

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
June 2, 2015

6:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 6:01 p.m., Tuesday, June 2, 2015, in the East Room, York Hall, by Chairman Thomas G. Shepperd.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zarembo, Sheila S. Noll, Donald E. Wiggins, George S. Hrichak, and Thomas G. Shepperd, Jr.

Also in attendance were J. Mark Carter, Interim County Administrator; Vivian A. Calkins-McGettigan, Deputy County Administrator; and James E. Barnett, County Attorney.

PRESENTATIONS

YORK COUNTY YOUTH COMMISSION

Final Quarterly Report

Mr. Alex Khou, Secretary of the 2014 – 2015 Youth Commission, gave a presentation updating the Board of Supervisors on Youth Commission activities during the final quarter of the Commission's term. He noted in May the Youth Commission conducted its second cafeteria survey of the year, which was a 4-question mini-survey taken during the lunch period. He noted the participation rate was 28 percent, and he suggested next year's Youth Commission conduct the second survey in April, stating the month of May was too busy with standardized testing and exams. Mr. Khou reviewed the questions presented to the students which dealt with the school learning environment, health, alcohol, tobacco, and drugs, the amount of physical activity per week, and the average number of hours of sleep per school night. He thanked the school principals and teachers for supporting the Youth Commission with its surveys. Mr. Khou also stated the Youth Commission had conducted this year's town hall meetings at the high schools, and he thanked the Board members for participating. The Youth Commission also co-sponsored the 26th annual Outstanding Youth Awards, which provided a \$500 scholarship to the awardees. Mr. Khou expressed the Commission members' appreciation for the opportunity to serve, and he thanked the Board of Supervisors for its interest in the County Youth. He also thanked Mrs. Noll for serving as the Board's representative and lending support and encouragement to the Commission members throughout the year. He wished the new Youth Commission tremendous success for the coming year as they serve the Board and the youth of York County.

Mr. Wiggins stated the Commission members had done a good job this year, and the Board was looking forward to seeing what the new members would do next year.

Mrs. Noll stated how much she had enjoyed working with the Commissioners this year, and she wished the best of luck to the members who were moving on to higher and greater things. She expressed her hope that any current members continuing to serve on the Commission would help the new members.

Mr. Zarembo asked if there would be any further movement on the mini-surveys as the school year was winding down, noting he would like to see the surveys pursued and moved forward.

Mr. Khou stated the cafeteria surveys provide the next members of the Youth Commission with a guideline or plan of what they need to address.

Mr. Hrichak asked if the mini-surveys had been handed out at Hampton Roads Academy and any other private schools that might have a Youth Commissioner.

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Mr. Khou stated this year’s Commission had members at Hampton Roads Academy, but surveys were not handed out there.

Mr. Hrichak stated each year the Youth Commission got better and more effective, and a great job had been done this year.

Chairman Shepperd thanked the Commissioners for their support, dedication, and hard work, stating the Board was very impressed with their performance.

Commendation of the 2014-2015 York County Youth Commission

Chairman Shepperd presented a bound and sealed certified copy of Resolution R15-39 to each of the members of the 2014-2015 York County Youth Commission who were present, thanking each of them for their service to the youth of York County.

Introduction of the 2015-2016 York County Youth Commission

Mr. Rick Smethurst, Staff Liaison for the Youth Commission, introduced the following newly appointed 2015-2016 York County Youth Commission members, and Chairman Shepperd presented them with York County pins:

<u>Name</u>	<u>Election District</u>
Sara Little	1
Iyania Xo	1
Novian Xo	1
Brittany L. Lawrence	2
Katie Liu	2
Ryan Petit	2
Hannah Stratton	3
Courtney Jenkins	3
Trinity M. Choice	3
Connor Pittman	4
Arielle Spalla	4
Kevin Babu	4
Claire Du	5
Joo Won Lee	5
Eunice Namkoogn	5

DISCOVERING ENERGY

Ms. Sue O’Hare, Science Teacher from Queens Lake Middle School, stated one of the initiatives that York County Schools had decided to work on this year was transformative project-based learning. She and Ms. Karen LeMaire, Special Education Teacher at Queens Lake Middle School, decided to collaborate two of their classes, an English class and a science class, for this project. She noted they assigned the students project-based learning based on researching

different types of alternative energy sources. Ms. LeMaire stated they had asked the students to look at how energy could be used more efficiently in the community. The first group of students then gave a presentation on wind energy, and the second group of students gave a presentation on biomass fuel.

Mr. Zaremba stated he felt that given the alternative sources of energy, biomass was a rather cumbersome process and probably expensive, so he thought that might be part of reason why Virginia had not implemented biomass energy production.

Mr. Hrichak stated one of the sources the students had mentioned for biomass fuel was garbage, and there was a biomass plant in the planning process for Chesapeake where it will use garbage to ferment and get fuels.

Chairman Shepperd stated the presentation was interesting because today on the NPR radio station there was discussion about the problems with developing the biomass source. He stated he was glad to see the students involved in energy sources because they were involved in something that will affect their generation. He thanked the students for their presentations.

WORK SESSION

CHEESAPEAKE BAY TOTAL MAXIMUM DAILY LOAD (TMDL) ACTION PLAN

Mr. Carter stated Mr. Brian Woodward, Interim Director of Environmental Services, would be briefing the Board on the Chesapeake Bay Total Maximum Daily Load Action Plan (TMDL). He stated TMDL had been discussed for a number of years now, and in the beginning the numbers were pretty scary in terms of what it might cost to meet the requirements. He stated that good news would be shared this evening by Mr. Woodward in that the first target, the 5 percent pollutant reduction target, could be met by things the County has already accomplished. He stated in December the Board authorized the execution of a contract with a consultant who has been working over the past several months to help the County define and identify the things that have been done to help meet those standards and also to start thinking about the next phase which would be from 2018 to 2023. Mr. Carter noted Mr. Woodward would be giving an overview this evening, and the Board members have an excerpt from the action plan, the Executive Summary, at their place on the dais. He stated the full document had been posted on the Board's network drive if they wanted to review the entire plan. He noted it had also been posted on the County's website if any citizens might want to provide comments. Mr. Carter stated this would eventually be submitted to the DEQ to document the County's performance.

Mr. Brian Woodward gave the Board a brief presentation on the County's Chesapeake Bay Total Maximum Daily Load Action Plan. He stated the total maximum daily loads, or TMDLs, were the maximum amount of total suspended solids, nitrogen, and phosphorus allowed to be discharged into the Chesapeake Bay each day. As part of York County's municipal separate storm sewer permit, MS4, with the Commonwealth of Virginia's Department of Environmental Quality, the County was required to submit a TMDL action plan in accordance with DEQ's guidance documents. He stated the action plan was required to establish the municipal boundary, identify excludable areas such as federal property, calculate pollutant loads and required reductions, and evaluate and document projects that achieved the required 5 percent reduction by 2018. He then reviewed the exempted areas as follows:

- VDOT right-of-ways
- Camp Peary, Naval Weapons Station, Cheatham Annex
- VPDES Permits
- Reservoirs and Lakes
- Forests and Wetlands

Mr. Woodward stated the TMDL calculations for each locality were based upon a 2009 Commonwealth of Virginia Department of Environmental Quality Model, and the loading rates and

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required reductions were included in each locality's Phase II MS4 Permit. The TDML Reduction Targets were as follows:

- 5% of required reduction by July 1, 2018
- 35% of required reduction by July 1, 2023
- 60% of required reduction by July 1, 2028

Mr. Woodward reviewed the types of eligible projects for TDML reductions, stating structural BMPs and urban stream restoration were applicable to York County and were the typical projects that would be accomplished in the County. He stated the good news was that York would meet the first required reduction of 5 percent by 2018 with the following projects:

- H1 Regional BMP at the Sports Complex
- Edgehill South Stream Restoration
- Cook-Falcon Drainage Improvements: Phase I
- Cook-Falcon Drainage Improvements: Phase II
- Dare Elementary Stream Restoration & Wetlands
- Greensprings Stream Restoration

He then reviewed the status of the above listed projects, stating they would have total construction costs of approximately \$4 million and would exceed the 5 percent reduction requirement. He then reviewed the Next Permit Cycle 2018 – 2023, stating the revised TMDL loadings and required reductions were based on the 2010 U.S. Census for urbanized areas. He noted staff felt the areas for which the County was responsible in the Upper County would grow slightly, but it should not have a significant impact. He stated the VADEQ Phase III Statewide Watershed Improvement Plan and Chesapeake Bay Program Model update was planned for 2017, and it would impact what the County's actual eligible projects would be for the 35 percent and 60 percent reductions.

Mr. Woodward then reviewed ways the County would meet the Future Reduction Targets as listed below:

- Credit from existing/completed projects in current plan (above 5% requirement)
- Projects with water quality benefits in design phase or under construction
- Future projects
- Sewer projects
- Nutrient management plans

He noted the one area where the County was short in reaching the 35 percent reduction was in nitrogen removal; but in the current DEQ guidance documents, the County was not getting credits for converting septic systems over to sanitary public sewer. He stated hopefully in the next set of documents that would change, and the County would start receiving credits for those projects, which would raise the County's nitrogen removal level. He noted York County was in good shape to meet the 35 percent standard with the current approved projects in the CIP. Mr. Woodward then reviewed the sewer projects that have been completed since July 2009 and the future stormwater projects to ensure that the County gets to the 35 percent reduction requirement. Mr. Woodward then spoke of some concerns, stating future stormwater CIP projects would need to be looked at for their water quality benefits to make sure the County was doing projects that would qualify for the credits. He stated another concern was that property owners did not always want stream restoration projects in their backyards, and they might be reluctant to accept County offers for easements. Mr. Woodward stated he felt eminent domain may become a more pressing policy issue for the Board as far as working with property

owners and securing the necessary easements. He next reviewed the stormwater funding sources as listed below:

- Approximately \$500,000 from Meals Tax
- VDOT Revenue Sharing Program:
 - (\$200,000/year programmed as match in CIP)
- State Local Assistance Fund Grants:
 - (Current grants awarded total \$1,703,000)

In summary, Mr. Woodward stated the 5 percent reduction due by 2018 was already met with existing projects; the exact removal credits for the 35 percent standards were unknown; however, the projects York County already had underway would help meet the 35 percent requirement by 2023, especially when converting septic tanks to public sewer was credited. He stated future projects would need to be evaluated and prioritized based on pollutant removal rates to meet the 60 percent requirement by 2028. He stated the next steps would be to finalize and submit the First Phase Action to the DEQ; prepare the Second Phase Action Plan due to the DEQ by the end of the first permit cycle 2018; and implement projects and programs to meet regulatory compliance requirements.

Discussion followed regarding urban stream restoration and the list of projects that that were eligible for reductions.

Mr. Zaremba asked who was going to measure whether or not the County had met the 5 percent reduction.

Mr. Woodward stated the DEQ guidance documents set the equation for determining the reduction credits allowed per linear foot of stream restoration.

Mr. Carter noted that particular information was in the part of the document which the Board had not received. He indicated the entire document included calculations, charts, and tables documenting how what has been done to this point achieved the 5 percent reduction requirement.

Chairman Shepperd stated it was his understanding that while some changes had been made in how the percentages were calibrated, there would still be various test sites within the Bay area to see if the State of Virginia was complying with the TMDL agreement; and if it was not being done, the restrictions would be tightened. Mr. Shepperd asked if he was correct.

Mr. Woodward stated that was correct, and it would be part of the recalibration of their model.

Chairman Shepperd stated he understood that the MS4 permit was tied to the TMDL, but he could not understand the direct tie, and he asked Mr. Woodward for clarification.

Mr. Woodward stated the MS4 permit was required for the Phase 2 communities, such as York County. He stated it started with having a stormwater management plan, doing inspections, documenting the program, and issuing permits, and then it expanded to the TMDL. Part of the first phase of the County's permit was to develop this action plan and submit it to the DEQ and meet these reductions. He stated the first set of guidance documents from DEQ did not come out until August of 2014, and then they were revised March of 2015, so the whole permit cycle has grown since it began, and it would continue to grow.

Chairman Shepperd asked what the tie was between the MS4 permit and the court-ordered actions.

Mr. Woodward stated the Hampton Roads Regional Consent Order was strictly for sanitary sewer to prevent sanitary sewer overflows, and it was totally separate from stormwater MS4 permits.

Chairman Shepperd asked if the consent order was complete.

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Mr. Woodward stated the Consent Order was not complete, noting it was a living document that would continue for years.

Chairman Shepperd asked for a definition of MS4.

Mr. Woodward stated MS4 was the municipal storm sewer permit and not at all related to stormwater sanitary sewer.

Chairman Shepperd asked what the sewer name was in the MS4 and if that was the stormwater draining into the sewer.

Mr. Woodward stated it referred to storm sewer as rain water.

Chairman Shepperd stated each one of the actions had cost the County money and taxpayers' dollars, and he was trying to figure out where the two tied together.

Mr. Woodward stated currently they were still separate.

Mr. Zaremba asked what drove the increase in the next permit cycle.

Mr. Woodward stated it was the 2010 U.S. Census along with the updated guidance documents from DEQ and its updated model. He stated all of it will impact what the County's actual reductions will be for the 35 percent and 60 percent. He stated right now it was a moving target for those two reductions.

Mr. Hrichak asked if the conversion from septic to sewer was not in the regulation now, and if it was put in, would everything that had been done in the past still be acceptable.

Mr. Woodward stated what he had been told so far was that the original model had been run and, essentially, the cutoff was June 2009, so the County should receive credit for everything since July 2009.

Mr. Zaremba stated the funds provided by the stormwater funding sources were hardly a drop in the bucket.

Mr. Woodward stated stormwater had done very well over the last couple of years, noting it operated on a cash flow basis just like the sanitary sewer projects. He stated the \$1.7 million in grants had gone a long way, but there was a cash balance and projects done over a period of time were based on this model. He stated he was comfortable that the County would be okay through 2023 as far as meeting the 35 percent reduction, but after that he could not say that this funding would continue to support that model, and something different might have to occur. Mr. Woodward stated the answer would not be available for a couple of years until the new model was run and the new areas were determined based on the 2010 census.

Mrs. Noll stated if the economy changed to the County's favor, the Board might need to think about gradually putting aside a certain amount of money to build up a fund to meet the requirement in 2023 when the expenses were going to be higher than what the County might be able to handle.

Mr. Woodward stated hopefully once the DEQ ran the new model and provided updated guidance documents, staff could start running some numbers; but the information was just not there yet.

Mr. Zaremba asked who filed the lawsuit that ultimately ended up with a consent order that the six states agreed to comply with.

Mr. Barnett stated the Environmental Protection Agency (EPA), and ultimately Virginia, entered into an agreement, rather than go to court, which the General Assembly accepted, so a lot of this was being motivated by what was negotiated by the Commonwealth and the EPA.

Chairman Shepperd stated the TMDL was not something unique to the Chesapeake Bay, stating they have been used for the Great Lakes and other rivers, so it was a tried and true process. He stated the concern was that the models the DEQ had been running for a long period

of time were coming up with information that did not make a lot of sense. He stated his biggest concern was trying to understand when the money hammer was going to fall on the County, but that seemed to have settled down, and the DEQ had been able to figure out some responsibilities across all the various counties and cities.

Mrs. Noll asked how many homes in the County were presently on septic.

Mr. Woodward stated it was roughly 1,600 homes that were not included in Queens Lake Phase 4 and 5 and Hornsbyville Road.

Mrs. Noll asked how many of the 1,600 homes on septic were following the five-year pump out plan, and how many were delinquent.

Mr. Woodward stated numbers had been run recently, and less than 10 percent were delinquent.

Mrs. Noll asked how that factored in with the TMDL and the nutrients.

Mr. Woodward stated currently it was not factored in as one of the elements.

CONSENT CALENDAR

Mr. Hrichak moved that the Consent Calendar be approved as submitted, Item Nos. 1, 2, and 3, respectively.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Hrichak, Shepperd
Nay: (0)

Thereupon, the following minutes were approved and resolutions were adopted:

Item No. 1. APPROVAL OF MINUTES

The minutes of the May 5, 2015, Regular Meeting, were approved.

Item No. 2. PURCHASE AUTHORIZATION: Resolution R15-61

A RESOLUTION TO AUTHORIZE THE INTERIM COUNTY ADMINISTRATOR TO DO ALL THINGS NECESSARY TO COMPLETE PROCUREMENT OF A SEWER CLEANER VACUUM SYSTEM

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$50,000 or more be submitted to the Board for its review and approval; and

WHEREAS, this expenditure in the aggregate exceeds the \$50,000 'limit'; and the County Administrator has determined that the following procurements are necessary and desirable, they involve the expenditure of \$50,000 or more, and comply with all applicable laws, ordinances, and regulations;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 2nd day of June, 2015, that the Interim County Administrator be, and hereby is, authorized to execute procurement arrangements with Virginia Public Works Equipment in the amount of \$409,937, as follows:.

Sewer Cleaner Vacuum System	<u>AMOUNT</u> \$409,937
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Item No. 3. WILLIAMSBURG REGIONAL ISSUES COMMITTEE: Resolution R15-70

A RESOLUTION TO DISCONTINUE THE WILLIAMSBURG REGIONAL ISSUES COMMITTEE

WHEREAS, the Williamsburg Community Planning Partnership was formed in 1986 out of a concern about the impacts of growth in the region, and subsequently conducted public sessions involving over 600 local residents and produced a book of "Idea Group" reports on regional growth issues; and

WHEREAS, as a result of the Planning Partnership process, the Williamsburg Regional Commission on Growth (Growth Commission), consisting of seven residents from each of the three jurisdictions appointed by the governing bodies, was established in 1987 to consider ways of managing growth and to make recommendations about the best methods to maintain and enhance the quality of life in the community; and

WHEREAS, one of the recommendations of the Growth Commission was for the establishment of a Regional Issues Committee to serve as an advisory body for the three jurisdictions on cross-jurisdictional issues; and

WHEREAS, the Regional Issues Committee was established in 1987 to review and evaluate the recommendations of the Growth Commission, and subsequently served as a coordinating body for several important regional studies including the 1991 Resource Protection Planning Revised study for historic and archaeological planning, the 1992 Natural Areas Inventory of the Lower Peninsula of Virginia study, and the 1993 Regional Bikeway Plan; and

WHEREAS, in 2008 the Regional Issues Committee recommended to the three governing bodies that they "undertake simultaneous Comprehensive Plan reviews," which was supported by resolutions from the governing bodies of James City County, York County and the City of Williamsburg; and

WHEREAS, a Coordinated Comprehensive Update was undertaken by the three jurisdictions in 2012-13, and received an award as an "Outstanding Regional Planning Process" from the Virginia Chapter of the American Planning Association in 2014; and

WHEREAS, the Coordinated Comprehensive Plan update process is the culmination of a regional planning process that began almost 30 years ago in 1986 with the Planning Partnership and the Growth Commission, and which was continued by the work of the Regional Issues Committee; and

WHEREAS, the Regional Issues Committee has fulfilled its purpose of encouraging planning and cooperation on a regional basis; and

WHEREAS, regional cooperation and coordination continues through the efforts of the Hampton Roads Planning District Commission, the Hampton Roads Transportation Planning Organization, the Hampton Roads Transportation Accountability Commission, the Greater Williamsburg Chamber and Tourism Alliance, and the Historic Triangle Collaborative; and,

WHEREAS, the Regional Issues Committee, at its April 28, 2015, determined that the Committee should be discontinued effective June 30, 2015 by action of the three governing bodies, that the Committee could be re-established at a later date if deemed appropriate by the governing bodies of the three jurisdictions, and that issues deemed in need of regional discussion could be referred to the Historic Triangle Collaborative in the interim; and

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 2nd day of June, that it does hereby concur with the discontinuance of the Regional Issues Committee, effective June 30, 2015, with the acknowledgement that the Committee may be reestablished at a later date by vote of the three jurisdictions, and further with agreement that issues deemed in need of regional discussion being referred to the Historic Triangle Collaborative in the interim;

BE IT FURTHER RESOLVED that the members of the Regional Issues Committee, both past and present, be thanked for their service to their individual jurisdictions and to the region.

OPEN DISCUSSION

Mrs. Noll congratulated all the York students who would be graduating this June and wished safe travels for everyone who would be traveling this summer.

Mr. Zaremba spoke of his attendance last evening at a community meeting hosted by Housing Partnerships, that was held at the Griffin-Yeates Center. Mr. Abbitt Woodall, Executive Director of Housing Partnerships, gave a presentation on the Carver Gardens housing renovations that were being funded by a \$600,000 grant, and explaining to about 40 of the residents the impact the grant would have on their homes. He then circulated information regarding the first phase of renovations to the Board members. Mr. Zaremba then spoke of the conversation that had come up at the meeting regarding the water in the portion of Carver Gardens served by Mountain Lakes. He stated he had given the residents an overview of the current situation, and he asked Mr. Barnett to give the Board an update in terms of what the County had done so far relative to moving forward with either a foreclosure or better solution to repair the infrastructure associated with the Mountain Lakes water system.

Mr. Barnett provided an overview of the current water system which started in the 1980s. Mountain Lakes, which was officially known as York Public Utilities, had four wells that supplied water to their customers. When the company started having issues, Mountain Lakes entered into an agreement to buy water from the County and kept up with their payments until about 2008 or 2009. After that time, they made some improvements to the system which allowed the water to flow more freely, therefore causing their costs from the County to increase, and they began to fall behind on their payments. The County then instituted a lawsuit against the company to compel it through an injunction to run the company as to be able to pay off its debts. Mr. Barnett stated the company was owned by a gentleman who lived in Stanardsville, Virginia, who also owns a couple of other systems in his surrounding area under different company names. In January of this year, the owner had a hearing with the State Corporation Commission to have his rates raised, but the rates were probably not raised enough to be comparable to Aqua Virginia, which operates a water system in the upper county. Mr. Barnett stated he had amended that lawsuit several times to update the amount owed, as the owner kept slipping further and further behind. He noted the owner has complained that the County was charging too much interest, and he also felt the amount had not been calculated properly. Mr. Barnett stated the owner had indicated on one occasion he would love for the County to take over the system. He stated the problem would be that it was a problematic system, and if the County was to take it over, a decision would have to be made regarding the debt and the monies still owed. He stated if the penalties and interest that had accrued over the years were removed, he thought the debt would be around \$50,000 to \$60,000. Mr. Barnett stated he thought foreclosing on the system would not require an action, and he thought if the Board chose to take it over, something could be worked out fairly quickly.

Mrs. Noll asked how much it would cost if the County were to take over the water system.

Mr. Barnett stated if the County took over the system, it would need a lot of repair. He stated Mr. Carter and staff were working on some figures to give the Board regarding cost estimates for the repairs. He stated after the Board received those estimates, and if it so wished, the Board could have the project placed in the Capital Improvements Program (CIP). Mr. Barnett stated under the County's current ordinances, tap fees would have to be paid by the residents, and then they would also incur the cost of a plumber to run a lateral line out to the system which could be fairly expensive.

Chairman Shepperd stated he did not want to get into any details at this time, and he asked Mr. Carter when the Board would be receiving the figures from staff.

Mr. Carter stated staff was about two weeks away from having the work finished on those figures.

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Mr. Shepperd stated after the Board received the figures, it would have some understanding of what the costs would be to replace the system and then could decide the best course of action to take.

Mr. Zaremba stated he thought a work session should be scheduled in the not too distant future as the Board had already talked about this system which was basically unsatisfactory. He stated the system was old, and if the County was able to replace water systems in more upscale subdivisions, then the Board has an obligation to make sure that the subdivisions that are on the lower end of the economic scale and have aging, broken water systems have them fixed or replaced.

Mrs. Noll stated there were priorities of other systems already on the books, and the County cannot just jump over people who have been waiting for a long time unless it can be proven that it was absolutely necessary.

Mr. Wiggins stated he had spoken with a friend of his in Isle of Wight County who owns a water system, and he had advised him that it would be best for the County not to take over the water system.

Mr. Zaremba stated the County should replace this system just as was offered to the Queens Lake Subdivision that has 600 homes while Carver Gardens has only 200 homes and has a system that was much older and aged.

Chairman Shepperd stated Mr. Zaremba had brought up an interesting subject and when you look at the cities of Newport News, Hampton, and Norfolk that have been around for a long time, they are having struggles with their infrastructure, and this was an area where the costs could get really high. He stated the Board was facing an infrastructure issue with the Carver Gardens system that was crumbling and needed to be fixed because people need to have clean drinkable water. He stated how to accomplish that was something the Board would have to look at.

Mr. Zaremba stated if he remembered correctly, when the Queens Lake system finally rose to the top of the priority list for water around eight or nine years ago, the cost was around \$3 million to replace the system, and the residents had opted not to go forward with the replacement. He stated when there was a subdivision in the system that was so broken and aged, it might be a good reason to bring it further up on the priority list.

Chairman Shepperd spoke of several complaints he had received from citizens this week regarding the grass growing along the roads, i.e. Hampton Highway and several secondary roads. He received an email response from Mr. Carroll, stating VDOT has a contract for the mowing which should start within the next couple of weeks. He reminded the citizens that grass cutting had been deliberately cut back from multiple cuttings, and on some of the secondary roads it would only be cut once. In addition to the reduced number of mowings, he stated the width of the cuts to the medians has been reduced to one or two swaths along the side. He reminded everyone of VDOT's financial struggles, stating it was just something that would have to be dealt with until VDOT had more revenue. He noted he found it interesting that he had received comments from two different people asking why the County could plant flowers at the front entrances into the community but could not mow the grass on the roads. He reminded everyone that the State owns the roads, but the County has an agreement with VDOT that allows the County to plant the flowers at some of the entrances into the County. He indicated the State would love for the County to take over the roads and give the County a certain amount of money, but the problem was that every locality he knew that had accepted their roads did not get enough funding. Mr. Shepperd then reminded everyone that L'Hermione arrives on June 5th with a scheduled official arrival time of around 8:30 a.m. that morning. He stated this would be the first official port-of-call in the United States, and the County will be hosting a big celebration with an historical marker unveiling ceremony down by Riverwalk Restaurant and then an official ceremony at 10:00 a.m. He stated it promised to be an interesting day with many distinguished visitors, including Governor McAuliffe, the Ambassador of France, Ms. Ségolène Royal representing the French Government, and a host of Admirals, Generals, Senators, and Congressmen. He stated that free tickets to go onboard the ship would be issued on a first-come, first-served basis with a limited number of tickets per day. He asked Mr. Fuller to explain the process for getting a ticket.

Mr. Brian Fuller, Parks, Recreation, and Tourism Manager, explained there would be ticketed times for each day with only a certain number of tickets given out for that specific day. He stated people might possibly be given a time ticket for a little bit later in the day, depending on the number of people, and the ship could only accommodate 6,500 people in the three days. He stated the reason for giving the tickets out each day for that specific day was if the tickets were given out early, there might possibly be a lot of people who would not show up for some reason or another.

Discussion followed regarding plans for parking, handicap parking, and road closures to take place Friday when the ship arrived.

Mr. Zaremba asked what time guests should plan to be at the waterfront area if they want to see the ship arrive and attend the opening ceremony.

Mr. Fuller stated buses would begin bringing people into Yorktown at 7:00 a.m. that morning, and the event would begin from the river at 8:22 a.m. with a 21-gun salute from the ship in honor of President George Washington, followed by a foray of firing back from other various locations around Yorktown with the docking scheduled for 8:30 a.m. Mr. Fuller encouraged the public to arrive early.

Chairman Shepperd stated he felt it was important to inform the public that the parking garage at Riverwalk Landing would be closed to the public on Friday.

Mr. Fuller stated for public parking on Saturday and Sunday it would be business as usual in Yorktown, noting there were over 1,000 paved parking spots in town, and the trolley would also be running.

Mr. Zaremba asked if there would be any changes made to the event if there was inclement weather on Friday.

Mr. Fuller stated in the event of inclement weather such as strong storms, the event would have to be limited to a media event, as there was no large area in town to gather individuals for an event of this size. He stated the Hermione-Yorktown website that was linked to the County website had all of the information and the schedules for the event. Mr. Fuller stated there would be a host of entertainment going on throughout the weekend, and it should be a fun and historic weekend in Yorktown.

CLOSED MEETING. At 7:44 p.m. Mr. Hrichak moved that the meeting be convened in Closed Meeting pursuant to Section 2.2-3711(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Hrichak, Zaremba, Shepperd
Nay: (0)

Meeting Reconvened. At 8:01 p.m. the meeting was reconvened in open session by order of the Chair.

Mr. Hrichak 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

June 2, 2015

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 2nd day of June, 2015, 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) Wiggins, Hrichak, Zaremba, Noll, Shepperd
Nay: (0)

APPOINTMENT TO THE ECONOMIC DEVELOPMENT AUTHORITY

Mr. Hrichak moved the adoption of proposed Resolution R14-86(R) that reads:

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

WHEREAS, a vacancy for a member on the Economic Development Authority exists due to the resignation of Mr. Adrian Evans;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 2nd day of June, 2015, that John Biagas be, and he is hereby, appointed to the Economic Development Authority to fill the unexpired term of Mr. Adrian Evans, such term to begin immediately and expire June 30, 2017.

On roll call the vote was:

Yea: (5) Hrichak, Zaremba, Noll, Wiggins, Shepperd
Nay: (0)

Meeting Adjourned. At 8:04 p.m. Chairman Shepperd declared the meeting be adjourned sine die.



J. Mark Carter
Interim County Administrator



Thomas G. Shepperd, Chairman
York County Board of Supervisors