

MINUTES  
BOARD OF SUPERVISORS  
COUNTY OF YORK

Regular Meeting  
July 19, 2016

6:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 6:09 p.m., Tuesday, July 19, 2016, in the Board Room, York Hall, by Chairman Jeffrey D. Wassmer.

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

Also in attendance were Neil A. Morgan, County Administrator; J. Mark Carter, Deputy County Administrator; Vivian A. Calkins-McGettigan, Deputy County Administrator; and Melanie Economou, Assistant County Attorney.

Invocation. Reverend Rita Moore, First Corinthians Church, gave the invocation.

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

**PRESENTATIONS**

INTRODUCTION OF NEW MEMBERS TO A YORK COUNTY BOARD OR COMMISSION

Chairman Wassmer introduced and welcomed the following newly appointed members to Boards and Commissions and presented each with a Boards and Commissions Handbook and York County pin:

Thomas E. Tragle	York County Local Finance Board
William H. Harris	Transportation Safety Commission
David C. Westcott	Transportation Safety Commission
Lisa Z. Church	Transportation Safety Commission

EMPLOYEE RECOGNITION PROGRAM

Chairman Wassmer congratulated the following employees for their years of service with the County, and presented them each with a service pin and certificate:

John C. Moore, Jr.	Sheriff's Department	20 Years
Patricia Ritter	Library	20 Years

YORK COUNTY HISTORICAL COMMITTEE

Mr. John P. Frankenburg, Chairman of the York County Historical Committee (YCHC), stated the importance of Yorktown as one corner of the Peninsula's Historic Triangle along with Jamestown and Williamsburg, was unquestionable to local, state, and national heritage. The Historical Committee's mission was to serve as an advisory body to the Board of Supervisors on matters of an historical nature dealing with the County and Yorktown. In 1983 the Board had chartered the York County Historical Committee to help document, celebrate, and perpetuate York County's historical importance, including the commemoration of patriotic holidays. The YCHC has up to 25 voting members who must be County residents, and there could be an unlimited number of non-voting associate members. At the end of FY15, the Historical Committee had helped support the three-day event to welcome the French ship Hermione by manning a booth on Main Street for the distribution of literature, and it had also sponsored a free

public historical lecture. Mr. Frankenburg then reviewed the accomplishments for FY16 including the Veterans Day Ceremony; the Annual Memorial Day Ceremony; and the Christmas Tree Lighting Ceremony in Yorktown. The YCHC also sponsored this past winter and spring three public lectures that were diverse in their reach and delivered by experts in the respective fields. He noted the Committee has also helped conduct research and given support for historical signage in the County. He stated the Committee coordinates and performs other tasks as approved by the Board of Supervisors. For the future, the Committee was looking not only at expanding its role in current functions, but was also looking at expanding its role with respect to the WWI and WWII Centennial celebration to take place from 2016 through 2020. Mr. Frankenburg stated with the upcoming Yorktown Day celebration, the Committee would be participating in a wreath laying at Redoubt 9. Mr. Frankenburg asked the Board for assistance in helping the Committee fill its current six vacancies, stating that was their pressing need at this time. He stated it was a privilege to live in York County and serve the people of the County and to perpetuate the history of the County.

Chairman Wassmer thanked Mr. Frankenburg for the presentation, stating it was quite a slate of accomplishments through the year. He noted Mr. Frankenburg had stated York County was a special place because of its history, stating there was a lot to be proud of and a lot to take advantage of. He then asked the Committee members in attendance to stand and be recognized.

Mr. Shepperd asked if the Historical Committee had any plans or information concerning any work or connection they might have with the American Revolution Museum.

Mr. Frankenburg stated he could not speak to the specifics of that at this time because the museum was gearing up for its hard opening, but the committee would certainly collaborate with the museum and offer any support that it might request. He noted the museum did have a member on the Historical Committee which was a conduit to finding out what the needs were on which the committee might provide help.

Mr. Shepperd mentioned the museum that was downstairs in this building, and he asked if any plans were being made to come to the Board with a request for another location.

Mr. Frankenburg stated the Historical Museum was a separate organization that was set up in 2003. He stated many of the YCHC members support the museum as docents, but there was not a direct tie.

Mrs. Noll spoke of the marvelous job the Committee had done with the memorial that was out in front of York Hall. She noted it was her understanding there were more names that need to be added, and she asked how that would be handled.

Mr. Frankenburg stated there were about 23 additional names to be added to the memorial, and there were funds available to add them. He stated they just needed to determine how it would be done, and then they would proceed.

Mrs. Noll stated her hope that the County would consider matching whatever funds were raised by the Historical Committee.

#### **CITIZENS COMMENT PERIOD**

No one appeared to speak at this time.

#### **COUNTY ATTORNEY REPORTS AND REQUESTS**

Ms. Melanie Economou, Assistant County Attorney, stated she had no report.

#### **COUNTY ADMINISTRATOR REPORTS AND REQUESTS**

Mr. Morgan stated the Board of Supervisors and the School Board were aware that he and the School Superintendent had recently announced that a better site for the next elementary school had been identified at the Marquis, with the developer voluntarily putting forth a site with 14-1/2 acres in place of the previous 7-acre site proffer. He stated the Board had received some detailed information on it, and he expected there would be some media coverage. He stated the revised site proffer will have to be reviewed and approved the Board, and it included a performance requirement committing the School Division to being under contract to design a school in approximately a year, while the developer would have to coordinate making a road available to the site. Mr. Morgan stated more details would follow with the revised proffer probably coming before the Board in October.

#### **MATTERS PRESENTED BY THE BOARD**

Mr. Zaremba updated the Board on the Greater Williamsburg Chamber of Commerce and Tourism Alliance, stating planning was ongoing for the second annual Williamsburg Harvest Celebration, which involves all three jurisdictions of the Historic Triangle. He provided the Board with a summary of the plan for the Harvest Celebration, noting it would probably be about three times larger than it was last year. He noted the goal of the Harvest Celebration was to help keep tourism alive during the fall season. He also provided the Board with statistics on membership numbers for the Chamber.

Mrs. Noll spoke about law enforcement and the attitude of many citizens, noting she felt the attitude was not prevalent in the County, but that parents needed to explain to their children that the County's Deputies, law enforcement, and the policemen in Newport News were there to serve and protect the public, and they should not be maligned but respected. She felt somewhere along the way that respect had been lost for our law enforcement people, but she also felt that each person could and must do something about that. She asked that the citizens, the next time they saw a policeman, a Sheriff's Deputy, or a fireman, to thank them for their service. Mrs. Noll then spoke about the County's website and how it had improved, noting it provided the citizens access to communication as well.

Mr. Green stated he had received a number of comments and calls concerning the safety of Seaford Road, and he asked the County Administrator to refer some safety upgrades to the Transportation Safety Committee. He stated there had been some tragic, fatal wrecks on Seaford Road, and he asked that the citizens slow down and pay attention while on the road.

Mr. Shepperd stated he was glad that Mrs. Noll brought up the web page, noting occasionally he gets calls from a constituent because they have gotten onto the web page and they have had a problem. He advised citizens that if they have a problem with the government in the County, they should call their District Supervisor because they were there to help solve problems. He stated the webpage was very nice and easy to get around, but it was not perfect; so when citizens encounter a problem they should call the County Administrator or their respective Supervisor because they love to hear from the citizens. Mr. Shepperd noted he heard from many constituents regarding the traffic problems on Route 17, and he asked them to be patient, noting the Route 17 project was scheduled for completion in December 2016. Mr. Shepperd added the downside was that there might be another project on Route 17, but there would be more information on that later.

Chairman Wassmer noted the Historical Committee was looking for new members, and he encouraged citizens interested in volunteering for the Historical Committee or any other board to go online and fill out a Board Bank application. He indicated there had been a few ribbon cuttings on the Economic Development front in the past month, and he expressed his appreciation to the County's businesses and the business community along with the citizens who support those businesses.

#### **CONSENT CALENDAR**

Mr. Shepperd moved that the Consent Calendar be approved as submitted, Item Nos. 2, 3, and 4, respectively.

On roll call the vote was:

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

Item No. 2. APPROVAL OF MINUTES

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

June 7, 2016, Regular Meeting  
June 21, 2016, Regular Meeting

Item No. 3. SPONSORSHIP OF ZONING ORDINANCE TEXT AMENDMENT: Resolution R16-84

A RESOLUTION TO SPONSOR AN APPLICATION TO AMEND CHAPTER 24.1, ZONING, SECTION 24.1-801, OF THE YORK COUNTY CODE TO INCORPORATE A PROCEDURAL CHANGE NECESSITATED BY LEGISLATION ADOPTED BY THE 2016 VIRGINIA GENERAL ASSEMBLY

WHEREAS, legislation adopted by the Virginia General Assembly in the 2016 session causes a need to consider an amendment to Section 24.1-801 of the York County Zoning Ordinance; and

WHEREAS, the York County Board of Supervisors has determined that consideration of such amendments is necessary in accordance with good zoning practice;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 19th day of July, 2016, that it does hereby sponsor an application to consider the following proposed amendment to 24.1 of the York County Code.

BE IT FURTHER RESOLVED that said application be, and is hereby, referred to the York County Planning Commission for review and recommendation in accordance with applicable procedures.

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Sec. 24.1-801. Nonconforming uses.

- (a) Enlargement or extension. A nonconforming use shall not be enlarged, extended, reconstructed, or structurally altered except in conformance with the provisions of this section.
  - (1) Structural additions, either attached or detached, may be made to single-family detached residences located in non-residential districts provided that such additions comply with all applicable setback and yard requirements for the district in which located and that the minimum open space provisions for said district are observed.
  - (2) No other nonconforming uses shall be enlarged or extended in any way except and unless the board shall authorize such enlargement or expansion through the issuance of a special exception which shall be processed and administered in the same way as are special use permits, provided, however, in addition to the standards set out in article I, the board shall consider whether the character of the existing use will be preserved in the event of the proposed enlargement. All owners of property located within five hundred feet (500) of the subject parcel, whether abutting or not, shall be sent notice of public hearings pertaining to the request. In no case shall the nonconforming use be permitted to expand by

more than fifty percent (50%) of its size measured in building floor area on the date that it became nonconforming.

- (b) Discontinuance. In the event a nonconforming use ceases for any reason for a period of more than two (2) consecutive years, such nonconforming use shall not be reestablished. For purposes of this section, the term discontinued shall mean a cessation of a use or of any portion of a use, regardless of any intent by the user or owner to reestablish the use in the future. Discontinuance shall not be synonymous with abandonment and this shall be construed to incorporate both time and place, such that if the nonconforming use ceases in a particular structure or location for more than two (2) years even though it continues elsewhere on the same lot or parcel, the nonconforming use may not be reestablished in the structure or location where it was discontinued.
- (c) Damage or destruction. In the event a nonconforming use, or the structure(s) associated with that nonconforming use, is damaged or destroyed by a natural disaster or other cause beyond the control of the owner, such use and associated structure(s) may be reestablished or reconstructed within two (2) years of the date of such damage or destruction provided, however, that such reestablishment or reconstruction shall not have the effect of enlarging or extending the nonconforming use or associated structure(s), unless in conformance with the provisions of section 24.1-801(a) above. However, if the nonconforming use is in an area under a federal disaster declaration and the damage or destruction is a direct result of the conditions that gave rise to the declaration, then the allowable timeframe for reestablishment or reconstruction shall be four (4) years. For a use which is dependent upon occupancy of a destroyed or damaged structure, the use shall be deemed to be reestablished upon the issuance of a building permit for the structure, provided the completion of the structure is thereafter diligently pursued. In the event the use does not involve a structure, the actual operation and conduct of the use shall be the measure of reestablishment. After two (2) years, or four (4) years if applicable, of the damage or destruction, all nonconforming use rights shall be lost.

Reconstruction of structures pursuant to the above provisions shall be in compliance with the terms of the Virginia Uniform Statewide Building Code and all applicable terms of the Floodplain Management Overlay District regulations (section 24.1-373 of this chapter) and in a manner that eliminates or reduces nonconforming features to the extent possible. The reconstruction of any nonconforming structures shall be in accordance with the terms of section 24.1-802.

Nothing in this section shall be construed to prohibit normal and ordinary repairs and maintenance for a structure housing a nonconforming use. However, owner-initiated demolition and rebuilding/reconstruction of all or any structural portion of a building housing such use, shall not be permitted unless the need for demolition is the result of a natural disaster or other cause beyond the control of the owner.

Nothing in this section shall be construed to prevent the removal of a valid nonconforming manufactured housing unit from property and its replacement with another comparable manufactured housing unit in accordance with section 24.1-802(c).

- (d) Changes in use. A nonconforming use may at any time, upon approval of a site plan submitted in accordance with article V of this chapter, be changed to a conforming use or to a use which is more nearly conforming with the regulations of the district in which it is located.
- (e) Movement. Except as provided in section 24.1-801(a) above, no nonconforming use shall be moved in whole or in part on the same lot or parcel or to any other lot or parcel which is not properly zoned to permit such use.
- (f) Construction. Except as provided in section 24.1-801(a) above, no additional structures which do not conform to the requirements of this chapter shall be erected in connection with such nonconforming use of land.

(g) Rezoning/Special Use Permit. If a use does not conform to the zoning prescribed for the district in which such use is situated, and if (i) a business license was issued by the locality for such use and (ii) the holder of such business license has operated continuously in the same location for at least 15 years and has paid all local taxes related to such use, the holder of such business license may apply for a rezoning or a special use permit without charge for fees associated with such filing.

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Item No. 4. COMMENDATION OF RETIRING EMPLOYEE: Resolution R16-85

A RESOLUTION TO COMMEND AND CONGRATULATE ALBERT M. MADDALENA, CHIEF OF DEVELOPMENT SERVICES, ON THE OCCASION OF HIS RETIREMENT FROM COUNTY SERVICE

WHEREAS, Albert M. (Al) Maddalena entered into employment with York County on August 24, 1987, as a Planner in the former Department of Planning and Community Development; and

WHEREAS, Mr. Maddalena's abilities, skills, and knowledge quickly set him apart as a rising star in the organization and led to his promotion to the position of Chief of Development Services where he successfully managed the activities associated with site and subdivision plan review and zoning and code enforcement; and

WHEREAS, Mr. Maddalena was well-versed and proficient in the development management functions of the County, always keeping abreast of changes in laws, regulations, and policies associated with land planning and development matters; and

WHEREAS, Mr. Maddalena mentored new employees and colleagues and provided invaluable guidance and assistance to York County citizens, property owners, developers, surveyors, engineers, and others, always seeking to help them accomplish their objectives within the bounds of the applicable land development regulations and procedures; and

WHEREAS, Mr. Maddalena was adept in advising and counseling prospective builders, developers, engineers, businesses, and citizens, always putting them at ease, even in the sometimes stressful and emotionally-charged discussion of code enforcement issues; and

WHEREAS, Mr. Maddalena has provided 29 years of dedicated, responsive, and loyal service to York County and its citizens and has gained the utmost respect and admiration of his fellow employees, as well as the citizens and professionals he has dealt with and served over his career;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 19th day of July, 2016, that Albert M. Maddalena be, and he is hereby, commended for his stellar service to the County and congratulated upon his retirement after 29 years of service.

BE IT FURTHER RESOLVED that the Board's heartfelt best wishes be, and they are hereby, extended to Mr. Maddalena for a long, happy, and pleasurable retirement.

Meeting Recessed. At 6:53 p.m. Chairman Wassmer declared a short recess.

Meeting Reconvened. At 7:01 p.m. the meeting was reconvened in open session as ordered by the Chair.

**PUBLIC HEARINGS**

APPLICATION NO. UP-874-16. JEANETTE BRADY

Chairman Wassmer gave an overview of Application No. UP-874-16 to approve a Special Use Permit to authorize the establishment of a recreational vehicle storage facility on a 4.4-acre parcel located at 525 East Rochambeau Drive. The Planning Commission considered the application and forwarded it to the Board of Supervisors with a recommendation of approval 6:0; and staff recommended approval of the application through the adoption of proposed Resolution R16-77.

Mr. Carter stated the staff thought this would be a great use for the property, noting it would be low impact in terms of traffic. He showed a slide with a view of the front of the property, which showed the RVs were barely visible from the top of the existing screening fence.

Mr. Zaremba asked if this site was close to the auto auction.

Mr. Carter stated this site had been the site of the auto auction at one time. He stated it was currently a contractor storage yard with an auto impound lot, and the applicant simply wanted to add RV storage.

Mr. Shepperd asked how far this site was located from Pierce's BBQ and was it a part of the sewer line extension to Pierce's.

Mr. Carter stated the site was approximately 1,500 feet from Peirce's BBQ, and it benefited from the sewer extension to Pierce's.

Chairman Wassmer called to order a public hearing on Application No. PD-40-15, which was duly advertised as required by law. Proposed Resolution R16-77 is entitled:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT APPLICATION TO AUTHORIZE THE ESTABLISHMENT OF RECREATIONAL VEHICLE STORAGE FACILITY AT 525 EAST ROCHAMBEAU DRIVE

Ms. Jeanette Brady, the applicant, appeared to answer any questions the Board might have.

There being no one else present who wished to speak regarding the subject application, Chairman Wassmer closed the public hearing.

Mr. Zaremba moved the adoption of proposed Resolution R16-77 that reads:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT APPLICATION TO AUTHORIZE THE ESTABLISHMENT OF RECREATIONAL VEHICLE STORAGE FACILITY AT 525 EAST ROCHAMBEAU DRIVE

WHEREAS, Jeanette B. Brady has submitted Application No. UP-874-16 requesting a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 12, No. 18a), to authorize the establishment of a recreational vehicle storage facility on a 4.4-acre parcel located at 525 East Rochambeau Drive (Route F-137) and further identified as Assessor's Parcel No. 2-9-2 (GPIN C19b-4285-3748); and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

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WHEREAS, the Board has carefully considered the public comments and Planning Commission recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 19th day of July, 2016, that Application No. UP-874-16 be, and it is hereby, approved to authorize a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 12, No. 18a), to authorize the establishment of a recreational vehicle storage facility on a 4.4-acre parcel located at 525 East Rochambeau Drive (Route F-137) and further identified as Assessor's Parcel No. 2-9-2 (GPIN C19b-4285-3748) subject to the following conditions:

1. This Special Use Permit shall authorize the establishment of a recreational vehicle storage facility, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 12, No. 18a), on a 4.4-acre parcel located at 525 East Rochambeau Drive (Route F-137) and further identified as Assessor's Parcel No. 2-9-2 (GPIN C19b-42853748).
2. A sketch plan, hazardous materials management plan, stormwater runoff control plan, and photometric plan shall be submitted to and approved by the Division of Development Services. Said plan shall be in substantial conformance with the sketch plan submitted by Jeanette B. Brady and received by the Planning Division on May 5, 2016, except as modified herein.
3. No more than forty (40) operable recreational vehicles may be stored on the property at any one time.
4. No storage shall be permitted in any required landscape yard.
5. At no time shall vehicles in the storage lot be stored or stacked on top of one another.
6. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this Special Use Permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.

BE IT FURTHER RESOLVED that this Special Use Permit is not severable and invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

On roll call the vote was:

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

## **NEW BUSINESS**

### INFOR/HANSEN V7 WORK MANAGEMENT SOFTWARE

Chairman Wassmer gave an overview of proposed Resolution R16-81 to authorize the execution of a contract for the upgrade of the INFOR/Hansen Version 7 Work Management Software to Version 8 including project management, configuration, data conversion, and training. He noted the system had not been upgraded for some time, and this action would allow the electronic viewing of records, maps, and automate a lot of that process.

Mr. Morgan stated the key issue regarding this system was that it had not been updated since 1998.

Mr. Shepperd stated in the Board material there was a comment about the software being used for budgeting, and he asked about the finance component of the software.

Mr. Morgan stated that many years ago this system started with an attempt to put in the County's financial records the value of sewer lines and pump stations because local govern-

ments were required to keep track of the capital value of their infrastructure. He stated it was really keeping track of assets and setting values and depreciation for them, but the modernization was primarily to update the software so that in the future it can link to the financial accounting system that was anticipated to be modernized in about 18 months.

Mrs. Noll moved the adoption of proposed Resolution R16-81 that reads:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT FOR THE UPGRADE OF THE INFOR/HANSEN VERSION 7 WORK MANAGEMENT SOFTWARE TO VERSION 8 AND EXECUTE A CONTRACT FOR THE PROJECT MANAGEMENT, CONFIGURATION, DATA CONVERSION AND TRAINING

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, they involve the expenditure of \$100,000 or more, and comply with all applicable laws, ordinances, and regulations;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 19th day of July, 2016, that the County Administrator be, and hereby is, authorized to execute procurement arrangements with INFOR in the amount of \$145,000 and with TruePoint Solutions in the amount of \$548,000 as follows:

	AMOUNT
INFOR	\$145,000
TruePoint Solutions	\$548,000

On roll call the vote was:

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

FUNDING ACCEPTANCE - VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT

Chairman Wassmer gave an overview on proposed Resolution R16-83 to accept and appropriate funds from the Virginia Department of Emergency Management and to authorize the execution of appropriate procurement arrangements for the purchase of a specialized railcar training system prop for the Hazardous Materials/Chemical, Biological, Radiological, Nuclear, Explosive (CBRNE) Training Facility.

Mr. Shepperd expressed his support for this action, stating the training facility has a beautiful setup. He noted there were already rail cars at the training facility, and he asked Chief Kopczynski if this would just add several new rail cars.

Chief Kopczynski stated that was correct, noting this was almost a one-of-a-kind capability that has a multitude of rail domes and capabilities that would further expand and add to the training props that exist at the facility.

Mr. Shepperd asked if there was enough space to actually put the cars on the tracks.

Chief Kopczynski stated there was room on the site to place track for the cars. He noted that Plains had committed to putting the rail bed in for the foundation and was doing it totally at its expense.

Mr. Shepperd stated one of the news channels had done a show on rail cars about a year ago, and the concern was with oil spills and what happened when the cars run off the track, ex-

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plode, and burn up parts of towns and mess up the environment. He stated it had been really nice to see the facility and understand how the County's firefighters and those from the state train to handle that material. He encouraged the Supervisors to visit the training facility, noting it is really a great program.

Mrs. Noll stated when she had taken the tour, she had not realized that the York County School System used the facility as well.

Chief Kopczynski stated they had done some work with the school staff, and the schools had actually provided some of the facility capabilities with former learning cottages.

Mr. Zaremba asked what the frequency of utilization by the County's hazmat personnel was.

Chief Kopczynski stated the hazardous material response team was required to do monthly training that was often at the training facility, with a lot of the County's firefighters being in and out of the facility almost on a daily basis, along with any of the people that were a part of the hazardous materials response team and their Department's team.

Mr. Zaremba asked if the County collaborated with any of the neighboring jurisdictions.

Chief Kopczynski stated collaboration was not an uncommon occurrence, that state teams as well as teams from other localities come to the County's facility to do reoccurring training; and when students travel to this area from other areas of the Commonwealth, some of that was funded by the Virginia Department of Emergency Management. He also noted the people who come from other localities stay in hotels in York County, buy fuel, and probably go to many of the County's restaurants, so there was an added benefit from an economic standpoint.

Mr. Green asked if this training was provided to York County firefighters at no cost or at a reduced cost.

Chief Kopczynski stated there was no cost to the Fire Department for the training that occurs at the facility. He indicated the program was a joint partnership between York County and the Virginia Department of Emergency Management, and the facility hugely benefits the County law enforcement folks, as well as the State Police, the FBI, and the Coast Guard.

Mr. Shepperd moved the adoption of proposed Resolution R16-83 that reads:

A RESOLUTION TO ACCEPT AND APPROPRIATE FUNDS FROM THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT AND TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE APPROPRIATE PROCUREMENT ARRANGEMENTS FOR THE PURCHASE OF A SPECIALIZED RAILCAR TRAINING SYSTEM PROP FOR THE HAZARDOUS MATERIALS/CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR, EXPLOSIVE (CBRNE) TRAINING FACILITY

WHEREAS, the Department of Fire and Life Safety has been provided funds from the Virginia Department of Emergency Management totaling \$95,000 to purchase and install a specialized railcar training system prop, specifically a specialized railroad car training system for training for responses to railroad emergencies; and

WHEREAS, this initiative is the continuation of an existing partnership for Hazardous Materials/ CBRNE training between the Department of Fire and Life Safety and the Virginia Department of Emergency Management; and

WHEREAS, this training prop will help better prepare emergency responders for actions necessary during a Hazardous Materials/CBRNE emergency response; and

WHEREAS, this training prop will provide numerous benefits to our County, the region, and the Commonwealth in order to protect the citizens who are served; and

WHEREAS, no local funds match is required; and

WHEREAS, the purchase and installation of this prop may involve expenditures of \$50,000 or more, and that all applicable laws, ordinances, and regulations have been complied with;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 19th day of July, 2016, that funds in the amount of \$95,000 from the Virginia Department of Emergency Management be accepted and appropriated in the County's General Fund.

BE IT FURTHER RESOLVED that the County Administrator be, and he is hereby, authorized to execute any necessary agreements, related contracts, or other documentation subject to approval as to form by the County Attorney, and to do all things necessary to complete purchase procurements related to this project.

On roll call the vote was:

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

**CLOSED MEETING.** At 7:17 p.m. Mrs. Noll 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) Zaremba, Noll, Green, Shepperd, Wassmer  
Nay: (0)

Meeting Reconvened. At 7:46 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 19th day of July, 2016, 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) Noll, Green, Shepperd, Zaremba, Wassmer  
Nay: (0)

APPOINTMENTS TO THE YORK COUNTY ARTS COMMISSION

July 19, 2016

Mrs. Noll moved the adoption of proposed Resolution R16-80 that reads:

A RESOLUTION TO APPOINT REPESENTATIVES TO THE YORK COUNTY ARTS COMISSION

WHEREAS, the terms of two appointees to the York County Arts Commission will expire on July 31, 2016;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 19th day of July, 2016, that the following individuals be, and hereby are, appointed to the York County Arts Commission Board for terms to begin August 1, 2016, and end July 31, 2019.

Debora Sasin

Cynthia S. Frankenburg

On roll call the vote was:

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

APPOINTMENT TO THE THOMAS NELSON COMMUNITY COLLEGE BOARD

Mr. Green moved the adoption of proposed Resolution R16-68 that reads:

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

WHEREAS, the term of Belinda H. Willis as a York County representative to the Thomas Nelson Community College (TNCC) Board expired on June 30, 2016; and

WHEREAS, Mrs. Willis is not eligible to serve another term on the TNCC Board as she has served two full four-year terms;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 19th day of July, 2016, that Dr. Perry Showalter be, and he 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, 2016, and expire June 30, 2020.

On roll call the vote was:

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

APPOINTMENT TO THE HAMPTON ROADS TRANSPORTATION ACCOUNTABILITY COMMISSION

Mr. Zaremba moved the adoption of proposed Resolution R16-87 that reads:

A RESOLUTION TO APPOINT A MEMBER OF THE YORK COUNTY BOARD OF SUPERVISORS TO THE HAMPTON ROADS TRANSPORTATION ACCOUNTABILITY COMMISSION

WHEREAS, in April 2014 the Virginia General Assembly adopted HB1253/5B513 which provided for the creation of the Hampton Roads Transportation Accountability Commission (HRTAC) in order to manage the Hampton Roads Transportation Fund (HRTF) revenues for the Hampton Roads region; and

WHEREAS, HRTAC is comprised, in part, of locally elected officials from ten (10) cities and four (4) counties; and

WHEREAS, pursuant to Section 33.2-2602 of the Code of Virginia (1950, as amended), each locality's representative is to be appointed by resolution; and

WHEREAS, such appointment is to coincide with the elected official's term in office for the locality;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 19th day of July, that Thomas G. Shepperd, Jr., be, and he is hereby, appointed as the Board's representative to the Hampton Roads Transportation Accountability Commission.

On roll call the vote was:

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

Meeting Adjourned. At 7:48 p.m. Chairman Wassmer declared the meeting adjourned sine die.

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Neil A. Morgan  
County Administrator

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Jeffrey D. Wassmer, Chairman  
York County Board of Supervisors