

MINUTES  
BOARD OF SUPERVISORS  
COUNTY OF YORK

Regular Meeting  
March 2, 2021

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, March 2, 2021, in the Board Room, York Hall, by Chairman W. Chad Green.

Chairman Green read a statement concerning the purpose and the participants of the meeting:

This meeting is called to order. It is March 2, 2021. For the record, this is a meeting of the York County Board of Supervisors, being held by electronic means without a quorum being physically assembled in one place, pursuant to the emergency “continuity of government” ordinance adopted on April 21, 2020, and readopted on June 16, 2020, under Code of Virginia section 15.2-1413, allowing public meetings of this Board, and of other County boards, commissions, and authorities, to meet remotely. This action was taken because of the health emergency resulting from the Coronavirus pandemic, making an assembly of the board and staff and members of the public in one place unsafe because of the highly contagious nature of the Coronavirus pandemic.

I am William C. “Chad” Green, Board Chair, and I am sitting in the Board Room of York Hall. Other Board members participating are Walter C. Zaremba, participating from his home in Queens Lake subdivision, Sheila S. Noll, participating from her home in Kiln Creek subdivision, Stephen Roane participating from his home in the Brandywine subdivision, and Thomas G. Shepperd, Jr., participating from his home in Olde Port Cove subdivision. Other County staff present or participating are Neil A. Morgan, County Administrator; James E. Barnett, Jr., County Attorney; Diane Ingram, Administrative Coordinator, and a small number of senior County staff.

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

Also in attendance were Neil A. Morgan, County Administrator; Vivian Calkins-McGettigan, Deputy County Administrator; James E. Barnett, County Attorney; and Diane Ingram, Administrative Coordinator.

**WORK SESSION**

COVID 19 UPDATE

Mr. Neil Morgan, County Administrator, began the meeting by providing the Board and citizens with an update in regards to the COVID 19 emergency. Virginia’s new cases of COVID have been dropping for six weeks and are at the pre-Thanksgiving level. The Eastern Region, which includes York, is also following a similar trend. He explained the good news on cases and vaccines is tempered by concern about new variants. He also explained the total number of new cases among the County and School Division staff is down. Mr. Morgan provided an overview on the Virginia Department of Health vaccine line and the York County Helpline set up to assist mainly those without internet in registering for a vaccine. The County Helpline

was deactivated as of 5:00 p.m. today. He noted the line had assisted over 2,500 calls and registered 1,800 citizens including some from neighboring jurisdictions. Callers are now being referred to the Virginia Department of Health Hotline at 1-877-VAX-IN-VA where the phone line is open from 8:00 a.m. to 8:00 p.m. daily. The expanded call center has diminished the need for the York County phone line. The operators and other trainees that were scheduled to answer calls this week are assisting at vaccination clinics at Colonial Williamsburg and Christopher Newport University. He thanked the Emergency Communications Center staff that had manned the phone lines. Mr. Morgan also noted that should another event occur, the phone lines and protocols were in place to assist the citizens. The rate of vaccines available is accelerating rapidly with Virginia getting over 200,000 per week as compared to 100,000 a month ago. Mr. Morgan estimated that over 20 percent of Virginia's population has received at least one vaccination including the military and military dependents. As the Governor pointed out last week, the State is approaching a critical mass of perhaps 1/3 of the State's population with some level of immunity either due to receiving the vaccine or having recovered from COVID. He noted that the six localities have worked hard to partner with both the Health Department and the three hospital systems. He was anticipating new vaccination procedures and venues with the approval of the third vaccine by Johnson and Johnson. He emphasized the Peninsula currently has four clinic sites that are scheduling appointments through the Virginia Department of Health. He reminded the residents the vaccine supply is controlled by the State or Health Departments. Mr. Morgan was pleased that the County and School Division employees have had strong participation rates with regards to employees receiving the vaccines. He felt this meant the odds of the organizations returning to something like normal operations in the future are improving. He thanked the Fire and Life Safety personnel who had stepped up to help with the vaccination efforts. Mr. Morgan stated that going forward there remained much uncertainty on how the vaccine was going to be distributed to the general population now that supply was growing, noting that both doctors' offices and pharmacies were an important part of the vaccine delivery infrastructure. The uncertainty translates into the County's financial and operational posture as we assume at what pace life's normal activities resume.

Mrs. Noll asked if he had any idea how long the Senior Center would be used for vaccinations.

Mr. Morgan was unsure of how long the Center would be used. He stated if he had to take a guess, it would be through May but it could be longer. That is when it is projected the supply and demand will be in balance. If people still desired to receive a vaccine around that time, they may be able to receive it through such avenues as their doctor's office or pharmacy.

Mrs. Noll was pleased that we have been able to use the Senior Center. She thanked the staff manning the Center and the other volunteers from the Health Department.

Mr. Zaremba stated it was a good briefing and it was time to begin looking for positive signs in the pandemic. He cited data by health professionals/physicians related to the pandemic and the number of people who had actually died from the virus. He encouraged the public to read the statistics because it will look more positive.

Mr. Roane was encouraged to see positive news on COVID. He stated the hotline had worked really well, noting it was definitely something to hold onto if in the future it was needed again. He asked what would happen if citizens were to call the County phone number for vaccines since it had been disconnected.

Mr. Morgan stated the caller would receive a voicemail greeting to direct the caller to the new phone number operated by the Virginia Department of Health. The number will eventually roll over to the Dispatch Center.

Mr. Shepperd asked what percentage of staff refused to receive the vaccine.

Mr. Morgan stated there are many different categories of part-time employees and various reasons staff members may have been unable to receive the vaccine. He estimated about 79 percent of County staff members and 89 percent of the School Division staff members have received the vaccine.

Mr. Shepperd asked whether we have reached a point where all staff members who want the vaccine have received it.

Mr. Morgan stated, except for a few unusual cases due to extenuating circumstances such as being ill when the first shot was being given or due to a doctor's order stating they were unable to receive the vaccine, all employees desiring the vaccine have received it. He also added that staff is working to make vaccines available to new employees if they want it.

Mr. Shepperd asked when Mr. Morgan anticipated moving into the next category.

Mr. Morgan stated he was unsure, but noted he will be participating in meetings later in the week which may address the next phase.

Mr. Roane asked if during the meetings the Health Department indicates it wants to stand up another vaccine site and if so was the County ready.

Mr. Morgan stated that both he and the neighboring jurisdictions were prepared to do anything that is physically possible. He noted that previous discussions had focused on scenarios to include outdoor venues and parking lots. Mr. Morgan explained the County is open to any suggestions, but felt that the larger operations currently in place are capable of handling three or four times as many people with the only constraint being vaccine supply.

Chairman Green thanked Mr. Morgan for the update and was looking forward to meetings beginning without COVID updates.

#### WATERMEN'S MUSEUM PRESENTATION

Chairman Green introduced Steve Ormsby and Michael Steen from the Watermen's Museum.

Mr. Steve Ormsby thanked the Board for the opportunity to make a presentation and to provide updates on the Museum. He stated that COVID 19 has impacted the Museum by delaying its opening and cancelling many of the events that were currently planned in 2020. He noted the Museum was a robust organization and on years not impacted by the pandemic, about 22,000 people visited annually. The total was in part due to the number of field trips and summer camps hosted. On a typical year, 6,800 children visited the Museum with 50 percent of them from York County. The pandemic had delayed the Museum opening until June when normally it opened in April. The summer camps were run at a smaller capacity of about 40 percent. The Museum has an annual budget of \$220,000; however, the direct income was down approximately 75 percent. Mr. Ormsby explained the upcoming camps currently scheduled for 2021 include Pirate Camp, Archaeology Camp, Boat Building Camp, Environmental Explorer Camp, and Maritime Trades Camp. He explained that each of the camps include classroom knowledge, hands-on activities, crafts, and swim time. The Museum also hosted and supported several local and regional events such as the Polar Plunge, Urbanna Oyster Festival, and Christmas Market on Main. The Museum was going to host the Yorktown History Day as a timeline event on April 10, leading up to anniversaries in 2024 and 2025. He provided an overview of the exhibits at the museum including the four indoor galleries and outdoor exhibits. The museum loaned out exhibits and included the Bay to Belly travelling exhibit, Margaret Travers Bug Eye Model, and Hayes General Store Model. The exhibits were on loan to such agencies as the Tabb Library, Gloucester County Library, Guinea Heritage Museum, and Gloucester ACE Hardware. Mr. Ormsby explained that they were working on five outdoor kiosks which would overview sail making, rope making, boat building, pottery, and compara-

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tive energy (solar, wind, tides). The Museum was doing a lot of educational programming on site and the new kiosks will provide a unique way to host such events. They were in the beginning stages and the short range planning for events such as several key United States' foundational anniversaries had begun. In closing, Mr. Ormsby stated the Museum had some challenges with the unknowns relative to COVID 19, volunteer availability, lack of outdoor restrooms, and funding for upcoming anniversary events. In closing, he asked the Board for assistance with the outdoor restroom facilities which will help both the Museum and visitors to the waterfront.

Mr. Shepperd asked how much assistance would be needed to construct the restrooms.

Mr. Ormsby stated it was approximately \$75,000 for three stalls for both male and female.

Mr. Shepperd asked whether the facilities would be outdoors.

Mr. Ormsby responded affirmatively to Mr. Shepperd's question noting the Watermen's Museum will attach them to the street side of the Carriage House on the backside of the building. This will allow the addition to be tied into the existing water, power, and sewer. He explained the Museum can also look at possibly utilizing the strip of land between the Coleman Bridge and large parking lot as well, which could be used for a third restroom.

Mr. Zaremba made comments regarding the upcoming anniversary events. He asked whether a committee can be created to analyze the associated costs for the events such as bringing tall ships in, fireworks, and parades to determine the appropriate way to raise money either through corporate events or grants. The specific sort of funding takes two or three years in advance for it to be processed. He reminded Mr. Ormsby that the Board needed concrete numbers for long range planning instead of reacting to the requests. Mr. Zaremba also reminded Mr. Ormsby that the County had more than one library which would benefit from some of the exhibits of the Museum. He thanked Mr. Ormsby for the briefing.

Mrs. Noll thanked Mr. Ormsby for the briefing and noted it was an ambitious program. Everyone should be proud of the hard work that has been and continues to be done at the Museum. She expressed her appreciation of the planning for the future with regards to the addition of extra bathroom facilities at the Museum.

Mr. Roane asked for clarification regarding the attendance numbers being down about 35 percent and the income being down about 75 percent. He asked whether a significant amount of funding for the Museum came from events.

Mr. Ormsby responded affirmatively that fundraisers and school programs were a large part of the income which had to be cancelled.

Mr. Roane asked whether the blacksmith's forge located at the Watermen's Museum was a working forge.

Mr. Ormsby confirmed that it was a working forge. He stated that there were a lot of blacksmiths and canvas makers out in the guild and around the area. After the forge was set in place, they were able to come and hold demonstrations for the public. Currently, the Museum has five that utilize this capability. He provided the contact information for the public including the phone number of 757-887-2461 and email address of [admin@watermans.org](mailto:admin@watermans.org).

Chairman Green thanked the Watermen's Museum for their excellent briefing. He mentioned that the Museum was awarded the "Best Community Museum in Virginia" in the *Chesapeake Bay Magazine*. He looked forward to the upcoming fun events and was appreciative of the forward thinking and planning relative to the upcoming commemorative events. He also stated the restroom facility proposal was interesting.

## INTRODUCTION OF THE NEW SOCIAL SERVICES DIRECTOR

Mrs. Vivian Calkins-McGettigan, Deputy County Administrator, provided a brief history and overview on the evolution of the Social Services Department. She introduced Margaret Mack-Yaroch, the new York/Poquoson Social Services Director, who had been hired in mid-December. The former Director, Rick Verilla, had retired in late 2020. Prior to his departure, Ms. Mack-Yaroch was able to spend time with Mr. Verilla to get acclimated to the new position.

Ms. Mack-Yaroch is a Human Services professional executive who has excelled in the public, private, state and local government systems for the past 28 years. Prior to coming to the County, she spent the last five years working for the State transitioning the last State Training Center, from institutionalized programming to community based care. She implemented change management initiatives across three different states. Mrs. McGettigan provided some highlights of her initiatives such as developing early childhood inclusion care programming, in school intensive mental health support services, implementation of Person Centered service and delivery, workforce training and development community, and in-home based care. Mrs. McGettigan explained that her focus has been on advocating for those in need at all stages of life, and improving service delivery based on those needs. Ms. Mack-Yaroch holds a Bachelor's of Science in Education and Intervention and Special Education from Kent State University. She has a long list of educational and career accomplishments such as a Master's level degree from Virginia Public Sectors Leaders for Excellence from Virginia Tech. Mrs. McGettigan stated that over the past few months, she has had the opportunity to work closely with Ms. Mack-Yaroch and was very pleased with her management insights.

Ms. Margaret Mack-Yaroch, Director of Social Services, thanked the Board members for the opportunity to speak with them and provide a presentation on her Department. In her overview and introduction, she explained the State's Social Services System, which is an agency providing oversight and guidance to 120 localities in Virginia. The goal is to promote the well-being of our citizens through the delivery of essential services and benefits to ensure that families and individuals achieve their highest level of self-sufficiencies, benefits, and care they need. She provided an overview of the York/Poquoson Social Services Department which is responsible for administering a variety of programs such as:

- Temporary Assistance for Needy Families (TANF)
- Supplemental Nutrition Assistance Programs (SNAP)
- Medicaid
- Adoption
- Childcare Assistance
- Child and Adult Protective Services
- Virginia Initiative for Employment

Ms. Mack-Yaroch explained that March is Social Work Month and recognizes the invaluable work that Social Workers provide especially in light of the Coronavirus Pandemic. She next highlighted some of the services and programs that the Department has helped during the pandemic. With regards to the financial assistance programs for 2020, the Department has assisted 10,083 families in both York County and Poquoson to obtain Medicaid applications, SNAP, and TANF benefits, noting the importance of those programs. For the current year, 2021, the Department still expects an increase as many individuals were just returning to the workforce. Ms. Mack-Yaroch also provided statistics on the number of calls received concerning the welfare and safety of the public including:

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- Adult Protective Services: 161 reports received, 29 for the City of Poquoson = 190 total
- Child Protective Services: 285 combined

Ms. Mack-Yaroch explained that on April 2, the Social Services Department is collaborating with other departments to both promote and educate others on Child Abuse Prevention. She stated the Board will be receiving an invitation to the ceremony.

Mrs. Noll welcomed Ms. Mack-Yaroch and stated that both she and the other Board members were delighted that she had begun her employment with the County.

Mr. Zaremba thanked her for the presentation and asked about her family and what she enjoyed to do in her free time.

Ms. Mack-Yaroch provided the Board with a personal overview including her four children, two of whom still reside with her. She also has one grandchild. Ms. Mack-Yaroch was excited to be relocating from Virginia Beach to York County. Originally, she was from Ohio and served in other localities before coming to York. She has been an advocate for children for many years within court systems located in three different states. Ms. Mack-Yaroch was also a licensed special education teacher, but was not currently teaching. She believed in advocating for all areas of life to address and develop programs to support them. She enjoyed cooking in her free time and was formally trained as a sous chef.

Mr. Roane welcomed Ms. Mack-Yaroch and asked what her number one challenge was going to be for 2021 that needed to be tackled.

Ms. Mack-Yaroch stated of the many initiatives across the State that are going to affect Social Services' system delivery as a whole the initiative to move away from being responsive to being preventive is foremost.

Mr. Shepperd welcomed Ms. Mack-Yaroch to the County.

Chairman Green also welcomed Ms. Mack-Yaroch to the County.

## TOURISM/PARKS AND RECREATION PRESENTATION

Mr. Kevin Ritchie, Event Planner for Tourism Development, provided an overview of the exciting event lineup for the spring. He began by highlighting the winter markets which were new to Yorktown this year. The markets have been a major success for local vendors and artists. The last winter market will conclude this upcoming Saturday. The community supported these markets even when the weather was cold and rainy. When this occurred, the markets were moved to the parking garage. Mr. Ritchie explained that some of the vendors participating reported record sales and felt positive this provided a great preview of future markets for 2021. He explained the regular, weekly farmer's market season would begin on April 10. There was no cost to attend the events which occurred every Saturday through the end of October with certain exceptions on weekends of bigger events such as July 4 or the Wine Festival. Mr. Ritchie next provided an overview of last year's farmers markets. Initially, due to COVID, these began as drive-through markets at the McReynolds Athletic Complex. Even with the associated challenges, vendors reported a 35 percent increase in revenue which was positive. When the markets begin at the waterfront this year, it will operate with existing COVID-19 precautions still in place. Next he covered four specialty markets that were upcoming:

- Go Green Market – a collaboration between the Public Works Department and the York County Beautification Committee.

- French Market – presented by Sister Cities Yorktown.
- Pirate Invasion Market – This market partners with the Riverwalk Landing Business Association and the Watermen’s Museum and is part of the two day pirate festival.
- Wellness Market – This market partners with the Parks and Recreation Division.

Mr. Ritchie reviewed the two other community partner events occurring this spring. The “Victory at Yorktown Race” is being held on April 3 and will include both a 5 K and 10 K race. He noted that there will be no family fun run and no after race party at the waterfront because of COVID. This race will include both in-person and virtual races with staggered times. On April 10 and 11, the Watermen’s Museum is holding their annual Civil War Weekend. Mr. Ritchie explained the event would also be scaled back. The staff is in the planning stage for upcoming events which include the annual Blues Brew and Barbecue Festival and the Art at the River. Due to the recently updated COVID-19 State guidelines, staff is expanding the event venue attendance numbers. He cautioned that all events were subject to current and future State guidelines regarding the pandemic. The County website offers a complete schedule of events at [www.visitryorktown.org](http://www.visitryorktown.org).

Mr. Darren Williams, Waterfront Operations Supervisor for Tourism Development, stated that in April, the waterfront began to come back to life. Piers were staffed seven days a week beginning April 1 and the Schooner Alliance is returning again this year. The Gallery at York Hall and the York County Historical Museum will open for the season on April 1. Trolleys were also back in service including the newest trolley, number 5. Mr. Williams explained that visitors can track the trolley with estimated time of arrivals in real time due to the ETA Mobile app. In addition to the sails on the Schooner Alliance, Segway tours begin again as well as paddleboard and Kayak rentals. Typically around Memorial Day, Yorktown begins to become really busy. The Waterfront Ambassador and Parking Attendant programs will begin to act as Customer Service Representatives for visitors. The Mobile-Mat will be rolled out to provide equal access to all who visit. The mat allows visitors with disabilities to get out of their wheelchairs and enjoy the water. The Freight Shed will be busy in 2021 with many weddings and other special events currently scheduled. Mr. Williams also reminded the public of the themed markets like the Pirate Invasion Market which also promotes additional educational programming. The markets are always complimentary fun for families. Historic Garden Week is coming to Yorktown and staff is working with the Newport News and Hampton chapters of the Virginia Garden Club to provide this event as a modified tour. The full tour will return in 2022 and staff is excited that the headquarters will be located at the Freight Shed with beautiful tabletop creations on display. The Custom House Garden will also be decorated and the York County Master Gardeners will provide a demo at the American Revolution Museum. Mr. Williams explained the event requires tickets which are available on the Tourism website.

Mr. Michael Wilcox, Recreation Supervisor I, provided an overview on the exciting programs the Parks and Recreation Division have planned. The programs include youth soccer, start smart soccer, pickle ball, and skating. Due to COVID 19, Parks and Recreation switched from the typical public skate event to specific time slots for a family skate. The Division was also partnering with several other upcoming events such as:

- Youth Volunteers Corp of Hampton Roads – Easter Egg Scramble
- Eastern Mountain Bike Association – Youth on Wheels bike races
- Peninsula Agency on Aging – Senior Programs
- Virginia Cooperative Extension – Educational Programs

Mr. Wilcox next explained the new programs upcoming this year. A partnership has been established with the library for the distribution of activity packets for families to pick up at a drive by event in Charles Brown Park. Other new programs include kids' yoga at Seaford Elementary School, Mother's Day Tea at Dare Elementary, and a Junior Ranger Program at New Quarter Park. In addition to the two indoor classes at the Senior Center, Parks and Recreation has added outdoor body renewal at the McReynolds Athletic Complex. Multiple programs are offered both in the spring and summer. They include:

- Spring Tennis – offered at Kiln Creek and Back Creek Park
- Summer Tennis – offered at Back Creek Park and Queens Lake Middle School

Mr. Wilcox noted the Division has seen significant growth in both indoor and outdoor tennis. Kayaking tours are offered at both Back Creek Park and New Quarter Park. Movies in the Park are being held at Charles Brown Park, New Quarter Park, and McReynolds Athletic Complex. Another popular program, Safety Town, is in the planning stages for the summer. He noted the program was being modified due to the COVID 19 guidelines and explained the various changes made. Parks and Recreation was currently planning day camps for the Leaders in Training Program, Summer Fun Camp, and Special Recreation Camp. They were also hosting several specialty camps and noted the success of each from last year. The programs included:

- Eco-Art Nature Camp – New Quarter Park
- Sports camps – located at various schools in York County
- Lionbridge Soccer
- Virginia Legacy Soccer

Mrs. Noll stated that she wanted the citizens to know how much hard work goes into presenting the variety of programs offered by York. She explained that there was something for everybody without leaving the County to find entertainment. Mrs. Noll thanked the staff for their hard work.

Mr. Zaremba was pleased to see that events and programs were beginning again after COVID 19. He thanked the staff for their presentation tonight noting the variety of programs being offered in the County.

Mr. Roane asked about the Segway tours noting that the manufacturer is going to discontinue production of the Segway devices. He asked whether the staff was aware of this development.

Mr. Williams stated that both the staff and the owners of Patriot Tours were aware. Patriot Tours was buying a large amount of the Segways so that they can maintain and provide these tours.

Mr. Shepperd stated the update was very good. He thanked the Tourism Division because the various events that are planned by them are fundamental to the identification of York. It also brings people to York to participate in them.

Chairman Green asked how the public would be able to get in touch with Tourism and Parks and Recreation to receive more information.

Mr. Williams provided the website address of [www.yorktown.org](http://www.yorktown.org). A complete list of events is on the website and is updated as things change. He also noted the citizens can follow the Tourism's Facebook, Twitter, and Instagram pages. Information was also on the pages regarding the trolleys.

Chairman Green thanked the staff for their hard work. He also thanked James Scruggs, Dockmaster, noting he would be busy very soon on the waterfront.

### **CONSENT CALENDAR**

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

Mr. Roane requested to pull Number 1 for discussion.

Chairman Green verified the item number and asked Mr. Morgan to respond.

Mr. Roane asked whether the Assetworks Software will include the hardware and if the vendor was going to do the implementation for the County.

Mr. Morgan explained the purchase will include some hardware, pedestals, and noted the purchase was being done due to the renovation of the main fueling station in Fleet Maintenance. The software that tracks fueling is being upgraded at all three fueling sites. The fuel tanks at the other sites will subsequently have to be upgraded as well. The project management representatives concluded it was advantageous for the County to buy a couple of the major components on our own and then pay the contractor to assemble without overhead. He stated Mr. Brian Woodward was on the call to answer further questions.

Mr. Brian Woodward, Director of Public Works, stated that currently there were three different operation systems. The software upgrade is going to interrelate the three separate systems into one. He explained how the system would work together.

Mr. Roane asked if the other \$9,000 was a one-time fee and whether we had to purchase a yearly license fee with vendor support.

Mr. Woodward stated we pay vendor support for Assetworks which will now be a part of this program on a yearly basis.

Mr. Roane asked what the cost was for Assetworks annually.

Mr. Woodward stated that he did not have that answer.

Chairman Green stated there are no more questions and asked what the Board's pleasure is on the Consent Calendar.

Mrs. Noll moved that the Consent Calendar be approved as submitted, Item Nos. 1 and 2, respectively.

On roll call the vote was:

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

Item No. 1. ASSETWORKS SOFTWARE AND HARDWARE FOR COUNTY FUEL STATIONS: Resolution R21-19

Item No. 2. ADOPT DESIGN-BUILD PROCEDURES FOR THE SELECTION, EVALUATION, AND AWARD OF DESIGN-BUILD CONTRACTS: Resolution R21-29

**OPEN DISCUSSION**

Mr. Shepperd made comments concerning a by-right HRSD pressure reducing station that is going to be near Tabb High School. He expressed his surprise with regards to the project and wanted to make the Board aware. Mr. Shepperd cited various emails concerning this project. He explained to the Board what a pressure reducing station was, noting its difference between other sewer mains. Because of a consent decree, the pressure reducing station was going to be built to mitigate problems of too much water flowing into our sewer systems causing overflows. Historically, when the overflows occur, the sewage runs into the rivers. He cited a problem in Richmond where this had occurred and explained what a bad problem it was. The sewage from Richmond was dumped into the James River later coming down to our area. The pollution kills the blue crab, oystering, and other marine inhabitants. Mr. Shepperd referenced the Moore's Creek project and provided an overview of the project which includes building a pressure reducing system to address the issue of when water comes in faster so that it can be pumped out to help maintain pressure. The two large tanks will help control how much water will be pushed into the system. Mr. Shepperd provided a schematic map of the area noting the opportunity for a path to be constructed for students to run on as part of Tabb High School and would run to Tabb Middle School. The tanks could be directly behind the Hollymeade Subdivision and HRSD has plans to construct tanks 150 feet across and 45 feet high. Currently, HRSD is only planning on constructing one tank and will only put the second tank in if it is needed. The tanks are going to supposedly hold 2.5 million gallons of sewage when they need to fill it up. He explained the tanks will be used as needed dependent upon rainfall amounts and usage. The distance from the tank to the closest house is roughly 180 feet. Mr. Shepperd explained that the neighborhoods were not happy about this development, but noted this was a by-right development in which the Board of Supervisors does not have formal input. He explained that HRSD will be arranging meetings, first with the residents of Hollymeade, and then with a larger percent of the population. He explained the placement of the tanks with regards to the existing Dominion Virginia Energy power lines currently in place. The Board of Supervisors has no legal course of action to take. Mr. Shepperd explained he was working with HRSD to try and get the tanks built as close to the power lines as possible to try and increase the distance between them and the residences. He also explained that there also may be a situation where they have to cut down a lot of the trees to build a BMP which would make the visual distance probably less than 100 feet. Mr. Shepperd felt this sort of project was closer to an industrial type of complex and should be in an industrial zoned area and not in an area of rural residential homes where very few businesses are located. However, because of the type of project it is, it is allowed in all residential projects. He was bringing this to the Board's attention, because people had a lot of consternation over this, not expecting to see a project of this magnitude so close to them. He asked the Board to take a look at this project. If he couldn't do anything about it, maybe as a Board we should be able to do something for the future to control this sort of project from occurring elsewhere in the community. He felt there was a better way of handling the project such as through underground tanks, camouflaging the tank, and trying to minimize any destruction of the green forest that currently exists in the area.

Mrs. Noll thanked Mr. Shepperd for bringing this to the Board's attention. She felt it was definitely something that the Board needed to consider. If the tanks are being installed as part of a consent decree, there was really nothing the Board could do about the project. However, she was hopeful that there was some way the tanks could be camouflaged because it was not fair to the residents.

Mr. Zaremba asked, based on Mr. Shepperd's explanation, if the 2.5 million gallons of sewage would be stored three stories above the ground.

Mr. Shepperd stated he was unsure if that was for just one tank or both.

Mr. Zaremba asked what Hampton Roads Sanitation Department can do by-right. Does this include building the tanks, filling them with sewage, or are they water tanks. He asked for the County Attorney to explain or give a definition for by-right.

Mr. Barnett stated that under the County's Zoning Ordinance, sewage pumping stations are by-right uses in all of the districts. These tanks pump sewage and the Zoning Administrator has determined that they fall under the category of a sewage pumping station. A sewage pumping facility and the Zoning Ordinance currently do not distinguish between sewage pumping facilities based on size. They are a by-right use in every one of the County's districts. In the future, if the Board would like to limit the size or some other aspect of this type of project, you may amend the ordinance so that it will be considered as a special use permit or simply is prohibited. Mr. Barnett added that he will work with staff to develop suggestions for the Board's consideration to amend the ordinance.

Discussion followed among the Board members and the County Attorney about the tanks being above ground versus underground and the dimensions of the tanks.

Mr. Zaremba explained that he did not want anything like what is currently being proposed by HRSD to be located in District 1.

Chairman Green clarified that he would like to direct with the Board's approval, the County Administrator and County Attorney to review the Zoning Ordinance and craft an amendment or a new Zoning Ordinance to avoid this in the future or provide other options. The ordinance amendment could even prohibit large scale storage facilities in the future should the Board so desire.

Mr. Shepperd also stated that HRSD has been building pressure reducing stations all over the Peninsula. He suggested that the Board not only look at this type of project, but others that would prevent any industrial effort anywhere near our homes without Board approval.

Mr. Roane also echoed other Board members' comments with regard to the project. He was struggling with the fact that the Board had no way to mitigate this sort of project. He asked what was going to happen to the residential real estate values. Mr. Roane stated that no one would want to buy a home just 100 feet away from 2.5 million gallons of sewage. He felt the Board needed to get creative and figure out a better solution. He also echoed Mr. Zaremba's comments noting that he would not like a project such as this in District 4 either.

Mr. Shepperd stated they were currently in the design phase of the project with about 30 percent of the design completed. The building time would be roughly in the summer of 2022. The tanks do not explode. The way the tanks fail is that they leak. The double lined tanks are treated with a chemical that's impervious and addresses the issues caused by the sulfuric acid that is created by the sewage. He stated that he did not want it next to his constituents' homes because of the industrial nature of the facility. He went on record stating that he did not care about the trails proposed with the property at this point and explained that they could put a big tank all of the way down to Yorktown Road to Victory Boulevard.

Mr. Zaremba thanked Mr. Shepperd for his wonderful presentation of the issues and facts. He emphasized that the Board did not represent developers or infrastructure companies, but the citizens in the County.

Chairman Green asked Mr. Morgan if he had anything he would like to add to the conversation.

Mr. Morgan stated that staff could certainly take a look at the Zoning Ordinance. He noted that there would not be many places in the County where this would arise. It is primarily being done here because two major trunk lines were converging. In his experience, HRSD has

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been a very responsible public utility and he believed that they will work with staff to come up with the best scenario possible.

Mr. Shepperd further commented that if someone in the County wants to sell land, typically we are not involved. In this particular case, the developer took it upon himself to sell the property to HRSD. Both he and Mr. Morgan have been talking about an idea for the students to create a path across the land. He stated that he requested Mr. Morgan to approach the developer to see if we can get some of the land to create the path. Unbeknownst to him, the developer sold the land to HRSD. Neither he nor Neil knew about the transaction and were surprised by the sale of the property.

Mr. Roane expressed his disappointment with the HRSD proposal. He believed that the proposed project is not consistent with other pump stations in the community. He felt that as a Board, they need to address the problem.

Chairman Green reminded the Board and the public that the next Board of Supervisors' meeting on March 16 will be in-person. The Board will be holding the public hearing on the Fenton Mill Development in the upper County. He stated if the public had something to say and did not feel comfortable attending the meeting to email or call the Board members. It was just as effective as coming to the public hearing and making their comments. He reminded attendees that COVID 19 precautions will be observed at the meeting.

**CLOSED MEETING.** None.

Meeting Adjourned. At 7:50 p.m. Chairman Green declared the meeting adjourned sine die.

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Neil A. Morgan  
County Administrator

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W. Chad Green, Chairman  
York County Board of Supervisors