

MINUTES  
BOARD OF SUPERVISORS  
COUNTY OF YORK

Regular Meeting  
December 7, 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, December 7, 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, W. Chad Green, G. Stephen Roane, Jr. and Thomas G. Shepperd, Jr.

Sheila S. Noll was absent.

Also in attendance were Neil A. Morgan, County Administrator; Mark L. Bellamy, Jr., Deputy County Administrator; Brian P. Fuller, Assistant County Administrator; James E. Barnett, County Attorney; and Heather L. Schott, Legislative Assistant/Deputy Clerk.

Chairman Green noted that Mrs. Noll's absence is due to her attendance at an important event on behalf of the Board at the Governor's mansion.

**WORK SESSION**

**PRESENTATION OF THE FY 2021 ANNUAL COMPREHENSIVE FINANCIAL REPORT**

Theresa Owens, Director of Finance, stated that the annual audit of the County has been performed by Cherry Bekaert LLP and that their Director of Accounting, Ms. Laura Harden, is here to present their findings. However, prior to asking Ms. Harden to come forward, Mrs. Owens thanked Ms. Carolyn Cuthrell, Deputy Director of Finance, and her staff for all of their hard work in providing the data necessary for the completion of the audit.

Ms. Harden thanked the Board for the opportunity to provide the results of the June 2021 audit which includes the County, the School Board, the Economic Development Authority, the Marquis Community Development Authority and the Student Activity Funds. She pointed out that the audit is a very lengthy document which includes the following: the County's major federal programs as required by the Uniform Grant Guidance, and the audit of the County's compliance with the laws/regulations under the *Government Auditing Standards and the Auditor of Public Accounts' Specifications for Audits of Counties, Cities and Towns*. She noted that it also provides procedures required by the state related to the requirements of the *Uniform Financial Report Manual*; the Sheriff Office's compliance with the *Virginia Sheriffs' Accounting Manual*; and the Virginia Retirement System census data testing. Regarding the results of the audit, she stated that their opinions on the 2021 financial statements are unmodified; no material weaknesses in internal control over financial reporting were found and to date nothing was revealed where management did not comply with laws or regulations that could have a material impact on the financial statements and debt agreements. She pointed out that during the current fiscal year American Rescue Plan Act (ARPA) funds were used by the County and Cherry Bekaert is waiting on the compliance supplement to come out for the report to be finalized at a later date. In addition, she noted that there are a few more communications which include implementation of Governmental Accounting Standards Board (GASB) Statement No. 84, fiduciary activities, and management judgement and accounting estimates which means they may be subject to change. She pointed out that there were no corrected or proposed uncorrected adjustments; no significant disagreements with management regarding accounting/auditing issues; no significant difficulties in performing the audit; unaware of any consultations with other accountants; the management representation letter was provided at issuance; and unaware of any relationship which would impair our independence. In conclusion, she provided a brief overview of future accounting and reporting changes in the GASB statements effective for FY 2022 which include:

- Statement No. 87 regarding financial reporting for leases; and
- Statement No. 89 regarding interest cost incurred before the end of a construction period.

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GASB statements effective for FY 2022/23 which include:

- Statement No. 93 regarding financial reporting implications resulting from the replacement of an Interbank Offered Rate (IBOR).

GASB statements effective immediately for FY 2022 which include:

- Statement No. 97 regarding financial reporting for Internal Revenue Code Section 457, deferred compensation plans.

GASB statements effective for FY 2023 which include:

- Statement No. 91 regarding conduit debt obligations;
- Statement No. 94 regarding public-private and public-public partnerships and availability payment arrangements; and
- Statement No. 96 regarding subscription-based information technology arrangements.

In conclusion, Ms. Harden thanked Mrs. Owens and Ms. Cuthrell for their invaluable assistance with the audit and stated that she would be happy to answer any questions.

Mr. Roane asked what opportunities she found when performing the audit to advance the County's accounting practices.

In response, Ms. Harden stated that they did not find any such opportunities as the County adheres to excellent accounting procedures.

#### CAPITAL IMPROVEMENT PLAN

Mr. Morgan first thanked Mrs. Owens and Ms. Cuthrell for their hard work on the County's recent audit. Prior to initiating his presentation on the Capital Improvement Plan (CIP) he noted that the CIP is one of staff's most important tasks and the following presentation is one of the most significant he provides annually to the Board. He also prefaced his presentation with the following comments: the County is recovering from a one-year CIP freeze that we imposed when the pandemic recession appeared to be rather severe. As such a lot of the projects that the Board had already approved were delayed a year. He added that the federal funds provided via the Coronavirus Aid, Relief, and Economic Security Act (CARES) and the American Rescue Plan Act (ARPA) funds which we received over the last couple of years greatly aided in getting the County's CIP back on track. He explained that he did not ask the CIP Committee to come up with a list of new projects since we already had a list of projects that had been previously approved by the Board. As such, he stated that the committee was first asked to update the cost estimates and the timing of these projects, so much of the information he will be presenting to the Board has already been seen before. In addition, he pointed out that all of the projects are in compliance with the County's debt policy and during his presentation he will highlight the use of the majority of our ARPA funds. He noted that 80 percent of the County's \$13.4 million one-time ARPA funds has strengthened our ability to fund our CIP. Mr. Morgan stated that the Board typically approves the CIP as a part of the County's operating budget so the Board has several months in which they may consider these projects and make any amendments they see fit. He also noted that the Schools have their own internal CIP process so some of these will be folded into our program before inclusion into the formal budget recommendation in March. He thanked each staff member who served on the CIP Committee, especially Tim Cross who has chaired the committee for the last couple of years and handled the narrative, and Greg Gillette who has done the hard numbers to back up the committee's work. Mr. Morgan highlighted the following information in his presentation on the CIP:

- The proposed CIP package is consistent with the County's goal of managing our debt properly to include cash capital contributions through year-end surpluses when available; use of previous years' appropriated reserves; capture funds from non-traditional sources such as grants; and selective use ARPA funds.
- The County received a total of \$13.3 million ARPA funds in two tranches and the plan reflects 80 percent usage of these monies that is \$3 million for the School Division capital projects and \$8 million for County projects.
- A spreadsheet was presented providing the details on how these funds would be utilized by the Schools and the County.
- Due to the increasing cost of construction, \$2 million is being proposed to be added to the previous \$18 million allocation for the Law Enforcement Building.

- The Economic Development Authority (EDA) is in the process of upgrading the County's 17-year old Riverwalk Restaurant and Grill. The County, the EDA and the tenant will jointly invest to accomplish this task. Rather than borrowing the required funds, we believe investing \$2 million of the ARPA funds is a good investment since it is the single largest draw for visitors to the waterfront. Although negotiations continue, the current tenant is expected to substantially contribute towards this endeavor.
- When the current facility used by the Building Safety Division, which will be combined with Planning and Development Services, becomes vacant, our plan is to move the consolidated IT function into that building. As such, IT will leave the Finance building providing the additional room needed to initiate a renovation there.
- Community Services has a 20-year old mini bus that will be replaced with ARPA funds.
- \$1.5 million of ARPA money is proposed to be set aside to provide improved parks facilities and outdoor space improvements.

Mr. Shepperd asked for further information on ARPA funding.

Mr. Morgan explained that \$11 million of the \$13.3 million ARPA funds would be utilized to complete School and County projects as depicted on Slide 7 of the presentation.

Mr. Roane asked whether the restaurant upgrade would include a facelift of its entrance.

Mr. Morgan stated it would as well as provide more waterfront dining.

Mr. Zaremba asked the name of the architectural firm handling the restaurant upgrade.

Mr. Morgan stated that he did not have the name with him, but would send that out to the Board the next day.

Mr. Green inquired if the owner/operator of the restaurant would be supplying 50 percent of the upgrade cost.

Mr. Morgan stated that they are still in the negotiation stage; however, the amount would be substantial.

Mr. Shepperd asked if we are still renting office space at the post office.

Mr. Morgan stated that the County owns that building and the post office is our tenant.

Mr. Roane inquired as to whom would occupy the new consolidated IT building.

Mr. Morgan stated that all IT staff would move into this facility. Relative to equipment, he noted that by the time this move occurs the mail server will likely be in the Emergency Communications Center and the back-up server would be stored in the Cloud.

Mr. Roane also asked what the County's top priorities would be relative to park facility improvements.

Mr. Morgan noted that the school site at the Marquis has been proffered and would be a prime spot for a park facility improvement. He also pointed out that New Quarter Park is a large area with very few improvements making it a prime candidate for park improvements as well.

Mr. Morgan continued his presentation by stating that the School Superintendent and his team had provided the information on how they would utilize the \$3 million ARPA funds for School capital projects. He then provided the highlights of their proposed CIP as follows:

- Several smaller projects are proposed to improve facilities at various schools throughout the County, most of which are related to recreation.
- The largest project proposed is the installation of a new field at the Bruton High School football facility.
- Combined with County ARPA funds, a little less than a third of the ARPA funds would go towards recreational oriented projects either on school property or elsewhere in the County.

Mr. Roane asked if the Bruton field was currently composed of real or artificial turf.

Mr. Zaremba stated that it is artificial, but in poor condition.

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Mr. Morgan explained that it is his understanding that they will improve the drainage and replace the existing turf on this field.

Mr. Roane also asked how much of the life cycle is left for the existing turf field at York High.

Mr. Morgan stated that they have a separate plan for the York High School field replacement in the CIP.

Mr. Roane inquired about how the remaining 20 percent of the ARPA funds would be utilized.

Mr. Morgan stated that \$1.6 million has already been deployed as an employee bonus and we are holding approximately \$900,000 as a contingency. He explained that counties did not receive as much ARPA funds as cities; however, under the usage guidelines the County does not have deadlines on using this money. As such, he noted that this money can be held in case a scheduled project for any reason runs over, or to assist in initiating a community support program, or even to place in the County's savings account.

Mr. Morgan provided the following additional information on the CIP most of which the Board was already aware:

- The Law Enforcement building is the largest project since the courthouse was constructed.
- A smaller project is the construction of a consolidated Planning and Development Services building which was approved by the Board several years ago. To do so would open up the possibility to consolidate IT when we move Building Safety out of their current facility into the newly enlarged Planning and Development Services building.
- As you look at FY 2024 you see the last payment on the Law Enforcement Building and the last major project in the next few years relative to County facilities.
- Renovation of the Finance Building has been delayed because IT would need to move out of this building before the renovation could start.
- Minor CIP projects include expansion of the firing range, as well as fire and medical equipment upgrades and replacements, some of which will be considered later in tonight's meeting.
- The \$2.02 million noted in FY 2022 reflects the additional ARPA money used for the extra ambulance as well as the previously planned amount.

Mr. Shepperd sought clarification relative to the Law Enforcement Building project.

Mr. Morgan stated that the \$536 million shown in FY 2022 has been committed towards this project and the \$20 million shown in FY 2023 is an estimate since the project has not yet been bid.

Mr. Zaremba asked for clarification on the ambulance cost in FY 2022.

Mr. Morgan stated that it cost \$525,000 to purchase a fully equipped ambulance; however, we were able to purchase a second one in FY 2022 by supplementing the purchase with ARPA funds.

Chief Stephen Kopczynski explained that in August 2021 one replacement pumper sky boom was procured for the Skimino Fire Station. He explained how the remaining funds are to be utilized in this fiscal year determined by the maintenance records of the existing equipment. He also stated that occasionally grant money has been acquired to help with small purchases; however, acquiring grant monies for large ticket items does not occur. He added that in previous years all needed fire equipment would be purchased at one time and would occur every five years. However, the department needs a more flexible model since sometimes emergency equipment has to be replaced outside of the five year model so a new more flexible funding model was developed which is currently in use.

Mr. Morgan clarified that it costs approximately a million and a half dollars annually to keep the Fire Department's heavy and medium equipment up-to-date.

Chairman Green asked if we are seeing long delays between when large equipment is ordered until the time it is delivered.

Chief Kopczynski stated that it takes approximately 18 to 19 months from the time you order equipment until its delivery. As such, we have to plan and purchase in advance knowing the lengthy processing time for such equipment.

Mr. Zaremba asked what the cause was for the lengthy delays in delivery.

Chief Kopczynski stated that it is due primarily to the issues with the supply chain.

Mr. Morgan continued with his CIP presentation highlighting the following items:

- Replacement of Fire and Life Safety's biomedical equipment which is also on tonight's agenda.
- Mobile Data Terminals (MDTs) replacement is scheduled for FY2027.
- Regarding the Regional Radio System, he stated that he felt really good that every year we have been setting aside \$1 million towards this project. We are approaching one of those five-year upgrades that we will be able to pay half of the cost with cash and if we continue this funding trend in a few years, we will be able to pay for future upgrades fully in cash.
- Under CIP Public Works items, he stated you see investments for transportation improvements. He noted that these funds are used when we have to do Virginia Department of Transportation (VDOT) revenue sharing cash matches. He highlighted the fact that York County, since before he arrived, properly funded our reserve maintenance accounts for our facilities and staff does an excellent job of scheduling this work. The underground utilities item in the plan is included in anticipation that VDOT will someday widen Route 17 to Goodwin Neck Road and hope to place underground utilities.
- Regarding Community Services' projects, he stated that we need to start making investments in our outdoor recreation programs so that by 2025 or 2026 we have the money, including \$1.5 million in ARPA monies to fund whatever improvements are deemed most important.
- The \$1.5 million in ARPA funds for FY2022 is to extend dark fiber to County facilities.
- Stormwater and sewer projects are major capital investments. There are a number of stormwater projects on the list, each having a significant story and history. The list of stream restoration projects are environmentally friendly and as such are more likely to obtain grants.
- The fuel upgrade has been completed at the main fuel site; however, the funds listed in the CIP are for the upgrade at the other two fuel sites.
- Regarding the Sewer Fund, there are a few places in the County not accessible to sewer, but overall the vast majority of the County has public sewer. Listed under Sewer Fund you see mainly sewer line and pump station rehabilitation. For the few areas that do not have sewer, approximately 5%, extending the sewer there is based upon whether the residents want it enough to endure the disruption these projects entail. However, if the Health Department sees sewer failures and residents in these neighborhoods express an interest then we move it up on the list.

Mr. Morgan drew the Board's attention to the slide that depicted the County and the School Division's top-level CIP figures, both pay-as-you-go items and debt financed items. The Schools' CIP assumes the use of some of the proffered money from developments in the past. It also includes approximately 20 percent of the Impact Aid Fund, which has built up a substantial reserve. He stated that overall our debt to cash numbers is very favorable compared to other localities.

Mr. Roane asked if the total of \$1.4 million depicted in two of the slides for the Sheriff's Office and Fire and Life Safety is for mobile data terminal (MDT) replacements units which are located in vehicles and whether all of them need to be replaced in 2027 as reflected in the CIP.

Mr. Morgan stated that these are indeed MDTs since basically every fire unit and Sheriff's unit has a hardened computer unit that allows them to do such things as check records, etc. He stated that we do not know at this time if all or only some of them will have to be replaced in 2027.

Mr. Shepperd stated that in the recent past the Board discussed purchasing an extra ambulance and leasing the building for Fire Station 7. He asked when this would all be completed and if the new station could house fire/rescue equipment.

Mr. Roane inquired if new staff would be hired to staff the new station.

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Mr. Morgan stated that this is a design build project and the design is currently 60 percent complete. The contractor has already started and the building might be operational a year from now. He noted that from the beginning we stated that we would incrementally move into this structure and a lot will be determined by upcoming decisions that have to be made relative to required personnel for this facility in the upcoming budget. He added that the County has frontline units and reserve equipment and medics to be utilized at Fire Station #7. Initially he stated that one unit from the Hubbard Lane Station would be moved to the Mooretown Road Station to spread out our assets; however, the first priority will be to have a 24/7 medic unit at this location. He stated that the new station will be able to accommodate any type of fire/rescue equipment. He added that the vision is to increase staffing at this station over the upcoming years, which he hopes to address in the upcoming budget. He noted that it will take eight employees to provide a 24/7 ambulance operation at the new station.

Mr. Roane inquired about the purpose of the \$1 million included in the CIP under regional radio system.

Mr. Morgan stated that he refers to it as a cash capital line item in the CIP and expressed hope that this amount will increase to \$4 million in the upcoming budget years.

Mr. Shepperd asked how the Board will know when to push certain projects out further in the CIP.

Mr. Morgan said that such decisions are made after a dialogue with the Finance staff and then presented for the Board's consideration and final action. For example, he noted that in last year's operating budget we had to reduce the cash capital number in the budget by \$600,000, which was the tradeoff for not raising the personal property tax, although the gap was later filled by surplus funds.

Mr. Shepperd asked why wayfinding and signage are so expensive.

Mr. Morgan stated that it is because it is intended to be more visible and attractive than the typical VDOT signage.

Mr. Zaremba asked if the \$4 million included in the CIP for the Riverwalk Landing Restaurant renovation is on top of the \$2 million ARPA funds.

Mr. Morgan stated that the \$2 million ARPA funds are included in the \$4 million total renovation costs.

Mr. Roane asked if the \$660,000 scheduled for 2028 is for renovation or replacement of the Yorktown fishing pier improvements.

Mr. Morgan stated that it is too far out to say for certain which it will be.

Brian Fuller, Assistant County Administrator/ Director of Community Services, stated that the pier is 20 years old and needs: a lot of improvements; to be extended to deeper water; and to be fully handicap accessible for fishing.

Mr. Green asked how are the sewer funds which are collected from residents used.

Mr. Morgan stated that they are used to purchase all of the sewer related equipment listed in the CIP.

Mr. Zaremba asked for further clarification on the CIP and the School Division.

Mr. Morgan stated that the yellow column on the Plan for Funding slide only shows the plan for debt and cash for the next 6 years to cover CIP projects. More specifically he explained this slide shows that the County would use \$53 million of cash and the Schools would use \$8 million of cash from various sources. He continued by stating that the County would then borrow \$36 million to support these projects and would also borrow just under \$80 million on behalf of the Schools' requested CIP projects. Mr. Morgan stated that the County has specific debt policies so any CIP that is recommended to the Board for its consideration must adhere to these policies. One of these policies states the combined debt of the County and School CIP should not exceed 3 percent of the assessed value of property in the County. He noted that should all of the projects occur as noted on the proposed CIP we would be a little less than half of the policy limit. He noted a second debt policy which states that the debt service shall not exceed 10 percent of the general fund expenditure budget. He added that it was currently 7.8 percent and if everything is implemented on the proposed plan it would go to 9.3 percent. He also

noted that the one-year freeze which was implemented last year had helped the County to pay off some older debt and placed us in a better financial situation.

Mr. Shepperd asked if one of the issues that led to the City of Petersburg's financial downturn was that they did not properly manage their debt ratio.

Mr. Morgan stated that was one issue but the main reason was they drained all of their reserves.

Mr. Morgan showed a graphic form of the debt policy and again noted how the one-year freeze on the CIP had really helped to keep our debt service low. The graph also showed at the end of the six-year plan the County would be essentially at the same point it is currently. He then displayed a slide which depicted the total debt service of the County and the Schools for bonded debt and all capital leases. In response to a Board question, he stated the County's total debt is included in the budget document. He reminded the Board that state law requires the Planning Commission to certify that the proposed CIP is consistent with the Comprehensive Plan. He concluded by stating that staff would take the Board's input on the CIP and add this into the operating budget proposal that will be made in March, which will become a part of the budget review and approval process.

### REDISTRICTING

Mr. Morgan introduced this item by explaining that the County is in a strange situation as we are being asked by the state to make our redistricting plans before the end of the calendar year, although the applicable state decisions affecting these plans have not yet been made. As such and after consultation with the County's attorneys, the appropriate manner in which to handle this situation is to provide the Board with a presentation based on what we do know in order to get your response and your direction to properly proceed. He then asked Timothy Cross, Deputy Director of Planning and Development, to come forward to share some ideas on this matter with the Board.

Mr. Timothy Cross, Deputy Director of Planning and Development Services, stated that all cities and counties are required to adjust our election district boundaries every ten years following the census, the purpose of which is to equalize population across all election districts in accordance with the principle of one person, one vote. He reported that the 2020 census showed that the County's population is 70,045 which is a 7.5 percent increase. However, from the census data it appears that most of the population growth has occurred in Districts 1 and 3. He stated that it is impossible for all five districts to be exactly equal in population; however, the rule is plus or minus 5 percent, so our goal in redistricting is for each district to be somewhere between 13,339 and 14,743 people. He noted that Districts 4 and 5 are already within that range. He showed a chart depicting where future development is either under construction, under review or they have been reviewed or approved through the rezoning process but have not actually started site plan and subdivision review. He explained that the Board may want to consider this information to prevent the population from growing unevenly as the decade progresses. Since Districts 1 and 3 are expecting additional future development, the Board may want to take that into consideration when making any redistricting decisions to ensure that the district populations remain relatively balanced in the upcoming decade.

Mr. Zaremba asked for more detailed information on Mr. Cross's statements about planned developments in District 1.

Mr. Cross explained that the 58.8 percent future housing units in District 1 are units that have not been built, but are either in the process of being constructed, are residential projects currently under site plan or subdivision review, or have been approved through the rezoning process but have not actually initiated the site plan or subdivision review. After taking into consideration the latest census data and the potential for future development in all five districts, he stated that staff has developed four possible scenarios for redrawing the respective district boundaries to ensure all of the districts will be within the allowable population range. In addition, he stated that the following scenarios keep the incumbent Supervisors and School Board Members in their existing districts, which is legally allowable:

- In Scenario 1 a portion of District 1, specifically Riverwalk Townes' development and the Woods at Yorktown apartments, will need to be shifted to adjacent District 3. In this same scenario, a portion of District 3 will need to be shifted to Districts 2 and 4. Specifically the area from Denbigh Boulevard to the CSX Railroad tracks which would shift Whites Road, Faulkner Road, Terrebonne Road would shift from District 3 to District 2. In addition, the area off of Burt's Road and Oriana Road which is currently in District 4

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also that area bounded by Burt's Road, Route 17 and Harwood Mills' Reservoir would shift from District 4 to District 2 to include Quail Road, Meadowview Drive and several mobile home parks in the area as well. Also in this scenario, the area between Goodwin Neck Road and Wolf Trap Road, currently in District 3, would shift to District 4 and includes Willow Lakes Acres, Rosewood Lane in Cooper's Landing and the area bounded by Goodwin Neck Road, Wolf Trap Road and Route 17.

- In Scenario 2 the only difference is instead of moving the boundary up to the CSX Railroad tracks from District 2 to District 3, in Scenario 2 we move even further up to Fort Eustis Boulevard. This shift would move the multi-family area from District 3 into District 2 and everything else stays the same. He mentioned that the advantage of Scenario 1 to this scenario is that it shifts the fewest number of residents and also provides the highest level of compactness and contiguity, both of which are criteria for redrawing election district boundaries.
- In Scenario 3 we extend District 3 into the Naval Weapons Station moving approximately 128 residents from District 1 to District 3. He added that another version of this scenario would leave the multi-family areas he previously mentioned in District 3 rather than shifting them to District 2.
- Scenario 4 includes moving the entire Naval Weapons Station from District 1 into District 3 as well as all of the private development on the east side of the Weapons Station and Penniman Road. He pointed out that the advantage of this scenario is that it provides the largest cushion to accommodate future growth in District 1. Also another advantage of Scenario 4 is that it provides for the highest degree of numerical equality among all five districts. He then pointed out a sub-scenario in which would include one small shift that could be made between Districts 2 and 5 to get District 5 to the higher end of the range. Specifically this would shift the Belmont Apartments, currently in District 5, into District 2, then an additional portion of Bethel Manor or the Landings at Langley, the area north of Raptor Boulevard, from District 2 to District 5 which results in shifting 700 residents into District 5 from District 2. In conclusion, Mr. Cross stated that these are the four scenarios that staff has devised and he is happy to take any questions or other redistricting suggestions the Board may have.

Mr. Cross explained that the red triangles on the map are the existing polling places and the red dash lines are the existing precinct boundaries.

Mr. Shepperd asked if the military population located within the County are included in the census data.

Mr. Cross responded affirmatively that the census only takes in population and not voters.

Mr. Zaremba asked if he could provide the figures for all five districts.

Mr. Cross explained that staff would have to make certain assumptions; however, they could and would work up some rough estimates for all five districts.

Mr. Roane asked that electronic copies of the map be provided to the Board so that they may zoom in on them to better understand the projected scenarios.

Mr. Shepperd sought confirmation that on the previously mentioned sub-scenario that it is basically moving Bethel housing from District 2 to District 5.

Mr. Cross confirmed that the sub-scenario is moving Bethel housing from District 2 to District 5.

### **CONSENT CALENDAR**

The Consent Calendar was considered and **approved on a vote of 4:0**. A summary of actions taken are below.

Mr. Green requested to pull Number 4, Mr. Zaremba asked to pull Number 7 and Mr. Roane requested to pull Numbers 5 and 6 for discussion.

In response to Mr. Green's request for additional information on Item No. 4, Chief Kopczynski provided the following clarification. He reminded the Board that the County maintains mutual aid fire/rescue agreements with all the Hampton Roads' localities and with the local military bases in close proximity to the County. These agreements ensure each participating locality/base will be covered when their own resources are exhausted or strained. He noted that the

resolution before them this evening is a housekeeping measure and in this instance, our mutual aid agreement with Fort Eustis needs to be renewed.

Since Chief Kopczynski was at the podium he was asked to elaborate on Consent Item Numbers 5 and 6. Specifically Mr. Roane asked what the biomedical equipment is in Item 5. In response, the Chief noted that the requested equipment includes a variety of items to include the Life Pack 15 cardiac monitor defibrillators which are very complex and are used by paramedics to provide permitted life support to patients. He stated we are asking to purchase 21 replacement units which is the total number of units we currently have. So if approved all of our units will be replaced that are at the end of their service life. He stated that the typical life cycle of these units is five to seven years. Regarding the stretcher replacement in Item No. 6, the Chief noted that this is also replacement of all of the current inventory and again the typical life cycle for these stretchers is five to seven years. In conclusion, the Chief noted that the County will receive some credit for the defibrillators and stretchers which will be returned when we receive the new equipment.

Mr. Zaremba then asked for clarification on Consent Item No. 7, building additions. He asked if this was a competitive contract or sole source. Mr. Morgan noted that it is a standard architectural services process, which by law is called competitive negotiations and as such the County advertised a Request For Proposals (RFP) for architectural services. Mr. Zaremba asked what the timeline is on this matter to which Mr. Morgan stated that we hope to have the design work completed by early next fiscal year and then we will bid the renovation/construction. Mr. Morgan further explained that this would be the building that would connect Planning and Development Services which may be under construction around this time next year. Upon completion of the proposed addition, Building Safety would move into the expanded structure with the Planning and Development Services. As a result of the completion of this project, the building currently being used by Building Safety would become vacant so that it may be occupied by IT.

Mr. Zaremba moved that the Consent Calendar be approved as submitted, Item Nos. 2, 3, 4, 5, 6, 7, 8, and 9, respectively.

On roll call the vote was:

Yea: (4) Zaremba, Roane, Shepperd, Green  
Nay: (0)

Item No. 2. REDEEMER WAY ROADWAY IMPROVEMENTS: Resolution R21-115.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH WALTER C. VIA ENTERPRISES, INC. FOR THE PURCHASE OF CONSTRUCTION SERVICES FOR THE REDEEMER WAY ROADWAY IMPROVEMENTS PROJECT

Item No. 3. PUBLIC SEWER EXTENSION AGREEMENT: Resolution R21-154.

A RESOLUTION TO AUTHORIZE AN EXTENSION OF THE COUNTY'S SANITARY SEWER SYSTEM TO A PROPOSED DEVELOPMENT KNOWN AS VICTORY AT TABB, AND AUTHORIZING EXECUTION OF THE NECESSARY PUBLIC SEWER EXTENSION AGREEMENT

Item No. 4. MUTUAL AID AGREEMENT BETWEEN THE COUNTY AND JOINT BASE LANGLEY-EUSTIS (Fort Eustis): Resolution R21-158.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH WALTER C. VIA ENTERPRISES, INC. FOR THE PURCHASE OF CONSTRUCTION SERVICES FOR THE REDEEMER WAY ROADWAY IMPROVEMENTS PROJECT

Item No. 5. PURCHASE AUTHORIZATION – EMERGENCY MEDICAL SERVICES BIOMEDICAL EQUIPMENT: Resolution R21-160.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO DO ALL THINGS NECESSARY TO EXECUTE PROCUREMENT ARRANGEMENTS FOR REPLACEMENT CARDIAC MONITOR/DEFIBRILLATORS DEVICES AND ASSOCIATED EQUIPMENT

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Item No. 6. PURCHASE AUTHORIZATION – REPLACEMENT MEDIC UNIT STRETCHERS AND CHAIR CHAIRS: Resolution R21-146.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH STRYKER MEDICAL FOR THE PURCHASE OF REPLACEMENT MEDIC UNIT STRETCHERS AND STAIR CHAIRS

Item No. 7. ENGINEERING SERVICES – BUILDING ADDITIONS: Resolution R21-112.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH DJG, INC. FOR ENGINEERING SERVICES FOR ADDITIONS TO EXISTING BUILDINGS

Item No. 8. COMMENDATION OF A RETIRING EMPLOYEE: Resolution R21-155.

A RESOLUTION TO COMMEND ALAN TURNER, ASSISTANT CHIEF, YORK COUNTY DEPARTMENT OF FIRE AND LIFE SAFETY, ON THE OCCASION OF HIS RETIREMENT FROM COUNTY SERVICE

Item No. 9. COMMENDATION OF A RETIRING EMPLOYEE: Resolution R21-157.

A RESOLUTION TO COMMEND GREGORY E. FLEMING, BATTALION CHIEF, YORK COUNTY DEPARTMENT OF FIRE AND LIFE SAFETY, ON THE OCCASION OF HIS RETIREMENT FROM COUNTY SERVICE

**OPEN DISCUSSION**

Mr. Zaremba noted that last evening he witnessed a Zoom meeting hosted by Delegate Amanda Batten at which time a presentation was made by Paul Lot which dealt with two bills that are on the upcoming General Assembly legislative list. He noted that one of the bills is anti-Critical Race Theory (CRT) and the second bill deals with cultural competence training that the state currently requires the teachers to complete. He stated that if the cultural competence bill passes it will eliminate the required training for teachers relative to this topic and the other bill if passed will establish core principles which include preventing the teaching: that any race is superior to another race; that any individual regardless of race or skin color is inherently racist, privileged or oppressive; that any individual regardless of race or religion bares the responsibility for the actions committed by others of their own race or religion; that a person’s moral character is defined by his race; that the United States is fundamentally or systemically a racist country; and that capitalism is an inherently racist economic system. He noted that Delegate Amanda Batten is leading the team promoting these bills. He stated that his take-away from witnessing this meeting is that the new governor has verbally committed to what these proposed bills will accomplish if adopted.

Mr. Shepperd stated that in November, the Hampton Roads Transportation Planning Organization (HRTPO) reached a milestone relative to transportation. He reminded everyone in 2015 we started the widening of I-64 from Jefferson Avenue to the Lightfoot area. This past November we actually completed all three phases of this project. He stated that the next project will require funding action by the General Assembly that being the continued widening of I-64 from the Lightfoot area to Richmond. He stated that the completion of the current project shows that we can work together as a unit to accomplish good things. The boring machine “Mary” for the Hampton Roads Bridge Tunnel (HRBT) has arrived and will soon be assembled with the boring starting in the new year with a completion date in 2025. He then mentioned other transportation projects occurring in Hampton Roads costing a total of \$8.5 billion, approximately 96 to 97 percent of which is funded by the Hampton Roads area.

Chairman Green noted that December 7, 1941 was a very somber day for our nation and encouraged citizens to take time to ponder and appreciate the sacrifice of our military that day but also all those who have sacrificed through the years to purchase and maintain our freedom.

**CLOSED MEETING** At 7:58 p.m. Mr. Shepperd moved that the meeting be convened in Closed Meeting pursuant to Section 2.2-3711(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions.

On roll call the vote was:

Yea: (4) Roane, Shepperd, Zaremba, Green

Nay: (0)

Meeting Reconvened. At 8:16 p.m. the meeting was reconvened in open session by order of the Chair.

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 21 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: (4) Shepperd, Zaremba, Roane, Green  
Nay: (0)

APPOINTMENT TO THE YORK COUNTY ARTS COMMISSION: Resolution R21-134.

Mr. Shepperd moved adoption of proposed Resolution R21-134 that reads:

A RESOLUTION TO APPOINT THREE REPRESENTATIVES TO THE YORK COUNTY ARTS COMMISSION

WHEREAS, the terms of Charles Nurnberger, Susan Welteroth, and Narielle Living expired on July 31, 2021; and

WHEREAS, Mr. Nurnberger and Ms. Welteroth have indicated that they do not wish to seek reappointment; and

WHEREAS, Ms. Living has indicated that she wishes to be reappointed; and

WHEREAS, this creates two vacancies on the York County Arts Commission; and

NOW, THEREFORE BE IT RESOLVED by the York County Board of Supervisors this the 7th day of December, 2021 that Narielle Living and Nancy Sullivan be, and are hereby, appointed to the York County Arts Commission for a term of three years, such term to begin retroactively on August 1, 2021 and expire on July 31, 2024.

On roll call the vote was:

Yea: (4) Zaremba, Roane, Shepperd, Green  
Nay: (0)

APPOINTMENT TO THE WILLIAMSBURG ARTS COMMISSION: Resolution R21-135.

Mr. Zaremba moved adoption of proposed Resolution R21-135 that reads:

A RESOLUTION TO APPOINT A YORK COUNTY ARTS COMMISSION REPRESENTATIVE TO THE WILLIAMSBURG ARTS COMMISSION

December 7, 2021

WHEREAS, on July 31, 2021, the term of Mr. Charles Nurnberger expired, and he does not wish to seek reappointment; and

WHEREAS, this has created one vacancy on the Williamsburg Arts Commission; and

WHEREAS, the liaison to the Commission must serve as a member on the York County Arts Commission.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 7th day of December, 2021, that Nancy Sullivan be, and is hereby, appointed to the Williamsburg Arts Commission for a term of three years, such term to begin retroactively on August 1, 2021, and expire on July 31, 2024.

On roll call the vote was:

Yea: (4) Roane, Shepperd, Zaremba, Green  
Nay: (0)

APPOINTMENT TO THE BEAUTIFICATION COMMITTEE: Resolution R21-156.

Mr. Zaremba moved adoption of proposed Resolution R21-156 that reads:

A RESOLUTION TO APPOINT MEMBERS TO THE 2022 YORK COUNTY BEAUTIFICATION COMMITTEE

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 7th day of December, 2021, that the following individuals are hereby appointed as members to the York County Beautification Committee for 2022, such appointments to take effect January 1, 2022, and expire on December 31, 2022.

- |                             |                      |
|-----------------------------|----------------------|
| Jonay Campbell              | Lawrence (Tu) Ritter |
| Barbara A. Dunbar           | Kelly Satava         |
| Carole Ferro                | Blair Todd           |
| Jana Flores                 | Jean Troutman        |
| Lourdes B. Guidicelli-Gadea | Erika Wilson         |
| Thomas Langston             |                      |

On roll call the vote was:

Yea: (4) Shepperd, Zaremba, Roane, Green  
Nay: (0)

APPOINTMENT TO THE COMMUNITY SERVICES GRANTS ADVISORY COMMITTEE: Resolution R21-131.

Mr. Shepperd moved adoption of proposed Resolution R21-131 that reads:

A RESOLUTION TO APPOINT MEMBERS TO THE YORK COUNTY COMMUNITY SERVICES GRANT ADVISORY COMMITTEE

WHEREAS, on September 30, 2021, the terms of Walter Akers and Alexandria Payne on the Community Services Grant Advisory Committee expired; and

WHEREAS, Walt Akers and Alexandria Payne both wish to seek reappointment.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 7th day of December, 2021, that Walter L. Akers and Alexandria Payne be, and is hereby, appointed to the York County Community Services Grant Advisory Committee representing Districts 2 and 3 for terms to begin retroactively October 1, 2021, and end September 30, 2023.

On roll call the vote was:

Yea: (4) Zaremba, Roane, Shepperd, Green  
Nay: (0)

APPOINTMENT TO THE EMPLOYEE GRIEVANCE PANEL: Resolution R21-152.

Mr. Shepperd moved adoption of proposed Resolution R21-152 that reads:

A RESOLUTION TO APPOINT A MEMBER TO THE EMPLOYEE GRIEVANCE PANEL

WHEREAS, the term of Ronnie Ellis will expire on December 31, 2021, and he is eligible and has indicated his desire to be reappointed;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 7th day of December, 2021, that Ronnie Ellis is hereby appointed to the Employee Grievance Panel for a term of three years, such term to begin January 1, 2022, and expire December 31, 2024.

On roll call the vote was:

Yea: (4) Roane, Shepperd, Zaremba, Green  
Nay: (0)

APPOINTMENT TO THE HISTORICAL COMMITTEE: Resolution R21-136.

Mr. Roane moved adoption of proposed Resolution R21-136 that reads:

A RESOLUTION TO APPOINT MEMBERS TO THE YORK COUNTY HISTORICAL COMMITTEE

WHEREAS, there are currently four vacancies for voting members of the York County Historical Committee.

NOW, THEREFORE BE IT RESOLVED by the York County Board of Supervisors this the 7th day of December, 2021 that the following individuals be, and they are hereby, appointed as voting members to the York County Historical Committee:

Bethany Beck	Erin Letherbee
Bryan Daniel	Christine Fallon
Amy Javier	Beverly-Jean Powell
Deborah Soderholm	Stanley Wagner

On roll call the vote was:

Yea: (4) Shepperd, Zaremba, Roane, Green  
Nay: (0)

APPOINTMENT TO THE LIBRARY BOARD. Resolution R21-139.

Chairman Green moved adoption of proposed Resolution R21-139 that reads:

A RESOLUTION TO APPOINT A REPRESENTATIVE TO THE YORK COUNTY LIBRARY BOARD

WHEREAS, on December 31, 2021, the term of Pamela Franz will expire, and she wishes to seek reappointment;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 7th day of December, 2021, that Pamela Franz be, and is hereby, appointed to a four-year term on the York County Library Board, such term to begin January 1, 2022, and end December 31, 2026.

On roll call the vote was:

Yea: (4) Zaremba, Roane, Shepperd, Green  
Nay: (0)

APPOINTMENT TO THE BOARD OF ZONING/SUBDIVISION APPEALS. Resolution R21-153.

Chairman Green moved adoption of proposed Resolution R21-153 that reads:

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A RESOLUTION TO APPOINT A MEMBER TO THE YORK COUNTY BOARD OF ZONING/SUBDIVISION APPEALS

WHEREAS, the term of Robert Criner on the York County Board of Zoning/Subdivision Appeals expires on December 31, 2021; and

WHEREAS, Mr. Criner was first appointed as a member to the Board on October 3, 2006; and

WHEREAS, Mr. Criner is eligible for reappointment and has indicated that he would like to serve another term.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 7th day of December, 2021, that Robert Criner be, and is hereby, recommended for appointment to the York County Board of Zoning/Subdivision Appeals, such term to begin January 1, 2022 and expire December 31, 2026.

Yea: (4) Roane, Shepperd, Zaremba, Green  
Nay: (0)

**OPEN DISCUSSION cont'd**

Subsequent to the completion of the Closed Meeting, a brief discussion was held relative to the recent Lighted Boat Parade and how the situation could be avoided in the future.

Meeting Adjourned. At 8:49 p.m. Chairman Green declared the meeting adjourned sine die.

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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.