

MINUTES  
BOARD OF SUPERVISORS  
COUNTY OF YORK

Regular Meeting  
November 16, 2021

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., Tuesday, November 16, 2021, in the Board Room, York Hall, by Chairman W. Chad Green.

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; and James E. Barnett, County Attorney; and Heather L. Schott, Legislative Assistant/Deputy Clerk.

Invocation. Senior Pastor Doug Echols, Bethel Baptist Church, gave the invocation.

Pledge of Allegiance to the Flag of the United States of America. Sheriff J. D. "Danny" Diggs led the Pledge of Allegiance.

### **PRESENTATIONS**

#### **PRESENTATION OF PROCLAMATION**

Chairman Green presented a proclamation to Pierce's Pitt Bar-B-Que in honor of their 50th Anniversary as a business in York County. In receipt, Mr. Jay Pierce, owner, thanked the County for the honor and relayed how the business was started and built by his father and mother. He expressed his appreciation for being a part of the York County community and for all who have supported them throughout the years. Mr. Pierce also recognized his loyal employees and in attendance with him was a 40-year veteran employee, Andrea Hutchinson.

#### **CITIZENS' COMMENT PERIOD**

Ms. Pam Pouchot, 103 Kimberly Court, stated that the County's excellent school division is the reason that families move into the community. She explained that Critical Race Theory (CRT) is an academic framework for analyzing the historical pattern of racism and how it persists economically and socially. However, she noted that this is not being taught in kindergarten through 12<sup>th</sup> grade. She pointed out that the Virginia State Code gives parents the right to choose whether their child will attend public school, private school or be homeschooled, but she added that it does not give anyone the right to impose their personal beliefs on anyone else's child. She stressed that our children deserve to be educated by fact, no matter how uncomfortable it may be and learn from our country's past mistakes if we want to make a positive change. Parents teach values; however, schools should teach facts while still instilling empathy and understanding.

Mr. Bill Todd, 108 Hounds Chase, stated that he and his family have been extremely pleased with the York County School Division. In addition, he stated that the County school teachers are committed professionals who care deeply about the students and work collaboratively with their parents. He noted that he was shocked to have read the draft resolution attacking our educators for supposedly violating state law through the emotional abuse and ideological indoctrination of the York County students. However, he noted that the teachers are simply completing the mandatory cultural competency training online provided by the Virginia Department of Education (VDOE). He suggested that the Board watch the 18-minute online training video, which he believed no one would find controversial regardless of their political or religious persuasion. In closing he stated that the proposed parental rights resolution is not worthy of serious consideration as it is founded on erroneous assertions and is an insult to the County teachers. To adopt this resolution would seriously discredit the Board and he urged the Board to not consider its passing.

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Ms. Kim Goodwin, 309 Ludlow Drive, stated that during the pandemic when classes were being taught online, parents noticed that history was not being taught based upon facts, but rather upon an ideology pushing divisive agendas and controversial topics. As such parents started asking tough questions, such as why are these questionable lessons being forced upon our students. She noted that everyone has been told that there is a huge learning gap between the races when in fact black students hold a 97.6 percent graduation rate as compared to white students who have a 96.5 percent graduation rate. She asked why the taxpayers are paying large sums of money to outside entities to establish the false premise that our schools and culture are inherently and systemically racist. Furthermore, she questioned as to why we are burdening our teachers with the additional task centered upon indoctrination rather than academics. She stated that the parental rights resolution reinforces the partnership that should be between schools, parents, students and the community to continue to improve academic excellence through transparency. She urged the Board to vote yes for this resolution. She thanked Supervisor Zarembo for listening to the concerns of parents and for proposing this parental rights resolution at the direction of Chairman Green. She urged all of the Supervisors to openly support Virginia's Parental Rights Law. She stated that both the School Board and the Board of Supervisors need to vote on this resolution separately so citizens know where they stand and not to delay this action. Lastly, she asked that the Board of Supervisors strongly support this parental rights resolution.

Ms. Kitty Staskelunas, 507 Sparrer Road, stated that the proposed parental rights resolution is based upon the Commonwealth's Parental Rights Law. She added that the York County School Board and School Superintendent have described parents as misinformed and confused relative to facts presented by parents and citizens who have spent many hours researching this topic. Although the School Division's mission statement says it is to foster partnerships and promote positive relationships, some feel we have hit a brick wall relative to having our concerns taken seriously by the School Board. As such, she stated that she is petitioning the Board of Supervisors, who controls the budget to support the proposed parental rights resolution. She noted that the School Board has not supported this effort, but rather has been in outspoken opposition. She stressed that she and other likeminded parents are not misinformed and/or confused, but rather just concerned to ensure that our children are educated and not indoctrinated. In conclusion, she asked that the Board of Supervisors vote yes for the parental rights resolution.

Mr. Greg Woznick, 214 Wildwood Drive, explained that to vote yes for the parental rights resolution means that education must focus on academic subjects, which should not include pushing social experiments and opinions onto our students. The School Board and School Superintendent have stated that this is not occurring at our schools; however, numerous parents and students have witnessed such instances first-hand. He stated that many teachers are focusing on gender identification and ideology rather than on academic pursuits. Moreover, he stated that the School Board and the Superintendent's assurance that the state mandate is being handled on a case-by-case method, rather than a blanket approach, has also proved false. As such, he stressed the importance of adopting the parental rights resolution.

Ms. Heidi Hovan, 407 Sonshine Way, stated that the School Board and the Superintendent have bullied the parents who investigated the reports of possible ideology teaching in the County schools. In addition, they labeled the parents as misinformed or confused. She also pointed out that information about social emotional learning, which verified parents' concerns, was once included on the School website but has now been removed. She also noted that the Virginia Department of Education (VDOE) chose York County Schools for a 2021 Youth Survey that asked about a child's gender identification, contemplation of suicide, illegal use of alcohol/drugs, etc. without the parents' knowledge. She asked if this information could be used against the students and speculated that such questions could expose young children to unknown and inappropriate topics. She noted, however, that the School Division finally decided not to participate in the survey only after parents expressed their concerns. She stated that parents should be apprised of any survey and given the opportunity to opt out for their respective child/children if they so choose. In closing, she asked that the Board of Supervisors vote for the parental rights resolution.

Ms. Lynda Fairman, 111 Galaxy Way, stated that when Virginia mandated that all teachers be trained to implement cultural competency, concerned parents took time to research this matter. Subsequently, these same parents found that this training was different from previous required training and was focused on Critical Race Theory (CRT). Although you may never find a CRT class being taught in the York County Schools, its ideology and principles are being pushed with this latest training requirement for York County teachers. In essence, CRT teach-

es that all whites are oppressors, racists and succeed only because of white supremacy. It also teaches that black people are always oppressed and need extra help to succeed which is untrue based upon the black student graduation rate of 97.6 percent compared to the 96.5 percent of white student graduation. She stated that York County Schools have embraced and taught Dr. Martin Luther King's philosophy to see and value a person's character and not their color; however, to teach and accept CRT leads to division rather than teaching our children to unite for freedom and justice for all. She asked that the Board of Supervisors strongly support the parental rights resolution and asked everyone in the audience who agreed to stand.

Ms. Robin Field, 109 Chinaberry Way, stated that part of the parental rights resolution focuses on spending tax dollars wisely. Since the Board of Supervisors provides the School Division with 50 percent of the County's budget, she stated that they have an obligation to ensure that the schools are also spending these funds wisely. She stated that parents in other Virginia school districts are discovering disturbing lessons and books and York County Schools are sure to be impacted as well by this new training. She pointed out specific sections in the Virginia State Code that deal with contributing to the delinquency of minors, display of child pornography or providing grooming videos to children. She stated that it is the parents' responsibility to ensure that such material is not exposed to our students. She stated that to support the resolution is to foster a positive relationship between parents, teachers, administrators, the School Board and the Board of Supervisors and to ensure also that our taxpayer dollars are spent wisely. In closing, she asked that the Board of Supervisors adopt the resolution protecting parental rights. Ms. Field also presented a petition with 137 signatures. The formal petition is a permanent record and on file in the County Administrator's office which is in support of the resolution.

Mr. Ted Lamb, 301 Allen Road, Portsmouth, stated that as a public educator with 24 years of experience and as a two-term elected Portsmouth School Board member, he supports the parental rights resolution. He explained that it is time to protect our children from toxic philosophies handed down from the Virginia Department of Education (VDOE). It is evident that philosophies such as Critical Race Theory (CRT) and gender identity are in Virginia since the General Assembly passed bills giving the VDOE the authority to create model policies that allow students to identify as 11 different genders and authorizes school divisions to look for bias in curriculum against race and gender identity among other things all of which are components of CRT. In conclusion, he urged the Board of Supervisors to adopt the resolution.

Ms. Cindy Scaturico, 103 Kitty Drive, stated that after visiting the Virginia Department of Education (VDOE) website that clearly indicates that Social-Emotional Learning (SEL) plays a key role in Virginia education, she determined to homeschool her children. She stated that after visiting the VDOE on SEL she was not clear of its message. She stated that she does not understand the end goal of SEL and is accustomed to utilizing the SMART (Specific, Measurable, Attainable, Realistic, Timely) goal method as an indicator of reaching one's goal. She asked how can you measure a better sense of community. She stated that if SMART goals are not put into place, this program will be a waste of time and taxpayer money. She urged the creation of a parent steering committee to drive and improve the Search Engine Optimization (SEO) training process. Lastly, she asked that the Board of Supervisors support the parental rights resolution that has been presented this evening.

Mr. Shawn Murphy, 147 Wineberry Way, expressed concern that the parental rights resolution was pulled by the School Board Chairman, but not by the Board of Supervisors. He stated that the proposed resolution was not based on facts and he was surprised to learn that one Board member read from a political publication at a recent meeting and encouraged others to do the same. He added that he has two children one of which has already graduated from the York County School Division and another who will do so shortly, both of which have not been indoctrinated, studied Critical Race Theory or have been subjected to any social experiments. He pointed out that the superintendent, teachers, administration, and support staff have been subjected to a great deal of pressure in the last few years with the Grafton Complex fire and the pandemic. In closing, he stated that the Board of Supervisors needs to support the School Division and be the responsible elected officials that the County needs.

Mr. Todd Hoglund, 305 Harris Grove Lane, stated that he is a teacher at Dare Elementary; however, he is speaking on behalf of his wife, his five children and himself. As an employee and as a parent he stated he is very interested in the school system. He stated that he did not believe the proposed resolution was developed in good faith. He added that he feels it is misinformed and inappropriate. To withhold funding for the schools based upon erroneous infor-

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mation is ridiculous. When in class, he stated that he emphasizes to all of his students that he is to keep them safe no matter who they are, what they look like or any other attribute. He expressed concern over the resolution and the ideas that it is based upon. He stated that students come with baggage, sometimes lots of baggage and social emotional learning is important so that students can understand that they are safe, loved and are protected in our schools.

Mr. Ted Engquist, 4383 Eagle Harbor Lane, Gloucester, stated that what is being discussed this evening is not a skin color issue, but rather a sin issue and needs to be dealt with in the heart and not at the school level. He explained that his daughter is in the Master's teaching program at Christopher Newport University at which Critical Race Theory (CRT) is being pushed upon them. As such, he stated that he supports the Board of Supervisors withholding the School Division's funding. He stated that CRT is divisive and rooted in Marxism. He stated that history needs to be taught so that we can learn from it, but CRT is not the proper way. Therefore, he urged the Board to support the parental rights resolution.

Ms. Sally Johnson, 303 Seven Holly Drive, stated that over the last few years she has become increasingly concerned about the level of anti-American indoctrination in our school system. However, her children were receiving a good education so she surmised she could correct at home any untruths they may hear at school. She pointed out that wearing masks severely affects learning for children of all ages and that actually there has only been two school-aged children in Virginia who have died from COVID. However, instead of focusing on academics, the state requires educators to implement culturally responsive practices that York County has already implemented with its outcome based equity program in school discipline. Instead of teaching our children the lie that America is systemically racist, she stated that we should be teaching them how great our constitution is. In closing, she implored the Board to support the resolution.

Ms. Diann Smith, 208 Susan Newton Lane, stated that social emotional learning (SEL) programs help children deal with their emotions and their peers. It also helps children learn to seek help if needed and to understand and respect others. She stated that bullying is a real problem and understanding our peers, respecting them regardless and seeing others as people of value are outcomes of SEL. She stated that the proposed resolution has not been thought out well and is based upon fear and hatred of those who are of a different race, religion or sexual orientation. As such she asked that the Board vote no on the resolution.

Ms. Barbara Haywood, 118 Pebble Beach Lane, Williamsburg, stated that as a 30-year former member of the School Board she respects the Board and the job they are called to perform. She stated that although during her tenure on the School Board there were times when members did not agree; however, they respectfully found common ground that enabled them to perform their responsibilities. In addition, during her tenure she had no recollection of an instance when the School Board did not agree nor support the rights of parents to make decisions concerning the upbringing, education and care of their children. She noted that on the York County School Division (YCSA) website you will see a section that positively speaks to parents' involvement and participation in their child's education. She asked specifically where is Critical Race Theory (CRT), critical competency, and culturally responsiveness being taught in the YCSA. She stated that she had spoken with the School Board Association's executive director who assured her that CRT was not being taught anywhere in the state other than at the postgraduate degree level. In conclusion, she stated that the proposed resolution is an attack on public education.

Ms. Elizabeth Wilkins, 228 Church Street, expressed disappointment at the Board of Supervisors' attempts to stoke fear and hostility in the community by proposing the parental rights resolution. She also thanked the School Board for their unanimous rejection of the proposed resolution. She noted that cultural competency training for teachers simply seeks to create an optimal learning environment for every student and to address gaps in achievement between different demographics without evil or dangerous intent. At a time when the country seems so divided, she asked if we really want to construct additional barricades fueled by venom and even threats of violence. She stated that she supports a discussion among all parties on these important issues with a common purpose to do what is best for our children/students.

Mr. Jacques van Montfrans, 228 Church Street, stated that the Virginia Department of Education is charged with the establishment and evaluation of the curriculum that is to be implemented in all Virginia public schools. This curriculum includes culturally responsive teaching and equitable education, which attempts to promote an understanding of and sensitivity to-

wards students from all cultures in our society. He pointed out that there is much misinformation being publicized and added that it would benefit everyone to learn more on the subject from unbiased sources so that we can overcome the conflict and antagonism currently in our community. He added that to dictate an educational policy for our schools or to withhold their funding does not resolve the issue, but rather trusting the elected School Board and the educators to do what is in the best interest of our children. He urged the Board to govern with an inclusive approach based on grace, truth and factual information and to put aside politics.

Ms. Angier Brock, 220 Bacon Street, thanked the Board for all of their hard work on behalf of the York County citizens. As a teacher and grandmother of children enrolled in another Virginia school system and as a Christian, she believes in the importance of teaching the truth. She agreed with the pastor that spoke earlier that racism is a sin; however, she also agrees with another pastor and writer that racism is America's original sin that we still have not dealt with. She explained that she stands with the State Board of Education and with the York County School Board. She noted that she is well aware that people of good faith and good will can have differences regarding what should be taught. However she hopes the Board will help the community to come together to resolve this matter in a positive way and to the benefit of our students.

Ms. Delois Stallman, 305 Chinquapin Orchard, read aloud portions of the proposed resolution and subsequently noted that there have been multiple revisions to the proposed resolution; however, no revision contains wording about withholding funding from the schools. She stated that she, like many parents, is here because when they voiced their concerns to the School Board they were told that they are misinformed and confused. She then read from a portion of the equity document that says the teachers should facilitate courageous conversations on social justice, systemic inequity, disparate student outcomes and racism in our school is our responsibility and professional obligation. She asked the Board to look at the revised resolution and to consider it because it contains nothing objectionable for any citizen.

Mr. Kenneth Green, 714 Dandy Loop Road, stated that York County will be like Loudoun County if we subscribe to the same protocol as the Virginia Department of Education (VDOE) that was approved by the General Assembly. He has been told by the School Division that this matter will be handled on a case-by-case basis. However, he noted when recently proposing possible scenarios to his three school age children, such as what if a boy attempts to go into a girls' bathroom or vice versa, or do you feel you are an oppressor for being white, etc., they were in shock and could not comprehend such issues. He stressed that we need to promote and protect the innocence of all children. In closing, he stated that he hoped the Board would make the right decision regarding this matter and that they would also open their eyes to the pervasive existence of CRT in the state and the country at large.

Ms. Carolyn Fedder, 104 Manassas Loop, thanked the Board for drafting the resolution entitled parental rights and she urged them to adopt. During a recent School Board meeting her husband spoke against the transgender policies as set forth by the Virginia State Board of Education and he was joined by many others in the County who agreed with this position. Unfortunately, the School Board did not vote on this issue that evening. She stated that at another School Board meeting it was noted that teachers were asking students at York High which gender did they want to be called and at Coventry Elementary School a teacher read *Jacob's New Dress* to the students. When her husband recently posed a question to the School Board about the parental rights resolution, he was told that it was their understanding that there was no support for this issue. She stated that she totally disagreed with that comment as she believes if parents learn the truth about what is occurring in the schools they too will come forward. In closing, she stated that the current course we are traveling will led to the destruction of our nation and her prayer is that we will continue to remain a constitutional republic under God with liberty and justice for all.

Ms. Dalila Johnson, 216 Ashton Drive, as a member of the National Education Association (NEA) and Youth Education Alliance (YEA) she stated that she was appalled over the lack of transparency and misrepresentations the Board of Supervisors has made over the last couple of months. She stressed that many of the claims made in the resolution are a misrepresentation of state and federal laws or are accusations of wrongdoing by the School Board with no evidence provided. She pointed out that Supervisor Zarembo has one of the finest schools in the County in his backyard, yet he has never taken the time to visit it and he has never taken time to learn firsthand what is happening at the school. As an attorney, she stated that he knows

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that hearsay is not admissible in court and that Facebook is not a reliable source of information. She encouraged the Board to meet with the School Board members; have the courage to lead; do not allow fear mongering to cloud your judgement and your decisions; visit the schools and spend some time with the teachers; accompany a bus route; talk to students; and appreciate all of the positive attributes of the School Division that draws people into the County from all over the world.

Ms. Teri Hodson, 207 Nelson Street, read a letter that she and her husband, Bob Hodson, had authored which included the following points:

- After thoroughly reading the proposed resolution and its references, they found it be a profound mischaracterization of the issues at hand.
- They do not believe the referenced laws and practices are a form of indoctrination.
- The Virginia Education Association is supportive of culturally responsive teaching.
- This is the second time recently a resolution from outside York County has come before the Board of Supervisors and in both cases the resolution was political in nature.
- They are in opposition to the proposed resolution.
- Both political parties need to focus on common good and have a duty to serve all.
- They thanked School Board Chair Higginbotham and Vice Chair Garrelts for their service and for speaking against this resolution.
- They also thanked the Board of Supervisors for their service and expressed hope they will make the right decision in this matter.

Ms. Tara Hassan Taylor, 106 Hailsham Place, stated that she is a mother of four children, three of which attend York County Schools. She noted that her children are being taught accurate and age appropriate information as she receives weekly folders, which includes all of their assignments for that week. She stated that she believed Supervisor Zaremba in some of his comments has taken the Virginia Code out of context. She voiced support for the professional County teachers and stated that it is very sad that we are questioning their ability to properly educate our children. She added that she believes the problem is not the education system, but rather a race problem. She also stated that she believes that white children can learn about racism in a factual way without feeling guilty because they were born white. She expressed support for our teachers who are owed raises. In conclusion, she provided statistics on the high rate of suicide of our LGBTQ youth and added that if we can call them by a pronoun they are comfortable with, it might save their life and make them feel accepted.

Mr. Daniel Blake Simpson, 121 Wildey Road, began by saying he was in support of the proposed resolution as well as withholding funds from the School Division if they are to be used to promote CRT and other programs that endorse political and social agendas. He expressed concern that every effort is being taken to take God out of our public schools. He stated that the schools are more interested in pushing our children to be hypersensitive to race and sexual orientation rather than focusing on basic academics. Lastly, he stated that if we do not return to basic academics in our schools we will be no different than any other school district.

Mr. Jesus Jehovah, 154 Paradise Way, Newport News, thanked the Board for the opportunity to speak and the parents present that evening in support of the proposed parental rights resolution. He added that there is no justification for labeling all white people as oppressors and/or evil. He also pointed out that parents have few options other than private school or home-schooling in order to ensure an education for their children consistent with their values and their beliefs. He urged the Board to respond appropriately to protect the rights of parents, children and even school teachers. In closing, he noted that CRT does pose a significant risk of dividing our country, our communities and more. We need to stress that children are a gift from God, no matter their race.

Ms. Sandra Tumminello, 138 Breezy Point Drive, expressed gratitude for the Board's service to the County and the opportunity to speak. She stated that her simple solution to the entire matter is love the Lord your God with all your heart, all your mind, all your soul and love your neighbor as yourself. As a teacher and guidance counselor for many years she stated that there is no reason, regardless of skin color, for not providing a good education. However, she did note that at private schools, such as Hampton Roads Academy (HRA), students must obey their teachers, show respect and do their school work. There was no gap there to close as every student regardless of race had to do their best. She stated that we need to start teaching our children manners, obedience, hard work, and respecting elders and people in authority.

Mr. Mark Todd, 111 Bellows Place, thanked the Board for the opportunity to speak and stated that regardless of political leanings, he believed that most people want the facts to be taught. He agreed that America's history is not without blemish; however, he believed the main concern considered this evening revolves around the 1619 Project as well as writings of Howard Zinn. In conclusion, he stated that schools are meant for education and not to push radical agendas and as such, he asked that the Board please vote yes for the parental rights resolution.

Ms. Katrina Kassel, 976 Forest Lake Dr., Apt. 110, Virginia Beach, stated that she is a teacher who believes education is the cornerstone that upholds a successful community. As a history teacher, it is her responsibility to educate students on the choices of the past to prepare them to make good choices for the future. She added that to understand history unlocks our potential and helps us to build a better world. Although the fundamental facts and events cannot be changed, the study of history and how we view these events and how they are connected does change. She noted that change is always hard but necessary and the Board has the privilege and opportunity through the power of their leadership to bear the responsibility of negotiating change. She stated that the protests of Supervisor Zaremba and others reveal their fear that future generations will study the difficult and challenging parts of the past which requires strength and humility to face the consequences of our society. She added that you must find the courage to do the right thing now, which may be the only chance you get to make it right. Teachers go beyond what is required of them by the community and so we can ask them to have the hard conversations to unpack difficult and challenging questions.

Ms. Kristi Chamberlain, 127 Duff Drive, thanked the Board for the opportunity to speak. She asked the Board not to expend their time and energy on the proposed resolution which was not created in a transparent manner or even jointly with any members of the School Board. She added that the outrage about teachers indoctrinating students is false and those defending it are unable to explain why they do so. Having a child with special needs, she stated she is especially concerned about funding for the schools. In reality, she stated that the school administrators would love to provide additional services to children, but are unable to do so due to the lack of funding. For example a reading disorder, dyslexia, is found in one out of every five children which means the YCSD currently has 2,500 students with a reading impairment. She also noted that the YCSD has not implemented an evidence based reading program or trained enough teachers to assist with this learning disability. As such, the School Division needs additional funding not only to help these children to learn to read, but to improve the schools' test scores. She noted that another portion of the students, those with autism, are also not being served/educated properly due to lack of teacher training which again requires additional funding. In closing, she stated that rather than discussing the schools for political reasons, she stated that we need to unite for the sake of the children and to focus on meeting their educational needs.

Ms. Lauran Glover, 138 Baker Farm Drive, Hampton, applauded every teacher, whether public, private or homeschool teacher for working to shape our future generations. She then thanked the Board of Supervisors for patiently listening to all of the evening's speakers. She asked that everyone focus on what unifies the people in this country and not that which divides us. Having lived on other continents she stated that slavery, whether past or present, has been found in every country and continues in the form of child trafficking, abuse of all sexes, etc. She warned that what you think is enlightened today may lead to something you do not want for your children and grandchildren tomorrow. In closing, she stated that she did not find anything objectionable about the proposed resolution, but advised that those in authority proceed carefully and to do what is best for our children long and short-term.

There being no one else present who wished to speak, Chairman Green closed the Citizen Comment Period.

#### **MATTERS PRESENTED BY THE BOARD**

In lieu of waiting for Board remarks, Chairman Green addressed the previously mentioned comments by stating it would be great to pass a joint resolution with the School Board regarding this issue. He stated that he has spoken to all the School Board members and the Board is going to sit down at a future meeting with them and talk about this resolution and other issues that affect the schools. Mr. Green stated he has not placed Mr. Zaremba's resolution on the agenda and as Chair it is his prerogative to set the agenda. However, he stressed that both Boards need to sit down and have an honest, open, and meaningful conversation on this topic and other issues as well. To do so, he added will make our community stronger and help us to

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move forward and make our schools the best in Virginia providing the best education, the best teachers, and the best facilities. He added that he and Mrs. Noll have already sent an invitation to their counterparts on the School Board to have a preliminary meeting. Lastly, he reiterated that we all want the same thing for the children, to provide them with the very best education, schools and opportunities.

#### **COUNTY ATTORNEY REPORTS AND REQUESTS**

No report.

**RECESS:** Chairman Green called a recess at 7:53 pm, the meeting reconvened at 7:58 pm.

#### **COUNTY ADMINISTRATOR REPORTS AND REQUESTS**

Mr. Morgan acknowledged that the Board and some citizens were at the groundbreaking for the new York County Law Enforcement Building which will serve as the York/Poquoson Sheriff's office headquarters. He stated he was very proud to be a part of a very significant event celebrating an investment that will serve the County for decades to come. Mr. Morgan spoke about the United Way Campaign, expressing his pride that the County had raised the highest amount of money ever for this worthy endeavor through team building special events and individual donations. He then wished everyone a Happy Thanksgiving.

#### **MATTERS PRESENTED BY THE BOARD**

Mrs. Noll commented on the nice turnout at meeting, either for or against because more citizen involvement is needed. She then spoke about the communication with the School Board and meeting with their counterparts, adding they have an open dialogue and communication is what makes things work well and that is what they are aiming for. Mrs. Noll brought up the issue of the schools and teachers being underfunded and how important Special Education is to the school system. She then explained that the federal government has never fully given the money that they promised when special education was mandated to all the schools. Mrs. Noll voiced her opinion on teacher's pay and money for the schools and stated that she is optimistic that something positive will be coming forth from the new administration. She then wished all a Happy Thanksgiving.

Mr. Zaremba spoke concerning the draft resolution that was addressed during the Citizen Comment period stating he was tasked by the Chair to draft a resolution relative to parental rights and the first iteration was given to the Board and County Attorney but not to the County Administrator. He added that it was an evolutionary process to get to a point where they could present it to the public. He then thanked all the participants for coming out to voice their opinion and wanted to emphasize that the two boards serve approximately 70,000 people that make up York County and they have an obligation to the taxpaying citizens to restore the separate but equal roles of schools and parents in the children's lives. Mr. Zaremba then voiced his concern with how the schools are handling transgender students with use of school bathrooms citing an example from Loudoun County, adding we want our children to enjoy the school experience and keep their innocent view of the world for as long as possible. He stated it is a fundamental right to speak and the School Board wanted to silence parental voices and public officials who support the rights of a parent to petition their government for redress. He concluded by announcing that during the Closed Session at the end of the meeting, the Board of Supervisors will discuss the School Board's request to censor him for voicing his opinion, adding he did not believe any governmental body bound as they are by their oath to protect the Constitution has any right to silence the free speech of its citizens or public officials speaking on behalf of legitimate constituent complaints.

Chairman Green asked Mr. Zaremba to provide him with the latest revised copy of the said resolution.

Mr. Roane echoed Mrs. Noll's comments regarding the turnout at the meeting and stated it is very encouraging to see so many people engaged. He stated he has received numerous emails and has had conversations on both sides of the issue and noted that the Board needs to continue to hear the opinions so they can move forward with the School Board and draft a resolution that addresses the concerns that were voiced and also protects parents' rights, children and our schools. Mr. Roane added a resolution is needed that will affirm the type of protection for students to have a safe environment in which to learn and that focuses on academics. He stated that having a joint discussion is going to be the key. He then noted he had the privilege

of serving with the York County Youth Commission and shared some of the projects they have been working on, stating one was a donation fund drive of new or gently used toys to support the Natasha House where they will be putting collection boxes at schools and County buildings. He concluded by wishing all a Happy Thanksgiving and to be safe.

Mr. Shepperd also concurred with Mrs. Noll that the turnout of people interested in the school system that came for the meeting was impressive and hearing from the constituents is very important. He commented on the material that was presented by Mr. Zaremba at prior meetings regarding education and wanted to make his position clear regarding parental involvement. He has spoken with Dr. Shandor several times regarding many of the issues and received his perspective on how the School Board sees parental involvement. He cited an example of a three-legged stool, explaining the legs represent the students, school system and parents and if all three are not involved it topples. Mr. Shepperd named many of the above average achievements of the York County School Division and added without the current parental involvement they would not have attained this accomplishment. In response to the resolution, he has talked to approximately 150 parents, children, teachers and educational professions and he is still trying to figure it all out, but he does know we have an outstanding school system and it complies with the Code of Virginia. Mr. Shepperd concluded by stating he will not participate in anything that attacks the School Board, the Superintendent or undermines the schools. He stated that he will not withhold funds for the education system, adding he understands what the citizens are talking about and the Board is going to approach this through a more civil manner that is not going to damage our County.

Chairman Green wished everyone a Happy Thanksgiving and spoke about the Christmas events coming up in Yorktown, noting the tree lighting to be held on December 3 followed by the lighted boat parade on Saturday, December 4. He invited all the citizens to special holiday events to bring in some holiday cheer.

### **PUBLIC HEARINGS**

APPLICATION NO. UP-973-21, DRIVEN BRANDS, INC.: Resolution R21-144.

The matter was considered and **approved on a vote of 4:1**. A summary of the preceding is below.

Earl Anderson, Senior Planner, gave a presentation on Application No. UP-973-21 to authorize the establishment of an automotive oil change service building on a 0.6-acre parcel of land located at 4507 George Washington Memorial Highway. Mr. Anderson concluded the Planning Commission considered this application on October 13, 2021, and subsequent to conducting a public hearing at which only the applicant spoke, the Planning Commission recommended approval on a vote of five to zero.

Mr. Roane inquired about one of the slides regarding the number of trips a week, which is inconsistent.

In response to Mr. Anderson explained it should be 120 weekday trips, the word "day" was left off the slide.

Mrs. Noll inquired how many businesses of this type are on Route 17.

Mr. Anderson stated that he believes within a one mile radius there are approximately five other oil change facilities, but most of them also did automotive repairs.

Mr. Roane questioned if the establishment was going to be strictly oil change.

Mr. Anderson acknowledged it is strictly an oil change facility.

Mr. Roane stated he was very encouraged to see development on this intersection, but his biggest concern is the ingress and egress to the businesses on Route 17 and Oriana. He stated the intersection can get busy and he understands that the Virginia Department of Transportation (VDOT) will be reviewing this request for approval, but we need to be careful not to introduce new traffic problems in an intersection that is as tight as this one is.

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In response to Mrs. Noll's inquiry on the number of the same type of businesses, Mr. Shepperd stated the parent company is Meineke, which is in walking distance to this store and does the same type service. Mr. Shepperd is concerned that he did not see much discussion about saturation and he does not want to have this intersection end up being another dead zone.

Mr. Anderson replied by stating that as far as land use, we do not look at the completion side of it, but the applicant is here and will be happy to address that question.

Mr. Barnett commented for the Board's information that there is at least one Virginia Supreme Court case, which indicates that taking saturation, and impact on competition as a zoning consideration was declared arbitrary and capricious.

Jonathan Dozier, Civil Engineer at Pennoni, spoke on behalf of the applicant, Driven Brands. He stated Driven Brands is a family of aftermarket automotive service station companies and has over 20 different companies with over 4,000 locations across fifteen countries and they are excited about the opportunity to open a new Take Five Oil Change in York County.

Mr. Roane inquired what drove Driven Brands to choose this location.

Mr. Dozier responded that there are multiple reasons for this site selection, but obviously a widely visible location with a low traffic generating service that will not be adding any additional constraints to the intersection to make it a prime location.

Casey Rosinski, owner of property, thanked the Board for supporting him and stated he can answer any questions if needed.

There being no questions from the Board, Chairman Green then called to order a public hearing on proposed Resolution R21-144 that was duly advertised as required by law and is entitled:

A RESOLUTION TO APPROVE AN APPLICATION FOR A SPECIAL USE PERMIT  
TO AUTHORIZE THE ESTABLISHMENT OF AN AUTOMOTIVE OIL CHANGE  
SERVICE BUILDING LOCATED AT 4507 GEORGE WASHINGTON MEMORIAL  
HIGHWAY (ROUTE 17)

Ms. Pam Pouchot, 103 Kimberly Court, stated she is concerned about the landscaping and suggested putting in more mature trees that will actually get some height and not be just ornamentals. She also expressed concern about the intersection traffic that already gets backed up numerous times a day. Lastly, she added that Oriana Road is not wide enough to accommodate what is going on now and that she can see more accidents occurring.

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

Mr. Roane inquired if the developers are ready to accommodate whatever the Virginia Department of Transportation (VDOT) recommends as far as the proposed entrance and exits.

Mr. Anderson replied there is a condition in the resolution that requires that they meet VDOT standards, which they would have to do anyway to meet the County site plan requirements. He also stated that VDOT is going to be the governing guidance on the exits and the applicant has already requested VDOT to provide some kind of access management and warrant analysis, especially at it relates to the intersection.

Mr. Roane commented they need to see what VDOT comes back with on the analysis.

Mr. Morgan offered his opinion to let the traffic engineers fix it and they can impose a requirement that would work. He added one of the reasons this development works is because it is a small parcel and there will be a small amount of traffic, not like a gas station or a 7-11, which generate a large volume.

Mrs. Noll then moved the adoption of proposed Resolution R21-144.

Yea:	(4)	Zaremba, Roane, Shepperd, Green
Nay:	(1)	Noll

SPORTS TOURISM – HISTORIC TRIANGLE PUBLIC RECREATIONAL FACILITIES AUTHORITY:  
Resolution R21-148.

The matter was considered and **approved on a vote of 5:0**. A summary of the preceding is below.

Mr. Morgan gave a presentation on proposed Resolution R21-148 which if passed would create the Historic Triangle Public Recreational Facilities Authority, a first step in implementing a sports tourism facility. He added the City of Williamsburg and James City County have already approved their resolutions and if adopted the Authority would be in existence and in a few months they anticipate coming back with proposals to develop the facility and get into the finances. Mr. Morgan then explained the City Manager of Williamsburg and the County Administrators of James City and York Counties shall each serve as one of their localities' two members and each of these three will designate a senior staff person from their respective locality to serve as the second member.

Mr. Barnett spoke about a technical issue in the resolution that stated a slight variance from the way it was advertised, but it would not affect York County. He had suggested to the Board's Deputy Clerk, because of the change, to cite the Resolution as R21-148(R).

Mr. Roane stated he liked the idea of the sports tourism center and the opportunities and possibilities it provides, but he was curious about the County's monetary obligations should the resolution be adopted.

Mr. Morgan responded that Williamsburg wanted to create a regional authority so that any debt service that would be associated with this project would not be the full faith and credit of a particular locality, and would involve an ongoing contribution from all three localities. He added if it develops as anticipated, he would bring back to the Board the financial proposal which would require a separate vote.

Mr. Roane inquired about the financial obligation, whether it will be for both operational and construction costs.

Mr. Morgan stated that the model requires the capital costs for the facility to be covered by others, the City of Williamsburg and a pass through from the Tourism Council.

Mr. Zaremba asked if they are still looking at the Colonial Williamsburg Visitor Center location for the sports complex.

Mr. Morgan responded affirmatively. He stated the Colonial Williamsburg Visitor Center is available and a good site because it has great interstate access, a lot of infrastructure, parking drainage utilities and it is immediately contiguous to all the York County hotels on Bypass Road.

Mr. Shepperd expressed confusion about the setup of the regional committee and asked if it is going to raise bonds.

In response, Mr. Morgan commented it would have the authority to issue revenue bonds or enter into financial arrangements and the general expectation is that the City of Williamsburg will be the fiscal agent. He then cited a possible scenario of receiving a private design build project to build and operate something, then it will determine what percentage of the operation is covered by the revenues, and is the capital cost covered by the model that exists. Then it will be determined what the two County's commitments are in order to make it work. He added the way it is structured we would have to make a decision to commit a certain amount per year for a period of years, likely 20 years. This situation would be quite similar to how the County contributed to the museum and the YMCA.

Mr. Shepperd questioned how the County is shielded if there is a lawsuit due to some being injured or if something is stolen.

Mr. Morgan replied the Authority is a legal subdivision of the state and it would be like the Transportation Planning Organization or the Planning District Commission and have its own defense under that scenario, therefore part of the operating costs would have to be insurance.

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Mr. Shepperd asked if the Authority would go through a regular auditing process.

Mr. Morgan stated yes, and if Williamsburg becomes the Authority's the fiscal agent, it would probably be part of their annual audit.

Chairman Green then called to order a public hearing on proposed Resolution R21-148(R) that was duly advertised as required by law and is entitled:

A CONCURRENT RESOLUTION TO CREATE THE HISTORIC TRIANGLE RECREATIONAL FACILITIES AUTHORITY

Ms. Pam Pouchot, 103 Kimberly Court, expressed financial concerns over the creation of the sports authority noting just because you build a nice facility does not mean it will draw people resulting in a good return on your investment. In addition, she pointed out that there are already similar structures/facilities in the area such as the Boo Williams sports complex and similar structures on the Southside. In addition, both Williamsburg and James City County, due to the large number of hotels in their respective localities, will see a good return on their investment, but York County has only a few hotels from which to garner taxes. Although it may be funneled through the Tourism Council, she stated the funds to build and maintain such a facility come from the taxpayers. In addition, she noted if the facility and/or the County do not receive sufficient visitors, the extra tax dollars will not be forthcoming. In closing, she encouraged the Board to vote no on this resolution.

Ms. Lynda Fairman, 111 Galaxy Way, voiced her unease over the County joining the subject sports authority since the Board is giving unelected individuals the authority to make financial decisions on their behalf using our tax money. In so doing, the Board has abdicated its responsibility to the citizens who have no recourse in the matter.

Mr. Ron Kirkland, 1001 Richmond Road, Williamsburg, Hotel/Motel Association, explained the Association submitted a proposal for a minimum 150,000 square foot indoor multi-purpose sports complex in 2019. He stated that Williamsburg's tourism development fund would fund the capital expenses with additional funding from the Tourism Council. The Hotel/Motel Association asked that hotel tax dollars be used for development of the property with ongoing operations of the facility being funded by York and James City Counties, so that all three localities help fund the facility. He also stated that he needed to correct previous erroneous comments. First, he noted that the York County hotels are currently the top performing hotels from all three municipalities other than the current on-site Colonial Williamsburg Hotel. He added that it is projected that the hotels and restaurants located on Bypass Road will benefit the most from the proposed sports facility. Although the facility itself will not make any money, it is anticipated that if we market the facility correctly, we will far exceed the operational expenses. He pointed out that the facility will bring in sports groups Friday through Sunday and then be utilized by the three communities Monday through Thursday making it a win both for our local economy and for our local residents.

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

Mr. Shepperd inquired if it is feasible that any overflow from the proposed sports complex could go to the McReynolds Athletic Complex (MAC) Complex in York County.

In response, Mr. Morgan noted that the MAC Complex is involved already with some organized sports events that involves visitors. However, he stated that what is being proposed will be for inside sporting events and there are other outside venues closer to the proposed inside sports complex such as the Williamsburg Indoor Sports Complex (WISC) and others.

Mr. Shepperd then asked how the proposed indoor sports complex would benefit the County.

Mr. Morgan stated that tourism is one of the three most important parts of the County's economy and tax base, noting that seven of the 13 largest real estate taxpayers are tourist related. He also explained that tourism has been down in Williamsburg for practically the last 20 years and the consultants have pointed out that this historical area needs a fresh new draw/impetus to increase tourism traffic in the area. These types of facilities are being widely constructed; however, it should be noted that they do not make money, but rather they bring in tourists that spend money elsewhere, which covers the costs for the facility and more. However, for smaller localities like Williamsburg, James City, and York County it is not economically feasible to do it

separately without working together. He also noted that if it is approved and constructed it could take a few years to see how it all plays out.

Mr. Shepperd asked what the project would cost the County.

Mr. Morgan stated that as proposed it will cost approximately a half million dollars annually for 20 years.

Mr. Shepperd asked what control will the County have over the proposed facility if approved and what as Supervisors are we supposed to approve.

Mr. Morgan provided an overview on how it will work. For instance, there might be a proposal which specifically states what the project is and how much it will cost. The Authority would then consider and if they deem it is a good project they will then recommend it to the three localities. At that point, the project will go to all three governing bodies for their consideration and if anyone of the three do not approve it, it will not happen. In response to Mr. Shepperd's expressed concern over the northern location for the proposed facility, he noted that the tax revenues generated by the facility would benefit the entire County.

Mr. Shepperd reiterated that it is extremely important that citizens of the lower County understand that the Board can say no to any proposal made by the Sports Authority; however, at the same time the entire County will benefit from the tax revenues generated by the facility and it is a benefit to the welfare of all our citizens.

Mr. Roane asked if the Board would annually review the project(s) and if a project does not work out well and appears to be a poor investment what do we do then.

Mr. Morgan stated that the Board would have to consider individually every proposal recommended by the Authority and for most projects requiring debt service, this would have to be included in each year's budget until the debt service is satisfied which will also have to be considered by the Board. Once you approve a project requiring a percentage of the cost to be paid by the County you will then have a moral obligation to fulfill this commitment.

Mrs. Noll added that this situation is similar to the Yorktown YMCA, which the Board committed funds that was included in the annual budget until the debt was paid. She noted such projects add to the quality of life for our citizens.

Mr. Morgan pointed out that the Revolutionary War Museum was another such project to which the County committed.

Mr. Shepperd stated that such scenarios are dissimilar to this initiative as both the YMCA and the Revolutionary War museum were constructed within the County.

Chairman Green clarified that this is only the first step in the process and at this point no money is being committed with the knowledge that this matter will be presented to the Board in the future relative to a financial commitment. He therefore suggested that the Board take a vote on this resolution to move it forward so that we can get the hard numbers in order to make an informed decision in the future.

Mrs. Noll then moved the adoption of proposed Resolution R21-148(R).

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

DEED VACATION – MAKAYLA DRIVE, CARRINGTON MEADOWS SUBDIVISION, PHASE II:  
Resolution R21-132.

The matter was considered and **approved on a vote of 5:0**. A summary of the preceding is below.

Mr. Barnett gave a brief presentation on proposed Resolution R21-132 stating that the Carrington Meadows Subdivision was originally planned to be developed in two phases. He explained that the construction of Phase II of the subdivision requires the County to vacate: a portion of

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its sanitary sewer easement; an existing drainage and utility easement; and a 20-foot utility easement which was created when Phase I of the development occurred. In addition, he noted that Phase II will require the extension of Makayla Drive requiring the vacation of the aforementioned easements. In conclusion, he stated that the departments of Planning and Development Services and Public Works have voiced their support for the requested easement vacations for the purpose of extending Makayla Drive to serve Phase II.

Chairman Green then called to order a public hearing on proposed Resolution R21-132 that was duly advertised as required by law and is entitled:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A DEED OR DEEDS VACATING EASEMENTS, OR PORTIONS OF EASEMENTS, ALLOWING THE CONSTRUCTION AND ACCEPTANCE INTO THE STATE SYSTEM OF HIGHWAYS OF MAKAYLA DRIVE AS PART OF THE DEVELOPMENT OF CARRINGTON MEADOWS SUBDIVISION

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

Mr. Roane then moved the adoption of proposed Resolution R21-132.

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

**CONSENT CALENDAR**

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

On roll call the vote was:

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

**Item No. 4. APPROVAL OF MINUTES**

Thereupon, the following minutes were approved and resolutions adopted:

September 21, 2021, Regular Meeting  
October 5, 2021, Regular Meeting

**Item No. 5. COUNTRY LANE STREAM RESTORATION PROJECT: Resolution R21-137.**

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH FINISH LINE CONSTRUCTION, INC. FOR THE PURCHASE OF CONSTRUCTION SERVICES FOR THE COUNTRY LANE STREAM RESTORATION PROJECT

**Item No. 6. PAMELA PLACE SANITARY SEWER PROJECT: Resolution R21-138.**

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH SUFFOLK UTILITY CONSTRUCTION, INC. FOR THE PURCHASE OF CONSTRUCTION SERVICES FOR THE PAMELA PLACE SANITARY SEWER PROJECT

**Item No. 7. LARKIN RUN STREAM RESTORATION PROJECT: Resolution R21-150.**

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH BROWN AND CALDWELL FOR ENGINEERING SERVICES FOR THE LARKIN RUN STREAM RESTORATION

**Item No. 8. BYPASS ROAD SEWER REHABILITATION AND STREAM RESTORATION: Resolution R21-145.**

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH FINISH LINE CONSTRUCTION, INC., dba FINISH LINE ENVIRONMENTAL, FOR THE PURCHASE OF CONSTRUCTION SERVICES FOR THE BYPASS ROAD SANITARY SEWER REHABILITATION AND STREAM RESTORATION PROJECT AND THE APPROPRIATION OF \$1,111,044 IN STORMWATER LOCAL ASSISTANCE FUND GRANT FUNDING FOR THE PROJECT

Item No. 9. APPROPRIATION OF FUNDS – CHARLES BROWN PARK STREAM RESTORATION AND FIRING RANGE BERM PROJECT. Resolution R21-140.

A RESOLUTION TO APPROPRIATE \$259,355 OF STORMWATER LOCAL ASSISTANCE FUND GRANT PROGRAM REVENUE IN THE COUNTY STORMWATER CAPITAL PROJECTS FUND FOR THE CHARLES BROWN PARK STREAM RESTORATION PROJECT AND \$500,000 OF HAMPTON ROADS CRIMINAL JUSTICE TRAINING ACADEMY REVENUE IN THE COUNTY CAPITAL PROJECTS FUND FOR THE RENOVATION OF THE FIRING RANGE BERM PROJECT

Item No. 10. TAX REFUND TO MEDICAL FACILITIES OF AMERICA: Resolution R21-141.

A RESOLUTION TO AUTHORIZE A TAX REFUND TO MEDICAL FACILITIES OF AMERICA FOR THE TAX YEAR 2021

Item No. 11. BOARD POLICIES – PROPOSED REVISIONS/ADDITIONS: Resolution R21-116.

A RESOLUTION TO ADOPT CERTAIN AMENDMENTS TO BOARD POLICY NUMBERS BP94-03, BP94-08, BP94-11, BP94-14, BP12-25, BP14-26, BP00-17, BP00-18, BP05-21, BP08-23

Item No. 12. NATIONAL OPIOIDS SETTLEMENT: Resolution R21-142.

A RESOLUTION OF THE YORK COUNTY BOARD OF SUPERVISORS APPROVING OF THE COUNTY'S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST MCKESSON, CARDINAL HEALTH, AMERISOURCEBERGEN, JANSSEN, AND THEIR RELATED CORPORATE ENTITIES, AND DIRECTING THE COUNTY ATTORNEY TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE COUNTY'S PARTICIPATION IN THE SETTLEMENTS

Item No. 13. EMERGENCY HOME REPAIR PROGRAM – VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT: Resolution R21-147.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE EMERGENCY HOUSING VOUCHER PROGRAM AND TO ACCEPT AND APPROPRIATE ANY GRANT FUNDS AWARDED TO THE COUNTY BY THE VIRGINIA HOUSING DEVELOPMENT AUTHORITY

**NEW BUSINESS**

No new business.

**CLOSED MEETING.** At 9:30 p.m. Mrs. Noll moved that the meeting be convened in Closed Meeting pursuant to Section 2.2-3711(a)(7) of the Code of Virginia pertaining to Legal Matters.

On roll call the vote was:

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

Mrs. Noll 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

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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 16 day of December, 2021, 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) Noll, Roane, Shepperd, Zaremba, Green  
Nay: (0)

Meeting Adjourned. At 10:10 p.m. Chairman Green declared the meeting adjourned sine die.

\_\_\_\_\_  
Neil A. Morgan  
County Administrator

\_\_\_\_\_  
W. Chad Green, Chairman  
York County Board of Supervisors

NOTE: In accordance with Section 15.2-1241 of the Code of Virginia, the minutes of this meeting were read at the January 18, 2022, Regular Meeting of the Board of Supervisors, and Chairman Noll was directed to sign such.