

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
September 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, September 5, 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, James S. Burgett, and Thomas G. Shepperd, Jr.

Kenneth L. Bowman, Vice Chairman, was absent.

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

UPDATE ON STATUS OF ACTIONS TAKEN DUE TO TROPICAL STORM ERNESTO. (Not on Agenda)

Fire Chief Stephen P. Kopczynski provided the Board members with an update on actions taken since Tropical Storm Ernesto hit the Peninsula. He indicated the initial prediction was that the storm would move into the Gulf of Mexico, and the Federal government deployed teams to that area; they were not needed and returned August 31. The storm track prediction changed dramatically toward this area, and County staff prepared for the storm, coordinating with appropriate agencies. He stated an emergency was declared on September 1 as the storm hit, and an emergency shelter was opened. Winds were stronger and tidal flooding higher than predicted, and staff began immediate operations to clear roads when most of the storm had subsided. Dominion Power then assigned crews to work with the County's task forces, and an assessment was made for power outages. Staff continued to work through the weekend, staying in touch constantly with Dominion Power. Chief Kopczynski noted that 605,000 power customers were affected statewide, with 143,000 affected in this area. As of Monday a.m. all but 49 homes were returned to service. He then noted that over 400 County staff members dealt with the storm, and there were over 44,000 transmissions between agencies during the storm providing critical information. He stated that yard debris pickup will begin on September 18, and over 4,000 customers used the waste management facility over the weekend. He also mentioned the sewer problems due to the storm, stating all were back on line by Monday. Chief Kopczynski stated that staff is still assessing damage due to tidal flooding, and they are now keeping an eye on Tropical Storm Florence.

Discussion followed regarding lessons learned from Tropical Storm Ernesto.

WORK SESSION

COMMUNITY DEVELOPMENT AUTHORITIES

Mr. McReynolds indicated that there has been a lot of discussion over the past months about creating a Community Development Authority (CDA) to help a development pay for itself. He stated that before a CDA can be created, the Board of Supervisors must adopt a resolution establishing its authority to do so; and then after other requirements are met, an Authority can be created. He stated that Ms. Bonnie France from Maguire Woods was present to provide some information on CDAs in general.

Ms. Bonnie France, bond counsel from Maguire Woods, provided the Board members with a general outline of how CDAs are structured and work. She indicated the purpose of a CDA is to finance infrastructure made necessary by development within a CDA district, to issue bonds to

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finance CDA improvements, and to generate money to pay for improvements through special ad valorem taxes or assessments on property within the CDA district. She reviewed the following benefits of a CDA:

- Infrastructure costs are paid by those who benefit most
- Incremental tax increases generated by the project can be used to offset infrastructure costs
- Infrastructure typically can be financed on a tax-exempt basis
- Infrastructure can be financed more quickly and in a uniform manner rather than "piecemeal" as development progresses; increase in tax revenues to County "ramps up" more quickly
- The County is in no way obligated on the CDA bonds

After providing some history on the Virginia Code authority for a CDA, Ms. France reviewed the procedure to create a CDA. She then spoke of the CDA bonds, stating they are issued by the CDA and are not County debt. She stated they are issued to finance public infrastructure and are payable from the pledge of special assessment revenues and/or incremental tax revenues. Special taxes or assessments are collected by the County and appropriated each year to the CDA. The County enters into an agreement with the CDA approving the financing plan, and the bonds are sold to sophisticated investors/funds. Ms. France reiterated that an ordinance creating a CDA must state that CDA bonds are not a debt of the County and that the full faith and credit of the County is not pledged. CDA bonds are payable only from special revenues, and they shall not directly or indirectly obligate the County to make any payments, except from special revenues. Ms. France stated the County is prohibited from making any payments on CDA bonds unless the ordinance creating the CDA provides otherwise.

Discussion followed regarding the impact of a CDA on only the taxpayers residing within the CDA district.

LEGISLATIVE PROGRAM FINALIZATION

Mr. Barnett briefly reviewed the items contained in the proposed 2007 Legislative Program, indicating he had not received any further requests for legislative items from the Board members or staff since the previous work session.

Mrs. Noll asked that the Transportation item be amended to read that transportation is an essential component of the state's plans for infrastructure. She also asked that the wording on the item concerning the restructuring of the personal property tax relief act be amended to ask the General Assembly to provide adequate funding for annual increases in the state funding of the Act and that the percentage assumed by the state be set at 70 percent.

Mr. McReynolds then noted that staff would make the requested amendments to the program and bring it forward to the Board's September 19 regular meeting for adoption. He indicated staff would then put together materials for the October 9 meeting with the County's legislative delegation.

SECONDARY ROAD PLAN

Mr. Carter reviewed the status of the 10 projects on the current project listing as follows, stating the first item is complete, and the next two are substantially underway:

1. **Cary's Chapel Road** – construct intersection improvement at Victory Boulevard (Route 171). *Status: Construction complete.*

2. **Big Bethel Road** – intersection improvements at Route 134 and Route 171. *Status: Construction underway.*
3. **Fort Eustis Boulevard Extension** – construct a new road on a new location between the current terminus at Patriot Square Shopping Center and Old York-Hampton Highway (Route 634). *Status: Construction underway.*
4. **Grafton Drive** – reconstruct and re-align Grafton Drive/Dare Road/Route 17 intersection to accommodate connection of Grafton Drive and Burts Road. Project extends to current Rainbrook Villas entrance. *Status: Right-of-Way acquisition underway; Construction date to be determined.*
5. **Lakeside Drive** – intersection and turning lane improvements between Route 17 and Dare Road. *Status: Right-of-Way acquisition underway; Construction date to be determined.*
6. **Penniman Road** – reconstruct and repave from Alexander Lee Parkway to Fillmore Drive. *Status: Right-of-Way acquisition scheduled for FY 2007; Construction schedule to be determined.*
7. **Burts Road** – connect with Grafton Drive on a new corridor alignment parallel to Route 17. *Status: Right-of-way partially acquired by dedications; construction date to be determined.*
8. **Yorkville Road** – improve 90-degree curve. *Status: Preliminary Engineering underway; Construction date beyond 6-year plan term.*
9. **Cook Road** – provide 20% local match for CMAQ-funded project to construct bicycle lanes between the northern intersection of Surrender Road and Ballard Street. *Status: Preliminary Engineering underway; Construction date to be determined.*
10. **Water Country Parkway** – relocate/re-align to eliminate s-curve and reconstruct to improve access to economic priority area. *Status: Preliminary Engineering on hold; Construction date to be determined.*

Mr. Carter stated the discussion at this time would be primarily on Items 4-10. He stated the list has been the same for the last several years, and he spoke of the drastically reduced projected allocations over the six-year period since 2002. Mr. Carter stated it will be virtually impossible to move many of the projects forward. He and Mr. Jim Brewer, VDOT Resident Engineer, then reviewed the FY07-08 budget and the projects proposed to receive the allocated funds of \$1.3 million: Big Bethel Road turning lanes, Grafton Drive connection to Rainbrook, Lakeside Drive turning lanes, and Countywide incidentals.

Discussion ensued on the projects on the priority listing and their status.

Chairman Zarembo thanked Mr. Brewer for the efforts of VDOT over the weekend due to the storm, and he asked that Mr. Brewer convey the Board's thanks to the VDOT staff. He then asked Mr. Brewer what the funding projection will be for 2007.

Mr. Brewer indicated the funding will be flat--\$1.3 million.

Further discussion ensued on the drastic reduction in transportation funds and the impact on the citizens and future development.

Mr. Brewer then spoke of several railroad crossing safety improvement projects where the Board of Supervisors has an opportunity for a 10 percent match. He indicated he would be working with Mr. Carter on those, and it would be up to the Board as to which projects it would match.

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UNFINISHED BUSINESS

APPLICATION NO. PD-17-06, FOURTH CENTRUM OF VIRGINIA, INC.

Mr. Carter gave a presentation on the following changes which have been recommended for the application approval conditions since the July 18th meeting of the Board:

- No resident shall be under the age of 19
- Commercial uses will be per Economic Opportunity district standards, with proffered exclusions, and no tattoo parlors, pawn shops, or payday loan facilities
- Minimum 20-foot building separation
- 20-foot front setback if front porch included; otherwise, 30 feet
- 11,200 s.f. of commercial space will be completed prior to the 230th residential building permit
- Additional 18,800 s.f. of commercial space will be completed prior to the 367th residential building permit

Mr. Burgett indicated he was very pleased with the changes and would support the application as amended.

Mr. Shepperd and Mrs. Noll expressed their agreement with Mr. Burgett.

Chairman Zaremba asked at what point will the Board see renditions of the commercial area.

Mr. Carter indicated the design of buildings in the commercial area will be guided by the proffer statements, and all plans must come to the County for administrative review and approval.

Discussion ensued on the time line for the commercial development and the impact of the development on the road system.

Mrs. Noll moved the adoption of proposed Ordinance No. 06-18(R) that reads:

AN ORDINANCE TO APPROVE AN APPLICATION TO ESTABLISH
A PLANNED DEVELOPMENT AT 4300 MOORETOWN ROAD CON-
SISTING OF A 63-ACRE SENIOR HOUSING-INDEPENDENT LIV-
ING DEVELOPMENT AND A 7.7-ACRE COMMERCIAL CENTER

WHEREAS, Fourth Centrum of Virginia, Inc., has submitted Application No. PD-17-06, which seeks to amend the York County Zoning Map by reclassifying from EO (Economic Opportunity) to PD (Planned Development) approximately 70.7 acres of a 133-acre parcel for the purpose of establishing a 63-acre independent living senior housing development with a 7.7-acre commercial center on property located at 4300 Mooretown Road approximately 2,030' west of the intersection of Mooretown Road (Route 603) and Waller Mill Road (Route 713) and further identified as Assessor's Parcel No. 5-52 (GPIN# D16c-1780-1578); and

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

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

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

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

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this the 5th day of September, 2006, that Application No. PD-17-06 be, and it is hereby, approved to amend the York County Zoning Map by reclassifying from EO (Economic Opportunity) to PD (Planned Development) approximately 70.7 acres of a 133-acre parcel located at 4300 Mooretown Road approximately 2,030' west of the intersection of Mooretown Road (Route 603) and Waller Mill Road (Route 713) and further identified as Assessor's Parcel No. 5-52 (GPIN# D16c-1780-1578) subject to the following conditions:

1. Age Restriction

The residential component of this Planned Development shall be developed and operated as age-restricted senior housing in accordance with the definition of Senior Housing-Independent Living Facility set forth in Section 24.1-104 of the York County Zoning Ordinance. Furthermore, no resident of any of the units in the development shall be under the age of nineteen (19).

2. General Layout, Design, and Density

- a) A site plan, prepared in accordance with the provisions of Article V of the Zoning Ordinance, shall be submitted to and approved by the Department of Environmental and Development Services, Division of Development and Compliance prior to the commencement of any land clearing or construction activities on the site. Said site plan shall be in substantial conformance with the conceptual plans titled "Master Plan for The Reserve at Williamsburg, Alternatives A, B, or C" prepared by AES Consulting Engineers, dated February 28, 2006, and revised May 12, 2006, except as modified herein. Substantial deviation, as determined by the Zoning Administrator, from the general design and layout as depicted on the "Non-Binding Illustrative Plan" or amended herein shall require resubmission and approval in accordance with all applicable provisions as established by the York County Zoning Ordinance. Limited deviations from the "Non-Binding Illustrative Plan" as depicted on plans titled "Master Plan, Alternative A," "Master Plan, Alternative B," and "Master Plan, Alternative C," all prepared by AES Consulting Engineers, dated February 28, 2006, and revised May 12, 2006 shall be permitted.
- b) Architectural design of all residential structures, including the clubhouse, shall be in substantial conformance with the building elevations submitted by the applicant and titled "Architectural Renderings: The Reserve at Williamsburg," dated May 12, 2006, copies of which shall be kept on file in the York County Planning Division.
- c) The layout and design of the residential development shall be in conformance with the performance standards for senior housing set forth in Section 24.1-411 of the York County Zoning Ordinance, except as modified herein.
- d) The commercial center shall be developed in accordance with the standards for nonresidential uses within the PD district set forth in Section 24.1-361(h) of the Zoning Ordinance. Commercial uses in the development shall be consistent with the list of uses permitted in the EO-Economic Opportunity district, subject to the exclusions contained in the proffer statement submitted by the applicant and referenced herein. Furthermore, under no circumstance shall tattoo parlors, pawn shops or payday loan establishments be permitted on the property.
- e) The maximum number of residential units shall be 459.
- f) The maximum building height shall be sixty feet (60') for rental apartment buildings and 72 feet for condominium apartment buildings.
- g) The minimum building separation for single-family detached and duplex units shall be twenty feet (20').

- h) In areas designated for single-family detached homes and/or duplexes, the minimum distance between any principal building and any public or private street right-of-way shall be twenty feet (20'), provided that such single-family structure includes a covered front porch having a depth of at least six feet (6') and a width of at least fifteen feet (15'). In the event a front porch is not provided on the structure, the minimum setback shall be thirty feet (30').
- i) Freestanding signage for the residential portion of the project shall be limited to a single monument-type community identification sign along Mooretown Road measuring no greater than 32 square feet in area and six feet (6') in height. Signage for the commercial parcel shall be in accordance with the provisions for LB-Limited Business districts, as established in Section 24.1-703 of the Zoning Ordinance.
- j) For any rental apartment building, a minimum of one (1) off-street parking space per residential unit shall be required and no additional spaces shall be required for visitor parking provided that, pursuant to Section 24.1-604(b) of the Zoning Ordinance, an area equal to one-half of the difference between the number of parking spaces provided and the number that would otherwise be required in accordance with the requirements set forth in the Zoning Ordinance shall be reserved for a period of five (5) years following the issuance of a Certificate of Occupancy for such building and shall be maintained as landscaped open space during that time.

3. Streets and Circulation

- a) In order to provide for safe, convenient, and continuous pedestrian circulation throughout the development, a four-foot (4') wide sidewalk shall be constructed on at least one side of all private residential streets within the development and shall include pedestrian connections to off-road walkways and walking trails and to the commercial center.
- b) Street lighting shall be provided at each street intersection and at other such locations determined by the subdivision agent to maximize vehicle and pedestrian safety. The design of the street lighting shall be consistent with the design and character of the development.
- c) The developer shall install a 200-foot left-turn lane with a 200-foot taper and appropriate transitions on southbound Mooretown Road at the main road, as well as northbound right turn tapers on Mooretown Road at both the main road and the right-turn in/right-turn out driveway (150' tapers), if such additional driveway is determined to be acceptable in accordance with Zoning Ordinance requirements. The right-turn in/right-turn out driveway shall be constructed with an appropriate channelizing island.
- d) The main entrance shall include one dedicated left-turn lane and one dedicated right-turn lane for egress.
- e) The spacing from the edge of Mooretown Road to the first internal access point shall be 200 feet or greater, unless otherwise approved by the Virginia Department of Transportation.
- f) Pursuant to Section 24.1-255(b) of the Zoning Ordinance, the developer shall provide a transit bus shelter and pullout, the design and location of which shall be subject to the approval of the Williamsburg Area Transport.
- g) Pursuant to Section 24.1-252(b)(2) of the Zoning Ordinance, the right-turn in/right-turn out entrance to the commercial center depicted on the referenced plan shall be permitted only if the need for and safety of such is substantiated

by a traffic impact analysis prepared in accordance with Section 24.1-251(b) of the Zoning Ordinance.

4. Utilities and Drainage

- a) Public sanitary sewer service shall serve this development, the design of which shall be subject to approval by the County Administrator or his designated agent in consultation with the Department of Environmental and Development Services and in accordance with all applicable regulations and specifications. The applicant shall grant to the County all easements deemed necessary by the County for the maintenance of such sewer lines.
- b) A public water supply and fire protection system shall serve the development, the design of which shall be subject to approval by the County Administrator or his designated agent in consultation with the Department of Environmental and Development Services and the Department of Fire and Life Safety in accordance with all applicable regulations and specifications. The applicant shall grant to the County or the City of Williamsburg all easements deemed necessary by the County for maintenance of such water lines.
- c) The development shall be served by a stormwater collection and management system, the design of which shall be approved by the County Administrator or his designated agent in consultation with VDOT and in accordance with applicable regulations and specifications. Any easements deemed necessary by the County for maintenance of the stormwater system shall be dedicated to the County; however, the County shall bear no responsibility for such maintenance.
- d) The property owners' association(s) shall own and be responsible for the perpetual maintenance of all stormwater retention facilities serving the Planned Development.

5. Open Space and Recreation

- a) The location and arrangement of open space shall be generally as depicted on the plan titled "Master Plan for The Reserve at Williamsburg," prepared by AES Consulting Engineers, dated February 28, 2006, and revised May 12, 2006.
- b) A minimum of 200 square feet of common active/passive outdoor recreation area per dwelling unit shall be provided. Said area(s) shall include, at a minimum, the following facilities and amenities:
 - Swimming pool (indoor or outdoor)
 - Covered pavilion
 - Barbecue/picnic area
 - Walking trails
 - Fountains (2)
 - Benches (10)
 - Trellises (3)
 - Yard game areas
 - Gazebos (2)
- c) Indoor recreational amenities shall consist of, at a minimum, a combined total of 8,250 square feet of indoor recreation space, including 2,775 square feet in the

rental apartments and 2,475 square feet in the condominium apartments and a 3,000-square foot clubhouse/recreation center, each with an exercise room, multi-purpose community room, bistro-style (non-commercial) kitchen, fireplace, and other amenities as set forth in written materials supplied by the applicant and dated May 12, 2006.

- d) All common and public improvements within the development shall be subject to the standards governing timing, performance agreements, and surety requirements set forth in Sections 24.1-362(b)(3) and (4) of the Zoning Ordinance.
- e) The location and manner of development for the recreation area shall be fully disclosed in plain language to all home purchasers in this development prior to closing.
- f) All common open space and recreational facilities shall be protected and perpetual maintenance guaranteed by appropriate covenants as required in the York County Zoning Ordinance and submitted with development plans for the project.

6. Fire and Life Safety

- a) In conjunction with the site plan submittals for this project, the developer shall submit a detailed description of the proposed features of the project and building design related to protection and safety of the residents, as well as operational procedures to ensure and facilitate the safety of the residents in the event of fire or other emergencies.
- b) All rental and condominium apartment units shall be equipped with an approved (NFPA 13) fire suppression system throughout (including attic areas), underground vault(s), PIV(s), and FDC(s).

7. Development Sequencing

- a) Prior to the issuance of the Building Permit for the 230th residential unit in the project, construction of at least 11,200 square feet of commercial space shall be complete and ready for individual tenant fit-out and customization to their individual needs.
- b) Prior to the issuance of the Building Permit for the 367th residential unit in the project, construction of at least an additional 18,800 square feet of commercial space (for an aggregate total of at least 30,000 square feet) shall be complete and ready for individual tenant fit-out and customization to their individual needs.

8. Proffered Conditions

The reclassification shall be subject to the conditions voluntarily proffered by the property owners in the proffer statement titled "Conditions Voluntarily Proffered for the Reclassification of Property Identified as a Portion of Tax Parcel 05-00-00-052, GPIN D16c-1780-1578," signed by Jackson C. Tuttle, Williamsburg City Manager, and dated May 25, 2006, except as modified herein.

9. Restrictive Covenants

Prior to final plan approval, the applicant shall submit restrictive covenants for review by the County Attorney for their consistency with the requirements of Section 24.1-497 of the Zoning Ordinance.

On roll call the vote was:

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

CONSENT CALENDAR

Mr. McReynolds asked that the Board add proposed Resolution R06-117 to the Consent Calendar. He noted the resolution was need to ratify the County's declaration of a local emergency due to Tropical Storm Ernesto.

Mr. Burgett moved that the Consent Calendar be approved as amended, Item Nos. 5, 6, and 7, respectively, with the addition of proposed Resolution R06-117.

On roll call the vote was:

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

Thereupon, the following minutes were approved and resolutions adopted:

Item No. 5. APPROVAL OF MINUTES

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

July 18, 2006, Regular Meeting
August 1, 2006, Regular Meeting

Item No. 6. PURCHASE AUTHORIZATION: Resolution R06-115

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT TO PERFORM CLEARING, INSTALL EROSION AND SEDIMENT CONTROL MEASURES, AND CONSTRUCT A REGIONAL BMP IN SUPPORT OF THE PROPOSED YORK COUNTY SPORTS FIELD COMPLEX TO BE CONSTRUCTED NEAR HARWOODS MILL RESERVOIR

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 5th day of September, 2006, that the County Administrator be, and hereby is, authorized to execute procurement arrangements for the following:

Clearing, Erosion Control and Regional BMP	<u>AMOUNT</u> \$776,769
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Item No. 7. MOORETOWN ROAD RIGHT-OF-WAY: Resolution R06-114

A RESOLUTION TO ABANDON, PURSUANT TO THE TERMS OF SECTION 33.1-155 OF THE CODE OF VIRGINIA, RIGHT-OF-WAY THAT WAS ASSOCIATED WITH THE FORMER LOCATION OF MOORETOWN ROAD (ROUTE 603) SOUTH OF AIRPORT ROAD AND TO REQUEST THAT THE VIRGINIA DEPARTMENT OF TRANSPORTATION ADD THE NEW SEGMENTS OF MOORETOWN

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ROAD BETWEEN AIRPORT ROAD AND WALLER MILL ROAD TO THE STATE SECONDARY SYSTEM

WHEREAS, the Virginia Department of Transportation has completed a road improvement project involving the construction of Mooretown Road (Route 603) between Waller Mill Road and Airport Road; and

WHEREAS, as a result of construction of the new road, portions of the former roadbed for Mooretown Road were abandoned and removed; and

WHEREAS, in accordance with the terms of Section 33.1-155 of the Code of Virginia, the Board of Supervisors wishes to abandon those segments of right-of-way made unnecessary by the construction of the new alignment;

WHEREAS, the Board also desires to request officially that the entire length of the newly constructed Mooretown Road between Waller Mill Road and Airport Road be added to the State Secondary System of Highways.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 5th day of September, 2006, that the following actions be, and they hereby are, taken with respect to the segment of Mooretown Road (Route 603) between Waller Mill Road and Airport Road:

Type Change to the Secondary System of State Highways: Abandonment

Basis for Change: Abandonment, Secondary System, Gov Project related, Gov, §33.1-155

Statutory Reference: §33.1-155
Project: 0603-099-127, M501

- Mooretown Road (Section 1), State Route Number: 603

From: Station 155+00
To: Station 181+50
A distance of: 0.53 miles.

Right-of-way record was filed on 4/20/2004 with the VDOT Traffic Engineering in Project Sketch Sheet 1 of 2.

- Mooretown Road (Section 2), State Route Number: 603

From: Station 181+50
To: Station 184+10
A distance of: 0.05 miles.

Right-of-way record was filed on 4/20/2004 with the VDOT Traffic Engineering in Project Sketch Sheet 1 of 2.

Type Change to the Secondary System of State Highways: Addition

Basis for Change: Addition, Secondary System, Gov Project related
Statutory Reference: §33.1-229

Project: 0603-099-127, M501

- Mooretown Road (Section 3), State Route Number: 603

From: Station 155+00
To: Station 181+50
A distance of: 0.52 miles.

Right-of-way record was filed on 4/20/2004 with the VDOT Traffic Engineering in Project Sketch Sheet 1 of 2.

- Mooretown Road (Section 4), State Route Number: 603

From: Station 181+50
To: Station 184+10
 A distance of: 0.05 miles.

Right-of-way record was filed on 5/22/2006 with the VDOT Traffic Engineering in Project Sketch Sheet 1 of 2.

- Mooretown Road (Section 5), State Route Number: 603

From: Station 184+10 METRIC 56+40
To: Station METRIC 77+52
 A distance of: 1.27 miles.

Right-of-way record was filed on 5/22/2006 with the VDOT Traffic Engineering in Project Sketch Sheet 2 of 2.

BE IT FURTHER RESOLVED that the County Administrator be, and he is hereby, authorized to execute the VDOT form No. AM-4.3 for said actions and to transmit the forms to VDOT as an attachment to this resolution.

DECLARATION OF A LOCAL EMERGENCY: Resolution R06-117 (Added to Consent Calendar)

RATIFICATION OF A DECLARATION OF A LOCAL EMERGENCY

WHEREAS, the Board of Supervisors of the County of York does hereby find that due to the landfall of Tropical Storm Ernesto on September 1, 2006, the County of York was faced with a condition of extreme peril which necessitated that the County Administrator, acting as the Director of Emergency Management, declare a local emergency at 9:00 a.m. on September 1, 2006, in order to provide mitigation, preparedness, and activities to protect life and property; and

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5th day of September, 2006, that the act of the Director of Emergency Management in declaring a local emergency is hereby confirmed as are all actions taken pursuant to this declaration.

OPEN DISCUSSION

Mr. Burgett stated he was very proud of all the actions taken by York County staff during and after the recent storm and how they reacted to this latest crisis. He stated it was handled well, a lot was learned, and he expressed his congratulations to the staff.

Mr. Shepperd indicated he also wished to congratulate staff for the tremendous job regarding the storm. He suggested that citizens need to focus on the fact that the County can only do so much, and they need to be prepared and take appropriate preemptive action. Mr. Shepperd then addressed tax relief, stating he is constantly getting comments about the taxes and the people who cannot afford to pay a great deal. He stated the level of frustration is getting pretty high, and he indicated he would like to see a homestead exemption for the elderly.

Mrs. Noll expressed her agreement with Mr. Shepperd, stating she would also like to see the state put money into transportation. She also noted the County staff response to the storm was wonderful, and she was pleased that the people who had taken the CERT training were able to help their neighbors. Mrs. Noll stated she felt very bad for the staff and volunteers who worked so hard to plan the Labor Day festivities that had to be cancelled.

Discussion followed about storm damage to the waterfront.

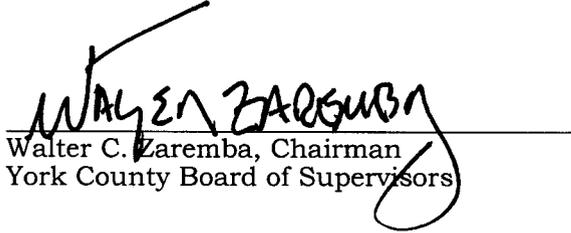
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Chairman Zaremba indicated staff did a terrific job after the storm, everyone learned a lot, and the Board looks forward to the after-action report. He noted that over the weekend he had the opportunity to spend time in Reedville which is the home of the Reedville Fisherman's Museum. Mr. Zaremba noted the museum has some replica boats that could participate in Yorktown's 225th celebration this year and Jamestown's 400th anniversary next year. He asked Mr. McReynolds to call John Hanna of the Watermen's Museum and see how the Reedville Museum might participate with the Watermen's Museum.

Meeting Adjourned. At 7:46 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