

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
March 3, 2020

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., March 3, 2020, in the East Room, York Hall, by Chairman W. Chad Green.

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

Jeffrey D. Wassmer was absent.

Also in attendance were Neil A. Morgan, County Administrator; Mark L. Bellamy, Jr., Deputy County Administrator; Vivian A. Calkins-McGettigan, Deputy County Administrator; and James E. Barnett, County Attorney.

PRESENTATIONS

VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Rossie Carroll, Williamsburg Residency Administrator, provided the Board with a quarterly update. He provided maintenance accomplishments for the quarter which included 734 maintenance work orders of which 567 have been completed, equivalent to a 77 percent completion rate. The highest number of work orders received were drainage issues. He provided a list of accomplishments for the quarter which included:

- Shoulder repairs on Route 17, Route 134 and Oriana Road
- Erosion repair on Whispering Pines Drive
- Drop inlet/sinkhole repair on Freedom Boulevard
- Brush cutting and tree trimming on Cook Road, Route 238, and Route 17
- Regrading and ditch clean-out on East Queens Drive, Little Johns Road, and Bow-springs Drive
- Sink hole repair in the median of Route 17/Route 105
- Road sweeping of Route 17, Lakeside Drive, and Denbigh Boulevard
- County-wide mowing with litter pickup to begin in mid to late April

Mr. Carroll updated the Board on current ongoing projects which included the I-64 widening segment III, and bridge rehabilitation or replacement projects on the Colonial Parkway, Lakeshead Drive, and Queens Lake. Mr. Carroll stated that work had begun on all bridges. He also explained that a bridge replacement project on Route 134, over Brick Kiln Creek, is under construction with an anticipated completion date of spring 2021. The bridge replacement did include an early completion incentive of November, 2020, and noted the contractor was on schedule to meet the early deadline.

Mr. Shepperd asked if the old bridge over Brick Kiln been demolished yet.

Mr. Carroll stated he was unaware of the status of this bridge. He explained that the Penniman Road/Government Road improvement project will improve safety by widening bicycle lanes, and installing curb/gutter. Another VDOT project included the realignment of Government Road from a Y to a T intersection, which is in the planning stage with an anticipated start of con-

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struction in early 2022. He explained the three Smart Scale projects currently occurring in York County includes the Route 17 widening just after Lakeside Drive to Denbigh/Goodwin Neck Road. He stated that preliminary engineering was underway with an anticipated construction start date slated for 2023 and completion date of 2025.

Mr. Shepperd asked whether VDOT would meet the anticipated construction date and completion date for the Route 17 widening.

Discussion followed on the anticipated start/completion date for the Route 17 widening project, and funding for the project.

Mr. Carroll also provided updates on the following widening projects:

- Route 17 and Route 134 with construction beginning in 2025 and completion occurring in 2026.
- Victory Boulevard capacity enhancement between Route 134 and Route 1740, Heaven's Way which includes turn lane, intersection, and shoulder improvements, as well as a shared use path with preliminary engineering to begin in December of 2023.

He explained the Smart Scale 2022 pre-application intake period begins on March 5, with a pre-application deadline of April 2, 2020. He also pointed out that VDOT had provided an emergency response to the snow event in February and that the Wythe Creek Road project on the Poquoson/Hampton side included scope reductions based on deficiencies, and as such the project may be pushed out so as not to coincide with the Route 134 bridge enhancement.

YORKTOWN LIBRARY

Mr. Kevin Smith, Director of Library Services, updated the Board on the upcoming changes at the Yorktown Library. He provided the Board with an overview of the library since it had begun in the County in the 1960's. He explained that a recent Gallup Poll showed that people visited libraries more than movie theaters. Mr. Smith displayed the statistics and highlights of use at the various branches. With the recent fire at the Grafton Complex, the libraries had begun to support both the students and teachers who utilized the libraries to meet for tutoring sessions. He emphasized throughout the presentation that the library was about people while providing a place and a platform for the education eco-system. He noted that the library had also partnered with Workforce Development to provide seminars on resume writing and access to computers for job searches. Although he had heard concerns expressed by adjacent property owners to the rear of the Yorktown Library that the upcoming construction/renovation project might negatively impact their property, he assured the citizens the construction work would be done at the front of the facility only and would not impact their properties. The presentation included an overview of the upcoming Yorktown Library expansion, which included more meeting rooms, a new children's wing, and would increase the total square feet of the facility by 11,000 square feet. Mr. Smith included a timeline for the renovation. The total amount of square footage once the construction at the library is completed will be approximately 22,000 square feet with construction beginning in April, 2020, pursuant to the construction bid. In June, leased space would be acquired at the Patriot Square Shopping Center and a storefront library would be opened in July to accommodate patrons while construction was underway. Books would be moved in August to old Fire Station 1 and the building would be used as a storage facility. Construction on the facility would begin in September with an estimated completion date in the summer of 2022. During a survey conducted last year at the library, patrons had submitted suggestions which were incorporated in the project where feasible. The suggestions included such items as weekend programs and digital movies. In the future, the library hopes to expand services to the Lackey area while using the Martin Luther King building to facilitate services. This outreach program would be similar to the mobile outreach programs currently being conducted at some of the retirement centers in the County.

Mr. Shepperd stated the statistics showed an increase by the upper York County residents at the Williamsburg Regional Library by 1,000.

Mr. Smith stated the number of patrons using the Williamsburg Regional Library had remained consistent for the past several years.

Mrs. Noll asked about the construction timeline of the renovation at the Yorktown Library.

Mr. Morgan explained the project would begin this summer, with a 14 to 16 month construction period. He stated the project would combine old and new construction which may cause some issues or delays.

Mr. Smith explained that no books would be discarded during the construction. The books would be stored at the old fire station.

Mr. Zaremba asked whether Mr. Smith had noticed more citizens utilizing the library to conduct business activities since businesses were giving employees the ability to work from home.

Mr. Smith explained that he had seen patrons utilize the facility and services at the library to conduct business activities such as Mr. Zaremba had referenced.

WORK SESSION

FISCAL YEAR 2021 PROPOSED BUDGET

Mr. Neil Morgan, County Administrator, updated the Board regarding the progress on the upcoming Fiscal Year 2021 budget. The formal budget presentation was scheduled to be provided at the March 17 meeting and would go to print before all the details of the state budget were finalized. He stated at the April 7 work session, the Board would consider the Community Support Budget, employee compensation, and revenue adjustments. The public hearing would be held on April 21, noting typically the Board would consider adoption at the first meeting in May. He stated a Budget Committee met during the month of February to review the requests and advise him on developing the budget. Mr. Morgan stated the budget included approximately 4.2 million dollars of expenditures based upon previously identified plans and requested needs. He noted this included highly predictable areas such as an increase in debt services, an increase in the contribution to the schools, an increase in staff compensation, and certain new critical positions. He stated there was one increase in the working expenditure budget that did catch them by surprise which was the increase in the County's VRS pension contribution of \$600,000 which was basically hitting all local governments and all school systems in the state and was partly driven by a change in the VRS actuarial rate policy.

Mr. Shepperd asked why the VRS pension contribution changed.

Mr. Morgan stated they had lowered the 30-year rate of return assumption from 7 percent to 6.75 percent.

Mr. Shepperd stated the County had to compensate for the loss. He asked if the VRS was grossly underfunded already.

Mr. Morgan stated compared to 7 or 8 years ago it was much better than it had been, but it was still not where it should be. He stated they had made much progress, but he personally did not think they needed to make this reduction, but this was the General Assembly's decision.

Discussion followed on the VRS actuarial rate and VRS Board.

Mr. Morgan stated in the last few days there had been a creeping concern about how the economy might be impacted by news of the COVID-19 virus, in terms of the kind of revenue estimates the County would be comfortable with in the budget. He stated he would have to make some final decisions on what to recommend within the next few weeks until it had to be finalized with the Board's input. There had also been some disappointing news on the revenue side with an annual loss from the closure of the Dominion Virginia coal turbines which had increased from \$800,000 to 1.3 million. The budget was close to being balanced and he was not recommending a tax increase this year, but it may be harder next fiscal year. Mr. Morgan stated to bring everything into balance this year, they were recommending holding the cash capital fund at 3 million instead of increasing this year. He stated once a gap had been realized, they had gone back to all of the department heads and Constitutional offices for budget reductions. He was pleased to report that the gap had been closed with some excellent assistance from the team.

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Mr. Shepperd asked if there had been any help from the schools.

Mr. Morgan stated the working number that he and the Superintendent had set this year, a few months earlier, had dialed back the County’s contribution by a couple of hundred thousand dollars as compared to this year. This was based on the fact that it appeared the Schools were going to have a strong year and also because of the understanding that the debt service in the capital budget was a major part in supporting the School’s Capital Improvements Plan. He stated he would get back to the Board with a few thoughts on how to make a couple of things in the recommended budget more flexible so there is still a little room to maneuver based on how the economy develops. In conclusion, he thought it was going to be a decent budget and hopefully any economic slowdown would be short-term.

Mrs. Noll stated the VRS increase was unfortunate as it was ultraconservative in their decision making process, but the County had no control over the matter.

Mr. Zaremba stated everything he had read regarding the state budget, although it was not finalized, was that they were flushed with cash. He asked if there was any idea about state contributions to make-up for some of the shortfalls.

Discussion followed on the state budget and the adoption by the General Assembly, and how local governments and schools had to recommend a budget before the state’s budget was finalized.

Mr. Morgan stated there was a good chance that counties would have the same cigarette taxing authority as cities do. While the tax would include a one year lag time to get into place, it was another useful tool for York.

CONSENT CALENDAR

Mrs. Noll moved that the Consent Calendar be approved as submitted, Item Nos. 1, 2, 3, 4, and 5, respectively.

On roll call the vote was:

Yea: (4) Zaremba, Noll, Shepperd, Green
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 31, 2020, Adjourned Meeting
February 4, 2020, Regular Meeting

Item No. 2. COMMENDATION OF RETIRING EMPLOYEE: Resolution R20-27

A RESOLUTION TO COMMEND GREGORY D. TOTH, LIEUTENANT, DEPARTMENT OF FIRE AND LIFE SAFETY, ON THE OCCASION OF HIS RETIREMENT FROM COUNTY SERVICE

WHEREAS, Gregory D. Toth began employment on October 14, 1987, and he will retire on March 31, 2020, from his present position as Lieutenant/Station Officer, Fire and Rescue Operations Division, of the Department of Fire and Life Safety; and

WHEREAS, Lieutenant Toth grew up in Newport News, graduating from Menchville High School and, after working in private industry, including a number of years at Newport News Shipbuilding, decided to make a career serving the citizens of York County, first as a volunteer member of the Department of Fire and Life Safety and soon thereafter as a career employee; and

WHEREAS, during his tenure, Greg was assigned to all three shifts and multiple fire stations, concluding many years served as part of Fire Station One on "B" Shift; and

WHEREAS, Lieutenant Toth was first promoted to the rank of Senior Firefighter, and later was promoted to Lieutenant/Station Officer, responsible for extensive firefighting, emergency medical services and rescue duties, as well as supervision of crews assigned to his engine and medic company; and

WHEREAS, early in his career, Lieutenant Toth obtained advanced life support certification as a "Cardiac Technician," and he would eventually acquire the highest level of pre-hospital advanced life support emergency medical services certification as a "Paramedic;" and

WHEREAS, Greg was always forthcoming with providing input into improving department operations and offering unique ideas; and

WHEREAS, Lieutenant Toth has always exuded pride in the department and has been committed to providing the best possible services, spending over three and a half decades of his life serving the citizens, businesses, and visitors of the County as a member of Fire and Life Safety; and

WHEREAS, Greg, has always been known as a proud husband and father, striving to make sure that his family was well cared for; and

WHEREAS, Lieutenant Toth has earned the admiration and respect from the Board of Supervisors and his colleagues for his dedication, heroism, competency, and professionalism;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 3rd day of March, 2020, that the Board takes great pleasure in recognizing the significant service of Lieutenant Gregory D. Toth, and herewith expresses its sincere gratitude for the invaluable contributions he has made to York County throughout his career with the Department of Fire and Life Safety.

BE IT FURTHER RESOLVED that the appreciation of the citizens of York County is hereby extended to Lieutenant Toth for his service, and the heartfelt best wishes of this Board of Supervisors are extended to him and his family for a long, well-deserved, and pleasurable retirement and continued success in future endeavors.

Item No. 3. APPOINTMENTS TO THE VIRGINIA PENINSULAS PUBLIC SERVICE AUTHORITY BOARD: Resolution R20-25

A RESOLUTION TO APPOINT A REGULAR YORK COUNTY REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE TO THE VIRGINIA PENINSULAS PUBLIC SERVICE AUTHORITY BOARD OF DIRECTORS

WHEREAS, the Articles of Incorporation for the Virginia Peninsulas Public Service Authority (VPPSA) call for a York County representative and an alternate appointed to their Board of Directors; and

WHEREAS, each appointment shall be for a term of four years;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 3rd day of March, that Mr. Brian K. Woodward, Director of Public Works for York County, be, and he is hereby, appointed as the York County regular to the VPPSA Board of Directors, such term to begin June 30, 2020 and expire June 30, 2024.

BE IT FURTHER RESOLVED that Mrs. Laurel A. Halperin, Waste Services Manager for York County, be, and she is hereby, appointed as the York County alternate to the VPPSA Board of Directors for a term of four years, such term to begin on June 30, 2020 and expire June 30, 2024.

Item No. 4. PROCUREMENT OF PROFESSIONAL TURF SERVICES: Resolution R20-29

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH TRUGREEN LIMITED PARTNERSHIP FOR THE PURCHASE OF PROFESSIONAL TURF SERVICES FOR AN INITIAL TERM OF THREE YEARS WITH THE OPTION TO RENEW ANNUALLY FOR TWO ADDITIONAL YEARS

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$50,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurements are necessary and desirable, it involves the expenditure of \$50,000 or more, and complies with all applicable laws, ordinances, and regulations;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 3rd day of March, 2020, that the County Administrator be, and he is hereby, authorized to execute procurement arrangements with TruGreen Limited Partnership for the purchase of Professional Turf Services at a cost of \$40,898 per year for the initial three year term, with the option to renew annually for two years.

Item No. 5. AIR CONDITIONING UNIT REPLACEMENT – EMERGENCY COMMUNICATIONS CENTER COMPUTER ROOM: Resolution R20-26

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH COLONIALWEBB CONTRACTORS FOR MECHANICAL SERVICES FOR THE REPLACEMENT OF TWO SPECIALIZED INDOOR/OUTDOOR UNITS FOR EMERGENCY COMMUNICATIONS CENTER COMPUTER ROOM

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$100,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurements are necessary and desirable, it involves the expenditure of \$100,000 or more, and complies with all applicable laws, ordinances, and regulations;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 3rd day of March, that the County Administrator be, and hereby is, authorized to execute a contract with ColonialWebb Contractors for the replacement of two specialized indoor/outdoor units for the Emergency Communications Center Computer Room for \$162,777.

NEW BUSINESS

GRAFTON COMPLEX REPAIR INITIAL INSURANCE APPROPRIATION

Mr. Morgan provided the Board with a briefing on the situation at the Grafton Complex. The School Division was moving quickly to begin the repair and remediation for the large project. He anticipated this appropriation would be the first of possibly three. The School Division wanted to ensure they were lawfully ordering and buying items to repair the Complex. The insurance company was taking a lead on reimbursements for the project. Mr. Morgan indicated that some parts of the repair were straight forward, such as the switch gear that needed to be replaced. Other parts of the repair were not as straight forward such as items that were still within their useful life, but may be compromised because of the fire.

Mrs. Noll asked what the source of revenue was being used for the repair.

Mr. Morgan indicated the ultimate source was insurance proceeds. An account code would be set up to capture the repairs and would also serve as a form of insurance documentation. He

felt the reimbursements would be ongoing for many months with most of the costs being associated with hard costs.

Mr. Shepperd then moved the adoption of proposed Resolution R20-30 that reads:

A RESOLUTION TO APPROPRIATE INSURANCE PROCEEDS TO
THE YORK COUNTY SCHOOL DIVISION FOR THE COSTS OF
THE GRAFTON SCHOOL COMPLEX FIRE EVENT

WHEREAS, the Grafton School Complex incurred an electrical fire on February 3, 2020;
and

WHEREAS, the fire destroyed the custom-designed electrical distribution panel that provides power to the entire complex and caused smoke and water damage to the electrical room; and

WHEREAS, the complex sustained smoke damage to the entire building; and

WHEREAS, the School Division will incur costs for the clean-up and repair of the damage; and

WHEREAS, the costs of the clean-up and repairs are expected to be reimbursed with insurance proceeds; and

WHEREAS, the costs for the initial clean-up and repair is estimated to be \$1,200,000.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 3rd day of March, 2020, that \$1,200,000 of estimated costs resulting from the Grafton Complex Fire be, and it is hereby, appropriated from insurance proceeds in the York County School Division Fiscal Year 2020 Budget.

On roll call the vote was:

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

OPEN DISCUSSION

Mrs. Noll thanked the poll workers who had worked in the recent Democratic election.

Mr. Zaremba commended Deputy Taylor from the York Poquoson Sheriff's Office for his professionalism when his wallet had been misplaced at the grocery store.

Mr. Shepperd praised the School Division for their professionalism and rapid response to the Grafton Complex fire by creating a replacement plan for all students. He stated that he had attended a community briefing meeting on the Grafton Complex situation, at which time the School Administration and teaching staff's hard work and dedication to the students and their families was clearly evident. In conclusion, he offered his heartfelt condolences on the recent passing of Stephen Sherriff, a 10 year member of the Library Board, who had been a dedicated board member and citizen.

Chairman Green stated that last week he had become concerned about the Coronavirus (COVID-19) and had contacted Mr. Morgan. As such, he yielded his time to Mr. Morgan to speak regarding the virus.

Mr. Morgan explained the County had been monitoring the developing events relative to the COVID-19 virus and had begun to engage with regional partnerships to find out what to expect and how best to prepare. Mr. Morgan explained the County had created a staff working group, chaired by Kevin Smith and supported by the Department of Fire and Life Safety. Mr. Morgan stated it was important for the County to share accurate information with the public. The Public Affairs Office had created a website page to share information with the public related to the virus. The page also included links to agencies such as the Health Department and Johns Hopkins University. Mr. Morgan stated as more sources of good information became available

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they would be added to the website page. He stated they wanted to position the County with a game plan that could be put into action if it becomes necessary. He stated the general sense is that this virus is probably going to spread quickly and the best thing to do right now is to take the proper steps to slow the arrival and spread.

CLOSED MEETING. At 7:24 p.m. Mr. Zaremba moved that the meeting be convened in Closed Meeting pursuant to Section 2.2-3711(a)(5) of the Code of Virginia pertaining prospective business or industry or expansions of existing business or industry.

On roll call the vote was:

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

Meeting Reconvened. At 8:24 p.m. the meeting was reconvened in open session by order of the Chair.

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

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

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

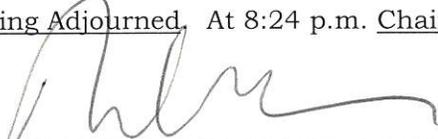
WHEREAS, Section 2.2-3711.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 3rd day of March, 2020, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

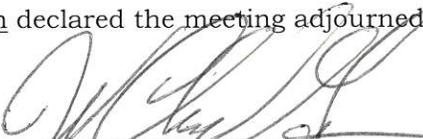
On roll call the vote was:

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

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



Neil A. Morgan
County Administrator



W. Chad Green, Chairman
York County Board of Supervisors