

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
October 17, 2023

6:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 6:03 p.m., Tuesday, October 17, 2023, in the Board Room, York Hall, by Chairman Thomas G. Shepperd, Jr.

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

Also in attendance were Neil A. Morgan, County Administrator; Mark L. Bellamy, Jr., Deputy County Administrator; Brian Fuller, Assistant County Administrator; Richard Hill, County Attorney; and Diane C. Ingram, Senior Administrative Coordinator/Assistant Deputy Clerk.

Invocation. Reverend Seldon Walker of Grace Episcopal Church offered the invocation.

Pledge of Allegiance to the Flag of the United States of America. Chairman Shepperd led the Pledge of Allegiance.

PRESENTATIONS

LACKEY CLINIC PRESENTATION

Mr. Larry Trumbore, Lackey Clinic Chief Executive Officer, stated that he and Ms. Kim Spencer, Director of Volunteers and Operations, were present and would provide a presentation on the Lackey Clinic. He explained that he would initially share a video that helps to describe what the Clinic does and how it makes a difference in the lives of so many. Subsequent to presenting the video, Mr. Trumbore highlighted the following facts and information about the Clinic:

- It provides eight primary services which include: primary and specialty medical, dental care, virtual urgent care, eye care, free and low-cost medications, behavioral health counseling, telehealth services, and spiritual care.
- The target market for the Clinic's patients includes those that fall just above/outside of the Medicaid coverage but are below those individuals who are able to afford their medical costs or have adequate insurance.
- Pursuant to Asset Limited Income Constraint, Employed (ALICE) guidelines, approximately 7,229 households in the County fall into the gap between Medicaid and those who are privately or personally insured.
- There is a great need in York County and the Commonwealth at large for medical care for those who fall into this gap of non-coverage.
- The Clinic does have eligibility requirements as it pertains to family size and annual income. This is done so that they can get charity care agreements through the hospitals and ensure that the donations and grant funds are used appropriately.
- The Clinic serves 14 percent of the total York County population with 1,401 receiving annual service and 68 residents using our Virtual Urgent Care for a total of approximately \$2 million of value in medical, dental, pharmaceutical, and behavioral health services provided to qualified York County residents.

In closing, Mr. Trumbore thanked York County for their support and noted the extremely beneficial return the County receives on this investment.

Mr. Green expressed appreciation to the Clinic for their excellent work over the years.

October 17, 2023

Mrs. Noll thanked Mr. Trumbore for the tour of the facility and also expressed appreciation for the services rendered by the Clinic to eligible residents. She noted her amazement at how much the Clinic is able to do with minimal donations and monetary support.

Mr. Trumbore invited Board members and/or residents to tour the Clinic at which time they can highlight their services to the community.

Mr. Roane thanked Mr. Trumbore for the excellent presentation and for the Clinic's service to the County. He then asked about the difference between Virtual Urgent Care and Telehealth Services since they seem so similar.

In response, Mr. Trumbore explained that the Telehealth Services replace a normal in-person visit and the Virtual Urgent Care is for non-patients who suddenly become ill.

Mr. Roane also asked if the Clinic has a forecast for the next five years as it relates to the increase in the number of its patients.

Although the pandemic led to an increase in patients, Mr. Trumbore stated that he has no future projections relative to possible patient increases.

Mr. Zaremba stated that during his tenure on the Board, he has always received excellent reviews from those who have utilized the Clinic and encouraged them to continue this invaluable service.

Chairman Shepperd stated that what the Clinic does reflects the heart of America which is caring for those less fortunate. He then asked Mr. Trumbore to introduce any staff members who had accompanied him to the meeting.

Mr. Trumbore then formally introduced Ms. Kim Spencer, who raises over \$1.1 million each year, handles the tours, runs the Gala as well as oversees the Clinic's Christmas party, Halloween party, and more.

Chairman Shepperd asked Mr. Trumbore to share with the Board and the audience how the Clinic acquires the medical equipment it needs.

Mr. Trumbore explained that the building is paid for and has the latest medical equipment. He stated that when they do need additional equipment, he writes a grant to which very generous grantors provide the needed funds to purchase the equipment. He stated that the Clinic's reputation is extremely important as people/organizations want to fund organizations such as the Clinic that have positive outcomes.

Chairman Shepperd thanked Mr. Trumbore and Ms. Spencer for providing an informative presentation. He thanked the doctors, nurses, and others who work so hard to provide these services to our residents. He also encouraged those Supervisors who had not yet taken the tour to do so.

Ms. Spencer interjected that the Clinic's many volunteers are the true heroes, noting that in the last 12 months they gave over 14,000 hours of service which equates to approximately \$500,000.

EMERGENCY COMMUNICATION UPDATE

Mr. D. Terry Hall, Director of Emergency Communications, stated that on July 17, 2023, the James City County Emergency Communications Center consolidated with the York-Poquoson-Williamsburg Emergency Communications Center. He pointed out that the transition took staff many hours to complete, but overall it was a seamless transition for employees and residents. He then aired a recruitment video that is used to secure additional employees when needed at the 911 Center.

Subsequent to the video, Mr. Hall provided a brief presentation on the recent consolidation of emergency communication services with James City County, highlighting the following information:

- We shared a regional radio system with James City County and now Gloucester as well.
- Prior to the recent consolidation, we shared the technology so that we had total redundant backup between James City County and York County.
- We have applied and received grants for York and James City Counties in order to initiate the Next Generation 911 started by the Commonwealth of Virginia. These funds have been used to complete this consolidation.
- We have one of the first CAD-to-CAD (computer-aided dispatch to computer-aided dispatch) dispatch centers. This is essential equipment to ensure if one locality is tied up handling emergencies, the dispatcher can see the availability of assistance from adjacent localities and dispatch appropriate personnel and equipment to the site.
- For well over 20 years, York County, James City County, and the City of Williamsburg have had automatic mutual aid whereby the dispatcher sends the closest medic, firetruck, etc. to the emergency.
- On June 6, 2023 (York County) and again on June 13, 2023 (James City County) presentations were made seeking consolidation of the two centers which would improve efficiencies as follows:
 - Decreased response times, improved coordination and communication between First Responders
 - Eliminated the transfer of misrouted wireless 9-1-1 calls
 - Optimized staffing levels
- Leveraging economies of scale include:
 - Increased grant opportunities
 - Implementation of advanced technologies (now in progress), Next Generation (NG) 9-1-1
 - Migration to one regional CAD system (now in progress) while maintaining independent Records Management Systems for Law, Fire, and Emergency Management Systems (EMS)
- Redundancy and Backup
 - The James City County 911 Center experienced a catastrophic failure last February; however, by the end of this calendar year it will become our backup center, meanwhile York County's Public Works conference room serves as a 911 backup center.
- The Center's restroom facility is currently being renovated to accommodate the additional James City County personnel and construction of a small addition to the rear of the facility began today.
- Installation of the NG 9-1-1 equipment is underway and will be completed in 2024 mid-year.
- Hiring the needed additional staff is in progress. It takes 6 months to a year to fully train these individuals.
- Migrating all the associated technologies and merging all of the policies, procedures, protocols, and practices is difficult and will take time.
- Branding the center for the sake of expediency, although not a priority, will have to be done.
- Currently we are on track to complete all the aforementioned tasks by July 21, 2024.

Mr. Hall then commended and recognized all of the 9-1-1 personnel for the excellent job they continuously perform and asked those staff members who were present to stand. In conclusion, he stated that he is happy to answer any questions.

Chairman Shepperd opened the floor for Board questions and/or comments.

Mr. Zaremba asked how the 9-1-1 Center would communicate with the York County residents should a catastrophic event occur.

In response, Mr. Hall stated that we have a large group of people in Emergency Management who oversee such events. In addition, the County has a reverse 9-1-1 service that can send out

October 17, 2023

massive notifications relative to such an event. Also, he pointed out that the federal and state governments have access to the EAS (Emergency Alert System) whereby emergency information is communicated to the general public. He stressed that the 9-1-1 Center simply processes information; we receive information and disseminate it to the First Responders. However, he added that we have the necessary connections to the state, which in turn has connections to the federal agencies relative to emergency response. Additionally, he noted that our emergency shelters can be opened depending on the type of emergency. He stressed that this is all done in collaboration with the applicable state and federal agencies.

Mr. Roane commended Mr. Hall and his staff for their excellent work and for incorporating the latest technology into the Center. He then asked if the current technology we have today at the Center will be viable for the next few years or if will it have to be updated in the near future. He also asked if we are limited in our ability to further consolidate with other localities.

Mr. Hall stated that in order to stay abreast of the latest technology he looks at FEMA's COP (Continuity of Operations Plan) which requires you to perform a candid risk assessment. He pointed out that we apply different patches, software, and coding to areas of vulnerability under our existing contracts several times a year. He also noted that our CAD System is computer-aided dispatch and not a computer dispatch system and there are different levels of security based on what we are doing. Nevertheless, he emphasized the importance of maintaining all our data within a secure closed network to thwart any unauthorized access. Regarding further consolidation of the center, he stated that our facility is currently at its full capability. We currently provide backup services to some other 9-1-1 centers and we have the capability to do that short-term, but we are unable to bring another locality into our system long-term.

Mrs. Noll thanked Mr. Hall and his staff for the amazing job they do daily. She also stressed the importance of their jobs in keeping the public safe.

Mr. Green, referencing Mr. Hall's earlier statement, asked if we still have 15 dispatcher vacancies.

In response, Mr. Hall stated we actually had 18 such vacancies; however, we now have only three dispatcher vacancies. He added that it takes six months to a year to fully train a dispatcher and that the candidate pool for such positions is negligible. Despite the employment hurdles, Mr. Hall noted that his staff has not missed any calls nor has there been any delay in receiving service. He pointed out that the 9-1-1 Center should be fully staffed by July 2024.

Mr. Green also asked if our Emergency Communications Center (ECC) has won any awards for its cutting-edge technology.

Mr. Hall stated that we have received the Governor's Technology Award, also awards from the Association of Public Safety, Communications Officials International, and SAFECOM (Safer America Through Effective Public Safety Communications). Moreover, he stated that our ECC has developed a program called ASAP (Automated Secure Alarm Protocol) whereby alarms that typically go to vendors such as ADT, Honeywell, etc. are linked directly to us.

Mr. Green noted that prior to COVID, the ECC provided guided tours of the facility for the public which were well received. He then inquired if these public tours are available once again and if so who should one contact in order to arrange.

Mr. Hall stated that such persons/groups may request a tour via email at ecdept@yorkcounty.gov or call the non-emergency line at (757) 890-3621 and someone will make the arrangements.

Chairman Shepperd asked about the staffing levels at the 9-1-1 Center. He also asked how many hours a day dispatchers work.

Mr. Hall explained that our staffing maximum level is 15, but sometimes we have only 10, 11 or 12 on duty. He added that we have a very sophisticated analytics program whereby we look at the weather patterns, traffic, and holidays to determine what staffing level will be needed.

However, he noted that we also have a very robust on-call program whereby we can increase our staffing level very quickly. He explained that dispatchers work 12-hour days.

In conclusion, Chairman Shepperd applauded Mr. Hall for the outstanding job he does in leading and managing the County's Emergency Communications Department.

CITIZENS' COMMENT PERIOD

Shirley F. Cooper, - Well how are you? I came to tell you I'm Shirley Cooper. I now reside at 342 Curtis Tignor Drive in Newport News, Virginia. I will just tell you that I used to be on this Board of Supervisors sitting in Mr. Thomas Shepperd's seat and I came to praise you and I came to tell you the great things and wonderful things about you because I think it is time that everybody knows what a fabulous Board of Supervisors you are, and you are. I was here in 1974 through 1981, when we were putting sewer in York County and that was hard, and I was here when we started zoning and that was hard, and I was here doing those kind of things that you would build on. But there is no finer Board of Supervisors in anywhere that I have been in than you are. I can't think of a wonderful town like this one that you haven't had your hand on, that you haven't made wonderful, and there's no way that Yorktown could be any prettier than it is today. You are to be applauded, and I mean that with everything in my heart, I really mean that. And I thank you, Mr. Chad Green, because he is going to be sitting in the very seat, the very seat, the very seat that I served in the General Assembly of Virginia. You are going to have to sit in my chair. Mr. Green commented it would have to be a bigger chair. Mrs. Cooper continued stating, that is going to be hard but you will be sitting in my chair. And Mrs. Sheila Noll I am so proud of you honey, it would have been a pleasure to serve on this Board with you, wouldn't that be mighty fine, it just didn't happen that way, but you came on after I came off. We had to blow sand on the beach, it went away every year because of all the weather and of all that stuff, and sewer was incredibly bad in this County, so those kinds of initial things, I indeed was a part of and I did a lot of on the State level as well. And what I have come to do to you tonight is thank you deeply and to share with all these people out here you don't realize what a wonderful Board of Supervisors you have. Most of you have served together for about 20-something years and now that is saying a lot too. I have to present to you, a gift, I did this with my own hands, I did this of the beach that you have preserved and I now present to you and I don't know exactly how to do it, but Sharon Owens said she would hang it somewhere in this Courthouse, and you know she is good at hanging things in this Courthouse, and God bless you and I said enough.

Chairman Shepperd met Mrs. Cooper at the front of the dais to receive the picture and share the picture with the public.

Carol Edlow, 103 Hale Circle in the Riverwalk Town subdivision in Yorktown. Good evening. I am speaking again concerning the urgent clear and present danger at the intersection of Gossley Road and Route 238, Old Williamsburg Road. We have news to report regarding the matter and I am opening for Wayne, the Sheriff's Office in person, Ron Montgomery has met with us and the situation is moving toward remediation. Thank you for your assistance in this matter. Your keen attention and expertise along with that of the former State Legislator, The Honorable Shirley Cooper, have helped hasten this process and for that we are appreciative. Thank you.

Arthur Edlow, 103 Hale Circle, My first time up here, so I am not quite sure what buttons to push. I just want to say thank you all for listening to us. A lot of times people like us everyday folks, we come and we get before people such as yourself and we get, so we can't talk to them. But you guys made it so we could speak and we want to thank you on that. Because what you have made happen, that we are going to get that old Gossley Road section fixed. We are confident of that because of you guys. I would call out certain people, but I don't want to eliminate anybody. Buy we are thankful and we've got another speaker coming before, rather after me and he is going to give you a better update. Thank you.

Maureen Moss, 224 Nelson Street, Thank you for the opportunity to speak this evening, it has been 21 years since I stood before this Board and some of you are still here, and I was scared then and I am scared now. But for very different reasons. The first time I came before the

Board was for a personal request for a Special Use Permit for a small business, it was granted, and for that we will always be grateful. We closed our business after 11 years, but have wonderful memories of having an opportunity to have been a part of the business community here in the Village. My fear back then was about speaking in front of you, and although I still feel the same nervousness, I am here tonight because I fear for the future of our beautiful and historic village. I strongly believe that Princess Cruise Lines coming to Yorktown will have a long-term negative effect on both the character and overall health of Yorktown. The environmental impact alone is reason enough to question whether this is a good idea or not. Yorktown has done so much to make the beach area welcoming and a real beach destination for families that it is hard to understand how the impact of a large cruise ship with a history of environmental non-compliance was not considered more seriously. And if it was and ignored, then we have every reason to be concerned. Once our waters are no longer swim-friendly, it will be almost impossible to recover, and what a loss that would be. The understanding of a good bit of the community is that the ships will be far away and if only small tender boats actually come to our County piers, and if it is only a couple of times a year, it won't be a problem. I think most of us here in this room know that this is not what the plan is. The plan for the Waterman's Museum to build a dock for Princess Cruise to tender to and then ultimately dock the ships, paid for by taxpayer money. And Princess Cruises is only known to a relatively small number of people and I think this is the way that the County wants it to be. Once Princess Cruise Lines has a stake in private property, it will be almost impossible to change course, even when the negative consequences to Yorktown are fully felt. At that time, you as a Board will be able to genuinely say that there is nothing you can do, and maybe this is your hope. Please reconsider your position on this critical issue. Thank You.

Herb Moss, 224 Nelson Street, Yorktown, I have a very brief, more of a request than comments, but I sked this Board to fulfill its responsibility to the citizens of York County by spearheading a more deliberative and robust review process of the Princess Cruise project. Beginning by incorporating and involving the community in a visioning process that looks beyond the possible short-term financial gains and seriously considers the long-term negative impacts that this venture can have on Yorktown. Thank you.

Steve Kennedy, (Good evening Supervisors), 104 Penn Drive, Williamsburg, Also Vice-President of the Conserve York County Foundation, that is at Conserve York County.Org. Please check out the October 10th debate, it is unedited for your edification for all to see. Feedback was overwhelmingly positive and we, again, wish to thank Sheriff Montgomery and his sheriffs and so many others who helped to put on a very successful evening. It was also a pleasure working with Chris Six, Managing Editor of *WYDaily*. By the way, for all those nattering nabobs out there, everyone was invited. We understand it was a busy time and some of you could not be present. In addition, by the way, Mr. Six has lots of experience with Sunshine Laws Counselor, maybe, maybe tap his brain a little bit along the way. I felt like I was sitting next to Edward R. Murrow for the evening, so he's a fair and balanced guy. So again, we have lots more questions that we did not get around to, actually a finder full. We have staff pouring through those, we may send some of those to you; you have three in your inbox right now. Next topic, fiscal matters. Picking up on some of the themes from that evening, economic development from your Comp Plan, the 2019 Comp Plan, draft page five, bottom talks about the Economic Development Authority, all their wonderful work. Then to Page 13, move things along in recent years, quote, the concept of place making has emerged as a strategy for enhancing the quality of life. Beautiful, best example of a placemaking quote in York County is the Riverwalk Landing not far from here. Next one, quote, on a smaller scale, it is Beale's Brew Pub development, which though not publicly owned, was initiated by the Economic Development Authority and involved the expenditure of public funds. Anyone had a beer at Beale's Brewery? Recently I drove by it, still empty, still a big problem. Check out the debate, somebody quoted that there was actually over \$512,000 spent cost sold for \$400,000. We're going the wrong way in that equation. Lady and Gentlemen, the perception you've created is it's heads you win, tails we lose, we the taxpayer with taxpayer dollars. Next up, article in *Virginia Gazette*, by a gentleman named Ben Swenson, September 13th was the article, the topic was the Pottery. For time sake, as we're running down here, quote, when she, I think she is Ms. Kassel, who I'm assuming is noble and does wonderful work here. Share the original letter with the Planning Commission in August, Microsoft Word, automatically changed the date, one more time, Microsoft Word changed the date on a Word document. Where's the compliance oversight on that counselor? It's a good thing you're retiring Mr. Morgan, because there's a lot more questions, we have and

answers. I would like the FOIA (Freedom of Information Act) request in every Word document she's done from January 19th to August 11th, by the way. Lots more to say there. Thank you, see you soon, Happy Halloween, watch your email inbox, Kennedy out.

Betsy Taylor, 111 Chischiak Watch, Thank you for this opportunity. Can you hear me now? Okay. Last Friday was a glorious day in Yorktown. The weatherman cooperated; the river was smooth; every flower, every leaf was perfect. A long river walk, it was amazing. I was out walking and I walked down to see the excitement of the ship swinging at anchor out there. It was mind-boggling and the tenders were going back and forth. I also spotted what I thought was a school of porpoises out there, and I mean porpoises. My family will tell you I have a thing about them, so I started down the ramp towards the gazebo and I stopped. There was a sign, no flammable liquids, no caustic liquids, no firearms, no gunpowder, no sharp objects, et cetera. Nothing said, don't enter, nothing said secured area, okay. I had my keys and I had my phone. That's it, I was intent. I was almost to the gazebo and this voice boomed out. Ma'am I'm going to have to ask you to leave. I didn't know where it came from and I turned, and there was a very important guard. She had a badge and a sidearm I believe and she repeated herself. Well, I had my keys and my phone. I decided I was not going to buck her so I turned around and went back and sat down on the bench and just watched. And as I said, the tenders were coming and going. I was sort of stunned at that approach, that encounter and I looked and there were no pleasure boats, no boats that we normally see in our local waters. Yorktown looked very welcoming last Friday. It looked welcoming to the people coming off of the ship. It was not welcoming to the residents, to the taxpayers, to your constituents. I was told that that was an international, port-of-call and I had to step back. There was no notice so I'm asking the question going forward with these ships coming into our town, is this what we can expect as residents? Yeah.

Louise Wylie, 113 Bryon Road, Chairman, Board Members, I'm Louise Wiley. I've been a Yorktown resident, York County resident over 40 years. I live in Edgehill in voting District three, and I want to thank you for this opportunity to address you. I appreciate that. I do need to share some, just a very few of my deep concerns about the Princess Line's deal. First of all, I'm deeply concerned about the decision-making process to cut the deal with Princess in the first place. It appears to have occurred behind closed doors. Where was the opportunity for the community to be involved in any sort of comment or input prior to the deal being struck? Citizens very, their very first opportunity to learn of the Princess plan was by way of a slick corporate marketing promo. What was needed then, but lacking was their supervisor's detail rationale, justifying the decision to invite Princess to sail into our waters. A love boat, lala land commercial was very shallow substitute for that. It puzzles me also that no environmental impact study has been presented to us. Was an environmental study even prepared? The York River, Sarah Creek, additional Gloucester estuaries, the James, the Poquoson wetlands, all of our waters are intimately connected. They can be adversely affected by ocean-going vessel intrusion. Our complex ecosystem cannot tolerate the introduction of bacteria and non-native sea life from global waters that these ships will pick up. The York River system and Chesapeake Bay provide the livelihood of our watermen. Think about that. Can we risk letting Princess Cruises jeopardize this fragile, interconnected ecosystem by deliberate or accidental dumping of contaminated water? Can the County afford litigation? I am concerned about the impact dozens of diesel bus emissions will have on the community's air quality. Daily, 24-hour power emissions from anchored behemoths will increase our carbon footprint. I'm concerned about the families who will rethink the wisdom of gathering for evening concerts on the lawn, or shopping in Saturday markets, sunning, swimming at the beach, and dining on the patios. None of this will improve the natural beauty and appeal of the Yorktown waterfront. I think that there is ample research from different communities throughout the world where Princess has made a negative impact. That upon careful study, I am very confident that when you review that and all of our community concerns, that you will conclude that we do need to stop Princess from coming. Thank you.

Wayne Mackay, 209 Alexia Lane, Good evening Board of Supervisors, Wayne McKay, 209 Alexia Lane. Lady and gentlemen of the Board of Supervisors on behalf of the Riverwalk Townes community, I stand before you this evening to express my sincere gratitude for the support and guidance that we received from Sheriff Montgomery and Mr. Green. Their commitment to addressing the dangerous intersection at Riverwalk Townes has been invaluable and I'd just like to take a moment to extend our heartfelt thanks. From the initial open forum, about a

month ago where our concerns were raised, Sheriff Montgomery and Mr. Green immediately, I'm talking as soon as we went on recess they reached out to me. They immediately met with us to coordinate a plan of action. So Sheriff Montgomery, in particular, listened attentively during our meeting in our neighborhood considering the details and ideas put forth by our neighborhood team and his expertise and genuine concern for our community's safety were evident and we are grateful for his guidance. Furthermore, I would like to acknowledge Mr. Green's continuous communication throughout this process. Our unwavering support and guidance have played a crucial role in garnering attention and attention and resources for our case. Your commitment to our project is greatly appreciated, but as we move forward, we're filled with hope and confidence knowing that we have your support. Your ongoing assistance is vital as we work towards creating a safer roadway that affects many people. It's not just our neighborhood, it's anybody who's crossing through there, including in the summertime when we have tourists and we look forward to continuing this collaborative effort. In closing, I'd just like to express our deepest gratitude to Sheriff Montgomery and Mr. Green for their commitment to our community's safety. Your responsiveness, expertise, and support have made a significant impact thus far, and we are honored to have you on our side. We eagerly anticipate your continued support as we strive for a safer and more vibrant community and Mr. Green, I understand that you're moving on to bigger and better places. So we also hope that your successor will be as attentive, attentive to this issue as you have been thus far. Yes, sir, I appreciate you. Thank you.

Elizabeth Wilkins, 228 Church Street, Good evening Board, Elizabeth Wilkins, 228 Church Street. At our village yard sale on Saturday, we had the good fortune to meet a young woman from Charleston, who was visiting Yorktown with her two daughters and stopped by to browse. We got to talking but the cruise ships, and she was absolutely horrified to learn what was in store for Yorktown. When she was about to leave she said, I wish I could help. We said, will you still be here Tuesday for our Board of Supervisors meeting? She said no, but she would write a letter that could be read as follows: To Whom It May Concern, I have, I have given my permission for this to be read at your town meeting. Dear Yorktown residents, I urge you to consider, reconsider allowing the cruise ships to enter your historic, charming community. Charlestonians know all too well how this will turn out. At one time, the majority of our beloved city was excited and motivated to welcome more visitors, an additional boost to our economy, bring in the progress that we were told was for the greater good, et cetera. Now, a little over a decade later, I must say what a dreadful, deceiving nightmare it has been. Sure the first few months seemed to go well enough, but it didn't take long to realize what a huge mistake was made. Over the years, the cruise ship industry touted the economic benefits of cruise traffic while downplaying the harmful consequences. The boats pollute our air, create effective no-go zones for residents and tax city infrastructure and public services, all a very sugarcoated hidden agenda. A high volume of tourists at one time will negatively impact the charm of Yorktown and surrounding areas, as well as the historic tourism and fishing industries. Cruise ships may be allowed to discharge minimally treated sewage into nearby waters. Sewage and gray water contain viruses, pathogens, heavy metals, and a host of other harmful contaminants. This will impact your river and pollute fish and shellfish that are an integral part of your local foods. Consider local traffic issues. The prices of everything increasing and tourists pouring into your lovely town who really have little to no respect for it. This will be just a blip on the radar of their crews. Unlike land tourism that brings people from all around whose objective is to experience the historic beauty of your community, most will likely not appreciate the historic attributes of Yorktown, Jamestown, and Williamsburg. Litter will become the norm in your pristinely kept streets. The ebb and flow of things will certainly be thrown off course. Thankfully, with the help of Mayor Techlenburg of Charleston and many others, we have finally successfully managed to scale the cruise ships way back, beginning in 2024. I hope your town prevents the same catastrophe we have endured. Sincerely, Melanie Johnson, Charleston, South Carolina. Please hear and heed their words. Thank you.

Jacques van Montfrans, 228 Church Street, Excuse me, good evening members of the Board, my name is Jacques van Montfrans. I live at 228 Church Street. I'm sure there were plenty of high-fives between you and Princess Cruise Lines and the Watermen's Museum. When the cruise ship, World arrived in the York River on Friday, what a spectacle it was with boats that normally dock where the tender ships unloaded, completely cleared out a coast guard and Navy presence. York County employees bustling around sweeping the pier, blowing sand off the walkways, manicuring the beach, and the tour guide company folks frantically arranging for

taxi, private transportation and buses for taking guests to Williamsburg and Jamestown. I heard that this, this was billed as a trial effort, but for those of all listening, let me share my take on the reason why that ship appeared in the York, in the York River in the first place. I understand there was a lot of positive chatter on Facebook about how lovely the cruise ship looked since the ship was anchored out over a mile away, and passengers were tendered into our public docks, which suddenly became off-limits. But I'm here to say that this event was key to Princess' plan. It was a prerequisite for releasing eight and a half million dollars to the County in 2024 and then again in 2025. Page 108 of the Commonwealth's budget signed by Governor Youngkin reads, and I quote, out of the appropriation in this item \$8,500,000 the second year. That's 2024 in this case from the General Fund, shall be provided to the Economic Development Authority of York County for support of a cruise ship, port-of-call, location-related visitor support, and tourism on the York River at Yorktown, Virginia. Prior to the award of any funds, included in this item, the Secretary of Commerce and Trade, and the Secretary of Transportation shall ensure, and this is key, one that there is agree, there is an agreement with at least one cruise ship company for calls to Yorktown beginning in 2023. That requirement has now been fulfilled. So that means this money can be released. And also that was, that was the last of that quote. So this fulfills the requirement, as I mentioned. The second requirement that is stated, and I quote, a working group is convened among state and local agencies related to the permitting of the pier location to facilitate, facilitated its development, unquote. So a pier is planned for this location. The location initially, initially budgeted specifically stated it was going to be at the Watermen's Museum, but that language was taken out of the final bill. So anyone listening, don't be complacent. Learn the facts. I'd like to invite you all to a meeting that we're having on October the 29th to inform the public of what's going on. It's going to be at the Library in Yorktown, the auditorium in the Library on Route 17, from 3:00 to 4:00 p.m. Bring a friend and anyone who you know, you know who might be interested, and Board Members, you all would be very welcome to come. Thank you.

Angier Brock, 220 Bacon Street, This is my low-tech PowerPoint. I, I don't know how I really show it to you except to hold I up. Here it is. Good evening, my name is Angier Brock. I live on Bacon Street in here in the Village and I want to make a case for the establishment of an environmental office for York County and for the hiring of an environmental officer, someone who is trained to research and evaluate environmental factors. Someone who can weigh the perceived benefits of tourism or economic development against the two, often certain degradation of resources, air, soil, water, wetlands, animal, marine life, someone to help protect our river, our birds, our mammals, our children, and their futures. This is plastic landscape netting that a contractor used alongside the walkway that runs from Ballard to the Monument, alongside Zweibrucken. Apparently, the netting was never well secured, and as a result, when the grass grew up, instead of growing, growing through the netting, it lifted the netting up so that when the grass was mowed, tangles of plastic were spit out all over that green. This is the fourth or fifth bag load I have picked up since the grass was first mowed this summer. Every, even today, every time the grass is cut there, they're more smaller particles out there. If you walk alongside the sidewalk, you can see it. They're, they're there. Needless to say, swallowing this material or getting tangled in it would be devastating for birds, for marine life, for other animals and it's actually a tripping hazard for people too. And it's still there, still exposed, still hazardous a few months back. When I first noticed this, I spoke to someone in the County. I don't know who it was, who promised to contact, to contact the contractor to have the situation remedied, to have the things more fully pressed down or removed, or whatever. As far as I know, that never happened. I believe that if York County had an environmental office or an officer, a couple of things would've happened. First of all, the materials, these materials would never have been allowed. There would've, there are other and more environmentally friendly things that are alternatives and secondly, if it had been, had happened that the environmental office or officer would've had the authority and the resources to correct it. And so I really want to make a strong case for that. And then there's the matter of the Princess Cruise Lines, when that idea was first brought to the County and our, an environmental office or officer could've done the research that would've predicted the devastating consequences that enormous ships, cruise ships have had in various places. These ships create pollution, air and water pollution, light pollution in general, the huge cruise ships have in terrible environmental records and Princess has a particularly egregious one. I hope an environmental office will be developed and will make a difference. Thank you.

COUNTY ATTORNEY REPORTS AND REQUESTS

Mr. Richard Hill, County Attorney, had no report.

COUNTY ADMINISTRATOR REPORTS AND REQUESTS

Mr. Morgan reminded everyone that October 19th is Yorktown Day. He noted that there are a variety of events scheduled throughout the day beginning at 8:30 a.m. In addition, he pointed out that Halloween will be celebrated on Tuesday, October 31st at which time children may Trick or Treat from 6:00 p.m. to 8:00 p.m. Lastly, he announced that he and Mrs. Noll heard a very exciting announcement earlier this week at the Jefferson Lab. Specifically, he stated that the announcement was that the United States Department of Energy had designated the Jefferson Lab as the lead in the Department of Energy's System-Wide Program. In addition, he explained that they have been given a second mission as they have also been designated as the High-Performance Data Facility Hub. Although, this facility is located in the City of Newport News, we expect many of the high-speed data scientists who will be employed there to make York County their home.

Mr. Green asked the County Administrator to investigate the possibility of hiring or designating an Environmental Officer for the County. If not, he asked how we can certify that each department is compliant with all applicable environmental standards. In addition, in regard to Ms. Brock's earlier comments during the Citizens' Comment Period, he asked that we take special precautions to ensure there are no public tripping hazards. He also asked the County Administrator to provide a briefing on the Port Security Plan currently being drafted, what it entails, and what the Board and citizens can expect when a Port Security Plan is implemented.

In response, Mr. Morgan stated that he would provide a written report on the plan. However, he explained that the Coast Guard and the federal government regulations now require a security plan for any vessel that has an overseas registry.

Chairman Shepperd noted that the Princess Cruise Line is also registered outside of the United States and that he has a concern that security for these ships will prohibit citizens from utilizing our docks when these ships are here. He added that this is an issue the County will have to closely review. He stressed that we do not need visitors coming to our docks which would prohibit our citizens from their rightful use of these facilities. As such, he asked for more research into this matter so that the Board can determine if this is something they can or cannot support.

RECESS

Chairman Shepperd called a brief recess at 7:34 p.m.; the meeting reconvened at 7:41 p.m.

PUBLIC HEARINGS

APPLICATION NO. UP-1018-23, MICHAEL TYNDALL ENTERPRISES, INC. Resolution R23-141.

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

Mr. Earl Anderson, Chief of Development Services, gave a presentation on Application No. UP-1018-23, Michael Tyndall Enterprises, Inc. to authorize the establishment of a contractor's shop with outdoor/exposed storage on a 0.2-acre parcel located at 2927 George Washington Memorial Highway. The property is zoned General Business (GB) and is designated GB in the Comprehensive Plan. Mr. Anderson stated that the Planning Commission considered this application at its September 13, 2023 meeting and subsequent to conducting a public hearing at which time only the applicant spoke, the application was recommended for approval on a 7:0 vote.

Chairman Shepperd opened the floor for Board questions and comments.

Mr. Roane asked what materials had been stored in the back of the property that the applicant had removed.

In response, Mr. Anderson stated that it was likely materials associated with his decking and fencing business; however, he noted that the applicant was present and could respond to this question. He did point out that Mr. Tyndall has a storage container and a trailer on the subject site in which he can store random materials; however, he noted that he has secured off-site storage as well.

Mr. Green remarked that the only reason Mr. Tyndall’s application is being presented this evening is because he is requesting outdoor storage.

Mr. Michael Tyndall, the applicant, came forward in support of his application noting that his home is located at 30 Holly Street, Poquoson, and his business is located at 2927 George Washington Memorial Highway. He stated that during the 12 years in which he has been in business at this site, outside debris and excess materials have accumulated. However, he noted that since he has cleaned the property, he has rented an indoor storage space at which 90 to 95 percent of his material is now stored.

Mr. Roane asked about the composition of the debris that had been relocated to an off-site storage facility.

Mr. Tyndall stated that it was trucks, decking, and odd leftover pieces of decking and fencing. He added that his only request is to keep the container on-site to house tools and to keep the work trailer parked inside the fence.

Chairman Shepperd stressed the importance of keeping Route 17 looking neat and welcoming to citizens and visitors alike and cautioned the applicant not to allow any further outside storage on his property.

Chairman Shepperd then called to order a public hearing on proposed Resolution R23-141 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 A CONTRACTOR’S SHOP WITH OUTDOOR STORAGE AT 2927 GEORGE WASHINGTON MEMORIAL HIGHWAY

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

Mrs. Noll then moved the adoption of Resolution R23-141.

Chairman Shepperd opened the floor for Board discussion; however, hearing none he asked for a vote.

On a roll call the vote was:

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

PROPOSED YORK COUNTY CODE SECTION 15-48 AMENDMENT. Ordinance No. 23-13.

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

Sheriff Ronald Montgomery explained that there are some streets in the County where there is some confusion relative to enforcement authority by his office. He then stated that he and his

October 17, 2023

staff have drafted the proposed ordinance with the County Attorney’s assistance that will provide his personnel adequate authority to address parking issues such as vehicles that are blocking the roadway or perhaps blocking fire ingress/egress and other such issues. In conclusion, Sheriff Montgomery encouraged the Board to adopt proposed Ordinance 23-13.

Mr. Roane asked where most of these parking issues are found in the County.

In response, Sheriff Montgomery stated that many of these issues have arisen in the mixed residential areas, where single-family and townhouses are combined and the streets are narrower. In addition, he noted that enforcement authority in these areas is unclear.

Mr. Morgan added that the proposed ordinance clarifies the Sheriff’s authority on private streets, so whether a street is signed private or public when it comes to parking the same rules apply and the Sheriff and his deputies have the same authority.

Mr. Roane asked if this ordinance is adopted do we need to notify the people in those areas that have experienced these parking issues.

Sheriff Montgomery explained that the proper signage is already in place in these areas, but our authority to enforce them was uncertain.

Chairman Shepperd asked if his office has the authority to monitor other traffic infringements on private property such as speeding.

Sheriff Montgomery explained that they have enforcement authority as long as it does not go outside of the boundaries of the Virginia Department of Transportation. He further noted that when one of the deputies finds that a parked vehicle could impede a law enforcement or fire and life safety vehicle, the deputy tries to find the owner and asks them to please move it. He noted that typically in these situations, the owners are happy to comply. However, if approved the ordinance would allow his deputies to ticket non-compliant vehicle owners and even have the vehicle towed if the owner refuses to comply.

County Attorney, Richard Hill, clarified that this ordinance would not apply to all private roads, but only to those in which law enforcement has authority to enforce other traffic regulations as specifically set forth in the Virginia State Code and the York County Code. However, he pointed out that there are a minimal number of such cases, and this ordinance will give law enforcement the ability to enforce signage on both public and private streets where they can also enforce all other traffic regulations.

Chairman Shepperd then called to order a public hearing on proposed Resolution R23-13 that was duly advertised as required by law and is entitled:

AN ORDINANCE TO AMEND COUNTY CODE SECTION 15-48 TO CLARIFY THAT THE PARKING ORDINANCE ALLOWS FOR ENFORCEMENT OF PARKING RESTRICTIONS THROUGHOUT THE COUNTY

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

Mr. Roane then moved the adoption of Ordinance No. 23-13.

Chairman Shepperd opened the floor for Board discussion; however, hearing none he asked for a vote.

On a roll call the vote was:

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

FISCAL YEAR 2024 PUBLIC HEARING BUDGET AMENDMENT (JAMES CITY COUNTY E-911 CONSOLIDATION). Resolution R23-127.

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

Mr. Morgan explained that the County Code requires a public hearing be held if a budget amendment of more than one percent of the General Fund is considered. He noted that the additional appropriations result from the consolidation of James City County with the Regional Emergency Communications Center (ECC) which resulted from the executed Joint Exercise of Powers Agreement and Memorandum of Understanding with James City County for the needed operations and capital improvements necessary for this merger. Basically, he stated that the Board is being asked to formally sign off on the agreement made months ago.

Mr. Zaremba asked for clarification relative to the capital, health, and dental funds associated with this merger.

In response, Mr. Morgan explained that all of these funds were coming from James City County in the exact amount noted in the aforementioned agreement.

Chairman Shepperd then called to order a public hearing on proposed Resolution R23-127 that was duly advertised as required by law and is entitled:

A RESOLUTION AMENDING THE BUDGET FOR THE COUNTY OF YORK FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, AND ENDING JUNE 30, 2024 BY APPROPRIATING FUNDING RELATED TO THE MERGER OF JAMES CITY COUNTY WITH THE REGIONAL EMERGENCY COMMUNICATIONS CENTER AND APPROPRIATING ADDITIONAL FUNDING IN THE YORK COUNTY GENERAL, CAPITAL AND HEALTH AND DENTAL FUNDS

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

Mr. Zaremba then moved the adoption of Resolution R23-127.

Chairman Shepperd opened the floor for Board discussion; however, hearing none he asked for a vote.

On a roll call the vote was:

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

PROPOSED YORK COUNTY CODE CHAPTER 18.1 AMENDMENT. Ordinance No. 23-14

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

Mr. Neil Morgan, reminded the Board that they held a work session on this item earlier this month at which time it was explained that with the installation of the new software, it came to light that the Sewer Ordinance had not been updated for quite some time. He pointed out that most of the proposed changes are minor grammatical edits; however, the most substantive change is modifying the time period for delinquent accounts that will make it align with our adjacent localities, Newport News Waterworks, and Hampton Roads Sanitation District (HRSD).

Chairman Shepperd then called to order a public hearing on proposed Ordinance No. 23-14 that was duly advertised as required by law and is entitled:

October 17, 2023

AN ORDINANCE TO AMEND CHAPTER 18.1 OF THE YORK COUNTY CODE TO MODIFY AND CLARIFY DEFINITIONS AND PRACTICES AS IT RELATES TO BILLING PROCEDURES FOR SEWER MAINTENANCE

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

Mr. Green then moved the adoption of Ordinance No. 23-14.

Chairman Shepperd opened the floor for Board discussion; however, hearing none he asked for a vote.

On a roll call the vote was:

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

CONSENT CALENDAR

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

Chairman Shepperd asked if a Board member would like to pull, ask for clarification, or offer comments on any of the consent items. Since there were none, he called for a motion.

Mrs. Noll moved that the Consent Calendar be approved as submitted, Item Nos. 7 and 8, respectively.

On roll call the vote was:

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

Item No. 7. BUNTING POINT, PHASE 2. Resolution R23-111.

A RESOLUTION REQUESTING THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE A CERTAIN STREET IN THE BUNTING POINT, PHASE 2 SUBDIVISION INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

Item No. 8. CARRINGTON MEADOWS, PHASES I AND II. Resolution R23-123.

A RESOLUTION REQUESTING THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE CERTAIN STREETS IN THE CARRINGTON MEADOWS PHASE 1 SUBDIVISION AND THE CARRINGTON MEADOWS, PHASE 2 SUBDIVISION INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

NEW BUSINESS

Item No. 9. YMCA SHELTERING AND GENERATOR INSTALLATION. Resolution R23-128.

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

Mr. Mark Bellamy, Deputy County Administrator, reminded the Board that Mr. Klutts the YMCA CEO, had recently provided a presentation on some of the projects the YMCA hopes to accomplish. One of those projects he stated was the establishment of a smaller shelter at the Victory YMCA, as we already have access to larger shelters at specific schools in the County

when needed. He further explained that often times there is only a small number of individuals needing shelter so it is impractical to shut down a school for just a handful of people; however, the size of the YMCA offers a perfect solution. He explained that the Memorandum of Understanding (MOU) that is being considered by the Board this evening not only provides for the needed smaller shelter through the YMCA, but it also includes the County's purchase of a generator that will make the YMCA fully operational in the event of an emergency.

Mr. Morgan added that the City of Poquoson is donating \$37,000 towards this generator.

Chairman Shepperd opened the floor for Board questions and/or comments.

Mr. Roane asked about the size of the generator proposed for the YMCA. He also inquired about the life expectancy of this equipment.

In response, Mr. Bellamy stated that although he could not provide the exact size of the generator, he assured the Board it would be the appropriate size to energize the entire building. He also explained that the life cycle of the generator should be approximately 12 years or longer.

Mr. Green asked why the YMCA generator would be fueled by natural gas when most of the County's generators are diesel.

Mr. Bellamy stated that supply chain issues are the reason we are installing a natural gas generator at the YMCA. He added that currently, it takes six to eight months to obtain a generator after it is ordered.

Mr. Morgan pointed out another good reason for a natural gas generator at the YMCA, that is, the County generators are maintained and fueled regularly by the Public Works Department.

Mr. Zaremba asked in case of an emergency what should our citizens do.

Mr. Terry Hall stated in such cases citizens should follow the directions of Public Safety. He noted that there is a current EAS (Emergency Alert System) on television and radio which citizens should tune into when an event occurs and follow their instructions which are facilitated in conjunction with federal, state, and local authorities.

Mr. Zaremba suggested getting this information out to all residents.

Mr. Green then moved the adoption of Resolution R23-128.

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH VIRGINIA PENINSULA'S VICTORY FAMILY YMCA AND EXECUTE A CONTRACT WITH CARTER CATERPILLAR FOR THE PURCHASE OF A GENERATOR FOR SHELTER OPERATIONS

On roll call the vote was:

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

MATTERS PRESENTED BY THE BOARD

Mr. Roane stated that he has heard from countless citizens who reside in school neighborhoods about the severe traffic congestion that occurs when students are arriving and departing from the various schools. He stated that citizens have specifically pointed out that it is even difficult to exit one's own driveway safely. He then asked Mr. Morgan if he could arrange regular conversations between the Board of Supervisors and the School Board in order to jointly address such issues as this and others as well.

October 17, 2023

Mr. Morgan stated he was certain that everyone would be agreeable to this request. However, having heard much about this issue as well, he stated that there are three basic things transpiring: one is a higher percentage of parents are dropping and picking up their kids; secondly, the County is seeking additional federal grant funds to continue installing sidewalks whereby more children can walk to school but this will take time; and the third piece is as schools are renovated, where space allows, they are improving vehicle circulation as well as their parking capacity. He added that he knows that in the current Capital Improvements Plan (CIP) projects are included to improve the car line circulation at several schools, but again this will take time.

Mr. Roane asked what we do short-term to provide some relief until we get those long-term remedies in place.

Mr. Morgan stated that the Board does meet periodically with the School Board and this item of concern could be placed near the top of the agenda for the next such meeting.

Chairman Shepperd noted that many of these issues arise because many schools were constructed on old two-lane country roads.

Mr. Green announced that on Yorktown Day, October 19th, the Commemorative Ceremony of the French Cemetery sponsored by the American Friends of Lafayette starts at 8:30 a.m.; and at 9:10 a.m. a ceremony will be held at the grave of Thomas Nelson, Jr. at Grace Episcopal Church. In addition, he noted that at 9:10 a.m. commemorative ceremonies at the French Memorial will be held honoring the French American Alliance; at 10:30 a.m. a parade will be held on Main Street sponsored by the National Park Services; and at 11:15 a.m. patriotic exercises and the memorial wreath laying will be held at the Victory Monument. He encouraged everyone to come out and celebrate Yorktown Day.

Mr. Brian Fuller, Assistant County Administrator, stated that most of the planned activities are not sponsored or provided by the County. He noted that the Danish and Spanish Ambassadors will be in attendance but will not formally address the participants. The actual presenter for the occasion is a professor from Columbia University who will speak at the dinner and at the Yorktown Day ceremonies.

Chairman Shepperd reminded everyone that Election Day is on November 7th; however, citizens may vote early until November 4th.

CLOSED MEETING - none

Meeting Adjourned. At 8:24 p.m., Chairman Shepperd declared the meeting adjourned sine die.

Neil A. Morgan
County Administrator

Thomas G. Shepperd, Jr., Chairman
York County Board of Supervisors