

MINUTES  
BOARD OF SUPERVISORS  
COUNTY OF YORK

Regular Meeting  
June 2, 2020

6:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 6:01 p.m., June 2, 2020, in the East Room, York Hall, by Chairman W. Chad Green.

**REMARKS BY THE CHAIRMAN**

This meeting is called to order. It is June 2, 2020. For the record, this is a meeting of the York County Board of Supervisors, being held by electronic means without a quorum being physically assembled in one place, pursuant to an emergency ordinance adopted on April 21, 2020.

This meeting is being held remotely under the emergency "continuity of government" ordinance adopted under Code of Virginia section 15.2-1413, allowing public meetings of this Board, and of other county boards, commissions, and authorities, to meet remotely. This action was taken because of the health emergency resulting from the Coronavirus pandemic, making an assembly of the board and staff and members of the public in one place unsafe because of the highly contagious nature of the Coronavirus pandemic. Since this is the first meeting of the month, the meeting will follow the work session format.

As with all Live Board of Supervisors' meetings, this meeting is available to watch live on WYCG-TV, Cox Cable 46, Verizon FiOS CH 38 or live streaming at yorkcounty.gov/TV.

I am William C. "Chad" Green, Board Chair, and I am sitting in the Board Room of York Hall. Other Board members participating are Walter C. Zaremba, Sheila S. Noll, Jeffrey D. Wassmer, and Thomas G. Shepperd, Jr. Other County staff present or participating are Neil A. Morgan, County Administrator; James E. Barnett, Jr., County Attorney; Heather L. Schott, Legislative Assistant, and a small number of senior County staff.

**PRESENTATION**

Chairman Green presented Mr. Morgan with his five year service pin. He commended him for his leadership over the past years and especially during this challenging time with COVID 19.

**WORK SESSION**

**COVID 19 IMPACT**

Mr. Morgan provided a brief update on COVID 19. His comments related to both the School Division presentation and CARES funding presentation on the agenda. He explained that the County was addressing COVID 19 in the areas of governance, the health situation, and the financial situation. The emergency declaration allowed the Boards and Commissions the ability to conduct electronic meetings to ensure the continuity of government. The County had slowed down non-critical projects due to the current health situation that may have a large amount of citizen interaction. He reminded the Board that the emergency ordinances will need to be readopted at the June 16 meeting, but excluded the emergency ordinance concerning Yorktown Beach since it had reopened. The tax penalty ordinance would be in effect until September. The County was tracking expenses related to the virus in the event of reimbursement from the government. Mr. Morgan stated currently the County had 77 COVID cases and associated hospitalizations had remained relatively stable; however, Northern Virginia and the Eastern Shore cases had still not decreased. He encouraged those visiting the Yorktown Waterfront to use common sense with regard to COVID 19. He explained that County offices remained closed, but continued to provide services to the citizens. Mr. Morgan then explained that it was anticipated the Governor may be announcing the state transitioning to Phase 2 as of the weekend. Mr. Morgan explained with the anticipated transition to Phase 2, gyms were able to open at 30 percent capacity, restaurants were allowed to reopen indoor dining at half capacity, and certain recreation and entertainment venues may open with restrictions. Mr. Morgan then addressed the County's finances. He cited two staff reports concerning the impacts of COVID 19 that were provided to the Board and available on the County website for

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citizens to view in the Board Correspondence section. Mr. Morgan then reviewed the CARES funding that the County had received in the amount of \$5.9 million. Staff had begun working with the School Division to plan and provide services in a new normal after COVID 19. He referenced the two presentations that would be made during the meeting. The first would be made by Dr. Shandor and members of his senior staff and next by Vivian McGettigan, Deputy County Administrator, and Theresa Owens, Director of Finance. Mr. Morgan explained the School Division had a challenging year due to the tragic fatal car accident of Tabb High School students, the Grafton Complex Fire, and the closing of schools due to COVID 19. He explained that due to the pandemic, the County was forced to cut funding to the School Division. With these challenges, Mr. Morgan expressed optimism due to a strong working relationship with the School Division and the opportunity to creatively optimize the use of federal funds.

Mr. Shepperd asked for clarification on the amount of funding that was being received. He thought the County was going to receive \$7 million instead of the stated \$5.9 million.

Mr. Morgan explained that the CARES Act funding was \$5.9 million, but other funding was also being received from other agencies which would be explained by the County's presentation this evening.

Chairman Green asked for Mr. Morgan to explain the tax abatement emergency ordinance.

Mr. Morgan provided an explanation of the tax abatement emergency ordinance which provides equal treatment for individuals and businesses and waived the convenience fee of credit cards.

Chairman Green stated the ordinance made it easier for citizens to pay their taxes.

Mr. Morgan added that staff was exploring whether the convenience fee of credit cards could be a permanent feature for next year's budget.

#### YORK COUNTY SCHOOL DIVISION UPDATE ON FINANCIAL AND PROGRAM ADJUSTMENTS RELATED TO COVID 19 IMPACT

Dr. Victor D. Shandor, York County School Superintendent, congratulated Mr. Morgan on his 5-year service recognition and expressed his appreciation for the County's support and cooperation over the past five years. He then introduced his team: Ms. Candi Skinner, Chief Academic Officer; Dr. Jim Carroll, Chief Operations Officer; and Mr. Bill Bowen, Chief Financial Officer, stating they had a number of discussion topics in their presentation this evening. He pointed out that October had been challenging for them with the unfortunate car accident at Tabb High School and the fire at the Grafton High/Middle School Complex, but he was extremely proud of his team and the problem solving they had been able to accomplish over the past several months as a solution oriented and task focused group. He thanked the teachers, principals, staff, and parents who have balanced their work schedules and school work during this time. Dr. Shandor stated graduations would be held next week and he provided an overview of the specific schedule and times associated with each school, adding the graduations will be streaming on the cable channel. He stated they wanted to honor the seniors who were graduating from York County schools. Superintendent Shandor stated Mr. Bowen would be giving an update on the FY20 and FY21 Operating Budget and sharing details regarding the Capital Improvement Plan for the School Division. This presentation would be followed by Dr. Carroll sharing information about the One-to-One Initiative on how the School Division will be utilizing devices to provide instruction to students, along with the Technology Reserve Fund, transfer of Impact Aid and Care Act Funding, and lastly a brief update on the Grafton Complex.

Mr. Bill Bowen provided a Fiscal Year 2020 Budget update, stating they had seen challenges with the closure of the schools in March and the uncertainty with the remaining state revenue. He stated that since closure of the schools in March, he had participated with School Division officials weekly through conference calls held by the State Superintendent. The State Superintendent had almost immediately warned the School Divisions to watch their sales tax revenue and at the end of April they had also been cautioned to watch lottery revenue. He noted there had been no specific guidance as to how much less they could expect to receive from what was originally allocated in the initial budget. However, as a precaution they had looked at the remaining sales tax revenue and reduced that amount by about 40 percent, approximately \$2.2 million dollars, and on the lottery side they had reduced the previously expected amount by approximately \$795,000. He stated that sales tax revenue ran about two months behind, so they would not see the impact of the April shutdown until June 15 when they receive the first

payment of sales tax for April. He stated they still have a significant amount of money set aside expecting a loss in sales tax revenue. He noted they will update that information as they get closer to June 15. Some of the other challenges they have experienced was a need for remediation and summer academy. He stated they had been considering whether a Summer Academy would be a way to provide remediation; however, that was not going to be their primary focus. He then spoke on the continuity of instruction in a virtual environment, stating this was another challenge because they had been told the State Department of Education suggested School Divisions prepare to provide new learning possibly in a virtual environment. He stated Dr. Carroll had been leading a committee with School Division staff in developing a plan for an One-to-One Technology Initiative. Mr. Bowen then spoke of the FY21 budget challenges including the reductions in state and local funding for FY21 including a \$1.6 million reduction in local funding and \$1.4 million reduction in state funding. He stated that moving forward, there is still some uncertainty with state and local economies with the General Assembly reconvening in August to provide updates to the state funding so they were not sure if the cuts were finished on the state side. He then gave a brief review of the funding on the following chart:

<b>FY21 State Revenue Update – May</b>		
<b>State</b> (Gov. proposed) (13,188 students) (203 more students than budgeted in FY20)	\$4,650,000	
<b>Adopted State Budget</b> (General Assembly)	\$930,000	
<b>State Amendments</b>	(\$1,430,000)	
<b>Revised ADM</b> (13,138 Students – 50 fewer)	(\$255,000)	
<b>State – Increase in reimbursements</b> (CAS, National Board)	\$161,000	
<b>Total State Revenue</b>	\$4,056,000	<b>5.5%</b>

Mr. Bowen stated that overall they were seeing an increase in revenue of about \$4 million dollars, but they did have a reduction over what they had originally planned for the FY 21 budget. He then provided an update on the CIP, stating in April they had received the new working number from the County which was a million dollars less and required a total rewrite and reprioritization of their CIP projects. He then gave an update of all CIP projects that had been moved forward, that had been realigned, and the projects that had been moved to later years.

Mr. Zaremba asked what the prognosis was and where the new elementary school would likely go when it was required.

Dr. Carroll stated they are now considering mitigation measures which will provide an increase in space. He noted that this decision had been made in the fall to use all of those strategies first before building a new school.

Mr. Zaremba stated it looked like most of the demand was at the bottom half of County.

Dr. Shandor stated it had shifted in the last year and a half to two years. He added there is still a lot of building occurring in the upper County, but the growth in the schools has not been realized to match the potential for the growth.

Dr. Shandor stated Dr. Carroll would now speak regarding the One-to-One Initiative overview.

Dr. James Carroll stated the School Division has to be able to ensure that there is new learning for all of the County's students as they go into the fall. He pointed out that the secondary schools had been able to continue, but the elementary schools had not. He stated they had received guidance from the state that they need to be ready for eventual school closings in preparation for second and third waves of the Coronavirus. He explained the One-to-One Initiative was not something new for public schools. He stated this type of initiative usually takes three to five years to plan division-wide, but they had been tasked with being prepared this fall to provide for K through 12 new learning whether they are in the buildings or at home. He stated they had looked at the available research on what makes an effective one-on-one rollout and they had found 15 characteristics which were used to build a framework. He stated one of the biggest reasons why divisions often take 3 to five years to do this was because they have to sell their constituencies on the need for something like this; however, the COVID Pandemic had confirmed this need. He stated they had established the framework and deadlines for being able to launch the initiative in August just ahead of the September instruction. He

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added they are going to be using three different devices. For K through second grade, they will be using Apple I-Pads that are more user friendly for the younger students. Chromebooks originally purchased to cover the Grafton fire will provide enough units to cover the entire third grade and some of the fourth. They will be adding some additional Chromebooks to cover the fourth grade. From fifth grade up, the students will be using a Dell computer that includes the entire Microsoft Office Suite. He stated they have a budget they believe will cover all the expenses with a comfortable margin to make sure that they can handle any contingencies that happen and that they have approximately 3,500 devices in their current inventory. He stated they presently have a survey out regarding home access that is due tonight. He explained they are trying to obtain quantitative data to derive what kind of access students have to the internet and to take steps to ensure they help them. He stated they had also recently learned that personal Smart phones can be used as a hotspot for the purposes of getting internet access for students.

Dr. Shandor stated he wanted to make the Board of Supervisors aware they are rolling this program out in the summer to use as a pilot, noting they were very strategic with the teachers they selected for the summer program. He stated they have a learning management system called Canvas which they are going to utilize to gather information during the summer platform to help them prep for fall.

Dr. Carroll then provided an overview of the five year draft budget planning:

Five-Year Draft Budget Planning

One-Time or Restricted Funds	\$4.7M
• CARES Funding (\$1.0M)	
• Impact Aid Funds (\$2.2M)	
• Anticipated FY20 End-of-Year Funds (\$1.0M)	
• FY20 State Technology Funds (VPSA) (\$0.5M)	
Student Technology Fees (\$50 p/yr.)	\$2.0M
FY21 – FY 24 State Technology Funds (VPSA)	\$1.8M
Total Revenues	\$8.5M

Dr. Carroll stated to help make the budget work, they are going to have to charge families a one-time technology fee of \$50 per year per student. He stated to help out with that they are having all their elementary, middle, and high school levels review the student supply fees and those things the students are asked to bring to school in order to pare those down to offset some of this cost.

Chairman Green asked if the \$50 student technology fee would cover the student purchasing Chrome device or if that was just a fee they would pay every year in perpetuity.

Dr. Carroll stated that it would be a fee the student would pay every year. The fee would cover use of the device, which they can take home, and if there was any breakage each unit will have a four year warranty so the student would bring in the unit, get another unit immediately and the school would have the unit serviced.

Mr. Shepperd stated the \$50 fee seemed like a lot of money for people that were out of work or low income. He asked what was being done to help the students who needed some type of financial aid.

Dr. Carroll stated that had not yet been determined, but they would certainly look at what they could do.

Mr. Shepperd asked if they were working on offering any opportunity to incorporate home-schooling into this.

Ms. Skinner stated they had not discussed that at this time, but they would follow their normal procedures for the homeschoolers and give them opportunities for the PSAT test, etc.

Mr. Shepperd asked if they knew how many homeschoolers there are in the County.

Ms. Skinner stated that currently she did not have that number as it fluctuates.

Discussion followed on student fees and the proposed technology fee.

He then gave an overview of the Five-Year Draft Budget Planning as follows:

• New Student Device Costs	\$5.5M
• FY21 Infrastructure Costs	\$1.0M
• FY22 Infrastructure Costs	\$1.2M
• Lease Purchase Financing Costs	\$0.1M
• Reserve for Related Costs	<u>\$0.7M</u>
	\$8.5M

Mr. Bowen stated when they had initially started thinking about the One-to-One Initiative and how to pay for it they had considered the lease purchase option, i.e. taking all the available funds that were in the technology reserve fund to pay the lease over the term of four years. However, upon speaking with their partners in the County, they had suggested and agreed to use some of the cash to offset the initial purchase.

Mrs. Noll echoed Mr. Shepperd's comments concerning the potential hardship of the technology fee, because she was sure there are many families with more than one child in school.

Dr. Carroll then provided a brief review of the next steps on the One-to-One Initiative and deployment of the plan as follows:

- Following up on family survey on internet access
- Negotiating terms with device vendor and financing
- Coordinating messaging to parents
- Creating a One-to-One Student Handbook
- Training teachers on Canvas learning platform
- Creating a webpage
- Deployment planning

Dr. Shandor stated this is a big initiative and a challenge for the School Division, especially being implemented within a pandemic. The School Division was committed to working through issues and challenges with the students' families and supporting their teachers to make sure that they are providing the best instruction that they can. He stated he had many conversations with the County Administrator regarding this initiative since he had been informed that the School Division had to be prepared if students cannot go back into the schools in the fall and he expressed his appreciation to Mr. Morgan for being extremely supportive of this initiative.

Mr. Morgan stated he thought it was ambitious for the York County School Division to do this during this time, as it must be done quickly and requires a lot of research. He stated he thought it was a good plan and explained that Mrs. McGettigan and Mrs. Owens would be outlining some of the next steps that need to be taken in support of the initiative including, as shown in the Plan of Finance, requiring the County to pledge a million dollars of the CARES Act money. Mr. Morgan stated there was an excess of \$2.2 million in Impact Aid that can be put toward the cash deposit on this initiative and still maintain a very healthy Impact Aid reserve. He stated he was excited about the County being able to do this and noted he did not think many counties would be able to do this.

Discussion followed on how long the One-to-One Initiative would last and future planning for replacement of the devices.

Mr. Morgan stated this was similar to the 800 MHz radio system. He liked the School Division's plan because it anticipated sustainability by creating a technology fund which allows the technology to be refreshed.

Mr. Shepperd stated maintenance and replacement of these systems is very expensive and requires the Schools to seek additional funds from the Board of Supervisors.

Dr. Carroll provided a brief project update on the fire restoration at Grafton High and Middle School as follows:

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- New switchboard is set in place, electricians are in the process of connecting wiring;
- Dominion Energy installed a new transformer and connected it to the switchboard;
- The new switchboard is being thoroughly tested and commissioned before it will be energized;
- Expect to energize the switchboard late next week and begin testing individual electrical circuits in the building one at a time; and
- Electricians are removing all damaged lights from the high school.

Chairman Green stated Grafton Complex serves as a shelter for the County. With hurricane season just starting, he asked if Grafton would be ready to be opened as a shelter.

Dr. Shandor stated not at this time; however, there may be a date sometime in the summer when it could be opened as a shelter. He added they will be in touch with County staff regarding that date.

Chairman Green stated there are a lot of rumors regarding whether the schools will be in session for the fall and he wanted to give Dr. Shandor the opportunity to dispel any rumors and let citizens know what the plans are for the schools.

Dr. Shandor stated Dr. Carroll had led a reopening committee for the last five to six weeks. The committee had reviewed a number of options and weighed those options against a lot of criteria, and had come up with a number of different scenarios.

Mr. Shepperd asked Dr. Shandor if they had discovered the cause of the failure at Grafton.

Mr. Bowen stated the electrical switchgear had been sent to a third party lab a couple of weeks after the fire and they have been told this was going to take months before they have a determination.

Chairman Green expressed his appreciation to the schools for all their hard work.

#### BRIEFING REGARDING COUNTY STRATEGY AND ACTIONS RELATED TO CARES ACT FUNDS

Mrs. Vivian McGettigan, Deputy County Administrator, stated she and Mrs. Theresa Owens, Finance Director, would be updating the Board and citizens on the CARES funding. She began by providing a very high-level overview of the funding and how it related to reimbursing the County. The CARES Act included \$1.9 trillion dollars nationally and included revenues that went to individual citizens. She provided a breakout of the funding that has gone to state and local branches of government, which was about 14 percent of the overall federal funding. Virginia received \$3.1 billion dollars that they allocated to the counties and cities based on population. York's share was \$5.9 million dollars and it had been received on Friday. She stated the funds are to reimburse the County for expenses that were not part of our budget and not planned for March through December. She noted that the funding does not include reimbursing any of the revenue shortfalls although there was still discussion at the federal level to possibly reimburse the states and localities. She stated the funding was being handled differently than in a traditional hurricane setting. Mrs. McGettigan provided an overview of how this situation was being handled a little differently. She stated from an overall perspective, the County is anticipating about \$7.4 million dollars, the \$5.9 from the CARES funding and another \$1.5 million dollars which will be shared in the later presentation. She stated as of the last revenue report, the County had about a \$10 million dollar revenue shortfall that they were anticipating both in terms of Fiscal Year 2020 and the initial first quarter of Fiscal Year 2021. The County is very pleased to have that money back in terms of covering the expenses and keeping our cash flows stable.

Mrs. Owens stated she was going to provide additional details on the CARES Relief Funding and also more information on the other funding that the County has, will or may receive due to the pandemic. She reiterated that the County had received its allocation of the \$5.9 million dollars, stating in order to spend the funds, the expenditures must meet the three following criteria:

- The costs incurred are necessary expenditures due to COVID-19.
- The expenditures were not accounted for in the budget most recently approved as of March 27, 2020.
- Expenses were incurred from March 1, 2020 through December 30, 2020.

She noted that the costs cannot lawfully be funded using a line item allotment or allocation within the budget where the cost is for a substantially different use from an expected use of funds, and expenses have to be incurred within the guidelines. She then gave some example expenditures:

- Personal Protective Equipment (PPE)
- Sanitizing equipment and supplies
- IT equipment infrastructure for telecommuting
- Expenses related to distance learning and associated costs

She next reviewed ineligible expenses which included payroll and benefits that are not substantially dedicated to responding to COVID, bonuses or severance pay, or revenue shortfalls. She then displayed some photos of real examples of how the County had already been negatively impacted due to COVID 19 which they feel are eligible expenses including PPE equipment for Public Safety employees and additional cleaning of equipment, and additional signs to promote social distancing. As the County prepared to welcome citizens back into buildings, signage and Plexiglas shields have been installed in the Treasurer's Office. A new drop box has been installed for the Commissioner of the Revenue to limit contact in the building. She stated sanitation stations have been purchased for Riverwalk and that the County is in the process of putting sanitation stations in all County buildings. She commended Public Works that had done an outstanding job of installing Plexiglas in various buildings where there will be interaction with the public and staff. She stated the County had clearly spent a great deal on the COVID response so far and staff felt it would still be prudent to devise a plan to make sure these funds are spent strategically. She added that Mr. Morgan had sent out a preliminary allocation plan for the funding and a committee had been established to report to him the recommendations on how to best use the funds within the guidelines. She stated a report will be prepared for the Board on how the funding was spent. In addition to the CARES Relief Fund, the County is in the process of applying for additional money under the Cares Act as follows:

<u>Funding Source</u>	<u>Amount</u>
• Educational Stabilization Fund	\$533,007
• Housing and Urban Development-Community Development Block Grant	550,000
• Head Start Funding	130,549
• Health and Human Services Provider Relief Fund	62,109
Assistance to Firefighters Grant-COVID 19 Supplemental Funding	54,000
Department of Justice-Coronavirus Emergency Supplemental Funding	45,881
FEMA Public Assistance (Estimated)	<u>150,000</u>
Total	<u>\$1,525,546</u>

She stated there was a lot of information coming in daily on the programs. Mrs. Owens stated that in order to implement this recommendation, the Board would consider several actions at the next two meetings. She stated the Board would consider at the June 16 meeting to approve the establishment of the New Technology Fund, transfer of \$1 million dollars of current year School Operating Fund year-end balance to the technology fund, appropriate \$2,200,000 of current year additional Impact Aid Funds to the newly established Technology Fund, and disappropriate \$1,200,000 from the Grafton Complex which was initially appropriated after the fire. She then explained that since the CARES Act funding does exceed one percent of the total expenditure budget or appropriation for Fiscal Year 2021, a public hearing would need to be held at the July meeting to provide authority to carryover the unspent funds since they will be spent over the next two years.

### **CONSENT CALENDAR**

Chairman Green briefly described the items on the consent calendar.

Mr. Barnett stated he did not know if the Board had seen his email, noting there was some language in the title of Resolution R20-81 that was superfluous and should be taken out for

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clarity. He stated the language was at the end of the title “in the event of the declaration of an emergency issued by the governor” should be taken out. He stated the change being made to the Board’s Rules of Procedure allowed greater flexibility with regard to remote participation due to a recent statutory change regardless of a declaration of emergency. He explained this change would not be a substantive change, only a title change.

Mr. Wassmer moved that the Consent Calendar be approved as amended, Item Nos. 1, 2, and 3, respectively.

On roll call the vote was:

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

Thereupon, the following minutes were approved and resolutions adopted:

Item No. 1. APPROVAL OF MINUTES

The minutes of the May 5, 2020, Regular Meeting, were approved.

Item No. 2. RULES OF PROCEDURE AMENDMENT: Resolution R20-81(R)

A RESOLUTION TO AMEND YORK COUNTY CODE SECTION 1-9 REGARDING REMOTE PARTICIPATION IN BOARD MEETINGS TO ALLOW A SUPERVISOR TO PARTICIPATE REMOTELY IN BOARD MEETINGS FOR A PERSONAL OR HEALTH MATTER, AND ALLOW THE BOARD TO MEET WITHOUT A QUORUM PHYSICALLY ASSEMBLED

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 2nd day of June, 2020, that County Code section 1-9 be hereby amended as follows:

**Section 1-9 Remote Participation in Board Meetings**

A member of the Board may participate in a meeting of the Board through electronic communications from a remote location that is not open to the public as provided in Code of Virginia § 2.2-3708.2 subject to the following requirements:

- (1) On or before the date of a meeting a supervisor wishing to participate from a remote location in a meeting of the Board shall notify the Board Chair that the supervisor is unable to attend the meeting due to a personal matter and identify with specificity the nature of the personal matter, or notify the Board Chair that the supervisor is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the supervisor’s physical attendance.
- (2) If remote participation is by reason of a personal matter, the Board shall record in its minutes the specific nature of the personal matter and the remote location from which the absent supervisor participated. If remote participation is by reason of a temporary or permanent disability or medical matter, the Board’s minutes shall record that the member participated through electronic communication means because of a disability or medical condition that prevented his attendance. If the absent supervisor’s remote participation is by reason of a personal matter is disapproved because such participation would violate this policy, such disapproval shall be recorded in the Board’s minutes.
- (3) Remote participation by reason of a personal matter shall be limited in each calendar year to two meetings.
- (4) A quorum of the Board must be physically assembled at the primary or central meeting location.
- (5) The Board shall make arrangements for the voice of the absent supervisor to be heard by all persons in attendance at the primary or central meeting location.

- (6) In the event of a declaration of emergency issued by the Governor in accordance with Code of Virginia section 44-146.7, the Board may meet without a quorum physically assembled at one location as provided in Code of Virginia section 15.2-3708.2(3).
- (7) In the event of the adoption of a continuation of government ordinance pursuant to Code of Virginia section 15.2-1413 by reason of enemy attack or other disaster, the Board may approve remote participation by members on such terms and conditions as may appear necessary or expedient.

Item No. 3. COMMENDATION OF RETIRING EMPLOYEE: Resolution R20-47

A RESOLUTION TO COMMEND JOHN T. DAVENPORT, JR., CAPTAIN, DEPARTMENT OF FIRE AND LIFE SAFETY, ON THE OCCASION OF HIS RETIREMENT FROM COUNTY SERVICE

WHEREAS, John T. Davenport, Jr. began employment with the County of York on March 11, 1993, as a career Advanced Life Support Technician within the Department of Fire and Life Safety having progressed through the ranks to his present position of Captain; and

WHEREAS, Captain Davenport grew up in the Northern Neck area of Virginia, graduating from Lancaster High School and, after working in the private sector for a period of time along with serving as a volunteer in local rescue squads, decided to make a career serving the citizens of York County as a member of the Department of Fire and Life Safety; and

WHEREAS, before becoming a career employee with the Department of Fire and Life Safety, John had completed numerous fire/rescue courses including advanced life support certification, which qualified him for employment as an Advanced Life Support Technician; and

WHEREAS, Captain Davenport was first promoted to the rank of Senior Advanced Life Support Technician, which was later modified to the title of Senior Firefighter; and

WHEREAS, John later achieved supervisor status as he was promoted to the position of Lieutenant, 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, Lieutenant Davenport then further advanced to higher management duties as he was promoted to the position of Captain, initially serving as the Emergency Medical Services (EMS) Supervisor on his assigned shift and then later being transferred to the role of District Captain, supervising activities and responses on a highly technical task force company (ladder/rescue) and with a coordination role among multiple fire stations; and

WHEREAS, early in his career, Captain Davenport was certified 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, Captain Davenport has always has been committed to providing the highest qualities of fire and rescue responses along with the utmost in customer service to the citizens, businesses and visitors of the County, while performing his many roles over the past 27; and

WHEREAS, Captain Davenport 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 2nd day of June, 2020, that the Board takes great pleasure in recognizing the significant service of John T. Davenport, Jr., and herewith expresses its sincere gratitude for the invaluable contributions he has made to York County throughout the 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 Davenport for his service, and the heartfelt best wishes of this Board of

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Supervisors are extended to him and his family for a long, well-deserved, and pleasurable retirement and continued success in future endeavors.

**CLOSED MEETING.** At 7:43 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; and Section 2.2-3711(A)(5) of the Code of Virginia, to discuss a prospective business or industry or expansion of an existing business or industry where no previous announcement has been made.

On roll call the vote was:

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

Meeting Reconvened. At 8:30 p.m. the meeting was reconvened in open session by order of the Chair.

Mr. Zaremba 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 2nd day of June, 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: (5) Wassmer, Shepperd, Zaremba, Noll, Green  
Nay: (0)

APPOINTMENTS TO THE BOARD OF BUILDING CODE APPEALS

Mr. Wassmer moved adoption of proposed Resolution R20-66 that reads:

A RESOLUTION TO APPOINT FIVE MEMBERS TO THE YORK COUNTY BOARD OF BUILDING CODE APPEALS

WHEREAS, Bonnie L. Baffer, Robert T. Criner, Walter C. Ethridge, Jr., William M. Hurst, and James E. Wirkner will complete their current terms on the York County Board of Building Code Appeals on June 30, 2020;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 2nd day of June, 2020, that the following individuals be, and they are hereby, appointed to the York County Board of Building Code Appeals for terms of three years each, such terms to begin July 1, 2020, and expire June 30, 2023:

Ms. Bonnie L. Baffer (licensed architect)  
Mr. Robert T. Criner (experienced licensed builder)

Mr. Walter C. Etheridge, Jr. (master mechanic)  
Mr. William M. Hurst (master electrician)  
Mr. James E. Wirkner (licensed professional engineer)

On roll call the vote was:

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

APPOINTMENTS TO THE BOARD OF ZONING/SUBDIVISION APPEALS

Mr. Wassmer moved adoption of proposed Resolution R20-65 that reads:

A RESOLUTION TO RECOMMEND THE APPOINTMENT OF TWO  
ALTERNATIVE MEMBERS TO THE YORK COUNTY BOARD OF  
ZONING/SUBDIVISION APPEALS

WHEREAS, the term of Marc Letendre expires on May 24, 2020, and;

WHEREAS, the term Kimberly Taylor expires on June 30, 2020, and;

WHEREAS, Mr. Letendre and Ms. Taylor are eligible for reappointment, and both have indicated their desire to be reappointed;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 2nd day of June, 2020, that Marc Letendre be, and is hereby recommended for appointment to the York County Board of Zoning/Subdivision Appeals, such term to begin May 25, 2020, and expire May 24, 2025.

BE IT FURTHER RESOLVED by the York County Board of Supervisors, this the 2nd day of June, 2020, that Kimberly Taylor be, and is hereby, recommended for appointment to the York County Board of Zoning/Subdivision Appeals, such term to begin July 1, 2020, and expire June 30, 2025.

On roll call the vote was:

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

APPOINTMENTS TO THE CHESAPEAKE BAY BOARD

Mr. Wassmer moved adoption of proposed Resolution R20-6 that reads:

A RESOLUTION TO APPOINT MEMBERS TO THE YORK COUNTY  
CHESAPEAKE BAY BOARD

WHEREAS, Brian Almond, who filled the District 3 position, has resigned his position as a member of the York County Chesapeake Bay Board, and his term does not expire until January 31, 2021; and

WHEREAS, Martin L. Cardwell, Jr., who filled the District 4 position, has resigned his position as a member of the York County Chesapeake Bay Board, and his term does not expire until January 31, 2023; and

WHEREAS, the terms of Stephen Farthing and Michael Woolson expired on January 31, 2020; and

WHEREAS, Stephen Farthing is ineligible for reappointment as he has served two consecutive terms;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this, the 2nd day of June, 2020, that the following individual be, and is hereby, appointed as a

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regular member to the York County Chesapeake Bay Board, to fill the fill the unexpired term of Brian Almond, such term to begin immediately and expire on January 31, 2021:

Bradley E. Berrane (District 3)

BE IT FURTHER RESOLVED that the following individual be, and is hereby, appointed as a regular member to the York County Chesapeake Bay Board, to fill the unexpired term of Martin L. Caldwell, Jr., such term to begin immediately and expire on January 31, 2023:

Ricky Edgerton (District 4)

BE IT STILL FURTHER RESOLVED that the following individuals be, and they are hereby, appointed as a regular member to the York County Chesapeake Bay Board, such term to begin retroactively on February 1, 2020, and expire on January 31, 2024:

Michael D. Woolson (At-Large)  
Jerry Patterson (District 5)

BE IT STILL FURTHER RESOLVED that the following individuals be, and they are hereby, appointed as alternate members to the York County Chesapeake Bay Board, to fill the unexpired term of Bradley E. Berrane and Jerry K. Patterson, such term to begin immediately and expire on January 31, 2023.

Julius Johnson (District 4)  
Jack Jordan (District 5)

On roll call the vote was:

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

#### APPOINTMENT TO THE COLONIAL BEHAVIORAL HEALTH BOARD

Mr. Shepperd moved adoption of proposed Resolution R20-41 that reads:

A RESOLUTION TO APPOINT A YORK COUNTY REPRESENTATIVE TO THE COLONIAL BEHAVIORAL HEALTH BOARD

WHEREAS, on April 30, 2020, the term of Dr. Talbot Vivian expired;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 2nd day of June, 2020, that Dr. Talbot Vivian be, and is hereby, appointed to the Colonial Behavioral Health Board for a term of three years, such term to begin May 1, 2020 and expire June 30, 2023.

On roll call the vote was:

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

#### APPOINTMENT TO THE ECONOMIC DEVELOPMENT AUTHORITY

Mrs. Noll moved adoption of proposed Resolution R20-71 that reads:

A RESOLUTION TO APPOINT ONE MEMBER TO THE YORK COUNTY ECONOMIC DEVELOPMENT AUTHORITY

WHEREAS, on June 30, 2020, the term of Steven A. Meade on the York County Economic Development Authority will expire;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors on this 2nd day of June, 2020, that Steven A. Meade be, and is hereby, appointed to serve on the

Economic Development Authority for a term of four years, such term to begin July 1, 2020, and end on June 30, 2024.

On roll call the vote was:

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

APPOINTMENT TO THE LOCAL FINANCE BOARD

Mr. Wassmer moved adoption of proposed Resolution R20-68 that reads:

A RESOLUTION TO APPOINT A CITIZEN MEMBER TO THE LOCAL FINANCE BOARD

WHEREAS, the York County Board of Supervisors adopted Ordinance No. 16-3 establishing, jointly with the York County School Division, a trust for the purpose of accumulating and investing assets to fund post-employment benefits other than pensions in accordance with Section 15.2-1544 of the Code of Virginia; and

WHEREAS, Ordinance No. 16-3 also established a Local Finance Board in accordance with Section 15.2-1547 to serve as the trustee of the County of York with respect to the Trust Fund, and appoints the individuals holding the following positions to the Local Finance Board:

Chief Financial Officer (County)  
County Treasurer  
Chief Financial Officer (School Division)  
Chief Human Resources Officer (School Division)  
Citizen Representative appointed for a term of two years; and

WHEREAS, the Citizen Representative on the Local Finance Board is a position appointed by the Board of Supervisors; and

WHEREAS, the term of the current Citizen Representative, Mr. Thomas Tragle, will expire on May 31, 2020.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 2nd day of June, 2020, that the following individual be, and is hereby, appointed as the Citizen Representative to the Local Finance Board for a term of two years, such term to begin June 1, 2020, and expire May 31, 2022:

Mr. Thomas Tragle

On roll call the vote was:

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

APPOINTMENT TO THE PENINSULA ALCOHOL SAFETY ACTION PROGRAM

Mr. Shepperd moved adoption of proposed Resolution R20-73 that reads:

A RESOLUTION TO APPOINT YORK COUNTY'S REPRESENTATIVE TO THE PENINSULA ALCOHOL SAFETY ACTION PROGRAM POLICY BOARD

WHEREAS, the term of Dr. Alfred L. Brassel as York County's representative on the Peninsula Alcohol Safety Action Program Policy Board expires on June 30, 2020; and

WHEREAS, Dr. Brassel is eligible to serve another term;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 2nd day of June, 2020, that Dr. Alfred L. Brassel be appointed as York County's repre-

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sentative on the Peninsula Alcohol Safety Action Program Policy Board for a term of three years, such term to begin July 1, 2020, and expire June 30, 2023.

On roll call the vote was:

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

APPOINTMENT TO THE PLANNING COMMISSION

Chairman Green moved adoption of proposed Resolution R20-64 that reads:

A RESOLUTION TO APPOINT A MEMBER TO THE YORK COUNTY PLANNING COMMISSION

WHEREAS, the term of the District 3 representative on the Planning Commission will expire on June 30, 2020; and

WHEREAS, the Board desires to make an appointment to fill this vacancy;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 2nd day of June, 2020, that it does hereby appoint the following individual as District 3 representative on the York County Planning Commission to serve a term beginning July 1, 2020 and expiring June 30 2024.

Ms. Mary Leedom

On roll call the vote was:

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

APPOINTMENTS TO THE SENIOR CENTER BOARD

Mr. Wassmer moved adoption of proposed Resolution R20-78 that reads:

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

WHEREAS, on June 30, 2020, the terms of Lynda Bush, Arlene Connell, Viana Dail, Davene Davis, Brian Fuller (York County Staff), Rupinder Gill, William Massey (PAA), Thomas McNamara, Robert Rodgers, Carol Scott, and Betty Titus will expire;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 2nd day of June, 2020, that the following representatives be, and they are hereby, appointed to the Senior Center of York Board, such terms to begin on July 1, 2020, and expire June 30, 2024:

Ms. Lynda Bush	Ms. Arlene Connell
Ms. Viana Dail	Ms. Davene Davis
Mr. Brian Fuller	Mr. Rupinder Gill
Mr. William Massey	Mr. Thomas McNamara
Mr. Robert Rodgers	Ms. Carol Scott
Ms. Betty Titus	

On roll call the vote was:

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

APPOINTMENTS TO THE YORK/POQUOSON SOCIAL SERVICES ADVISORY BOARD

Mr. Zaremba moved adoption of proposed Resolution R20-63 that reads:

A RESOLUTION TO APPOINT TWO YORK COUNTY REPRESENTATIVES TO THE YORK-POQUOSON SOCIAL SERVICES ADVISORY BOARD

WHEREAS, on June 30, 2020, the terms of Andrew Engemann, Jr. and Karen Brown will expire and they are eligible for reappointment; and

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 2nd day of June, 2020, that James Tucker and Michael Chandler be, and they are hereby appointed as York County representatives to the York-Poquoson Social Services Advisory Board, such terms to begin July 1, 2020, and expire June 30, 2024.

On roll call the vote was:

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

APPOINTMENT TO THE THOMAS NELSON COMMUNITY COLLEGE ADVISORY BOARD

Mrs. Noll moved adoption of proposed Resolution R20-74 that reads:

A RESOLUTION TO APPOINT A YORK COUNTY REPRESENTATIVE TO THE THOMAS NELSON COMMUNITY COLLEGE BOARD

WHEREAS, the term of Perry Showalter as a York County representative to the Thomas Nelson Community College (TNCC) Board expires on June 30, 2020;

WHEREAS, Dr. Showalter has indicated that he does not wish to seek reappointment.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 2nd day of June, 2020, that Mitchell Schwartz be, and is hereby, appointed to serve as a York County representative to the Thomas Nelson Community College Board for a term of four years, such term to begin July 1, 2020, and expire June 30, 2024.

On roll call the vote was:

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

APPOINTMENT TO THE YORK COUNTY WETLANDS BOARD

Mrs. Noll moved adoption of proposed Resolution R20-75 that reads:

A RESOLUTION TO APPOINT A MEMBER TO THE YORK COUNTY WETLANDS BOARD

WHEREAS, Barbara Dunbar resigned from the York County Wetlands Board; and

WHEREAS, the term of the resigned board member expires on June 30, 2021; and

WHEREAS, the Wetlands Board Chair has requested a new board member to be appointed to fill the remainder of the term;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 2nd day of June, 2020, that Jan Allen be, and is hereby, appointed to the York County Wetlands Board to fulfill the remainder of Barbara Dunbar's term, such term to begin immediately and to expire on June 30, 2021.

On roll call the vote was:

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

APPOINTMENTS TO THE YORK COUNTY YOUTH COMMISSION 2020-2021

Mr. Zaremba moved adoption of proposed Resolution R20-38 that reads:

A RESOLUTION TO APPOINT MEMBERS TO THE YORK COUNTY  
YOUTH COMMISSION FOR 2020 - 2021

WHEREAS, the York County Board of Supervisors established the York County Youth Commission on March 3, 1983; and

WHEREAS, the revised bylaws of December 5, 2000 direct there shall be up to fifteen student members appointed, three from each voting district provided each district has at least three qualified applicants, grades 9 through 12, to serve on the Commission;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors on this 2nd day of June, 2020, that the following individuals be, and they hereby are, appointed to the York County Youth Commission for 2020 - 2021.

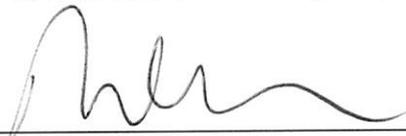
<u>Name</u>	<u>Election District</u>
Caleb Lee	1
Kaitlynn Lopez	1
Logan Richardson	1
Jennifer Zhang	2
Kendall Etheridge	2
Kylie Sandberg	2
Isabella Esposito	3
Bonnie Kay Kimrey	3
Michelle Nguyen	3
Thomas "Cole" George	4
Robert Novak	4
Julia Skinner	4
Hannah Namkoong	5
Kaitlin Sander	5
Nathanael Virgil-Fenelus	5

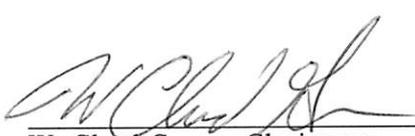
BE IT FURTHER RESOLVED that the above-named individuals' terms will begin on July 1, 2020, and expire June 30, 2021.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wassmer, 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