

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
October 1, 2019

6:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 6:00 p.m., Tuesday, October 1, 2019, 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. Zarembo, Sheila S. Noll, W. Chad Green, Jeffrey D. Wassmer, and Thomas G. Shepperd, Jr.

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

WORK SESSION

ANNUAL REGIONAL ECONOMIC UPDATE

Mr. Greg Grootendorst, Chief Economist with the Hampton Roads Planning District Commission, gave a presentation on the economic state of the region as compared to national and state statistics. He discussed the US Gross Domestic Product, stating Hampton Roads has consistent growth; and civilian employment has grown, but a slow-down is being seen. The U.S. unemployment rate is 3.7 percent, a little below where the region wants it to be. The Stock Market is up 92 percent since the recession in 2009 and is performing well. He discussed employment decline and recovery, noting it took 115 months for Hampton Roads to get out of deep recession, and it is still not growing too strong. With regard to employment change in Hampton Roads, there has not been a uniform change across industries. Leisure and hospitality is great for the region, as well as construction, but administration and support have suffered. Health care has had 120 straight months of growth, but is now laying off personnel. Mr. Grootendorst stated local government employment has continued to contract since 2007, but the Federal government is up over the last decade, as well as scientific and technical positions.

Mr. Wassmer asked if the Federal jobs include military personnel.

Mr. Grootendorst stated it did not include military personnel or DOD, but it did include federal contractors. He then spoke about the unemployment rate, which is 4 percent, and the decline in population growth. He noted the rate itself is less important. When the unemployment rate is determined, they are looking at who is in the labor market, and how many consider themselves unemployed. He indicated population growth plays into what is happening with the unemployment rate and overall employment.

Mr. Morgan asked if it was true that some of this is because of the migration of young adults out of the region.

Mr. Grootendorst noted the census data does not tell the whole story, but a good indicator is that our population is aging quickly. There is more growth in the county when the region grows. He stated the region was not seeing the high growth rates of the 90s. Retail sales have shown an annualized growth rate of 1.2 percent since 2006, yet there is less selling power per dollar in retail sales.

Mrs. Noll asked about internet sales.

Mr. Grootendorst stated the internet sales are being taxed more and more, noting upward of 85 percent are now taxed. The State budget is better because of internet sales, but this will not continue. Virginia is one of the states that does not tax services—only goods. If services were

taxed, the revenue could be kept neutral, and the sales tax rate could be lowered to 1 percent. He next discussed home price indexes, which are the best indicator of how home prices are tracking in the region. Home prices have spiked much more in Hampton Roads than in the state and nation. He stated there is not a lot of housing stock in the region, and there are still a lot of foreclosures that are holding prices down. Mr. Grootendorst indicated housing prices will not drive revenues in this region.

Mr. Zaremba referred back to Mr. Morgan's comment regarding young adults migrating from the region, and asked why there is more of an outflow of young people from the area.

Mr. Grootendorst stated it was job and opportunity related, as jobs are the number one driver of moving the population.

Mr. Wassmer asked if the region's reliance on the Federal government held it back.

Mr. Grootendorst noted the federal sector jobs in the region are relatively high paying, and other jobs that are not as high paying are not attractive enough to bring people in. He stated in order to get people to take jobs, the salaries must be increased. He spoke of York County's comparison with Hampton Roads, the state, and the nation, noting it has the lowest unemployment rate. Mr. Grootendorst then addressed the forecast of Gross Domestic Product, stating the consensus is a slight decline in looking to the year ahead. He also stated the recession word keeps popping up, and what makes it difficult is that no one knows what is going to happen at the Federal level. He noted what the House and Senate have on the table currently is very promising for Hampton Roads, so money will be coming in within the next 18 months.

Discussion followed regarding the national debt and how it is sustained.

Mr. Grootendorst stated if interest rates go up, it will become more problematic. He then ended his presentation discussing what he sees will be happening in the year ahead. He stated on one hand there should be strong defense spending as budget caps are removed, consumer spending will stay warm, wages should increase, energy prices will remain low, and there will be continued national growth. On the other hand, there is a growing risk of recession, corporate profits are slowing, the National home price is softening, there will be global trade tensions and a European slow-down, and the country will have a divided government.

ECONOMIC DEVELOPMENT UPDATE

Mr. Rick Moberg, Chairman of the Economic Development Authority (EDA) of York County, thanked the Board of Supervisors for its continuing support in terms of the economic development fund. He indicated he would focus on four topics this evening: EDA Real Estate Transactions, Commercial Corridor Revitalization, Regional Economic Development Initiatives, and Looking to the Future. He then reviewed the Authority's real estate transactions, including York River Commerce Park (Big Top Entertainment, Affordable Fasteners Supply Company, and Marlowe We Care Company), Busch Industrial Park (Leebcor), and the Parise property donation.

Mr. Steve Meade, Vice Chairman of the EDA, discussed the commercial corridors revitalization, reviewing the Property Improvement Grant Program, the improvements to Iverson Dental Care, York Veterinary Hospital, Beale's East on Route 17, and the improvements to The Edge District on Merrimac Trail. He also spoke of a new grant program opened up to all commercial corridors in the amount of \$100,000. He stated the 2004-2007 Initial Grant Program was for the Route 17 corridor only, and 54 grants were awarded in the amount of \$266,721. Mr. Meade next spoke of the property acquisition program which included the Beale's East property on Route 17 and the Merrimac Trail corridor.

Discussion followed on the Property Acquisition Program and the Beale's East development as to where the County breaks even on its investment.

Chairman Shepperd asked how the governments get their money back.

Mr. Noel stated if business is good, they get it from sales. With respect to The Edge District, he indicated professional advice will be sought to promote this district effectively.

Mr. Meade next reviewed regional initiatives, stating one of the weaknesses is site readiness. He noted VEDP and HRPDC were studying the problem with a site characterization study and the Hampton Roads Site Inventory. He stated other initiatives include the Eastern Virginia Regional Industrial Development Authority (EVRIFA), the Greater Williamsburg Partnership (GWP), and the Launchpad Business Incubator. He stated the GWP is now a part of the Tourism Alliance and Business Council, and it has a new director. Launchpad is folding into William and Mary at Tribe Square and will open within the next 60 days.

Mr. Noel reviewed future trends, stating redevelopment will be the game since York does not have much land to development. In terms of new businesses, the EDA is looking at fiber networks and data centers. For retail, he noted it was a changing environment, as people are using the internet more and more to purchase goods and services. Mr. Noel stated Workforce Development is working with community colleges to try and meet the need for filling jobs; the York County School Division has a goal of every student having some workforce development experience prior to graduation. He also spoke of work that was being done on home-based business initiatives through mega trends and the York County Citizen Survey. He stated more and more people are working from home, and York County is a leader in this field. Mr. Noel indicated staff was currently looking at the County's ordinances as to how they impact home-based businesses.

Mr. Wassmer stated the local Chamber of Commerce has taken a lead in the home-based business front, and the Board of Supervisors approved more funding for the Chamber in this budget cycle.

Mr. Noel stated one of the big things in economic development today is placemaking—creating places to improve the quality of life. He pointed out that in the future there will be a positive impact on the places and spaces to make it more quality of life based.

Chairman Shepperd thanked Mr. Noel and Mr. Meade for their presentation, noting York County has a lot to be proud of.

SOLID WASTE UPDATE

Mr. Brian Woodward, Director of Public Works, stated several months ago the Board of Supervisors had to make some decisions regarding recycling, and he reviewed the decision matrix and its parameters used to help bring the Board to its decision. The Board indicated it wished to keep recycling and encourage participation, keep the solid waste program financially viable, preserve special programs, and avoid overly complicating programs by offering too many options. Mr. Woodward stated the Board wished to maintain a minimum fund balance of 10 percent of the annual budget, establish the rates for 5 years with no increase for low income customers, honor requests for a solid waste option only, offer a senior citizen discount, and make the assumption that 10 percent would opt out of recycling. He then reviewed the new rates effective May 1, 2019, for the July bill as follows:

	<u>New Rates</u>	<u>Monthly Increase</u>
Recycling Only	\$7.50	\$5.50
Trash Only	\$21.50	N/A
Trash and Recycling	\$24.50	\$7.00
Trash and Recycling Low Income	\$15.00	N/A
Trash and Recycling Senior Citizen	\$20.00	N/A

Mrs. Laurie Halperin, Waste Services Manager, spoke of the new recycling services contract, stating it was not an easy transition. Poor service and missed collections had York County staff jumping in to help and deliver containers. She stated service has improved, and everyone who is supposed to have a cart has one, although some missed collections on long lanes and back door service are still happening. Mrs. Halperin indicated the same experience was originally experienced with Solid Waste Services, stating it was an old, aging fleet with trucks leaking hydraulic fluid. There were days when they did not complete routes, and York County staff had

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to complete the routes. She stated today they have a brand new fleet with a new local area manager, and daily routes are now being completed.

Mr. Woodward reviewed the number of phone calls Waste Management received during the transition and how Emergency Communications provided great assistance after hours. He stated it was a team effort. In conclusion, he reviewed the enterprise fund cash model as follows:

- Required FY2020 Billing Revenue--\$5,350,000
- Six billing cycles--\$892,000 (Average)
- May/June billing--\$920,773
- July/August billing--\$914,302

Mr. Wassmer indicated he wished to remind the residents to go on line and sign up for alerts for the solid waste program as well as many other County programs.

Chairman Shepperd stated the new trucks were still dropping trash all over the place.

Mrs. Halperin stated it was sometimes due to the truck, but sometimes it was due to homeowners overfilling the cart, and not having trash in bags.

Mr. Morgan indicated it was a very difficult transition, and Mrs. Halperin and her team did a yeoman's job. He stated that overall the programs and contracts were changed according to the Board's wishes, and projections seemed to be reasonably accurate.

Chairman Shepperd commended the staff and their hard work on revamping this program.

CONSENT CALENDAR

Mr. Zaremba noted there was a sidewalk project on the agenda, and he asked how many other sidewalk projects were in the works.

Mr. Morgan stated there were probably a dozen or more throughout the County in various stages of design or construction. He reviewed the sidewalk project for Comte de Grasse Street, stating it also included a drainage project.

Discussion followed regarding how decisions were made as to where sidewalks would be constructed and the factors that are considered.

Mr. Zaremba then moved the adoption of the Consent Calendar, as submitted, Item Nos. 1, 2, and 3, respectively.

On roll call the vote was:

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

Thereupon the following minutes were approved and resolutions adopted:

Item No. 1. APPROVAL OF MINUTES

The minutes of the September 3, 2019, Regular Meeting of the York County Board of Supervisors were approved.

Item No. 2. CONSTRUCTION SERVICES FOR COMTE GRASSE SIDEWALK AND DRAINAGE IMPROVEMENTS PROJECT: Resolution R19-124

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT FOR THE CONSTRUCTION OF THE COMTE DE GRASSE SIDEWALK AND DRAINAGE IMPROVEMENTS PROJECT

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

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

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 1st day of October, 2019, that the County Administrator be, and he is hereby, authorized to execute procurement arrangements with EL-X Enterprises in the amount of \$324,900 for the Comte de Grasse sidewalk and drainage improvements project.

Item No. 3. 2020 LEGISLATIVE PROGRAM

The following 2020 Legislative Program Priorities and Positions were approved:

PRIORITIES

Support for Public Schools

York County supports full state funding for all aspects of public education including:

- **Special education**
- Support staff and operations
- Capital projects and maintenance
- **Standards of Quality (SOQ) achievement**
- Teacher salary increases

York County, like most other local school divisions, funds K-12 education significantly in excess of the SOQ requirements to meet citizen expectations. Also, like localities throughout Virginia, York County has proportionally increased local funding for school operations in recent years due, in part, to inadequate state funding for education as compared to inflation adjusted historical norms. Our expectation is that all students will become lifelong learners prepared to compete in a global economy. This level of expectation extends to all students regardless of their socio-economic status, disability or, language. To meet this expectation we specifically request that special education and SOQ funding be fully funded.

VDOT

York County continues to support and collaborate on the mission of VDOT.

Maintenance

Secondary road paving, drainage repairs and maintenance, litter control and mowing operations are a priority for our community, enhancing quality of life and our vital tourism trade. And as such, York County requests additional funding for VDOT and these specific activities.

Local Assistance Program (LAP)

Incorporate sea level rise and subsidence into award parameters of the existing funding programs. The Coastal Virginia localities and counties recognize the importance of building for

long-term goals. York's request is to include this feature into current award processes.

Interstate 64 Widening – Richmond to Williamsburg

York recognizes the positive impact on the region created by widening I-64, Phases I through III. And having realized this benefit, York County urges the General Assembly to complete the widening of Interstate 64 to six (6) lanes between Williamsburg and Richmond, from east to west. Linking the major metropolitan areas of Richmond and Hampton Roads with a continuous 6-lane interstate facility would help alleviate the congested conditions that threaten the viability of the corridor, which is so vitally important to the state economy, the military, the ports, private industry, tourists, and local citizens. The County urges the General Assembly to consider ways to enhance the state revenue made available to the Commonwealth Transportation Board (CTB) for allocation to vital transportation infrastructure projects, but not at the expense of taking funding from other local government priorities such as education and public safety.

Tobacco Tax Parity

York County requests that the General Assembly pass legislation allowing counties the option to tax cigarettes as cities and towns. Section 58.1-3830 of the Code of Virginia allows cities and towns to levy the tax under their charters and "general taxing powers". Only Fairfax and Arlington Counties have been allowed to levy such a tax under special authority from the General Assembly. In counties such as York, where population densities and service demands are similar to those of many cities, having the authority to enhance revenue by means other than through real estate or personal property taxation would be a beneficial option.

POSITIONS**Unfunded Local Mandates**

York County urges the General Assembly to oppose and reject legislation that would impose new unfunded mandates and fiscal responsibilities on local governments or reinstate any "local aid to the Commonwealth" measures. Moreover, the County supports a "First Day of Session Filing" requirement for any General Assembly Bills having a fiscal impact on localities.

Single Use Plastics

Single use plastics such as bags, straws and utensils are burdening our communities' infrastructure. York County encourages the General Assembly to delegate authority to localities for bans, recycling programs and other means to deal with the environmental impacts of single use plastics.

Library Funding

Similar to funding for schools, public libraries have not received funding as called for in the Code of Virginia. Presently, York County Libraries only receive approximately 60% of what is called for in the Code. Our request, and the request of the Virginia Library Association, is to fully fund State Aid for Public Libraries.

Transportation Safety Initiatives

York County supports the following: legislation to strengthen the ability of law enforcement officers to discern whether violations of the provisions relating to use of handheld personal communication devices in moving vehicles are occurring; amend the Code of Virginia to make seat belt enforcement a primary offense; and amend the Code to prohibit the possession of an open container of alcohol in a motor vehicle.

Inclement Weather Procedures

York County supports legislation to provide authority for any local government board or commission to follow the same procedures as set forth for Boards of Supervisors and Planning Commissions regarding the continuation of meetings and rescheduling of advertised public

hearings when the chairman determines that weather or other conditions would make travel hazardous. The provisions applicable to Boards of Supervisors and Planning Commissions are set forth in Section Nos. 15.2-1416 and 15.2-2214 of the Code of Virginia.

OPEN DISCUSSION

Mr. Green noted there was free admission to the Watermen's Museum for York County residents during the month of October.

Mr. Zaremba indicated there was an article on the front page of the Daily Press applauding Hampton for getting all of its schools accredited, and he noted that all 19 of York County schools have been accredited. He stated it looked like there was a new evaluation process, and he hoped it was not a matter of dumbing down the process just so other schools can get fully accredited.

Mr. Morgan stated he had heard the Superintendent say they changed the metrics, but he did not believe it was particularly significant for York.

Mr. Zaremba indicated the Board and staff were on the front end of the budget process for the following year, and the Board had stated it would bring up SB942 again in this budget season as to what would be done with the funds from it. He stated he wanted to make sure the Board discusses it thoroughly and see if part can be given back to the citizens, pay down a debt, or put it toward any other element of the budget, such as public safety.

Mrs. Noll stated the new canon replica looks like the original, and the ceremony was very well attended. She also provided congratulations to Thomas Nelson Community College on the anniversary of its Williamsburg campus.

CLOSED MEETING. At 7:58 p.m. Mr. Green 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)	Noll, Green, Wassmer, Zaremba, Shepperd
Nay:	(0)	

Meeting Reconvened. At 8:14 p.m. the meeting was reconvened in open session by order of the Chair.

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 1st day of October, 2019, that it does hereby certify, 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

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

RECOMMENDATION FOR APPOINTMENT TO THE YORK COUNTY BOARD OF EQUALIZATION.

Mr. Zaremba moved the adoption of proposed Resolution R19-125(R) that reads:

A RESOLUTION REQUESTING THE JUDGE OF THE CIRCUIT COURT TO APPOINT THREE MEMBERS TO THE YORK COUNTY BOARD OF EQUALIZATION

WHEREAS, the terms of Braden L. Miller, Michael Mapes, and Kenneth J. Mahan to the York County Board of Equalization, expired on December 31, 2018, and they are eligible for reappointment; and

WHEREAS, Mr. Mapes and Mr. Mahan have indicated their desire to be reappointed; and

WHEREAS, the Board of Equalization is in need of three appointees to be appointed by the Judge of the Circuit Court;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 1st day of October 2019, that the Judge of the Circuit Court be, and he is hereby, requested to appoint Carla Mutone to serve a 3-year term on the York County Board of Equalization of Real Estate Assessments, such term to commence January 1, 2019, and expire December 31, 2022.

On roll call the vote was:

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

Meeting Adjourned. At 8:15 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