

COUNTY OF YORK

MEMORANDUM

DATE: December 8, 2022

TO: York County Board of Supervisors

FROM: Neil A. Morgan, County Administrator

SUBJECT: Food Truck Ordinance



Recently it has come to my attention that there is a provision in the Food Truck Ordinance that staff and I believe needs to be modified. Specifically, there is a rule that says that a food truck cannot operate if the business at the site is not open. I had understood this to mean that a food truck could not operate when the business was “shuttered”. However, a review of the language makes it clear that as currently written it means a food truck cannot operate on any days or hours that an ongoing business is closed.

The implication of this rule, which predates our modified ordinance, adopted in 2016, states that a food truck cannot operate on a site even if they have the required business license, Health Department approval, and property owner permission if the business happens to be closed at a particular time of day or day of the week.

We have a specific instance where an otherwise legal food truck operation is being advised that they cannot operate at Pop’s on Route 17 on those days and times when Pop’s is closed. Of course from Pop’s perspective, it only makes sense to allow the food truck to operate when the parking lot is not needed by the business. Staff is properly interpreting and enforcing our ordinance as currently written.

We estimate that it will take several months to bring a modified ordinance through the process to the Board for your consideration. Unless the Board advises me to the contrary, I am directing staff to suspend the food truck ordinance enforcement of this one particular provision (operating on days and times when the business is closed) as long as all the other more logical rules are adhered to by the food truck operator.

NAM:vhd

cc: Mark L. Bellamy, Jr., Deputy County Administrator
Susan D. Kassel, Director of Planning and Development Services

COUNTY OF YORK

MEMORANDUM

DATE: December 7, 2022

TO: Neil A. Morgan, County Administrator

FROM: K. Scott Ashworth, Assistant Director of Public Works *KSA*

SUBJECT: Hybrid vs. Non Hybrid Vehicle Comparison

Over the last few years, the Department of Public Works (DPW) has been purchasing Hybrid vehicles to support the Board of Supervisors' strategic initiatives of environmental stewardship. During this time, DPW has collected data to determine the viability of hybrid vehicles in the County fleet. Recently you requested an analysis of the financial trade offs in purchasing different types of vehicles. In response DPW compared Hybrid Ford Explorers with Non-Hybrid Ford Explorers, Chevy Tahoes, and Dodge Chargers. All models are 2020 or 2021. These types of vehicles are most frequently procured for the Sheriff's Department.

The analysis incorporated preventative maintenance and fuel costs in a cost/mile calculation to get a clearer picture. The summary results are described below:

- Hybrid Explorer 20 MPG vs. Chevy Tahoe 12.5 MPG. Breakeven is 25 months to recoup the purchase price difference.
- Hybrid Explorer 20 MPG vs. Non-Hybrid Explorer 13 MPG. Breakeven is 55 months to recoup the purchase price difference.
- Hybrid Explorer 20 MPG vs. Dodge Charger 11.1 MPG. Breakeven is 72 months to recoup the purchase price difference.

Breakeven is between 25 and 72 months which is within the normal life of the vehicle in the County fleet. DPW analysis shows that purchasing Hybrids for the County fleet has been and will continue to be a sound decision.

Of course, there are other considerations, especially when acquiring public safety vehicles. Those considerations include vehicle size to easily accommodate specialty equipment and the need to efficiently use Mobile Data Terminals (MDT's). Our supply chain availability of specific vehicles is currently another challenge.

We will continue to explore how we can grow our "greener" vehicle fleet in a cost-effective manner.


KSA/3808

COUNTY OF YORK

MEMORANDUM

DATE: December 7, 2022

TO: York County Board of Supervisors

FROM: Neil A. Morgan, County Administrator 

SUBJECT: Notification and Reappropriation of Previous Fiscal Year Funds

At the end of each fiscal year, there are a number of outstanding purchase orders and ongoing projects not completed, as well as reserves not tied to the end of the fiscal year which carry over to the next fiscal year. In accordance with the language included in Resolution R22-77, adopted May 3, 2022, the attached summary identifies those items and the amounts carried forward to FY2023.

Additionally, Resolution R21-55 adopted on May 4, 2021, requires me to notify you about specific budget adjustments. For Fiscal Year 2022, two adjustments require notification:

- The Children and Family Services Fund collected an additional \$174,657 in federal revenue.
- The Tourism Fund collected an additional \$180,497 in revenue from transient occupancy taxes.

Consistent with our financial policies and past practices, balances in the various funds have been reserved for encumbrances and designated for the subsequent year's expenditures for the amounts enumerated in the attached summary.

The Schools have requested the FY 2022 unspent funding be re-appropriated to the School Capital Projects Fund and the School Technology Fund. The County experienced more than anticipated revenue for FY2022, largely as a result of federal COVID aid to the larger economy and as a result of inflation. As authorized in Resolution R22-77 and consistent with communications to the Board, these revenues were used for the personal property tax rebate and were re-appropriated to various capital needs including the Law Enforcement Building, FY2023 appropriated capital projects, and the return to the capital reserve. The reappropriation also includes the additional compensation for both the County and the Schools as previously authorized by the Board. It also transfers reserves to the Worker's Compensation Fund, Health Insurance, Information Technology, and Vehicle Maintenance Funds.

Furthermore, the unassigned balance in the General Fund is maintained at the Board's financial policy percentage of 12 percent of the current year's budget.

Included in the attachment is a summary of the spending plan for the surplus that was the result of the second allocation of the State and Local Fiscal Recovery Funds received in FY2022. The funding will be allocated to the School Capital Projects and the County

Capital Projects Fund which is consistent with my initial recommendations, subsequent communications, and presentations to the Board. It will be used for various items including the Riverwalk Landing renovation, a mini-bus, our Law Enforcement building, various parks projects, and the consolidation of the Information Technology Department. In addition to the capital projects use, funding has been set aside for community assistance for our citizens and small grants to nonprofits.

Attachment

Copy to: Mark Bellamy, Deputy County Administrator
Brian Fuller, Assistant County Administrator
Theresa Owens, Director of Finance

SUMMARY OF CARRY-OVERS FROM FY22 TO FY23

County Funds

Workers' Compensation Fund		\$ 756,321
Tourism Fund		1,534,408
County Carryovers-General Fund		
Public Safety Capital Projects	\$ 3,600,000	
Personal Property Rebate	3,500,000	
Scanning Projects	160,000	
County Compensation	650,000	
Transfer to Schools-Compensation	650,000	
Restricted Grants	182,499	
School Reversion-School Capital Projects	1,709,023	
School Reversion-Technology Fund	3,990,000	
County Capital Reserve	1,445,688	
Other departmental needs	1,194,709	
Degree Program/Training	150,207	
Transfer to Workers' Comp Fund	100,000	
Transfer to Vehicle Maintenance	500,000	
Transfer to Health Insurance	1,000,000	
Transfer to Information Technology Fund	750,000	
Transfer to Capital Projects Fund	<u>2,500,000</u>	
Total General Fund		22,082,126
County Carryovers-as a result of the American Rescue Plan		
Transfer County Capital Projects Fund	4,607,795	
Community Assistance	200,000	
Community Support Grants	50,000	
COVID Supplies	16,500	
Transfer School Capital Projects Fund	<u>1,757,000</u>	
Total Carryover as a result of the American Rescue Plan		6,631,295
Vehicle Maintenance Fund		1,882,795
Technology Fund		788,617
Social Services Fund		927,865
Health Insurance Fund		4,376,333
County Debt Service Fund		903,530
School Debt Service Fund		776,703
Solid Waste Management Fund		1,489,406
Water Utility Fund		30,517
Sewer Utility Fund		8,373,456
Grant Fund		2,900,566
Stormwater Management Fund		8,021,384
Regional Radio Project Fund		1,815,277
Children & Family Services Fund		438,389
County Capital Projects Fund		<u>34,377,718</u>
Subtotal		<u>98,106,706</u>
<u>School Division Funds</u>		
School Division Operating Fund		1,909,637
School Division Food Service Fund		92,120
School Division Capital Projects Fund		<u>10,329,160</u>
Subtotal		<u>12,330,917</u>
Grand Total		<u>\$ 110,437,623</u>

COUNTY ADMINISTRATOR

Neil A. Morgan



BOARD OF SUPERVISORS

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District 4
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District 5

December 7, 2022

VFW Post 960
303 Boundary Road
Yorktown, VA 23690

Dear Mr. Decker:

I am in receipt of the November 28 letter from John Collins regarding VFW Post 960's interest in the Grafton Annex. While the County staff would of course be happy to meet with you on this topic, I did want to clearly share with you the current situation.

The Board of Supervisors has directed me to demolish the structure once it is vacated by library operations this winter. In anticipation of interests in the reuse of this building, the County completed a proposal solicitation process last year. Although your organization did not make a proposal, several other entities invested considerable effort in presenting their ideas about the reuse of this property. It was after the Board's review of those proposals and its determination that none were viable that I was directed to proceed with demolition.

In addition to the structure's deteriorated state, the site has many other limitations including its limited size and most especially its limited parking. I have trouble imaging how a VFW post could safely operate at a location in which many of your members could not park on-site. Beyond the practical concerns of your particular use and the well-known deteriorated condition of the structure, the County will need to be mindful of the previous proposals and the fairness issues of negotiating with your organization after not participating in the public process.

If the Board of Supervisors directs me to discontinue plans for demolition, it would be my recommendation that a new public solicitation process be initiated rather than entering into exclusive negotiations with the VFW. It is my professional opinion that after conducting one professional solicitation, we should not repeat that process at considerable expense of the taxpayers of York County.

Nevertheless, I will be happy to meet with you or another VFW post representative if you wish to do so despite the information that I have shared in this letter. Please contact Heather Schott at 890-3326 to schedule an appointment.

Sincerely,

Neil A. Morgan
County Administrator

Copy to: York County Board of Supervisors

224 Ballard Street • P.O. Box 532 • Yorktown, Virginia 23690-0532 • (757) 890-3320

Fax: (757) 890-4002 • TDD (757) 890-3621 • Email: bos@yorkcounty.gov

A Hampton Roads Community



VETERANS OF FOREIGN WARS OF THE UNITED STATES

VFW Post 960, 303 Boundary Road, Yorktown, VA 23690

Date: November 28, 2022

MEMORANDUM FOR YORK COUNTY BOARD OF SUPERVISORS

FROM: VFW Post 960

Subject: Grafton Annex (Old Grafton Fire Station #1) located on George Washington Highway

York County Board of Supervisors, we recently discovered there is a plan to demolish the Grafton Annex (the old Grafton Fire Station #1) early 2023 and would like you to consider our following requests to help us support fellow veterans in the area. A little background is necessary for a better understanding. We are in a building that was donated to us in the 40's from the Naval Weapons Station, however, we have outgrown our current facility, so we need a larger building to speed rehabilitation of the nation's disabled and needy veterans, assist veterans' widows and orphans and the dependents of needy or disabled veterans. Our building is rich in history and as you know, so is the Grafton Annex, which is why destroying it would be a shame.

We are submitting the two following Courses of Action (COA) for your consideration:

COA 1. Please consider donating the Annex to us, so we can keep the rich history alive. We will do our part and will renovate and maintain the facility as funds become available.

COA 2. Allow us to sign a long-term lease agreement with you, which will provide a working capital for York County.

We would like to sit down and discuss these options with you at your discretion. We look forward to hearing from you. Please engage with Stephen Decker at (757) 232-1400, via email to deck817@gmail.com or the undersigned.

Respectfully,

John Collins
Commander, VFW Post 960
(757) 719-3196
jcollins59@cox.net

NO ONE DOES MORE FOR VETERANS.

[Enter your Post/Department Name, Address, City, State Zip Code.]

✓
12/1/22
KH
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