

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
February 5, 2008

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, February 5, 2008, in the East Room, York Hall, by Chairman Thomas G. Shepperd, Jr.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zarembo, Sheila S. Noll, Donald E. Wiggins, George S. Hrichak, and Thomas G. Shepperd, Jr.

Also in attendance were James O. McReynolds, County Administrator; J. Mark Carter, Assistant County Administrator; and James E. Barnett, County Attorney.

WORK SESSION

PROPOSED FISCAL YEAR 2009 BUDGET

Mr. McReynolds indicated there were two budget topics to be discussed at this time — the requests for new personnel and programs for FY09 and the Capital Improvements Program (CIP) for FY09-FY14.

Chairman Shepperd noted this was an informational meeting, and no decisions would be made at this time.

Mr. McReynolds explained that with the Board's approval, the material presented tonight would be included in the proposed budget to be presented at the February 19 regular meeting.

NEW PERSONNEL, PROGRAM, AND EQUIPMENT REQUESTS

Mrs. Marycarol White, Director of Financial and Management Services, then reviewed the following requests for new positions and the County Administrator's recommendation:

	FY2009 Request	County Administrator Recommendation
Registrar	.5	0.0
Sheriff's Office	26.0	3.0
Fire and Life Safety	3.0	2.0
Environmental & Development Services	2.0	1.0
Financial & Management Services	3.25	1.75
General Services	13.0	13.0
Community Services	<u>4.5</u>	<u>1.0</u>
	52.25	21.75

The total cost for the recommended new positions is \$1,807,179.

Discussion followed regarding funding for the Registrar's office. Discussion also ensued regarding the Sheriff's request for two investigators, and Chairman Shepperd indicated he more interested in the demand requirements and what the impact would be of his office not receiving the two positions.

At this time Sheriff J. D. Diggs explained that it was hard to measure the impact that crime prevention, response times, ability to solve crimes, and law enforcement officers' presence can have on deterrence and crime rates. He also explained how the patrol deputy positions were more critical at this time because the crime rate in the county was fairly level, and it was important not to get behind in terms of patrol coverage. He stated it was his hope that the office could get on a plan to add six officers every four years and then reexamine the plan at the end of the four years for further out years.

Discussion then ensued concerning the personnel requests for the Departments of Fire and Life Safety, Environmental and Development Services, and General Services.

Mrs. Noll asked why the concessions for the new playing fields will be operated by the County instead of by the parents associated with the sports programs.

Mrs. Anne B. Smith, Director of Community Services, indicated the revenue projected from this operation will offset the cost of the work-as-required personnel.

Mrs. White noted that revenues are projected to be \$387,000 in the first quarter of operations which would more than offset the work-as-required staff.

Mrs. Noll indicated that if it were done by the volunteers and the parents, the funds raised would go to fund their own programs. She stated this is something the people can do for themselves.

Mr. Zaremba stated he did not see the need to have paid personnel running the concessions when the waters have not yet been tested. He stated he felt it was a good way to get the parents involved in Parks and Recreation programs.

Discussion followed regarding the use of volunteers versus work-as-required personnel to operate the concession stands.

After further discussion, the Board directed that staff provide it with some comparisons of other comparable programs within 30 days in order to make a decision on whether or not to fund this aspect of the budget as proposed.

After a brief discussion regarding the request for a Tourism and Events Specialist, Mrs. Noll stated she would like to see a breakdown of tourism funding in order to find a way to fund the position that is not now recommended.

Mr. McReynolds indicated he would provide that information to the Board.

NEW PROGRAM REQUEST

Mrs. White next reviewed the one new program request, a VRS Multiplier Increase from the Department of Public Safety/Sheriff's Office at a cost of \$250,000. She noted the County Administrator did not recommend the new program for FY2009 funding because it was not mandatory and did not address all employees. She stated there were no new capital expenditure requests for new programs for FY09.

Mr. McReynolds indicated at some point in time the County would have to adopt the program to remain competitive with other jurisdictions.

Discussion followed on the purpose for the program, which is to increase the retirement benefits for public safety personnel.

Meeting Recessed. At 8:34 p.m. Chairman Shepperd declared a short recess.

Meeting Reconvened. At 8:44 p.m. the meeting was reconvened in open session by order of the Chair.

Capital Improvements Program

Mrs. White reviewed the funding model for developing the CIP. She then reviewed a handout showing the schedule of estimated capital funds availability which indicated available funding for FY09 at approximately \$18 million. The proposed CIP is approximately \$14 million, leaving an ending fund balance of approximately \$4 million.

Discussion followed on future borrowing and the County's excellent bond rating.

Mrs. White then reviewed the current CIP projects and the years in which they are proposed to occur, reviewing the specifics of the FY09 column.

Discussion followed regarding the mobile data terminals for the Sheriff's Office, satellite fire station additions, Yorktown library expansion, and the bikeways development fund.

Mr. Wiggins indicated he would like to add something to the FY09 CIP. He provided some background on the beginning of the stormwater/drainage program in the County. He asked that \$1 million be placed in the FY09 CIP to take care of the drainage problems in Edgehill. He stated there are also needs in the Waterview area regarding sewer. He also addressed the ball fields to be constructed next to Seaford Elementary School in the out-years of the CIP. He stated the Board does not need to be worrying about more ball fields at this time, but should be doing things to protect the County's families and homes, especially in the older areas.

Chairman Shepperd stated the issue that caused Edgehill to be dropped from the drainage program was that it was getting to such a price that it was cheaper to buy the home and tear it down than it was to try and fix the drainage in the whole neighborhood.

Mr. Wiggins indicated that was correct, and the cost was about \$6 million if the County did everything necessary to solve all the problems in Edgehill. He stated his proposal was to just get the water draining out of the ditches in a reasonable amount of time.

Chairman Shepperd noted that the drainage projects are prioritized, and suggested that moving this proposal to FY09 would be preempting that prioritization. He asked if this proposal should not go back through the committee/staff process for a recommendation as to where it would go in the CIP.

Mr. McReynolds stated Mr. Hudgins and his staff was going back through the process to see what Mr. Wiggins proposal would cost, and the Board is due an update in September of the Utilities Capital Plan. He stated staff was working on getting a cost on the proposal.

Discussion followed on the environmental issues dealing with maintenance of ditches.

Chairman Shepperd stated to put this proposal in FY09 CIP cannot happen without bumping some other project, and he felt it should go back to the committee/staff for analysis and recommendation. He stated he was not saying no to the proposal, but he needed some more

information. He asked Mr. McReynolds about the possibility of coming back later and putting this proposal in the FY09 CIP and where it would be done.

Mr. McReynolds indicated staff would have to look at the funds available and at the planned borrowings to carry these drainage projects forward. He stated he would look to the Board for guidance without a review of the program. It would entail taking money from someplace else or rearranging the entire stormwater program.

Chairman Shepperd stated there has to be a review and recommendation before this could be done. He also addressed Mr. Wiggins other issue regarding Waterview sewer systems. He stated they are laid out by certain criteria, and to deviate would break the system.

Mr. Wiggins indicated he felt the Board should be focusing more on health and environmental issues rather than on ball fields within the six-year CIP program. He indicated the ball fields at Seaford Elementary School is one project in his district that can be moved.

Mrs. Noll suggested that perhaps the ball fields at Seaford Elementary should be referred back to the Parks and Recreation Advisory Committee for an objective review, and maybe a survey should be done of the people in the Seaford area to see how they feel. She stated the County does need playing fields.

Discussion followed regarding redirection of programs in order to change project priorities and funding.

Mrs. White continued her review of the proposed CIP regarding the schools.

Discussion followed on the roof replacement for Waller Mill Elementary School and the increased costs for projects that have moved up from the out-years. Further discussion followed regarding price increases and how they have affected the timing of sewer projects. The Board members indicated it was critical that something be done to accelerate some of the projects for the older areas as soon as possible without doing away with the established criteria.

Mr. McReynolds reiterated that staff was scheduled to bring the Board an update of the Utilities Capital Plan in September, and between now and then staff will study the alternatives and bring them forward to the Board at that time with a recommendation.

Discussion followed concerning high-priced items coming up in the out-years for the schools, including funding for a new elementary school.

CONSENT CALENDAR

At Mr. Zaremba's request, Mr. Hudgins reviewed the storm sewer maintenance agreement with the School Division as outlined in proposed Resolution R08-14.

Mrs. Noll moved that the Consent Calendar be approved as submitted, Item Nos. 1, 2, 3, and 4, respectively.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Hrichak, Shepperd
Nay: (0)

Thereupon, the following minutes were approved and resolutions adopted:

Item No. 1. APPROVAL OF MINUTES

The minutes of the following meetings of the York County Board of Supervisors were approved:

January 2, 2008, Regular Meeting

January 14, 2008, Adjourned Meeting

Item No. 2. STORM SEWER MAINTENANCE AGREEMENT WITH SCHOOL DIVISION: Resolution R08-14

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A STORM SEWER MAINTENANCE AGREEMENT WITH THE YORK COUNTY SCHOOL DIVISION FOR MAINTENANCE OF THE SCHOOL DIVISION'S STORM SEWER SYSTEMS PURSUANT TO PERMIT COVERAGE UNDER THE SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM

WHEREAS, the County of York and the School Board are each required to be permitted under the Small Municipal Separate Storm Sewer System, Phase II Regulations, 9 VAC 25-750-10 *et seq.*; and

WHEREAS, the Virginia Department of Conservation and Recreation (hereinafter DCR), the issuing agent for the permits, allows the School Division to be covered under the County's permit; and

WHEREAS, the County and the School Board wish to enter into an agreement to set forth the terms and conditions for storm sewer maintenance service to be provided by the County; and

WHEREAS, the School Board has agreed to reimburse the County for maintenance costs for the School Division's Municipal Separate Storm Sewer System; and

WHEREAS, pursuant to the proposed agreement the School agrees to assist the County as necessary to meet the six Minimum Control Measures as required in the permit.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 5th day of February, 2008, that the Board authorizes the County Administrator to take all necessary actions to execute the agreement as described above with the School Board.

Item No. 3. COMMENDATION OF RETIRED EMPLOYEE: DON L. GRICE: Resolution R08-18

A RESOLUTION TO COMMEND DON L. GRICE, YORK COUNTY DEPARTMENT OF FIRE AND LIFE SAFETY FIREFIGHTER (RETIRED), FOR THE SERVICES RENDERED TO THE CITIZENS AND VISITORS OF YORK COUNTY

WHEREAS, Don L. Grice began employment with the County of York on July 24, 1984 as a career firefighter; and

WHEREAS, in 1987 he was recognized by the County as the Public Safety Employee of the Quarter for his dedication, both on and off duty, in using his mechanical skills to repair and maintain fire apparatus and resolve minor problems before they became major ones with expensive repairs and equipment out of service, resulting in significant cost savings; and

WHEREAS, Don L. Grice served for years on both B and C shifts, and was loved and respected by the men and women who worked with him; and

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WHEREAS, most recently he was assigned to Fire Station Six in Seaford and, in addition to his regular duties, had responsibilities for maritime response operations from that fire station on his assigned shift; and

WHEREAS, he represented the Department and County as a member of the prestigious and highly skilled Hampton Roads Marine Incident Response Team, and

WHEREAS, he was recognized by his peers for his maritime firefighting knowledge and skills and chosen to serve as an Instructor at the Robert E. Rumens, Annual Hampton Roads Marine Firefighting Symposium in 2007; and

WHEREAS, throughout his career, he served the citizens and visitors of York County with distinction and honor, routinely contributing to their safety and prosperity, and upholding the high ideals and standards of the American fire service; and

WHEREAS, Don L. Grice retired on November 1, 2007;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5th day of February, 2008, that Don L. Grice, and he is hereby, commended for his professionalism and devotion to duty in serving the citizens, businesses, and visitors of the County as a York County Department of Fire and Life Safety Firefighter for 23 years.

BE IT FURTHER RESOLVED that the appreciation of the citizens of York County is hereby extended to Don L. Grice for his service, and the heartfelt best wishes of this Board are extended to him and his family for a well-deserved abundance of happiness and continued success in their future endeavors.

Item No. 4. OPERATIONAL MEDICAL DIRECTOR FOR FIRE AND LIFE SAFETY: Resolutions R08-19 and R08-20

Resolution R08-19:

A RESOLUTION TO COMMEND DR. CHERYL LAWSON, M.D.,
A.B.E.M. FOR SERVING AS THE INTERIM OPERATIONAL MEDICAL
DIRECTOR FOR THE YORK COUNTY DEPARTMENT OF
FIRE AND LIFE SAFETY

WHEREAS, the York County Department of Fire and Life Safety is charged by the York County Board of Supervisors with the provision of basic and advanced life support pre-hospital emergency medical care for the citizens and visitors of York County, Virginia; and

WHEREAS, 12VAC5-31-590 and 12VAC5-31-1880 to 1950 of the Office of Emergency Medical Services Virginia Department of Health, Virginia Emergency Medical Services Regulations, mandates that all emergency medical services (EMS) agencies which provide basic and advanced life support services shall be required to have an Operational Medical Director in order to provide the necessary medical control; and

WHEREAS, in May of 2007, Kimberly Mitchell, M.D., A.B.E.M., resigned from her position as York County Department of Fire and Life Safety Operational Medical Director after almost seven years of service to the department; and

WHEREAS, as the Peninsulas Emergency Medical Services Council's Regional Medical Director, Dr. Cheryl Lawson, M.D., A.B.E.M., agreed to serve as the Department's Interim Operational Medical Director until a new Operational Medical Director could be appointed; and

WHEREAS, as Operational Medical Director, she has provided medical control, directed patient care operations, assisted in the establishment of training and continuing education programs, and assisted in the establishment of appropriate medical protocols for all operational

phases of the basic and advanced life support services provided by the Department of Fire and Life Safety; and

WHEREAS, throughout this interim period, Dr. Cheryl Lawson, without compensation, served the citizens and visitors of York County with distinction and honor, working with the men and women of the York County Department of Fire and Life Safety to ensure the delivery of state-of-the-art emergency medical services

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5th day of February, 2008, that Dr. Cheryl Lawson be and hereby is commended for serving as the Interim Operational Medical Director for the York County Department of Fire and Life Safety and for her tremendous contribution made in improving pre-hospital emergency medical services.

BE IT FURTHER RESOLVED that the Board of Supervisors extends its support, appreciation, and respect, and wishes Dr. Lawson success in all of her future endeavors.

Resolution R08-20

A RESOLUTION TO APPOINT AMY E. BURFORD, M.D., A.B.E.M. TO THE POSITION OF OPERATIONAL MEDICAL DIRECTOR FOR THE YORK COUNTY DEPARTMENT OF FIRE AND LIFE SAFETY, THE COUNTY'S EMERGENCY MEDICAL DISPATCHING PROGRAM AND THE COUNTY'S PUBLIC ACCESS DEFIBRILLATION PROGRAM

WHEREAS, the York County Department of Fire and Life Safety is charged by the York County Board of Supervisors with the provision of basic and advanced life support pre-hospital emergency medical care for the citizens and visitors of York County, Virginia; and

WHEREAS, 12VAC5-31-590 and 12VAC5-31-1880 to 1950 of the Office of Emergency Medical Services Virginia Department of Health, Virginia Emergency Medical Services Regulations mandates that all emergency medical services (EMS) agencies which provide basic and advanced life support services shall be required to have an Operational Medical Director in order to provide the necessary medical control; and

WHEREAS, the Operational Medical Director's responsibilities include the development, implementation and revision of medical operational and dispatch protocols, policies and procedures designed to deliver quality patient care; and

WHEREAS, the County's Public Access Defibrillator Program is another important element of its emergency medical services system, and

WHEREAS, continuing to provide state-of-the-art emergency medical services are in the best interest of the citizens and visitors of York County, Virginia;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5th day of February, 2008, that, in considering the recommendations of the County Administrator and the Fire Chief, Amy E. Burford, M.D., A.B.E.M., be and hereby is appointed to serve as Operational Medical Director for the York County Department of Fire and Life Safety, the County's Emergency Medical Dispatching program, and the County's Public Access Defibrillation Program for a term of four years ending December 31, 2012.

BE IT FURTHER RESOLVED that Dr. Burford shall carry out the duties required of that office under state law and shall be afforded the cooperation, respect, title, and privileges corresponding to the responsibilities assumed with her appointment as Operational Medical Director.

OPEN DISCUSSION

Chairman Shepperd noted he had attended the 40th Anniversary Celebration at Thomas Nelson Community College. He stated Thomas Nelson is one of the largest educational institutions on the Peninsula with 14,000 students. He congratulated the college on its programs. He noted he also had a discussion with the mayor of Williamsburg regarding the new Marquis library, and the issue is not as contentious as first thought. Williamsburg is planning a new library, and York County's will be another one in providing services to the entire area.

CLOSED MEETING. At 9:53 p.m. Mr. Zaremba 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: (5) Noll, Wiggins, Hrichak, Zaremba, Shepperd
Nay: (0)

Meeting Reconvened. At 10:07 p.m. the meeting was reconvened in open session by order of the Chair.

Mrs. Noll moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREE-
DOM 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 5th day of February, 2008, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (5) Wiggins, Hrichak, Zaremba, Noll, Shepperd
Nay: (0)

APPOINTMENT TO THE COLONIAL GROUP HOME COMMISSION

Mr. Wiggins moved the adoption of proposed Resolution R08-10 that reads:

A RESOLUTION TO REAPPOINT A YORK COUNTY GOVERNMENTAL REPRESENTATIVE TO THE COLONIAL GROUP HOME COMMISSION

BE IT RESOLVED by the York County Board of Supervisors this 5th day of February, 2008, that Stephen P. Kopczynski be, and he is hereby, reappointed to the Colonial Group Home Commission for a term of four years, such term to begin March 1, 2008, and expire February 28, 2012.

On roll call the vote was:

Yea: (5) Wiggins, Hrichak, Zaremba, Noll, Shepperd
Nay: (0)

APPOINTMENTS TO THE BEAUTIFICATION COMMITTEE

Mr. Zaremba moved the adoption of proposed Resolution R08-13 that reads:

A RESOLUTION TO APPOINT MEMBERS TO THE 2008 YORK COUNTY BEAUTIFICATION COMMITTEE

BE IT RESOLVED by the York County Board of Supervisors this 5th day of February, 2008, that the following individuals be, and they are hereby, appointed as members to the York County Beautification Committee for 2008, such appointments to begin immediately and expire on December 31, 2008:

Antoinette Anderson

Barbara Dunbar

Jeanne Eickhoff

Janis Erickson

Carole Ferro

Lorie Fuller

Hal Murrow

Lanna Rackley

Wanda Turner

Debra Wolfe

On roll call the vote was:

Yea: (5) Hrichak, Zaremba, Noll, Wiggins, Shepperd
Nay: (0)

APPOINTMENT TO THE SENIOR CENTER OF YORK BOARD

Mr. Shepperd moved the adoption of proposed Resolution R08-15 that reads:

A RESOLUTION TO APPOINT A REPRESENTATIVE TO THE SENIOR CENTER OF YORK BOARD

WHEREAS, Ms. Sarah Kennedy has submitted her resignation as a member of the Senior Center of York Board;

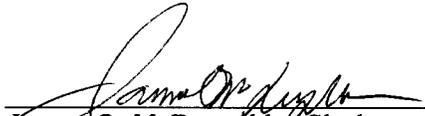
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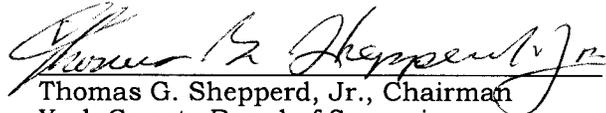
NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5th day of February, 2008, that Donna J. Gilroy be, and is hereby, appointed to the Senior Center of York Board to fill the unexpired term of Sarah Kennedy, such term to begin immediately and expire June 30, 2009.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Hrichak, Shepperd
Nay: (0)

Meeting Adjourned. At 10:09 p.m. Chairman Shepperd declared the meeting adjourned sine die.


James O. McReynolds, Clerk
York County Board of Supervisors


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