MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
August 1, 2006

6:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 6:00 p.m., Tuesday, August 1, 2006, in the East Room, York Hall, by Chairman Walter C. Zaremba.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zaremba, Sheila S. Noll, Kenneth L. Bowman, James S. Burgett, and Thomas G. Shepperd, Jr.

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

WORK SESSION

SOLID WASTE, STORMWATER, AND UTILITY CAPITAL PROGRAMS

Mr. McReynolds stated that at the June 6 work session staff reviewed the solid waste, stormwater, and utility capital programs, and the Board gave direction to evaluate each area and look for ways to re-prioritize or re-order those programs in order to stay within available funding for the Board's consideration. Because of the complexities in the stormwater and utilities programs, staff has not completed its analysis and will return to the Board with a formal presentation at a later date. At this time staff is prepared to discuss and make recommendations on the solid waste program. He recapped for the Board the major components of the solid waste program which includes collection and disposal, landfill closure, recycling/composting, yard debris collection, and leaf collection. He then provided updated budget projections for the program, stating staff now anticipates a shortfall of about $285,000 in FY07 and $650,000 in FY08.

Mr. Shepperd asked if there is any change in the services included in the deficit.

Mr. McReynolds stated no, the projections are based on the current revenue structure and current level of services being provided.

Mr. Shepperd asked what was driving the shortfall.

Mr. McReynolds stated the deficit is being driven by fuel increases and increased tonnage being received in the landfill.

Mr. Shepperd asked how the increase in tonnage can be projected when it has not yet happened.

Mr. John Hudgins, Director of Environmental and Development Services, stated the projections are based on historical data. He noted the County has also made it more convenient for citizens to drop off construction debris at the landfill, and there has been a revenue loss from toter service. He explained how the County used to allow those on the service to bring in up to 500 pounds of debris into the landfill without charge, and now since the last ordinance change, anyone on the service may bring in as much as they can carry in themselves.

Mr. Frank Hedspeth, Solid Waste Management Center Manager, noted the deficit is 60-65 percent due to fuel cost increases, as well as the extra tonnage that is coming into the landfill from residents.

Discussion followed concerning the resident usage of the solid waste program's components, and the costs shared by York County and other jurisdictions for the different components.

Mr. Hudgins stated the composting facility is a good deal for the County in that the County gets a fee for hosting the facility as well as a fee for rental of the facility which offsets the County's costs. He stated VPPSA is going out for proposals with many options for a new contract, and it will be interesting to see how the proposals come in. He indicated the bids should be in this fall, and staff will get a better picture of what will happen in FY08. Mr. Hudgins stated he was forecasting a 20 percent increase in curbside recycling costs for FY08.

Mr. Burgett stated he was aware that recycling is a very popular program, but it does cost the County about $1 million a year. He asked what the financial impact was in making the adjustment in the construction debris policy. He also asked what the numbers would look like if all households paid a monthly fee. Mr. Burgett stated he was looking for as many options as possible.

Mr. McReynolds indicated if each household is required to participate in the program, the costs do not go up as fast as the revenues, and the staff would be presenting a different program if it was a mandatory program. He stated there would not be as great a rate increase.

Mr. Hudgins then reviewed the two general options: reduce services to maintain the current service fee or make minimum fee changes to maintain current services. To eliminate yard debris pickup and leaf collection in FY07 would mean a savings of $262,000, and eliminating recycling in FY08 would mean a savings of $860,000. Mr. Hudgins noted that the last rate increase was in 1999. If the Board wished to consider a fee increase rather than elimination of services, he recommended that the rates be increased as follows effective November 1, 2006:

From $10 to $12.25 per month for one toter

From $13 to $16 per month for two toters

$10 increase in tipping fee per ton from $42 to $52

$150,000 increase in the General fund contribution in FY08

Discussion on the recommendations followed. Further discussion followed on the increased tonnage at the landfill from resident drop off.

Mrs. Noll stated taxpayers demand services; and if the Board has to raise the fees to provide the services, then it has to raise the fees. She stated the citizens appreciate the services they get, and they deserve the good service the County provides them.

Mr. Burgett stated it is obvious that the Board is not going to change what it has been offering to the citizens, and the rates will have to increase just to maintain the status quo. He indicated he was not advocating doing away with the recycling program. Mr. Burgett stated he feels the Board can explain the need for the increase to the citizens.

Chairman Zaremba asked if anyone liked the notion of going to bi-weekly pickup on recycling.

Mr. Hudgins explained the increased costs associated with bi-weekly pickup, including the possible need for more than one toter per household and the need to purchase automated arm trucks.

Mr. Shepperd asked what it would do to the monthly rate to incorporate the $1 million into the toter rate.

Mr. McReynolds indicated it would add about $6 a month to each user.

Mr. Shepperd asked why the County is in the garbage pickup business. He stated the County is using taxpayers dollars to subsidize a business.

Mr. Hudgins indicated the citizens have the option of hiring a private carrier to pick up garbage or sign up for County service. He stated like in most communities as they become urbanized, there is a desire on the part of the taxpayers for the local government to provide these services.

Mr. Hedspeth also noted that when the County went into the trash business, the tipping fees were projected to skyrocket. At the time, the tipping fees were $38 and were projected to go to $52 a ton long before now. He stated that because of contract negotiations, the tipping fees never went that high, and there is a cost benefit for the residents through the County's ability to keep the costs low.

Mr. McReynolds stated if the Board wished to proceed with increasing fees, staff proposed to make the increases effective November 1. In order to do this, a public hearing on the proposed ordinance increasing the fees would need to be conducted on September 19.

Mrs. Noll indicated she felt the Board needed to go ahead and increase the fees at this time.

After a brief discussion, the Board by consensus directed that a public hearing be scheduled for September 19 on the proposed rate increases.

UPDATE ON STATE AND LOCAL PARTNERSHIPS

Mr. McReynolds noted the Board had earlier requested an update on the County's partnerships with certain state and regional service providers and also on the civic and cultural agencies to which the County contributes funding. This presentation has been broken into two parts, and tonight staff will brief the Board on the state and local partnerships. He stated staff would brief the Board at its first meeting in December on those organizations which request funding from the County.

Mrs. Anne B. Smith, Director of Community Services, briefly reviewed each of the following agencies and their structures, including any financial contribution the County makes to the agencies:

Colonial Services Board
York-Poquoson Social Services
Peninsula Health District
Olde Towne Medical Center
Lackey Free Family Medical Clinic
Virginia Department of Juvenile Justice and Court Services Unit
Colonial Group Home Commission
Juvenile Detention Commission
Juvenile Offenders Coordinating Council
Virginia Peninsula Regional Jail
Colonial Community Criminal Justice Board
Peninsula Council for Workforce Development
Workforce Investment Board
Workforce Development Consortium

LEGISLATIVE PROGRAM FOR 2007

Mr. McReynolds indicated the finalization of the 2007 Legislative Program is scheduled for the Board's first meeting in September. The topics staff has gathered thus far were outlined in the July 25 memorandum provided to the Board members and include:

- Creation of a study to address the homestead exemption and tax relief across the state
- Adoption and funding of a transportation plan that addresses the needs of Hampton Roads
- Reinstatement of the "Photo-Red" traffic signal enforcement and authorization for York County to implement the program
- Fully fund the Commonwealth's responsibilities for Human Services Programs
- Fully fund local loss on the Personal Property Tax Relief Act

- Oppose restrictions on local government authority to establish real estate tax rates, or place artificial limits on the assessment of real property at fair market value
- Adoption of legislation guaranteeing that at least $20 million of VDOT's Revenue Sharing Program funding is earmarked for counties, with each county eligible to request at least $1 million in state funding on an annual basis.
- Increasing state support for Virginia's tourism industry
- Rejection of any proposed limitations on the use of eminent domain for the acquisition of property for legitimate governmental purposes

Mr. McReynolds asked the Board members to provide him with any further additions/amendments/deletions prior to August 15 in order for staff to finalize the package with all the details needed for the Board to consider the finalized program on September 5.

CONSENT CALENDAR

Mr. Shepperd commented on Item No. 3 dealing with the Virginia Cooperative Extension Program. He noted that York County has a great program, one of the best he has ever seen, and he wanted to thank Mr. Orband for making this program what it is.

Mrs. Noll then moved that the Consent Calendar be approved as submitted, Item Nos. 2, 3, 4, 5, 6, 7, and 8, respectively.

On roll call the vote was:

Yea: (5) Noll, Bowman, Burgett, Shepperd, Zaremba
Nay: (0)

Thereupon, the following minutes were approved and resolutions adopted:

Item No. 2. APPROVAL OF MINUTES

The minutes of the June 27, 2006, meeting of the York County Board of Supervisors were approved.

Item No. 3. VIRGINIA COOPERATIVE EXTENSION AGREEMENT: Resolution R06-95

A RESOLUTION TO AUTHORIZE THE EXECUTION OF AN AGREEMENT TO PROVIDE FOR THE OPERATION OF THE VIRGINIA COOPERATIVE EXTENSION OFFICE FOR FY2007

WHEREAS, Virginia Cooperative Extension Service has long served York County citizens by offering a wide array of services ranging from youth activities to horticultural guidance that protects our wetlands and greater environment, as well as providing access to a broader network of technical information and resources through Virginia's Land Grant University System at both VPI and Virginia State University; and

WHEREAS, County and Extension staff plan and coordinate services throughout the year to prevent duplication of effort and to assure that Extension activities extend and enhance County programs; and

WHEREAS, the Board of Supervisors authorized funding for this activity in the FY2007 approved budget sufficient to continue participation in this program and to provide an adequate level of service to the citizens of York County.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 1st day of August, 2006, that the County Administrator be, and he is hereby, authorized to execute for and on behalf of the Board, a Memorandum of Understanding with Virginia Coop-

erative Extension, including any necessary amendments thereto, that has been approved as to form by the County Attorney and which is substantially in the same form as that which was transmitted to the Board by report of the County Administrator dated July 20, 2006, for the provision of Virginia Cooperative Extension within the County.

Item No. 4. PURCHASE AUTHORIZATION: Resolution R06-103

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO COMPLETE THE CHEATHAM ANNEX FLOWMETER VAULT RELOCATION PROJECT

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of $30,000 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 $30,000 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 1st day of August, 2006, that the County Administrator be, and hereby is, authorized to execute procurement arrangements for the following:

	AMOUNT
Cheatham Annex Flowmeter Vault Relocation	$ 30,797

Item No. 5. PROPOSED ABANDONMENT—ROUTES 640/1122: Resolution R06-105

A RESOLUTION TO AUTHORIZE THE PUBLICATION AND POSTING OF A NOTICE OF THE BOARD OF SUPERVISORS' INTENT TO ABANDON THE SEGMENTS OF STATE ROUTE 1122 (OLD WILLIAMSBURG-YORKTOWN ROAD) AND STATE ROUTE 640 (WATER COUNTRY PARKWAY/OLD YORK ROAD) LOCATED ON THE SOUTH SIDE OF ROUTE 199 ADJACENT TO WATER COUNTRY, USA

WHEREAS, Premier Properties has requested that the York County Board of Supervisors consider the abandonment of the entire lengths of State Route 1122 (Old Williamsburg-Yorktown Road) and State Route 640 (Water Country Parkway/Old York Road) located on the south side of Route 199 adjacent to Water Country, USA in order to facilitate the development of adjoining property for a major retail center; and

WHEREAS, the subject segment of Route 1122 is a 30-foot right-of-way approximately 3,400 feet in length; and

WHEREAS, the subject segment of Route 640 is a variable width right-of-way approximately 2,100 feet in length; and

WHEREAS, the Board of Supervisors has approved a Special Use Permit to authorize the proposed retail center development and, in conjunction with the review of that application, has determined that existing and proposed development can be adequately served by a private commercial driveway and, accordingly, the subject segments of right-of-way serve no public necessity and are no longer necessary as a part of the Secondary System of State Highways; and

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 1st day of August 2006, that the County Administrator be, and he is hereby, directed to post and publish notice of the Board's intent to abandon the aforesaid sections of Route 1122 and Route 640, pursuant to §33.1-151 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Commissioner of the Virginia Department of Transportation.

Item No. 6. WELL NO. 1 REHABILITATION: Resolution R06-106

A RESOLUTION TO APPROPRIATE $1,077,500 IN FUND 74- WATER AND SEWER EXTENSION FUND AND APPROVE THE PROCUREMENT OF THE SERVICES OF MID-EASTERN BUILDERS TO PROVIDE A NEW WELL FACILITY FOR WELL NUMBER ONE LOCATED IN SKIMINO HILLS

WHEREAS, it is the policy of the Board of Supervisors that all procurement of goods and services by the County involving the expenditure of $30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurement is necessary and desirable, it involves the expenditure of $30,000 or more, and that the applicable laws, ordinances and regulation have been complied with; and

WHEREAS, in 2004 the County entered into a water service agreement with the City of Newport News that calls for Newport News Waterworks to provide future water service to the Lightfoot area of the County and as a part of that agreement the County is to increase the total pumping capacity of the four wells to be transferred to Newport News; and

WHEREAS, it has been determined that the most efficient and cost effective way to provide the increased capacity is provide a new well facility for well number one and the low bid received for the project was $997,500 and a contingency reserve of $50,000 is requested and $30,000 is required to provide upgraded electrical service to the well site, an appropriation of $1,077,500 is required;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 1st of August 2006, that $1,077,500 be, and is hereby, appropriated in Fund 74-Water and Sewer Extension Fund for the new well facility for well number one.

BE IT FURTHER RESOLVED that the County Administrator be, and he is hereby, authorized to conclude the procurement arrangements for the following:

New Well Facility	$997,500

Item No. 7. STREET ACCEPTANCES: Resolution R06-107

A RESOLUTION REQUESTING THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE CERTAIN STREETS IN THE YORK MEADOWS SUBDIVISION INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the following streets, which are shown on plats recorded in the Clerk's Office of the Circuit Court of York County, have been constructed to standards equal to the Virginia Department of Transportation's Subdivision Street Requirements as a requisite for acceptance for maintenance as part of the Secondary System of State Highways; and

WHEREAS, the Residency Administrator for the Virginia Department of Transportation has inspected these streets and found them to be acceptable for maintenance; and

WHEREAS, the York County Board of Supervisors does hereby guarantee unencumbered rights of way, as described on the following Form AM-4.3, plus the necessary easements for cuts, fills, and drainage for these streets;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 1st day of August, 2006, that the Virginia Department of Transportation be, and it hereby

is, requested to add and maintain the streets described on the following Form AM-4.3 as part of the Secondary System of State Highways, pursuant to Section 33.1-229, Code of Virginia, 1950 amended, and the regulatory requirements of VDOT.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of York Meadows and to the Residency Administrator of the Virginia Department of Transportation.

In the County of York

By resolution of the governing body adopted August 1, 2006

The following Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

Report of Changes in the Secondary System of State Highways

Form AM-4.3 (11/28/2005)
Asset Management Division

Project/Subdivision

York Meadows

Type of Change: **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested, the right of way for which, including additional easements for drainage as required, is guaranteed:

Reason for Change: Addition, New subdivision street
Pursuant to Code of Virginia Statute: §33.1-229

Route Number and/or Street Name

Mary Bierbauer Way, State Route Number 1881
Description: *From:* Route 1763 (Coventry Boulevard)
To: Route 1882 (Marcy Drive)
A distance of: 0.04 mile.
Right of Way Record: Filed with the Clerk of the Circuit Court on 12/5/1997, Plat Book 12, Pg. 545, with a width of 50'

Mary Bierbauer Way, State Route Number 1881
Description: *From:* Route 1882 (Marcy Drive)
To: Route 1883 (Kaitlyn Court)
A distance of: 0.07 mile.
Right of Way Record: Filed with the Clerk of the Circuit Court on 12/5/1997, Plat Book 12, Pg. 545, with a width of 50'

Mary Bierbauer Way, State Route Number 1881
Description: *From:* Route 1883 (Kaitlyn Court)
To: Route 1884 (Paula Court)
A distance of: 0.17 mile.
Right of Way Record: Filed with the Clerk of the Circuit Court on 12/5/1997, Plat Book 12, Pg. 545, on 12/5/1997, Plat Book 12, Pg. 546, and on 4/2/1999, Plat Book 12, Pg. 684, with a width of 50'

Mary Bierbauer Way, State Route Number 1881
Description: *From:* Route 1884 (Paula Court)

To: Route 1880 (Kings Pointe Crossing)
A distance of: 0.07 mile.
Right of Way Record: Filed with the Clerk of the Circuit Court on 4/2/1999, Plat Book 12, Pg. 684, and on 4/2/1999, Plat Book 12, Pgs. 682-683, with a width of 50'

Mary Bierbauer Way, State Route Number 1881
Description: *From:* Route 1880 (Kings Pointe Crossing)
To: Route 1885 (Terrance Circle)
A distance of: 0.09 mile.
Right of Way Record: Filed with the Clerk of the Circuit Court on 4/2/1999, Plat Book 12, Pgs. 682-683, and on 5/15/2000, Plat Book 13, Pgs. 126-127, with a width of 50'

Mary Bierbauer Way, State Route Number 1881
Description: *From:* Route 1885 (Terrance Circle)
To: Route 1886 (Dalzell Court)
A distance of: 0.07 mile.
Right of Way Record: Filed with the Clerk of the Circuit Court on 5/15/2000, Plat Book 13, Pgs. 126-127, with a width of 50'

Mary Bierbauer Way, State Route Number 1881
Description: *From:* Route 1886 (Dalzell Court)
To: End of cul-de-sac
A distance of: 0.07 mile.
Right of Way Record: Filed with the Clerk of the Circuit Court on 5/15/2000, Plat Book 13, Pgs. 126-127, with a width of 50'

Marcy Drive, State Route Number 1882
Description: *From:* Route 1881 (Mary Bierbauer Way)
To: Route 1880 (Kings Pointe Crossing)
A distance of: 0.17 mile.
Right of Way Record: Filed with the Clerk of the Circuit Court on 12/5/1997, Plat Book 12, Pg. 545, and on 12/5/1997, Plat Book 12, Pg. 547, with a width of 50'

Kaitlyn Court, State Route Number 1883
Description: *From:* Route 1881 (Mary Bierbauer Way)
To: End of cul-de-sac
A distance of: 0.09 mile.
Right of Way Record: Filed with the Clerk of the Circuit Court on 12/5/1997, Plat Book 12, Pg. 545, and on 12/5/1997, Plat Book 12, Pg. 547, with a width of 50'

Paula Court, State Route Number 1884
Description: *From:* Route 1881 (Mary Bierbauer Way)
To: End of cul-de-sac
A distance of: 0.06 mile.
Right of Way Record: Filed with the Clerk of the Circuit Court on 4/2/1999, Plat Book 12, Pg. 684, with a width of 50'

Terrance Circle, State Route Number 1885
Description: *From:* Route 1881 (Mary Bierbauer Way)
To: End of cul-de-sac

A distance of: 0.07 mile.
Right of Way Record: Filed with the Clerk of the Circuit Court on 5/15/2000, Plat Book 13, Pgs. 126-127, with a width of 50'

Dalzell Court, State Route Number 1886
Description: *From:* Route 1881 (Mary Bierbauer Way)
To: End of cul-de-sac
A distance of: 0.06 mile.
Right of Way Record: Filed with the Clerk of the Circuit Court on 5/15/2000, Plat Book 13, Pgs. 126-127, with a width of 50'

Kings Pointe Crossing, State Route Number 1880
Description: *From:* Route 1881 (Mary Bierbauer Way)
To: Route 1882 (Marcy Drive)
A distance of: 0.18 mile.
Right of Way Record: Filed with the Clerk of the Circuit Court on 4/2/1999, Plat Book 12, Pgs. 682-683, and on 12/5/1997, Plat Book 12, Pg. 547, with a width of 50'

Kings Pointe Crossing, State Route Number 1880
Description: *From:* Route 1882 (Marcy Drive)
To: Route 1763 (Coventry Boulevard)
A distance of: 0.04 mile.
Right of Way Record: Filed with the Clerk of the Circuit Court on 12/5/1997, Plat Book 12, Pg. 547, with a width of 50'

Item No. 8. SPEED LIMIT PROVISIONS—RUNNING MAN AND WYTHE CREEK FARMS: Resolution R06-108

A RESOLUTION TO REQUEST THAT THE VIRGINIA DEPARTMENT OF TRANSPORTATION INSTALL APPROPRIATE SIGNS, AS STIPU-LATED IN SECTION 46.2-878.2 OF THE CODE OF VIRGINIA, TO ESTABLISH INCREASED PENALTIES FOR SPEEDING ON CERTAIN STREETS WITHIN THE RUNNING MAN AND WYTHE CREEK FARMS SUBDIVISIONS

WHEREAS, Section 46.2-878.2 of the Code of Virginia authorizes the posting of certain residential streets for an increased fine of $200, in addition to other penalties prescribed by law, for vehicles exceeding the maximum established speed limit; and

WHEREAS, the Virginia Department of Transportation (VDOT) is responsible for administering the regulations established to implement this law and will entertain requests for establishing the restrictions upon receipt of a formal request and resolution from the Board of Supervisors; and

WHEREAS, residents of the Running Man and Wythe Creek Farms subdivisions have requested that said restrictions be imposed on streets within their developments; and

WHEREAS, the York County Board of Supervisors perceives that a speeding problem exists based on the observations of the residents and reports to the York County Sheriff's office; and

WHEREAS, other streets in these and adjoining subdivisions have been previously designated for the increased penalties and consistency and continuity will be served if the interconnecting streets are also designated; and

WHEREAS, the designations have the support of the subject communities; and

WHEREAS, the Board of Supervisors has reviewed this request and believes that the designated roads meet the eligibility requirements prescribed by VDOT;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 1st day of August, 2006, that the Virginia Department of Transportation be, and it is hereby, requested to approve and install signs pursuant to Section 46.2-878.2 of the Code of Virginia, to designate the following street segments as a street on which a fine of $200 in addition to other penalties prescribed by law may be imposed for violations of the posted speed limit:

Running Man

- Coinjock Run (Rt. 1781) from Running Man Trail (Rt. 606) to Meherrin Run (Rt. 1709)
- Meherrin Run (Rt. 1709) from Coinjock Run to Corrotoman Run (Rt. 1852)
- Corrotoman (Rt. 1852) from Meherrin Run (Rt. 1709) to Kinnakeet Run (Rt. 1851)
- Kinnakeet Run (Rt. 1851) from Kanawah Run (Rt. 1738) to Pohick Run (Rt. 1853)
- Pohick Run (Rt. 1853) from Kinnakeet Run (Rt. 1851) to Robin Hood Drive (Rt. 1604)
- Kanawah Run (Rt. 1738) from Running Man Trail (Rt. 606) to Messongo Run (Rt. 1856)
- Moyock Run (Rt. 1850) from Running Man Trail (Rt. 606) to Kanawah Run (Rt. 1738)
- Messongo Run (Rt. 1856) from Kanawah Run (Rt. 1738) to Brentmeade Drive (Rt. 1717)

Wythe Creek Farms

- Brentmeade Drive (Rt. 1717) from Pasture Lane (Rt. 1719) to Pasture Lane (Rt. 1719)

BE IT FURTHER RESOLVED that the County Administrator is requested to forward a copy of this resolution and any necessary supporting documentation to the Virginia Department of Transportation for its review and approval.

OPEN DISCUSSION

Mr. Shepperd briefed the Board members on the outcome of two studies completed by the Hampton Roads Planning District Commission dealing with the economic impact of the rising cost of gasoline and of hurricanes on the region. He noted that as fuel costs rise, with the exception of holiday travel, the traffic movement in Hampton Roads lessens for the most part, which has a direct economic impact on business in the area. He noted that once the cost of gasoline reaches $4.00, there will be significantly more interest in mass transportation for the region. With respect to hurricanes, Mr. Shepperd indicated that the jobs lost during lower category hurricanes recover fairly quickly with other jobs taking their place; but the higher category hurricanes, such as Katrina, cause a much more significant loss of jobs, and most do not recover. He indicated that better planning and zoning are very important factors to consider when planning for the future.

Mr. Bowman noted he served on the Community Development Block Grant team that provides funds for recovery to Hurricane Isabel victims. He indicated there are currently 29 families receiving funds. Mr. Bowman stated that Caritas had donated $100,000 to the recovery cause; and because of this, the County was able to leverage another $800,000 from the federal government to help these victims.

Mrs. Smith indicated that all of the funds had been dispersed at this time, and only one household has not yet started to work on rebuilding their home.

Mr. Bowman then spoke of an invitation the Board had received to visit a local Boys/Girls Club facility on August 9. He noted he would be visiting the facility in Newport News at 10:00, and

he stated he felt this was a project the Board should support. Mr. Bowman also addressed an on-going rezoning application in the Seaford area, noting that someone has taken it upon themselves to put up signs along side the road in opposition to the application. He stated he called the County Administrator and asked him to take a look at the placement of the signs and have those removed that were illegally placed on the shoulders and in the VDOT right-of-way.

Chairman Zaremba asked Mr. McReynolds to summarize the essence of the discussion at the last Mayors and Chairs meeting with regard to the General Assembly's special session planned to address the transportation issue.

Mr. McReynolds stated the General Assembly would be meeting in special session in September to discuss how to approach the transportation issue and engage the members of the General Assembly, the business community, and the citizens with respect to some solutions to the problems. He indicated there will be some information coming about the regional plan for the Board members to review, and hopefully the General Assembly will address the problem in a meaningful way that will sustain the area's economy in the future. Mr. McReynolds then noted that one of the goals of the Board of Supervisors over the last several years was to improve the appearance of the County's highways. Moving in that direction, he stated the Board had adopted provisions to the York County Code under which privately owned vehicles may be advertised for sale. Because of misstatements in a Daily Press article, he clarified that the Board adopted amendments prohibiting the parking of vehicles for sale on any street, including the shoulders, in a public right-of-way, but that they may be parked on privately-owned residential property for sale as long as doing so does not violate state code regarding the sale of vehicles, and they are not limited to the number of vehicles for sale during a year, nor is the "for sale" sign limited to a certain size. Mr. McReynolds suggested that residents concerned about the recent code amendments contact Codes Compliance at 890-3524 for further clarification.

Mr. Burgett emphasized that the part of the ordinance which was amended was for the commercial corridor, but the restrictions were not made for the residential areas.

Chairman Zaremba noted it was unfortunate that the article was written based on the read-ahead material provided to the Board members rather than the actual action that was taken at the Board meeting.

CLOSED MEETING. At 8:24 p.m. Mr. Bowman 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) Bowman, Burgett, Shepperd, Noll, Zaremba
Nay: (0)

Meeting Reconvened. At 8:50 p.m. the meeting was reconvened in open session by order of the Chair.

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

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

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 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 1st day of August, 2006, 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) Burgett, Shepperd, Noll, Bowman, Zaremba
Nay: (0)

APPOINTMENT TO THE PENINSULA DISABILITY SERVICES BOARD

Mrs. Noll moved the adoption of proposed Resolution R06-102 that reads:

A RESOLUTION TO APPOINT A YORK COUNTY REPRESENTATIVE TO THE PENINSULA DISABILITY SERVICES BOARD

BE IT RESOLVED by the York County Board of Supervisors this 1st day of August, 2006, that Minnie Sippio be, and she is hereby, appointed as a York County representative on the Peninsula Disability Services Board for a term of three years, such term to begin immediately and end on August 31, 2009.

On roll call the vote was:

Yea: (5) Shepperd, Noll, Bowman, Burgett, Zaremba
Nay: (0)

Meeting Adjourned. At 8:55 p.m. Chairman Zaremba declared the meeting adjourned sine die.

James O. McReynolds, Clerk
York County Board of Supervisors

Walter C. Zaremba, Chairman
York County Board of Supervisors