courts at several park locations to accommodate all of our citizens.

In closing, Mr. Fuller stated that there are more potential projects scattered throughout the County. He reminded the Board that most of their park facilities are old and need upgrading and/or improvements.

In response to a Board questions, Mr. Morgan stated that staff is seeking some guidance as to which specific projects the Board wants to see in the upcoming CIP to be presented sometime in November.

Mr. Shepperd asked what the plans might be for the acreage HRSD (Hampton Roads Sanitation District) is donating to the County in his district, District 5.

Mr. Morgan stated that staff is happy to provide our shortlist of projects, where we are investing in properties the County already controls. For instance, he stated that New Quarter and Back Creek Parks are large parks with some infrastructure that serve two different areas in the County, and have the ability to provide, with specific improvements, a place for kayakers. He suggested making the improvements for kayakers at both of these parks and then choosing a couple smaller projects at parks that already have the necessary infrastructure such as bathrooms, parking lots, and utilities. He continued by stating that he would suggest earmarking some of the funds for specific improvements/projects and put a placeholder on other projects/improvements. As an example, he stated that until we know what HRSD is going to do relative to its 25-acre donation in District 5, we cannot really propose something specific for this site. However, it is reasonable to set aside some funds for this purpose. He also stated that, having listened to the Board's discussion this evening, it appears the Board supports minor adaptations to existing facilities to accommodate the need for more pickleball courts. He also noted that it is evident everyone is in agreement to do something with the Marquis site even if it is a small improvement.

Mr. Shepperd suggested that staff bring back to the Board a prioritized list of improvements/projects based upon this evening's discussion and then the Board can consider and amend the list as they see fit.

Mr. Green then asked if there are sufficient funds to implement all of the proposed projects.

In response, Mr. Morgan stated that we can probably complete three or four projects and initiate the planning phases on some of the other projects. In addition, he noted if the County has

September 6, 2022

a good financial performance this year, we can set aside year-end funds to help expedite the completion of some of these projects.

PROPOSED 2023 YORK COUNTY LEGISLATIVE PRIORITIES

Mr. Morgan stated that over the years, the Board has developed a list of legislative priorities that have been shared with the General Assembly members. In addition, he pointed out that many of our priorities are echoed by other local and/or regional authorities. The County's list includes items we know are important to the region; others are issues that have come to our attention that we believe should be shared with the General Assembly; and then there are priorities that have been included as a result of discussions with VACo (Virginia Association of Counties) and VML (Virginia Municipal League). He noted that the read-ahead material that was sent to the Board included a recent letter that VACo sent to the Governor relative to local government priorities for their consideration. He then provided a presentation on the County's 2023 Legislative Priorities which included the following information:

- Our legislative priorities are reflective of the County's strategic priorities.
- Fully fund the widening of I-64 to six lanes between James City County and Richmond.
- Increase VDOT (Virginia Department of Transportation) funding for local street maintenance to appropriately address roadway litter, drainage, and repaving.
- Leverage recent federal legislation to support electric vehicle infrastructure in Hampton Roads.
- Support for Virginians having full control over the state's vehicle emission and energy efficiency standards, and endorsing initiatives to make sure that state agencies do not simply defer to another state's rules.
- Support policies and programs that advance fiber deployment and subsequent 5G service.
- Support wind energy programs and related businesses.
- Provide matching funds to assist Jefferson Lab's bid for the High-Performance Data Facility from the U.S. Department of Energy.
- Allow a locality option for a liquid nicotine "vape" tax.
- Require tax consultants, appealing real estate assessments to local boards of equalization, to provide factual evidence when asserting lower values.
- Modernize the Commonwealth Compensation Board's funding formula to fairly reflect the true staff cost of each constitutional officer.
- Continue to provide state allocations for local school capital needs by fully funding School Construction Assistance Grants and School Construction and Modernization Grants.
- Continue to invest in local public schools by increasing compensation for K-12 teachers and staff, and by creating and funding teacher recruitment and retention programs.
- Public Notice, Public Hearing – Support legislation that would give localities the option to use electronic or other forms of notification rather than newspaper advertising for required notices.
- Unfunded Local Mandates – Oppose and reject legislation that would impose new unfunded mandates and fiscal responsibilities or reinstate any "local aid to the Commonwealth" and support a "First Day of Session Filing" for all bills having a fiscal impact on localities.

Mr. Morgan thanked Caleb Smith, Management Analyst; Mark Bellamy, Deputy County Administrator; and James Barnett, County Attorney, for their hard work in preparing the proposed legislative priorities being presented this evening.

Mr. Shepperd asked if someone could explain to the Board exactly what the state is planning to do relative to supporting electric vehicle infrastructure.

In response, Mr. Morgan stated that Mr. Robert Crum, Executive Director of HRPDC (Hampton Roads Planning District Commission), has the best understanding of how the state's support for electric vehicles will be implemented. He stated that he will put this request on his follow-up list.

Mr. Zaremba stated that the word resiliency is used several times within the list and he asked for an accurate definition for the word in the manner in which it is being used.

Mr. Morgan stated that for him it means improving survivability. As an example, he stated that should Seaford Road be elevated, a more resilient transportation network would be created since the road would be less likely to flood. During the ensuing discussion, Mr. Morgan stated that previously the Board had asked him about how much of the Constitutional Officers and their staffs' payroll are supported by the Virginia Compensation Board versus the County. He stated that the County pays 68 percent of their salaries. He noted that we do not expect the state to pick up 100 percent of this cost; however, if each year their support would increase it would be extremely helpful to the localities.

Mr. Shepperd noted that the duties of the Commissioner of the Revenue and the Treasurer could be assumed by other departments.

In response, Mr. Morgan stated that not all localities have these positions; however, to initiate such a change is very divisive in a locality. In doing so, you would gain control but you could also lose some state revenue. Regarding avoiding funding formulas for the schools' operating or capital projects, Mr. Morgan stated that localities that try to do the right thing by stepping up their support for school facilities often get penalized by receiving less financial support the next year.

Relative to the suggested priority to allow localities to use electronic or other forms of notification for public hearings as opposed to the current newspaper advertising requirement, Mr. Morgan stated that the County spends approximately \$50,000 annually advertising public hearings before the Board and the Planning Commission spends a similar annual amount. In conclusion, he asked the Board to provide any amendments or changes they deem appropriate to the proposed Legislative Priorities list. In addition, he asked how the Board would like to share this list with the General Assembly members.

In response, Chairman Noll asked for the Board members to consider this list so that it can be discussed more thoroughly in the near future.

CONSENT CALENDAR

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

Mr. Green asked that Item No. 4, Hampton Roads Alliance Master Agreement, be pulled for further discussion.

Mr. Morgan explained that approximately 10 months ago, he sent a memo to the Board members stating that the Chief Administrators for Williamsburg, James City County and York County is recommending that we disband the Greater Williamsburg Partnership and roll our regional economic development efforts into the Hampton Roads Alliance (HRA). He further noted that the Greater Williamsburg Partnership was not of sufficient scale to be effective and it had no private funding except for the monetary support provided by the three localities. Last year he concluded that we could no longer justify supporting this partnership. Meanwhile, he noted that the three entities comprising the Greater Williamsburg Partnership learned that the Hampton Roads Alliance had amended its organization by downsizing its board and establishing the goal that it will be supported 50 percent by private money and 50 percent by participating localities. Although York County is not in a position to host a mega business investment, he explained that when the Hampton Roads Alliance succeeds in bringing in new business investments, York County will benefit from the regional growth. In addition, the state, when they receive business prospects, would prefer to channel these prospects through one single entity such as the Hampton Roads Alliance.

Mr. Green then asked how much will it cost the County to be a member of the HRA and how will it be governed.

In response, Mr. Morgan stated that membership in the HRA is approximately six to seven thousand dollars more than the Greater Williamsburg Partnership's annual membership. He

September 6, 2022

added that the governance group is composed of those localities and corporations that contribute over a certain amount; however, they have a rotating membership among the smaller members. Lastly, he noted that leaving the Greater Williamsburg Partnership and joining the HRA was included in the budget adopted by the Board.

Mr. Shepperd moved that the Consent Calendar be approved as submitted, Item Nos. 2, 3, and 4 respectively.

On roll call the vote was:

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

Item No. 2. APPROVAL OF MINUTES:

Thereupon, the following minutes were approved and resolutions adopted:

July 19, 2022, Regular Meeting
August 2, 2022, Regular Meeting

Item No. 3. QUEENS LAKE DAM MEMORANDUM OF UNDERSTANDING. Resolution R22-137:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY AND QUEENS LAKE COMMUNITY ASSOCIATION (QLCA), RELATING TO CERTAIN IMPROVEMENTS TO THE QUEENS LAKE DAM AND THE QUEENS LAKE DRAINAGE BASIN

Item No. 4. HAMPTON ROADS ALLIANCE MASTER AGREEMENT. Resolution R22-136:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A MASTER AGREEMENT FOR REGIONAL ECONOMIC DEVELOPMENT WITH THE HAMPTON ROADS ECONOMIC DEVELOPMENT ALLIANCE

OPEN DISCUSSION

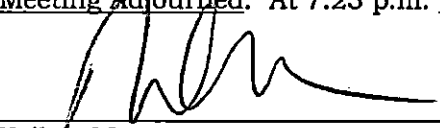
Mr. Zaremba pointed out that the parkway in District 1, maintained by the National Park Service, is in serious need of repair.

In response, Chairman Noll stated that she is meeting shortly with the Colonial Park Superintendent and she would be pleased to share his concern with her.

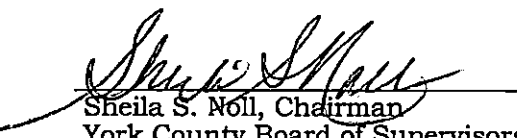
Mr. Shepperd stated that one of his constituents noted that her old voter card says that she is in Congressional District 2; when in fact that has changed and she is now in Congressional District 1. He expressed concern that the Board has not received any information about this issue from the Registrar's office. He stated the County needs to broadcast this information to all citizens regarding the changes in their district, both locally and at the state level.

Mr. Morgan stated that in November there will only be two elections, one is the Commonwealth Attorney special election and the second is the congressional seat election. He stated that he will have the Public Affairs Director, Paula Hersh address this issue and ensure the citizenry is properly notified.

Meeting Adjourned. At 7:23 p.m. Chairman Noll declared the meeting adjourned sine die.



Neil A. Morgan
County Administrator



Sheila S. Noll, Chairman
York County Board of Supervisors