

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
December 5, 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, December 5, 2006, 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, and James S. Burgett.

Thomas G. Shepperd, Jr., was absent

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

WORK SESSION

CIVIC/CULTURAL ORGANIZATIONS OVERVIEW

Mr. McReynolds noted that several organizations request funding from the County each year. In order to provide the Board with background information for its budget deliberations, Mrs. Smith has prepared a presentation on those organizations and what they do.

Mrs. Anne Smith, Director of Community Services, provided the Board with an index listing some of the organizations being referred to, and gave a briefing on many of the agencies and organizations that provide service to County residents and are largely concerned with quality of life issues, and almost all are connected to Community Services. She stated they are primarily non-profit organizations. She then reviewed the following organizations and their functions by the following categories:

Children and Families:	Child Development Resources Foster Grandparents Square One
Health and Aging:	Peninsula Agency on Aging Meals on Wheels Historic Triangle Senior Center Senior Services Coalition Retired Senior Volunteer Program Hospice Care of Williamsburg
Disabilities:	Insight Enterprise Newport News Library
Arts and Tourism:	Arts Commission York County Historical Committee York County Historical Museum York County Historical Society July 4 th Committee
Recreation:	YMCA Recreation Subsidy Program
Literacy, Training, Workforce Development:	Rita Welsh Adult Literacy Program Peninsula READS Thomas Nelson Community College

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Mayors & Chairs Consortium for
Workforce Development
Peninsula Council for Workforce
Development

Housing: Housing Partnerships
 Transitions Family Violence
 Avalon Center

Mrs. Smith also reviewed the services received from and funds requested for the following agencies:

Colonial Community Corrections
Historic Triangle Substance Abuse Coalition
Community Services Coalition

Other Government support agencies such as:

Airport Support
Williamsburg Area Transport
Williamsburg Land Conservancy
Colonial Soil & Water Conservation District
Hampton Roads Partnership
York-Poquoson Red Cross
NASA Aeronautics Support Team

Discussion followed on the funding arrangement for the Victory YMCA and the proposed donation for the Upper County YMCA, the Workforce Development program, and other agencies not mentioned in the presentation to which York County provides funding.

Mr. Bowman requested that the Board be provided with some administrative information concerning these agencies such as a short mission statement on each agency, who else makes contributions, where the agencies are located, and how many York County residents participate or have services provided to them. He stated the information will provide the Board with a good foundation on how it looks at each agency. He asked that staff give the Board a short mission statement of what they do.

Mrs. Smith noted that tonight's purpose was to provide an overview of what the organizations/agencies do. Once staff receives the requests for funding, more detail will be provided.

Chairman Zaremba stated the Board needs to have as much objective, empirical information as it can have going through the budget cycle. He stated it was a very good presentation and overview, a good first step going into the budget cycle.

CONSENT CALENDAR

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

On roll call the vote was:

Yea: (4) Noll, Bowman, Burgett, Zaremba
Nay: (0)

Thereupon, the following resolutions were adopted:

Item No. 2. ROUTE 1122/640 ABANDONMENT: Resolution R06-146

A RESOLUTION TO ABANDON CERTAIN SEGMENTS OF STATE
ROUTE 640 (WATER COUNTRY PARKWAY/OLD YORK ROAD)
AND STATE ROUTE 1122

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, public notices were posted as prescribed by the terms of Section 33.1-151, Code of Virginia, announcing the Board of Supervisors' intention to abandon and announcing a public hearing to receive comments concerning abandoning the sections of road described below from the Secondary System of Highways; 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 2,000 feet in length; and

WHEREAS, the adjacent property owners and the Commissioner of the Virginia Department of Transportation were provided notice of the intent to abandon the subject segments of road; and

WHEREAS, after due consideration of the comments of adjacent property owners and the Virginia Department of Transportation and all evidence available, the Board of Supervisors determined on September 19, 2006 through the adoption of Resolution No. R06-119 that portions of the subject roads serve no public necessity and, accordingly, were abandoned as a part of the Secondary System of State Highways:

- Route 640 – from a point approximately 470 feet south of Route 199 to its end; and
- Route 1122 – from a point approximately 525 feet south of Route 199 to its end; and

WHEREAS, since that action was taken, Premier Properties has purchased the proposed development site, thus removing the contingency for abandoning the remainder of Route 1122, and considerable progress has been made toward the establishment of a new, re-located entrance for Water Country USA.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 5th day of December, 2006, that pursuant to §33.1-151 of the Code of Virginia of 1950, as amended, it has determined that no public necessity exists for the continuation of the subject sections of roadway and does hereby approve the following actions with respect to Routes 1122 and 640:

1. Abandon the portion of Route 1122 beginning at the Route 199 right-of-way and extending southward a distance of approximately 525 feet (i.e., all the remaining road not included in the September 19, 2006 abandonment action); and
2. Abandon the portion of Route 640 beginning at the Route 199 right-of-way and extending southward a distance of approximately 470 feet (i.e., all the remaining road not included in the September 19, 2006 abandonment action), provided however that the abandonment order with respect to Route 640 shall not be effective until the following conditions are satisfied:
 - a. The Commonwealth Transportation Board authorizes a break in the limited access of Route 199 to accommodate a new entrance location for Water Country USA; and
 - b. The new Water Country USA entrance is opened to the public, or Water Country USA, Premier Properties and VDOT negotiate mutually acceptable access rights and easements to accommodate the continued public use of the existing Water Country USA entrance (i.e. Route 640) until such time as construction of the relocated entrance is completed and it is opened to the public.

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

Item No. 3. REVISION TO PUBLIC SEWER EXTENSION—MAJOR FAMILY SUBDIVISION:
Resolution R06-139

A RESOLUTION TO APPROPRIATE \$57,800 FROM FUND 74 – WATER AND SEWER EXTENSION FUND, AUTHORIZE AN ADDITIONAL EXTENSION OF THE COUNTY'S SANITARY SEWER SYSTEM TO PROPERTIES ADJACENT TO A PROPOSED DEVELOPMENT KNOWN AS MAJOR FAMILY SUBDIVISION, AND AUTHORIZE EXECUTION OF THE REVISED PUBLIC SEWER EXTENSION AGREEMENT

WHEREAS, Isadore Major, Jr., and Marilyn M. Major have previously requested that the County enter into a public sewer extension agreement pursuant to § 18.1-53 (b) of the York County Code to serve four residential lots, which request was approved by Resolution No. R06-076; and

WHEREAS, since the approval of the aforesaid Resolution, property owners adjacent to the proposed development have indicated a desire to be connected to the County's sewer system; and

WHEREAS, the plan for the proposed project has been reviewed by the County; and

WHEREAS, prior to final approval of these plans and the initiation of any construction activity, it is necessary that a determination be made as to whether the Board will authorize the additional extension of the public sewer facilities of the County to serve the properties adjacent to the proposed development; and

WHEREAS, it has been determined that sufficient capacity exists in the County's existing sewer system to serve the proposed development, or will exist when the facilities proposed by the developer are constructed; and

WHEREAS, in accordance with the terms of Chapter 18.1 of the York County Code the total connection fee to be paid to the County for the proposed extension to serve this development has been determined to be \$9,200, and the County will appropriate \$57,800 from Fund 74 – Utilities Water and Sewer Extension Fund;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5th day of December, 2006, that additional funding totaling \$57,800 be, and is hereby, appropriated in Fund 74 – Water and Sewer Extension Fund.

BE IT FURTHER RESOLVED that the Board approves the extension of the County's public sewer system to serve the properties adjacent to the proposed development, Major Family Subdivision, and that the County Administrator be, and he hereby is, authorized to execute a revised public sewer extension agreement with Isadore Major, Jr., and Marilyn M. Major for the proposed extension; such agreement to be approved as to form by the County Attorney.

Item No. 4. EMPLOYEE OF THE QUARTER: Resolution R06-149

A RESOLUTION TO COMMEND ANGELA E. RIGLER, ADMINISTRATIVE ASSISTANT III IN THE DEPARTMENT OF GENERAL SERVICES, AS EMPLOYEE OF THE QUARTER

WHEREAS, Ms. Angela E. Rigler has been employed with the County since December, 1991, and currently holds the position of Administrative Assistant III in the Department of General Services; and

WHEREAS, Ms. Rigler is a devoted member of the General Services staff and has shown herself to be an exemplary employee not only in the Department of General Services but also in the Yorktown Revitalization Project Office; and

WHEREAS, Ms. Rigler's performance as lead administrative assistant to the Riverwalk Landing, Shore Erosion, Riverwalk Extension, and Freight Shed projects has been phenomenal; and

WHEREAS, Ms Rigler has functioned more like a project manager, meticulously maintaining correspondence and suspense systems that kept projects on track, managing financial records, checking proposals and change orders for accuracy, ordering materials and furnishings, and arranging meetings; and

WHEREAS, by managing the many difference facets of these projects, she has saved valuable time and literally thousands of dollars in the execution of these projects; and

WHEREAS, Ms. Rigler has also taken the lead in the grant application process and the tracking of invoices and payments necessary to receive reimbursement from the various grant sources associated with the waterfront revitalization projects, and in 2005 the grants that she oversaw provided over \$2 million to the County; and

WHEREAS, Ms. Rigler's work always exceeds the requirements of her position as she continues to strive for improvements in systems, equipment, operations and costs, and her work ethic, expertise, and dedication are worthy of recognition;

NOW THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5th day of December, 2006, that Angela E. Rigler, be and is hereby congratulated upon her selection as Employee of the Quarter for the quarter ended June 30, 2006.

OPEN DISCUSSION

Mr. Burgett stated the Board is approaching the budget cycle, and he feels the Board should look at making recycling a voluntary program, which will save the County \$1 million a year. He indicated the residents can take their recycling materials to the landfill or to a couple of drop-off points. At this time, he indicated the County is subsidizing the program for \$1 million a year, and it does not pay for itself. He stated recycling is important, but it should not cost the residents.

Mrs. Noll expressed her concern that if the Board makes it less convenient for the homeowner, participation in the recycling program will decline.

Mr. Burgett stated if the Board has to look for money, this is one area the Board should consider.

Chairman Zaremba stated it might be something for the Environmental and Development Services staff to look at. He stated the landfill should not be the sole drop-off point, and the Board needs a cost analysis to consider.

Mr. McReynolds stated that staff will price it out to present as an alternative in the budget cycle.

Mrs. Noll expressed her appreciation to everyone who had any part in the Christmas Tree Lighting Ceremony or the boat parade. She stated the program is a family affair, and York County is a good place to raise families.

Chairman Zaremba indicated that letters of appreciation were being prepared for everyone involved in the planning and execution of the program. He then spoke concerning the upcoming budget cycle. He stated the stormwater management program has been getting a lot of attention throughout the Peninsula and is a major expenditure. He stated the General Assembly is now talking about the localities taking up the slack on transportation and other programs. Mr. Zaremba noted the Board will have some major budget decisions to make this year.

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Discussion followed on the major expense of the stormwater management program.

Mr. McReynolds reminded the Board that there is only one more meeting this year on December 19, and the Organizational Meeting will be held on January 2. He then noted that the Christmas Market is scheduled for this coming Saturday from 9:00 a.m. to 4:00 p.m. on Main Street, and he encouraged everyone to attend the market and entertainment on the waterfront.

CLOSED MEETING. At 7:34 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: (4) Bowman, Burgett, Noll, Zaremba
Nay: (0)

Meeting Reconvened. At 7:45 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 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 5th day of December, 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: (4) Noll, Bowman, Burgett, Zaremba
Nay: (0)

APPOINTMENT TO THE EMPLOYEE GRIEVANCE COMMITTEE

Mr. Bowman moved the adoption of proposed Resolution R06-150 that reads:

A RESOLUTION TO APPOINT A MEMBER TO THE YORK COUNTY EMPLOYEE GRIEVANCE PANEL

WHEREAS, James W. Thornton's term as a member of the Employee Grievance Panel will expire on December 31, 2006; and

WHEREAS, James W. Thornton is eligible for reappointment and has expressed a desire to continue to serve on the Employee Grievance Panel; and

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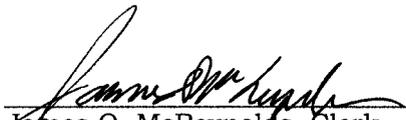
WHEREAS, the Board has reviewed and considered Mr. Thornton's application as well as the applications of other citizens interested in serving in this capacity;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5th day of December, 2006, that James W. Thornton be appointed as a member to the York County Employee Grievance Panel.

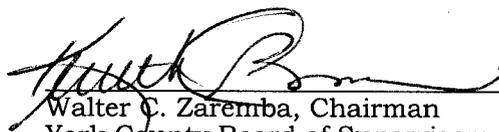
On roll call the vote was:

Yea: (4) Burgett, Noll, Bowman, Zarembo
Nay: (0)

Meeting Adjourned. At 7:46 p.m. Chairman Zarembo declared the meeting adjourned sine die.



James O. McReynolds, Clerk
York County Board of Supervisors



Walter C. Zarembo, Chairman
York County Board of Supervisors

NOTE: In accordance with Section 15.2-1241 of the Code of Virginia, the minutes of this meeting were read at the January 16, 2007, Regular Meeting of the Board of Supervisors, and Chairman Bowman was directed to sign such.