

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
June 6, 2006

7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:01 p.m., Tuesday, June 6, 2006, in the Board 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; J. Mark Carter, Assistant County Administrator; and James E. Barnett, County Attorney.

Invocation. Miss Aagya Mathur, York County Youth Commission, gave the Invocation.

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

PRESENTATIONS

YORK COUNTY YOUTH COMMISSION

Quarterly Report

Mr. Brownlee Bakkum, Chairman of the York County Youth Commission, Made the 4th and final Quarterly Report of the 2005-2006 Youth Commission. He stated the Commission accomplished a great deal during the quarter, and a most important undertaking was the administration of the tri-annual opinion survey of students which will be reported later. He noted the Commission helped with the Zweibrucken student exchange reception, and it gave out scholarships to four outstanding youth in the County. The Commission held its annual series of town hall meetings at each of the high schools and it bought a new domain name for the Youth Commission website, YCYC.info. Mr. Bakkum thanked everyone who helped the Commission this year, particularly the Mr. Bowman and Board of Supervisors; Paulette Parker of Community Services for the help she provided with the survey, and liaison Rick Smethurst who put a great deal of time and effort into the Commission this year.

Survey 2005 Results

Miss Sarah Trimble, Chairman of the Student Relations subcommittee, stated the members of the Youth Commission have been reviewing the data from the survey during the year, noting the survey is conducted every three years. She provided information concerning the design and process of the survey and stated the two main goals of the survey are validity of information and insuring a high level of participation in the survey. She then introduced Crystal Palting who provided the results of the survey.

Miss Crystal Palting reviewed the detailed results of the survey which indicated the results in almost all areas had increased in a positive manner since the 1999 and 2002 surveys.

Miss Jeri Dilts then reviewed the following recommendations:

1. Youth Commission: Continuation of Mission and Increased Publicity. It is recommended that future Commissions continue to strengthen the relationship between the students and the Board of Supervisors. Results show that almost half the students

still feel they cannot express their opinions to County officials, while two-thirds of the students do not believe that County officials are receptive to the opinions of high school students. Although the number of students responding positively for each of these issues increased over 20 percent since 1999, the Youth Commission feels it could improve relationships by improving existing initiatives and increasing publicity.

2. Student Volunteerism. Results show a steady upward trend in the number of students who would be willing to volunteer their time outside of required volunteer time. The Youth Commission would like to explore the possibility of starting a "Student Volunteer Network" that would involve coordinating and publicizing volunteer opportunities within the County, schools, and private sector. This volunteer network would help organize efforts, strengthening and benefiting both the students and the community.

3. Increasing Youth Oriented Programs and Facilities. The Commission recommends that the County increase opportunities for youth oriented programs and facilities. Results from the short answer surveys show that students feel there is little to do in York County. To combat this, the Commission recommends that the County increase the amount of day trips taken every year, and that the Youth Commission meet with representatives from the Economic Development Authority to investigate the possibility of attracting youth oriented business to York County. With the amount of money being spent by youth each week, over \$87,000, a viable and largely untapped "youth market" exists. Youth oriented business would not only spur economic growth in the County, but would also provide jobs to youth who need them.

At this time each of the Board members remarked on their satisfaction with the actions of the 2005-2006 Youth Commission, noting how the Commission members were true ambassadors for York County's youth and the next leaders of the community. They commended the Youth Commission and insured them they would have the opportunity of meeting with the Economic Development Authority to discuss youth oriented businesses. The Board members indicated the Commissioners had done a great job this year, and they were very impressed with Survey 2005 and its results.

Farewell to Members of the 2005-2006 York County Youth Commission

Chairman Zarembo presented each of the members of the 2005-2006 Youth Commission with a bound and sealed copy of Resolution R06-50 which was adopted by the Board of Supervisors on May 16, 2006, and wished them well on their future endeavors.

Introduction of 2006-2007 York County Youth Commissioners

Chairman Zarembo introduced and welcomed the following newly appointed members of the 2006-2007 York County Youth Commission and presented them with York County logo pins:

Lindsey Carver
Thomas Kurec
Abby Moul
Kelsey Andleton
Kevin Luo
Tina Wang
Eesan Balakumar
Jeri Dilts

Adelaida Gyurjyan
Kyle Fiest
Ashley Liverman
Eric Saxon
Kaitlyn Stitt
Piajet Felder
Michael T. Lin
Dana Ryan

Meeting Recessed. At 7:57 p.m. Chairman Zarembo declared a short recess.

Meeting Reconvened. At 8:07 p.m. the meeting was reconvened in open session by order of the Chair.

WORK SESSION**SOLID WASTE, STORMWATER, AND UTILITY CAPITAL PROGRAMS**

Mr. John Hudgins, Director of Environmental and Development Services, appeared to brief the Board members on three of the department's major programs: solid waste program, stormwater capital plan, and the sewer and water extension program. He reviewed the escalation of costs for all programs from 2004 to 2006 for construction materials, costs due to major disasters, and the high price of gas and diesel. Starting with the Solid Waste Program, he provided background on the current program, stating the new contract started in January 2005; and he reviewed the two waste management components—solid waste and recycling. He noted that the solid waste program is funded primarily through fees, and recycling funded primarily through the general fund. Mr. Hudgins reviewed the solid waste revenue and expense projections for FY2006 and FY2007, as well as recycling and composting revenue and expense projections. He stated these figures indicate a negative balance for both years. Using projections for FY08, the negative balance will increase to approximately \$788,000. Mr. Hudgins noted that staff will be sending out an RFP for recycling, so by the end of the year they should have better figures.

Chairman Zaremba asked what was driving our requirement for recycling.

Mr. Hudgins responded that the State requires that each locality recycle 25 percent of its waste stream, and York County recycles approximately 40 percent.

Discussion followed on the money derived from recyclable products and trying to bring in Newport News to the system to attract more bidders.

Mr. Shepperd indicated that if the County put its recyclables in the garbage, it would not have the bill, and asked if the County could get the 25 percent through government activity alone.

Mr. Hudgins stated it was certainly an option. He noted the County already has a convenience center at the waste management center, but the trend is to move toward curb-side collection for more waste to go into the recycling program instead of the landfill. He stated there will have to be a rate increase unless the Board eliminates the recycling program.

Chairman Zaremba stated the Board wants to know all the options to keep costs to a minimum and make the negative numbers go away.

Discussion followed on the County's recycling program and looking at eliminating items on which the program does not make money.

Chairman Zaremba then reviewed the following options that were provided by staff concerning the waste management program, stating he would rather see tipping fees go up than the homeowner's fees being raised:

Increase fees as follows:

- Tipping fee: from \$42.00 to \$48.00
- One toter: from \$10.00 to \$12.50
- Two toters: from \$13.00 to \$16.50
- Increase revenue from General Fund by \$200,000 in FY08 to cover increased recycling collection costs

Mr. McReynolds stated there are two issues being dealt with here. In 2007 and 2008 the County is under current contracts and what the Board has been shown is that the current revenue stream will not meet expenses. He stated there are not many options for the rest of this year, and staff may have to come back and request funding from reserves. For next year the County is under a certain contract, and the options there are not as varied as they might be for 2008.

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Chairman Zarembo stated the Board is not inclined to raise the cost to the citizens.

Discussion followed on a comparison of proposed fees with the fees of other local localities.

Mr. McReynolds noted there have been no increases in 7 years.

Mr. Hudgins next reviewed the stormwater capital plan, providing highlights of the program since 2004. He stated current revenues are unable to support the Capital Improvements Program due to escalating construction costs. He reviewed the funding stream for the plan, including the meals tax, and the VDOT and County share of Revenue Sharing Funds, totaling \$800,000. Mr. Hudgins discussed how the status of the program has changed over the past four years, and he reviewed the stormwater balance shortfall with the current revenues. He then reviewed options for the program, the stormwater fee in particular. He noted that \$3.33 per month per household could fund the debt service that would be needed to maintain current program pace.

Chairman Zarembo stated the Board and staff talked about this subject years ago, and it was discussed then that a stormwater fee would be someday mandated.

Mr. Hudgins indicated the stormwater fee is a way to raise the money for the program and the most equitable way to apply a fee to those who contribute to the problem. He noted that in the next six years the County will need \$10,000,000 to cover the imbalance. He suggested that some of the projects need to be revisited.

Mr. Bowman stated the Stormwater Advisory Committee recognizes there are a number of areas that are in dire straits, and the members have talked about taking the maintenance areas and doing the outfalls and then bring on a dedicated team that works these ditches on a regular basis because it is an area that needs constant attention. He spoke of the increases in the engineers' costs to try and fix these areas, and he stated they are too cost prohibitive.

Mr. Burgett suggested fixing the drainage only for the homes that have the worst problem. He stated putting another tax on the people is not an easy thing to do.

Discussion followed on the high cost of stormwater needs.

Mr. Shepperd stated this is not a new problem. He indicated the Board either charges a fee or it has the projects re-scoped and pared down, but the reality is that the Board can tell Mr. Hudgins to scope the projects down, but homes are being added every day that increase the problems.

Mrs. Noll indicated she would like to see some other funding mechanism rather than a stormwater fee. She asked if there was any way some money could be leveraged.

Mr. Hudgins next reviewed the status of the Sewer and Water Utility Capital Plan, stating the plan extends public water and sanitary sewer facilities to existing developed neighborhoods based on environmental concerns, ground water contamination, and aging septic systems near the tributaries of the Chesapeake Bay. He reviewed the annual revenue summary for the last three years, stating the projected revenues over the next six years should rise to \$22.8 million. He then reviewed the project construction cost history for several projects. He stated the options are to borrow funds or to delay some projects. With regard to the sewer and water extensions, staff briefs the Board every two years in the fall. He stated some of the priorities may be reordered, and staff is continually looking at various ways to cut costs on these projects.

Mr. McReynolds stated staff's recommendation is to move forward with the current plan as it exists and borrow the necessary funds. The adjustments Mr. Hudgins mentioned are ongoing.

Discussion followed on the Queens Lake, Dogwood, and Baytree Beach projects.

Mr. Bowman stated the Board needs to make sure Baytree Beach project continues. He noted that because it is at sea level, all the septic tanks overflow when it floods.

Mr. Zaremba stated this program needs to be looked at again. He noted there may well be significant changes that would continue the program or slow down other programs.

Mr. McReynolds indicated that the Board would need to determine if it wants to continue the current programs or wants to look at reprioritizing the projects. Tonight's briefing was intended to define the status of the programs. At a future meeting, staff will be looking for the Board's direction to continue or resize and rework the programs and come back with additional cost information.

Chairman Zaremba stated the Board wants to know the alternatives for reducing the costs and whether or not it includes reprioritizing or stretching the program out. He indicated the Board needs to know more information so it can make an informed decision.

Mr. McReynolds stated he thought the Board's consensus was to look at alternatives rather than maintaining the current programs.

Mr. Burgett indicated the Board just went through lowering the real estate tax rates to cut the costs, and now it needs to figure out a better way of helping the ones who have serious problems. He stated a fee is just another word for tax. He suggested that each Board member look at the critical areas in their respective districts.

UNFINISHED BUSINESS

LEASE AGREEMENT FOR CONCRETE CRUSHING OPERATION

Mrs. Noll moved the adoption of proposed Resolution R06-65 that reads:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT BETWEEN THE COUNTY AND TRIAD DEMOLITION, LLC, FOR A PORTION OF PROPERTY OWNED BY THE COUNTY AND LOCATED AT THE YORK COUNTY WASTE MANAGEMENT CENTER AT 145 GOODWIN NECK ROAD, CONSISTING OF APPROXIMATELY FOUR (4) ACRES OF LAND, FOR USE AS A TEMPORARY FACILITY FOR A CONCRETE CRUSHING OPERATION

WHEREAS, the Triad Demolition, LLC, a Virginia limited liability company, (Triad) has offered to lease from the County a four acre portion of the County's Waste Management Center for use as a concrete crushing facility for a period in time ending on or before June 30, 2007, upon the terms and conditions set out below; and

WHEREAS, following a duly advertised public hearing, this Board has determined that it is in the public interest to enter into a lease agreement with Triad;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 6th day of June, 2006, that the County Administrator be, and he is hereby, authorized to execute a lease agreement, approved as to form by the County Attorney, with Triad Demolition, LLC, for the lease of approximately four acres of land located at the County's Waste Management Center on Goodwin Neck Road, as further identified in the County Administrator's memorandum of April 20, 2006, in exchange for the delivery to the County of 1,500 tons of #21 crushed stone, the market value of which is determined to be approximately \$17,925.

On roll call the vote was:

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

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CONSENT CALENDAR

Mrs. Noll moved that the Consent Calendar be approved as submitted, Item Nos. 3, 4, 5, 6, 7, 8, 9, and 10, respectively.

On roll call the vote was:

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

Thereupon, the following minutes were approved and resolutions adopted:

Item No. 3. APPROVAL OF MINUTES

The minutes of the May 2, 2006, Regular Meeting of the York County Board of Supervisors were approved as submitted.

Item No. 4. PUBLIC SEWER EXTENSION AGREEMENT—TAYLOR FARMS: Resolution R06-75

A RESOLUTION TO AUTHORIZE AN EXTENSION OF THE COUNTY'S SANITARY SEWER SYSTEM TO A PROPOSED DEVELOPMENT KNOWN AS TAYLOR FARMS, AND AUTHORIZING EXECUTION OF THE NECESSARY PUBLIC SEWER EXTENSION AGREEMENT

WHEREAS, Taylor Farms, L.L.C., has requested that the County enter into a public sewer extension agreement pursuant to § 18.1-53 (b) of the York County Code to serve 54 residential lots; 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 extension of the public sewer facilities of the County to serve 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 \$124,200;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 6th day of June, 2006, that the Board approves the extension of the County's public sewer system to serve the proposed development, Taylor Farms, and that the County Administrator be, and he hereby is, authorized to execute a public sewer extension agreement with Taylor Farms, L.L.C., for the proposed extension; such agreement to be approved as to form by the County Attorney.

Item No. 5. PUBLIC SEWER EXTENSION AGREEMENT—MAJOR FAMILY SUBDIVISION: Resolution R06-76

A RESOLUTION TO AUTHORIZE AN EXTENSION OF THE COUNTY'S SANITARY SEWER SYSTEM TO A PROPOSED DEVELOPMENT KNOWN AS MAJOR FAMILY SUBDIVISION, AND

AUTHORIZING EXECUTION OF THE NECESSARY PUBLIC
SEWER EXTENSION AGREEMENT

WHEREAS, Isadore Major, Jr., and Marilyn M. Major have 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; 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 extension of the public sewer facilities of the County to serve 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;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 6th day of June, 2006, that the Board approves the extension of the County's public sewer system to serve the proposed development, Major Family Subdivision, and that the County Administrator be, and he hereby is, authorized to execute a 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. 6. PUBLIC SEWER EXTENSION AGREEMENT—SHALLOW MARSH: Resolution R06-77

A RESOLUTION TO AUTHORIZE AN EXTENSION OF THE
COUNTY'S SANITARY SEWER SYSTEM TO A PROPOSED DE-
VELOPMENT KNOWN AS SHALLOW MARSH, AND AUTHORIZING
EXECUTION OF THE NECESSARY PUBLIC SEWER EXTENSION
AGREEMENT

WHEREAS, F. Craig Read and Debra A. Read have requested that the County enter into a public sewer extension agreement pursuant to § 18.1-53 (b) of the York County Code to serve six residential lots; 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 extension of the public sewer facilities of the County to serve 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 \$34,800;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 6th day of June, 2006, that the Board approves the extension of the County's public sewer system to serve the proposed development, Shallow Marsh, and that the County Administrator be, and he hereby is, authorized to execute a public sewer extension agreement with F. Craig

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Read and Debra A. Read for the proposed extension; such agreement to be approved as to form by the County Attorney.

Item No. 7. EMPLOYEE OF THE QUARTER: Resolution R06-83

A RESOLUTION TO COMMEND CLEMENT H. MORRISSEY, OPERATIONS SUPERVISOR I, IN THE DEPARTMENT OF ENVIRONMENTAL & DEVELOPMENT SERVICES AS EMPLOYEE OF THE QUARTER

WHEREAS, Mr. Clement H. Morrissey has been employed with the County since December 1988 and currently holds the position of Operations Supervisor I in the Department of Environmental & Development Services; and

WHEREAS, Mr. Morrissey is an outstanding member of the Drainage and Mosquito Control division, and his primary duty as a team leader is the maintenance of over 175 drainage ways, totaling 35 miles, cutting vegetation and removing debris to ensure flood prevention and to reduce the public health threat of mosquitoes; and

WHEREAS, Mr. Morrissey took it upon himself to identify County easement drainage ways using subdivision plats in order to enhance the planning, scheduling, and execution of 353 drainage ways throughout the County, encompassing an overall total of 69 miles; and

WHEREAS, this laborious time-consuming task has resulted in a first ever up-to-date computerized listing which identifies which of the three maintenance teams is responsible for a particular election district along with a notation as to the drainage way length, its reference map book page, and when it was last maintained, which has streamlined the processed, prioritized the work and provided up-to-date information for citizens; and

WHEREAS, Mr. Morrissey has also provided map books to the Board of Supervisors detailing information pertaining to drainage ways in their districts so that they could better respond to their constituents, and he submits monthly drainage schedule updates, which are posted on the Environmental & Development Services web site; and

WHEREAS, Mr. Morrissey created a computerized database for all teams capturing daily activity for monthly, quarterly, and annual reporting, which has been used in the County's annual report and was referenced during the aftermath of Hurricane Isabel for FEMA reporting purposes; and

WHEREAS, Mr. Morrissey is a valuable and dedicated member of the County staff who consistently performs above and beyond his duties;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 6th day of June, 2006, that Clement H. Morrissey be, and he is hereby, congratulated upon his selection as Employee of the Quarter for the quarter ended March 31, 2006.

Item No. 8. COMPREHENSIVE PLAN IMPLEMENTATION: Resolution R06-84

A RESOLUTION TO SPONSOR AN APPLICATION TO AMEND THE YORK COUNTY ZONING MAP, WHICH IS AN ELEMENT OF CHAPTER 24.1, ZONING (YORK COUNTY CODE) TO RECLASSIFY CERTAIN PROPERTIES TO PROVIDE FOR CONSISTENCY WITH THE LAND USE DESIGNATIONS ESTABLISHED BY THE YORK COUNTY COMPREHENSIVE PLAN - CHARTING THE COURSE TO 2025 - AS ADOPTED BY THE BOARD OF SUPERVISORS ON DECEMBER 6, 2005

WHEREAS, the York County Zoning Map, an integral part of Chapter 24.1-Zoning, York County Code, establishes the zoning classification of properties within the County; and

WHEREAS, as a result of the adoption of the updated York County Comprehensive Plan – *Charting the Course to 2025*, the Board has determined that adjustments in the zoning classification of certain properties should be considered in order to effectively implement the land use policies set forth in the Plan; and

WHEREAS, such amendments are identified in the material distributed to the Board under cover of a May 16, 2006, memorandum from the County Administrator; and

WHEREAS, the Board finds that consideration of the proposed amendments would be consistent with good zoning practice;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 6th day of June, 2006, that it does hereby sponsor an application to amend the York County Zoning Map to reclassify the properties identified in the County Administrator's report to the Board dated May 16, 2006, a copy of which is hereby made a part of this resolution by reference.

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

Item No. 9. GRANT ACCEPTANCE: Resolution R06-85

A RESOLUTION TO ACCEPT AND APPROPRIATE FY2005 DEPARTMENT OF HOMELAND SECURITY GRANT FUNDS IN THE AMOUNT OF \$82,415 AND COMPLETE PROCUREMENTS TO ASSIST THE DEPARTMENT OF FIRE AND LIFE SAFETY AND THE SHERIFF'S OFFICE IN DEVELOPING CAPABILITIES FOR PREPAREDNESS TO PREVENT, RESPOND AND RECOVER FROM POTENTIAL ACTS OF TERRORISM

WHEREAS, the County is vulnerable to the threat of terrorism and, in particular, the use of Weapons of Mass Destruction (WMD), and the Department of Fire and Life Safety, as well as the York-Poquoson Sheriff's Office, are the first responders to such events; and

WHEREAS, under the 2005 State Homeland Security Program, the United States Department of Homeland Security, Office of Grants and Training, is making funds available to localities to assist in their preparation efforts; and

WHEREAS, the Virginia Department of Emergency Management (VDEM) has been designated as state manager of these grants; and

WHEREAS, the funding purchases authorized by these grants are restricted to specified planning, training, exercises, organizational activities, and equipment projects and objectives to support the County's State Homeland Security Assessments previously submitted to the Virginia Department of Emergency Management and do not require a local match; and

WHEREAS, the County has been awarded two such grants amounting to \$82,415 by the United States Department of Homeland Security, Office of Grants and Training and the Virginia Department of Emergency Management;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 6th day of June, 2006, that the County Administrator be and hereby is authorized to accept, and the Board hereby appropriates, grant funds in the amount of \$82,415 to procure equipment in accordance with the purchasing laws of the Commonwealth of Virginia, and the grant awards by the United States Department of Homeland Security and the Virginia Department of Emergency Management, and according to the needs identified by both the Department of Fire and Life Safety and the York-Poquoson Sheriff's Office, and the County Administrator is further authorized to execute any necessary grant agreements, related contracts, or other documents, subject to approval as to form by the County Attorney, to provide such additional information as may be required by the terms of the grant agreements, and to do all things necessary to

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complete the procurements related to this project and to implement the United States Department of Homeland Security Grant Program.

Item No. 10. COMMENDATION OF RETIRED PERSONNEL: Resolutions R06-87 and R06-88

Resolution R06-87:

A RESOLUTION TO COMMEND MATTHEW D. BAILEY, YORK COUNTY DEPARTMENT OF FIRE AND LIFE SAFETY LIEUTENANT (RETIRED), FOR SERVICES RENDERED TO THE CITIZENS AND VISITORS OF YORK COUNTY

WHEREAS, Matthew D. Bailey began employment with the County of York on March 18, 1982 as a career firefighter; and

WHEREAS, in 1980 he was one of the first auxiliary members of Fire Station Three – Bruton, and served the citizens, businesses, and visitors of that district as a volunteer until his employment in 1982; and

WHEREAS, he progressed in his knowledge and skills as a firefighter and was promoted to lieutenant/station officer on November 18, 1990; and

WHEREAS, Lieutenant Bailey served for years as a station officer on “A” Shift, and was loved and respected by the men and women who worked for him; and

WHEREAS, most recently he was assigned to Fire Station Six in Seaford and, in addition to his regular duties, had the responsibility for maritime response operations from that fire station on his assigned shift; and

WHEREAS, during his career, Lieutenant Bailey was commended on numerous occasions for the level of quality service he and his shift provided; and

WHEREAS, he received recognition for effecting human rescues from fire incidents along with effective fire control; and

WHEREAS, throughout his career, he served the citizens and visitors of York County with distinction and honor, routinely contributing to their safety and prosperity, and upholding the high ideals and standards of the American fire service; and

WHEREAS, Lieutenant Matthew D. Bailey retired on March 31, 2006;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 6th day of June, 2006, that Matthew D. Bailey be, and he is hereby, commended for his professionalism and devotion to duty in serving the citizens, businesses and visitors of the County initially as a volunteer and then as a career member for 25 years.

BE IT FURTHER RESOLVED that the appreciation of the citizens of York County is hereby extended to Matthew D. Bailey for his service to the County, and the heartfelt best wishes of this Board are extended to him and his family for a well-deserved abundance of happiness and continued success in their future endeavors.

Resolution R06-88:

A RESOLUTION TO COMMEND RUDOLPH V. BAYTOP, YORK COUNTY DEPARTMENT OF FIRE AND LIFE SAFETY FIRE-FIGHTER (RETIRED), FOR SERVICES RENDERED TO THE CITIZENS AND VISITORS OF YORK COUNTY

WHEREAS, Rudolph V. Baytop began employment with the County of York on November 22, 1974, as a career firefighter; and

WHEREAS, Firefighter Rudolph V. Baytop served for years as a senior driver/pump-operator on "C" Shift, and was loved and respected by the men and women who worked with and learned from him; and

WHEREAS, he was known for his commitment to the care and upkeep of his assigned fire apparatus; and

WHEREAS, he was also known for his quiet but caring and compassionate nature; and

WHEREAS, throughout his career, he served the citizens, businesses, and visitors of York County with distinction and honor, routinely contributing to their safety and prosperity, and upholding the high ideals and standards of the American fire service; and

WHEREAS, Firefighter Rudolph V. Baytop was recognized throughout his career for his commitment, service, and professionalism, including receiving recognition from the York County Business Association as Firefighter of the Year; and

WHEREAS, he was recognized for his efforts in responses to numerous serious emergency incidents many of which resulted in lives saved; and

WHEREAS, Firefighter Rudolph V. Baytop retired on May 1, 2006;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 6th day of June, 2006, that Rudolph V. Baytop be, and he is hereby, commended for his professionalism and devotion to duty in serving the citizens, businesses, and visitors of the County for over 31 years.

BE IT FURTHER RESOLVED that the appreciation of the citizens of York County is hereby extended to Rudolph V. Baytop for his service to the County, and the heartfelt best wishes of this Board are extended to him and his family for a well-deserved abundance of happiness and continued success in their future endeavors.

OPEN DISCUSSION

Mrs. Noll indicated that Relay for Life will be held this weekend on June 9 and 10 at York High School, and she encouraged everyone to come out and recognize the survivors of cancer and the need for more research for cancer.

Mr. Zaremba stated that this past Sunday he and Mr. Shepperd had the privilege of being part of a celebration at Cary's Baptist Church recognizing the longevity of the church. He distributed a program from the celebration among the Board members and asked that it be made a part of the record by reference.

Mr. McReynolds informed the Board and the citizens that there have been a lot of brush fires lately, and the State will be hosting a workshop for residents to attend to provide them with information on protecting their homes from such dangers on June 8 from 6:00 to 8:00 p.m. at the Williamsburg Community Building at 401 N. Boundary Street, Williamsburg. He also noted that the County's Relay for Life team had a goal of \$2,500, and they have surpassed the \$4,000 amount and growing. He commended the County staff for its efforts in this regard.

CLOSED MEETING. At 9:23 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 and a personnel matter regarding the compensation of the County Administrator and County Attorney; and Section 2.2-3711(a)(3) pertaining to the acquisition or disposition of public property.

On roll call the vote was:

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

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Nay: (0)

Meeting Reconvened. At 10:45 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 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 6th day of June, 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) Shepperd, Noll, Bowman, Burgett, Zaremba
Nay: (0)

APPOINTMENTS TO THE YORK COUNTY ARTS COMMISSION

Mrs. Noll moved the adoption of proposed Resolution R06-79(R) that reads:

A RESOLUTION TO APPOINT THREE REPRESENTATIVES TO
THE YORK COUNTY ARTS COMMISSION

WHEREAS, a vacancy on the York County Arts Commission exists due to the resignation of Ms. Donna Lushbaugh, whose term expires July 31, 2006; and

WHEREAS, on July 31, 2006, the terms of Ms. Joyce Ashton and Ms. Sheila Myers also expire, and both have indicated their willingness to serve another term for which they are eligible;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 6th day of June, 2006, that Kathleen Manley be, and she is hereby, appointed to the York County Arts Commission to complete the unexpired term of Ms. Donna Lushbaugh, which expires July 31, 2006, and to a full term of three years, such term to begin August 1, 2006, and expire July 31, 2009.

BE IT FURTHER RESOLVED that Ms. Sheila Myers be, and she is hereby, reappointed to the York County Arts Commission for a term of three years, such term to begin August 1, 2006, and expire July 31, 2009.

BE IT STILL FURTHER RESOLVED that James M. Obernesser be, and he is hereby, appointed to the York County Arts Commission for a term of three years, such term to begin August 1, 2006, and expire July 31, 2009.

On roll call the vote was:

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

APPOINTMENTS TO THE COLONIAL SERVICES BOARD

Mr. Bowman moved the adoption of proposed Resolution R06-78 that reads:

A RESOLUTION TO APPOINT THREE YORK COUNTY REPRESENTATIVES TO THE COLONIAL SERVICES BOARD

WHEREAS, a vacancy for a York County representative on the Colonial Services Board exists due to the resignation of Ms. Jeanne Eickhoff, whose term expires June 30, 2006; and

WHEREAS, on June 30, 2006, the terms of Ms. Joanne Smith and Mr. Donald Willis expire, and both have indicated their willingness to serve another term for which they are eligible;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 6th day of June, 2006, that Raymond E. Schmidt be, and he is hereby, appointed as a York County representative to the Colonial Services Board to complete the expired term of Ms. Jeanne Eickhoff, which expires June 30, 2006, and to a full term of three years, such term to begin July 1, 2006, and expire June 30, 2009.

BE IT FURTHER RESOLVED that Ms. Joanne Smith and Mr. Donald Willis be, and they are hereby, reappointed as York County representatives to the Colonial Services Board for terms of three years each, such terms to begin July 1, 2006, and expire June 30, 2009.

On roll call the vote was:

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

APPOINTMENTS TO THE YORK COUNTY STORMWATER ADVISORY COMMITTEE

Mr. Burgett moved the adoption of proposed Resolution R06-82 that reads:

A RESOLUTION TO APPOINT MEMBERS TO THE STORMWATER ADVISORY COMMITTEE

WHEREAS, the terms of Mike Bossie, Jan Briedé, Bob Brodel, Lou Lafrenaye Kenny Taylor, Marty Fisher, and Jeff Wassmer will expire on June 30, 2006; and

WHEREAS, Mike Bossie, Jan Briedé, Bob Brodel, Lou Lafrenaye, and Kenny Taylor have asked to be reappointed; and

WHEREAS, the Committee is in need of one new member each from Districts 1, 2 and 3; two new members from District 4; and one at-large representative with experience in public relations;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 6th day of June, 2006, that the following individuals be, and they are hereby, appointed as voting members to the York County Stormwater Advisory Committee, such appointments to take effect July 1, 2006, and expire on June 30, 2008.

Michael A. Bossie
 Robert S. Brodel
 M. Kenneth Taylor, Jr.
 M. Sean Fisher

Jan W. Briede
 Lucien L. Lafrenaye
 Leslie P. Smith
 Barbara A. Hambrook

June 6, 2006

On roll call the vote was:

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

APPOINTMENT TO THE YORK COUNTY ECONOMIC DEVELOPMENT AUTHORITY

Mr. Shepperd moved the adoption of proposed Resolution R06-86(R) that reads:

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

WHEREAS, on June 30, 2006, the terms of Alex G. Llorente and A. Travis Quesenberry will expire on the York County Economic Development Authority; and

WHEREAS, Mr. Llorente has expressed a desire to serve another four-year term on the York County Economic Development Authority; and

WHEREAS Mr. Quesenberry has declined reappointment to the York County Economic Development Authority;

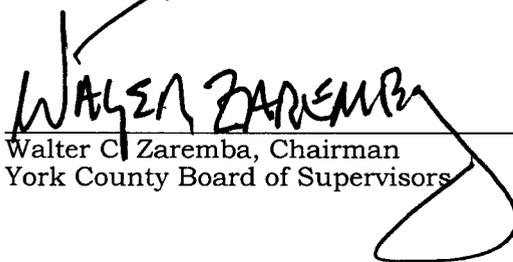
NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 6th day of June, 2006, that Richard D. Weigel be, and he is hereby, appointed to the York County Economic Development Authority for a term of four years, such term to begin July 1, 2006, and expire June 30, 2010.

On roll call the vote was:

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

Meeting Adjourned. At 10:50 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