

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
May 5, 2015

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, May 5, 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.

WORK SESSION

NATIONAL PARK SERVICE

Chairman Shepperd introduced Ms. Elaine Leslie who has been serving as Interim Superintendent of the National Park Service. He noted that Ms. Kym Hall would become Superintendent as of July 5.

Ms. Elaine Leslie, Interim Superintendent of the National Park Service, gave a presentation on the Park Service's programs and activities as well as the 4th of July Celebration program. She noted she had over 20 years with the National Park Service, and she spoke of the transition from her to the next Superintendent. She stated she would be going back to Washington, DC, after she leaves and then on to Colorado. She noted there would be another Interim Superintendent after her, Jennifer Flynn, who was currently Deputy Superintendent at Shenandoah National Park, and she would be in Yorktown through the Hermione visit and the 4th of July. Ms. Leslie stated Kym Hall would become the new Superintendent after the 5th of July. She stated she had weekly conversations about the work being done over last couple of months, and the Park Service has taken a hard look at the park, making sure compliance was done, but also looking at staff and making sure they have the skills needed to do their jobs. Regarding the Hermione visit, she stated the Park Service would provide whatever the County needed in the form of staff; and overtime had been authorized for that support. In terms of the 4th of July, Ms. Leslie stated a few changes had been made in the park. She indicated one of the big issues they had was reducing the parking footprint on the battlefield. She noted the battlefields represented a very important time in American history, and the Park Service mission was to commemorate the battle. She stated a thorough archeological dig or a compliance review on the parking activity has never been done, so that would be starting soon. She noted the French redoubt next to Secretary Nelson's house was untouched and needed to be protected, and the bamboo was being removed from the park. Ms. Leslie stated the Park Service was committed to working with the County on how people would be transported in and out of Yorktown, and she has talked with other battlefield parks to see what they do, which was a bus or trolley system. She also noted there were grants available for this type of function. Ms. Leslie stated that over the course of the next few years, the Park Service wanted to partner with York County to make all this happen.

Mrs. Noll asked about the use of Main Street for the parade.

Ms. Leslie stated there was no problem with the parade being held down Main Street.

Chairman Shepperd stated he was unaware there were unprotected redoubts. He noted he thought they were all rebuilt.

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Ms. Leslie noted there were several French and one American redoubt that had not yet been protected. She indicated the same redoubts were used in the Civil war and were modified then. She stated the battlefields in the 1930s were a golf course, yet they did not been graded and reshaped with heavy equipment, so the battlefield was left intact. She stated the redoubts were reconstructed as they were in the Revolutionary War and modified in the Civil War, and the places match up exactly with the Park Service maps. In the woods there were untouched redoubts, and no other place in the country has untouched earthworks as there are in Yorktown. Ms. Leslie stated the Park Service just submitted Yorktown for the World Heritage Site List, as well as Jamestown. She stated they were Global sites, and the Park Service would be happy to take anyone out with the chief historian to learn more. Ms. Leslie stated it was a very special place and worth protecting.

Chairman Shepperd asked Ms. Leslie to comment on surveys done on the sites.

Ms. Leslie noted William & Mary did test pits and unearthed Civil War and 1781 artifacts. She stated it was not just the underground, but the view shed they were concerned with. She noted the park had been neglected for some time, and the Park Service was now getting rid of the bamboo. She indicated the Park Service would be protecting the whole package over the course of another few years.

Chairman Shepperd stated the Park Service was going more in-depth as to what was actually on the battlefield, and it was good to hear when there was a golf course on the battlefields, it had not been dug up. He noted a Main Street parade was the desire of the community.

Mrs. Noll stated the citizens were terribly upset when told there could no longer be a parade on Main Street. She indicated the patriotism in Yorktown during the 4th of July was very obvious, and if it could be returned to something of what it was, it would be a boon to the County.

Ms. Leslie indicated whatever happens on Main Street would be fine, as long as it did not impact the Diggs or Cole House or other areas that have not yet been surveyed.

A brief discussion took place regarding funding for the surveying of Park properties.

Mr. Zaremba asked what the Park Service could do to be able to help with the French.

Ms. Leslie indicated Park Service personnel could be doing all kinds of things, such as helping with parking or guiding people to places.

Chairman Shepperd wished Superintendent Leslie all the best in her future endeavors.

2015 CITIZEN SURVEY RESULTS

Mr. Carter introduced Mark Duda, Executive Director of Responsive Management, the company which did the survey in January of this year as well as the survey completed five years ago.

Mr. Mark Duda, Executive Director, Responsive Management, gave a presentation on the results of the 2015 residents' opinion survey. He stated he brought good news concerning the scientific study completed about how York County citizens feel about the job the Board of Supervisors were doing. He stated it was exciting to see some of the changes, and he began his presentation by speaking of Responsive Management and the reach it has. He stated the company has 25 years of continuous survey research with 1,000 survey research projects completed within all 50 states and 15 countries, including governmental agencies in all 50 states. He indicated they have done market research for private industry and data collection for the nation's top universities. He stated the methodology used by Responsive Management in the survey conducted for York County in January of 2015 included a scientific telephone survey of York County residents using landline and cell phone telephone numbers. He noted that crosstabulations were made by gender, age, years of residency, children in the home, military or non-military households, and by upper and lower county areas. Also, he stated a trend comparison was made with the 2011 study results. Overall, he stated the ratings of various aspects produced phenomenal results, with 52 percent of the residents saying "excellent," which was the highest percentage he had ever seen, and the County should be very proud. Mr. Duda then reviewed with the Board several of the crosstabulations that had been made showing how

the different groups of people felt about the County, and their comparisons to the 2011 survey results.

Mr. Zaremba asked why Riverwalk Landing had not been included in the survey.

Mr. Carter stated it was not on last survey.

Mr. Duda indicated it could be included in the 2020 survey.

Mr. Zaremba spoke of the differences in the upper and lower parts of York County and the ages of its residents, and he asked why the numbers were skewed.

Mr. Duda stated all of these ratings were provided on demographics, education, etc., and it was known that the quality of life was directly related to education. He stated he felt it was demographics and where the facilities were located, and that could be verified. He also stated the comparison on County services between 2011 and 2015 showed the Board and staff were doing great work.

Mr. Carter noted that recycling was a great example, as it compared to the figures for the before and after switch to larger toters.

Chairman Shepperd asked Mr. Duda what he saw as a high point and low point in a typical government agency.

Mr. Duda stated it would be communications, and there has to be a very conscious effort to have effective communication. He stated the County's numbers would not be so good if there were not good communications with the citizens. He noted people wanted to know that the Board listened and cared, and why the Board made a specific decision.

Chairman Shepperd asked Mr. Duda what the top three things were that the County needed to improve.

Mr. Duda stated the County needed to keep doing what it was doing. He suggested that staff try to get a hold on the traffic situation, and take a look at the reasons for disparity between the upper and lower areas of the county.

Mr. Wiggins asked about the numbers for the Senior Center. He stated the County has one of the best around, and there was not a great number there.

Mr. Duda explained that a lot of people just may not know. He stated during the survey, they will get "don't knows" from the younger population. He noted he could crosstabulate those results for the County.

Chairman Shepperd stated the Board always looked forward to the surveys. He stated the success of this came from the County's wonderful staff, and they made the County a great place to live. Mr. Shepperd stated the County, coming out of a recession, was still getting the high ratings, and Mr. Duda has validated what the Board already knew. Mr. Shepperd expressed the appreciation of the Board for the work Responsive Management had done.

Mr. Zaremba asked how soon before the results of the survey could be placed on the web.

Mr. Carter stated the results were already on the website.

PROPOSED FISCAL YEAR 2016 BUDGET

Chairman Shepperd stated the Board did not have a reason to have the other two work sessions, but there was some thought of an additional .5 percent compensation increase for the employees, and he asked for the Board members' wishes on this issue.

Mr. Zaremba noted the only issue was why the Board could not find another \$300,000 for the School Division if it could find .5 percent more for the employees.

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Mr. Carter stated the recommended contribution to the School Division is \$361,000. The Board helped the School Division achieve its CIP Program by allowing a withdrawal from the Revenue Stabilization Fund for Impact Aid. In terms of the remaining gap in the School Division's operating budget, he noted the discussions with Dr. Shandor led staff to believe the School Division may have the ability to close that gap and achieve its technology and bus needs through end of the year savings or other funds that can be categorized as one-time expenditure funds.

Mr. Zaremba indicated he just wanted to make sure the Board knew what the tradeoff was.

Mr. Carter stated the additional .5 percent equaled \$187,000, and the way to fund that would be to contribute less cash to the CIP. Mr. Carter stated the County would easily exceed the 40 percent goal of funding the CIP with cash even by diminishing the expected cash contribution to the fund this year by about \$94,000 if the Board were to go with the additional .5 percent.

Chairman Shepperd stated this .5 percent would bring closer parity with the School Division salaries. He also noted the school employees were paying \$1,800 less in health care, and they were getting a 3.5 percent pay increase. Mr. Shepperd stated he was okay with providing an additional .5 percent to the proposed 2 percent pay increase for County employees.

CONSENT CALENDAR

Mr. Zaremba 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 adopted:

Item No. 1. APPROVAL OF MINUTES

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

March 31, 2015, Adjourned Meeting

April 3, 2015, Adjourned Meeting

April 7, 2015, Regular Meeting

Item No. 2. PUBLIC SEWER EXTENSION AGREEMENT—BARHAM TRACE: Resolution R15-47

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

WHEREAS, Sunset Meadows, LLC, 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 thirty-seven new 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 \$22,400.00;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5th day of May, 2015, that the Board approves the extension of the County's public sewer system to serve the proposed development, Barham Trace, and that the County Administrator be, and he hereby is, authorized to execute a public sewer extension agreement with Sunset Meadows, LLC, for the proposed extension; such agreement to be approved as to form by the County Attorney.

Item No. 3. SPONSOR AMENDMENT TO ZONING ORDINANCE: EMC ILLUMINATION: Resolution R15-48

A RESOLUTION TO SPONSOR AN APPLICATION TO AMEND THE YORK COUNTY ZONING ORDINANCE, CHAPTER 24.1, YORK COUNTY CODE, TO INCORPORATE PROVISIONS REGULATING ELECTRONIC MESSAGE CENTER SIGNAGE AND ILLUMINATION LEVELS

WHEREAS, the York County Board of Supervisors has determined that amendments to the Zoning Ordinance to establish definitions and standards for electronic message center signs and illumination levels should be considered; and

WHEREAS, the Board has determined that consideration of such amendments is consistent with good zoning practice;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 5th day of May, 2015 that it does hereby sponsor an application to amend Chapter 24.1, Zoning, of the York County Code as set forth in draft form below;

Sec. 24.1-701. Sign classifications.

Signs, as defined in article I, shall be classified according to one or more of the following definitions:

Electronic message center (EMC). A sign that utilizes computer-generated messages or some other electronic means of displaying and changing copy. These signs include displays using incandescent lamps, light emitting diodes (LEDs), liquid-crystal display (LCD) fiber optics, light bulbs, plasma display screens or other illumination devices, or a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals that are used to change the messages, intensity of light or colors displayed by such sign. The term shall not include signs on which lights or other illumination devices display only the temperature or time of day in alternating cycles or motor vehicle fuel prices displayed continuously.

Internal illumination. Illumination by a light source which is concealed or contained within the sign itself and which shines through a translucent surface, except as defined under "electronic message center".

Sec. 24.1-702. General sign regulations

- (m) The light from any illuminated sign shall be so shaded, shielded or directed that the light intensity or brightness shall not adversely affect surrounding premises nor adversely affect safe vision of operators of vehicles moving on public or private roads, highways, or parking areas. Light shall not shine or reflect in an offensive manner on or into residential structures or motels. No exposed reflective type bulbs or incandescent lamps shall be used on the exterior surface of any sign in such a manner that will cause offensive glare on adjacent property or create a traffic hazard.

In the case of electronic message center signs, the following additional standards shall apply:

- (1) Illuminance intensity of electronic message center signs shall be measured with an illuminance meter set to measure footcandles and accurate to at least two decimals. The maximum allowable illumination intensity for such signs shall be determined relative to ambient lighting conditions by measuring the difference between an intensity reading taken with the sign illumination turned off and one taken with the sign displaying a white image for a full color-capable electronic message, or a solid message for a single-color electronic message. The difference between the two readings shall not exceed 0.3 footcandles. All measurements shall be taken perpendicular to the face of the sign at the distance determined by the total square footage of the electronic message center sign as set forth in the following table:

SIGN AREA VERSUS MEASUREMENT DISTANCE	
<u>Area of Sign (sq. ft.)</u>	<u>Measurement Distance (ft.)</u>
10	32
15	39
20	45
24	49
32	57
40	64
50	71
64	80
150	122

For signs with an area other than those specifically listed in the table, the measurement distance shall be calculated using the following formula:

$$\text{Measurement Distance} = \sqrt{\text{Area of Sign sqft} \times 100}$$

- (2) Each permitted electronic message center sign shall be equipped with a sensor or other device that automatically determines the ambient illumination and which is programmed to automatically dim the illumination intensity according to ambient light conditions so as to ensure compliance with the 0.3 footcandle standard.

Prior to the County's final inspection and approval of an electronic message center sign, the applicant shall provide written certification from the sign manufacturer/installer that the sensor is working correctly to keep the sign's illumination intensity within the prescribed brightness limitations set by this ordinance.

- (b) Signs with lights which flash, move, rotate, blink, flicker, or vary in either intensity or color.

The above provisions notwithstanding, electronic message center signs (changeable message or image signs) which change more frequently than once every 24 hours shall be permitted on the freestanding signage otherwise allowed for places of worship and for community, regional, or specialty shopping centers, as defined in this chapter, provided that:

- (1) each message or image shall remain fixed and unchanged for a minimum period of eight (8) seconds;
- (2) there is no appearance of movement, scrolling, dissolving or fading in which images or messages "move" or in which part of one message or image appears simultaneously with any part of a second or subsequent one;
- (3) the maximum illumination intensity shall not exceed the limits prescribed in Section 24.1-702(m) and any illumination intensity, contrast or coloration of the message text or image shall remain constant for each display period;
- (4) when such sign is installed at a place of worship located in a Residential zoning district it shall be designed and operated ~~equipped with technology that automatically dims the electronic message illumination intensity commensurate with ambient light conditions (i.e., illumination intensity lower in low-light and nighttime conditions than in daylight).~~ In addition, so that between dusk and dawn the background field for any variable text message on the sign shall be black and the lights constituting the message text or any image shall be amber or orange and set at the lowest illumination intensity that provides contrast and legibility on the black background; and
- (5) provided further, that this special signage opportunity shall not be permitted for any place of worship or shopping center located in a TCM-Tourist Corridor Management Overlay district.

Message or image changes on any other electronic message center ~~changeable message/image signs~~ shall occur no more frequently than once every 24 hours.

NEW BUSINESS

PROPOSED FISCAL YEAR 2016 BUDGET AND TAX RATES FOR 2015

Mr. Carter made a brief presentation explaining the purpose of the documents before the Board to be considered for adoption. He also explained the proposed changes to the resolution to approve the FY16 Budget, which included a Revenue Stabilization Fund transfer for the School Division CIP for the radio project, and the addition of a functional description and distribution of a 2.5 percent wage increase for the County employees. Mr. Carter stated proposed Ordinance No. 15-1 would impose tax levies upon tangible personal property, upon machinery and tools, upon mobile homes, and upon real estate for the calendar year 2015, and proposed Resolution R15-53(R) would approve the budget and appropriate funds for the Fiscal Year beginning July 1, 2015, and ending June 30, 2016.

Mr. Hrichak moved the adoption of proposed Ordinance No. 15-1 that reads:

AN ORDINANCE TO IMPOSE TAX LEVIES UPON TANGIBLE PERSONAL PROPERTY, UPON MACHINERY AND TOOLS, UPON MOBILE HOMES, AND UPON REAL ESTATE FOR THE CALEN-

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DAR YEAR 2015, AND TO PRORATE TAXES ON MOBILE HOMES AS AUTHORIZED BY SEC. 58.1-3001 OF THE CODE OF VIRGINIA

WHEREAS, it is necessary for the Board of Supervisors to establish real estate and personal property tax levies for the County of York for calendar year 2015 beginning January 1, 2015, and ending December 31, 2015; and

WHEREAS, the Board has duly advertised and held a public hearing on the subject tax levies;

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this the 5th day of May, 2015, that the following County tax levies be, and they hereby are, imposed for the calendar year 2015:

<u>Class of Property</u>	<u>Rate Per \$100 of Assessed Valuation</u>
1. Real Estate	0.7515
2. Tangible Personal Property	4.00
3. Tangible Personal Property— for one vehicle owned by a disabled veteran	1.00
4. Machinery and Tools	4.00
5. Vehicles without motive power, used or designed to be used as manufactured homes as defined in Section 36-85.3 of the Code of Virginia	0.7515
6. Boats or watercraft weighing five tons or more	1.00

BE IT FURTHER ORDAINED that if a mobile home is delivered or moved to York County after January one of any year and used as a place of full-time residence by any person, the Commissioner of the Revenue shall assess and quarterly prorate any property taxes which would have been collectible had such mobile home been situated within York County on January one of that year.
On roll call the vote was:

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

Mrs. Noll moved the adoption of proposed Resolution R15-53(R) that reads:

A RESOLUTION TO APPROVE THE BUDGETS AND APPROPRIATE FUNDS FOR THE COUNTY OF YORK AND THE YORK COUNTY SCHOOL DIVISION FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, AND ENDING JUNE 30, 2016

WHEREAS, the County Administrator has submitted to the York County Board of Supervisors a proposed annual budget for the County for the fiscal year beginning July 1, 2015, and ending June 30, 2016, which has been reviewed by the Board of Supervisors; and

WHEREAS, it is necessary to adopt said budget and appropriate sufficient funds to cover the requirements included therein; and

WHEREAS, the Board of Supervisors, in exercising its independent judgment and in concert with the York County School Board, has considered the school's annual operating budget; and

WHEREAS, after considering the availability of local funds, approval of the York County School Board's fiscal year 2016 educational budget is based upon funding from the federal government in the amount of \$15,268,656; from the state government in the amount of \$61,071,835; from the local appropriations in the amount of \$51,275,444; and other local revenues in the amount of \$1,674,578;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5th day of May, 2015, that the fiscal year 2016 annual budget of the York County School Division for school operations in the amount of \$129,290,513 be, and is hereby, approved subject to and contingent upon the availability of funds as indicated in the preamble hereto.

BE IT FURTHER RESOLVED that the annual budget in the sum of \$4,961,984 for fiscal year 2016 be, and is hereby, approved for the operation of food service programs for purposes authorized and approved by the York County School Board subject to and contingent upon the availability of funds.

BE IT STILL FURTHER RESOLVED that the annual budget in the sum of \$17,335,000 for fiscal year 2016, and in the sum of \$18,100,000 for fiscal year 2015 be, and is hereby, approved for the School Division Health and Dental Insurance Fund for purposes authorized and approved by the York County School Board subject to and contingent upon the availability of funds.

BE IT STILL FURTHER RESOLVED that an annual appropriation in the sum of \$8,889,000 for fiscal year 2016 be, and is hereby, made for school capital projects.

BE IT STILL FURTHER RESOLVED that the fiscal year 2016 annual budget for the County of York be, and is hereby, adopted as proposed on this date.

BE IT STILL FURTHER RESOLVED that the following annual appropriations for fiscal year 2016 be, and are hereby, made in the General Fund for the following functions:

<u>Function</u>	<u>Amount</u>
General Administration	\$ 2,460,613
Judicial Services	2,773,060
Public Safety	31,598,547
Environmental & Development Services	3,907,921
Finance & Planning	9,021,796
Education & Educational Services	60,511,614
Human Services	3,619,212
General Services	6,856,725
Community Services	2,937,582
Capital Outlay, Fund Transfers & Non-Departmental	9,714,211
Total General Fund	<u>\$ 133,401,281</u>

BE IT STILL FURTHER RESOLVED that the County Administrator be, and is hereby, authorized to transfer the appropriations in the General Fund Non-Departmental function to the related categories in the various General Fund functions.

BE IT STILL FURTHER RESOLVED that the appropriation of the transfer of one-half (1/2) of the actual meals tax collections to the Water and Sewer Utility Funds and Stormwater Management Fund be, and is hereby, adjusted in the General Fund to effect the funding for County water, sewer and stormwater projects.

BE IT STILL FURTHER RESOLVED that the appropriation of the transfer of an amount equal to actual revenues received as a result of the three percent (3%) increase in the Tran-

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sient Occupancy Tax rate to the Tourism Fund be, and is hereby, adjusted in the General Fund to effect the funding for tourism and travel related activities.

BE IT STILL FURTHER RESOLVED that the \$60,511,614 appropriated above from the General Fund for Education and Educational Services, includes \$51,275,444 for the local contribution to the School Division for support of the School operating budget and, of this amount \$50,140,794 is appropriated as a non-categorical appropriation to be allocated among the various school operating categories as the School Board deems necessary and \$1,134,650 is appropriated to the Operation and Maintenance Category for continuation of the School Grounds Maintenance Agreement, dated July 20, 2010, as adopted by the York County Board of Supervisors and the York County School Board.

BE IT STILL FURTHER RESOLVED that, pursuant to the School Division's request, the sum of \$450,000 is appropriated in the Revenue Stabilization Reserve Fund for fiscal year 2016 for transfer to the School Capital Fund to be used for the 800 MHz Emergency Radio Reception Project, and \$450,000 is appropriated in the School Capital Fund for said project.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$3,070,536 for fiscal year 2016 be, and is hereby, made in the Tourism Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Tourism Fund be, and is hereby, adjusted if and when additional revenues from the transient occupancy taxes become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$6,449,347 for fiscal year 2016 be, and is hereby, made in the Social Services Fund for the operation of the York/Poquoson Department of Social Services.

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Social Services Fund be, and is hereby, adjusted if and when additional federal and/or state funds or local contributions become available or are reduced. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$9,000 for fiscal year 2016 be, and is hereby, made in the Law Library Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$1,407,641 for fiscal year 2016 be, and is hereby, made in the Children and Family Services Fund for the operation of the Head Start and the United States Department of Agriculture (USDA) Programs.

BE IT STILL FURTHER RESOLVED that the annual appropriations of the Head Start and USDA Programs be, and are hereby, adjusted if and when additional federal and/or state funds or local contributions become available or are reduced. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$1,046,000 for fiscal year 2016 be, and is hereby, made in the Community Development Authority Revenue Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Community Development Authority Revenue Fund be, and is hereby, adjusted if and when additional revenues from general property taxes, other local taxes, special assessments and interest income become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$2,756,819 for fiscal year 2016 be, and is hereby, made in the County Debt Service Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$28,145,587 for fiscal year 2016 be, and is hereby, made in the School Debt Service Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$1,717,390 for fiscal year 2016 be, and is hereby, made in the Stormwater Management Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$4,902,504 for fiscal year 2016 be, and is hereby, made in the County Capital Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$255,800 for fiscal year 2016 be, and is hereby, made in the Workers' Compensation Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$4,563,484 for fiscal year 2016 be, and is hereby, made in the Vehicle Maintenance Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$1,955,558 for fiscal year 2016 be, and is hereby, made in the Other Post-Employment Benefits Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Other Post-Employment Benefits Fund is hereby, adjusted for changes in the annual cost based on the actuarial valuations. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$10,902,282 for fiscal year 2016 be, and is hereby, made in the Health & Dental Insurance Fund.

BE IT STILL FURTHER RESOLVED that the following appropriations for fiscal year 2016 be, and are hereby, made in the Enterprise Funds:

Solid Waste Management Fund	\$	4,646,019
Water Utility Fund	\$	383,200
Sewer Utility Fund	\$	13,663,025
Yorktown Operations Fund	\$	93,692
Regional Radio Project Fund	\$	2,767,138

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Yorktown Operations Fund be, and is hereby, adjusted if and when additional revenues from docking fees become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Regional Radio Project Fund be, and is hereby, adjusted if and when additional revenues from air time usage, reimbursements for maintenance and other sources become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the County Treasurer, upon receipt of a written order from the County Administrator, is authorized to advance monies between the several County funds under her custody provided, however, that the total advanced to any particular fund, plus the amount of monies disbursed from that fund, does not exceed the annual appropriation of said fund.

BE IT STILL FURTHER RESOLVED that, the County Administrator shall be, and is hereby, authorized to do all things necessary to apply for federal and state library aid and in addition, the annual appropriation for library operations be, and is hereby, adjusted for all funds received under this program in accordance with the recommendations of the York County Library Board.

BE IT STILL FURTHER RESOLVED that, upon receiving notice of grant or program opportunities offered by various federal, state, local and other outside organizations, the County Administrator or his designee be, and is hereby designated as the agent to execute the necessary grant or program application and other documentation, unless the terms of the grant or program require specific actions by the Board, to give such assurances as may be required by

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the agreement subject to approval as to form by the County Attorney and to provide such additional information as may be required by the awarding organization. In addition, the funding awarded, not to exceed \$50,000, shall be, and is hereby, appropriated to the applicable functional area.

BE IT STILL FURTHER RESOLVED that interest earned on grant and program awards received from federal, state, local and other outside organizations be, and is hereby, appropriated to the appropriate functional area to be expended in accordance with guidelines as established by the organizations.

BE IT STILL FURTHER RESOLVED that additional funds received for various County programs, including contributions, donations, and cash proffers be, and are hereby, appropriated for the purposes established by each program.

BE IT STILL FURTHER RESOLVED that funds received for the off-duty employment by deputy sheriffs program be, and hereby are, appropriated in the General Fund to cover the costs of the program.

BE IT STILL FURTHER RESOLVED that additional funds received for the Medic Transport Fee Recovery be, and hereby are, appropriated in the General Fund to cover the costs of the program.

BE IT STILL FURTHER RESOLVED that funds received from the Federal Emergency Management Agency (FEMA) for reimbursements for expenses incurred as a result of unusual or infrequent events not to exceed \$50,000 per incident be, and are hereby, appropriated under this program to the appropriate functional area.

BE IT STILL FURTHER RESOLVED that funds received through insurance claims for damages incurred to County property as a result of unusual or infrequent events not to exceed \$50,000 per incident be, and are hereby, appropriated under this program to the appropriate functional area.

BE IT STILL FURTHER RESOLVED that upon receipt of written notification from the State Compensation Board of additional funds for the Constitutional Officers (Commonwealth's Attorney, Sheriff, Clerk of Court, Treasurer, and Commissioner of the Revenue) be, and are hereby, appropriated in the General Fund to be expended in accordance with guidelines as established by the state government.

BE IT STILL FURTHER RESOLVED that the annual contributions that are in excess of \$50,000, which are hereby appropriated, shall be disbursed on a semi-annual basis with the amount disbursed not to exceed one-half of the total appropriation, unless otherwise agreed upon. Contributions to the York County School Division and the York/Poquoson Department of Social Services are exempt from this limitation. In addition, the County Administrator may require written reports on how the previous allocation(s) was/were spent before any future disbursements are made.

BE IT STILL FURTHER RESOLVED that the monies be, and are hereby, appropriated for fiscal year 2016 in the various funds for the purpose of liquidating encumbered purchase transactions and for continuing capital and special projects as of June 30, 2015, not to exceed the applicable fund balance/net assets/net position as recorded in the County's audited accounting records. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the County Administrator be, and is hereby, authorized to transfer funds within appropriation functions. These transfers may be made to allow the disbursement of funds for unanticipated costs incurred in daily County operations.

BE IT STILL FURTHER RESOLVED that the County Administrator, Controller and Chief of Budget and Financial Reporting be, and are hereby, the authorized signers for the Financial and Management Services petty cash account available to allow for emergency purchases necessary in daily County operations.

On roll call the vote was:

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

APPROVAL OF THE FY2016-2025 CAPITAL IMPROVEMENTS PROGRAM

Mr. Carter indicated proposed Resolution R15-54 was prepared for the adoption of the FY2016-2025 Capital Improvements Program as a long-range planning document.

Mr. Hrichak moved the adoption of proposed Resolution R15-54 that reads:

A RESOLUTION TO ADOPT THE FISCAL YEAR 2016-2025 CAPITAL IMPROVEMENTS PROGRAM AS A LONG-RANGE PLANNING DOCUMENT

WHEREAS, in consideration of materials received from the departments and agencies of the County and direction from the Board of Supervisors, the Interim County Administrator has developed a Proposed Fiscal Year 2016-2025 Capital Improvements Program; and

WHEREAS, the Capital Improvements Program serves as a long-range planning document subject each year to review and approval of funding by the Board of Supervisors; and

WHEREAS, such review has been completed for the fiscal year 2016-2025 Capital Improvements Program;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5th day of May, 2015, that the Interim County Administrator’s proposed Fiscal Year 2016-2025 Capital Improvements Program be, and is hereby, adopted.

On roll call the vote was:

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

DESIGNATION OF REAL PROPERTY TAX FOR SCHOOL PURPOSES

Mr. Carter indicated proposed Resolution R15-55 was prepared for the designation of a portion of the real property tax for school purposes.

Mr. Zaremba moved the adoption of proposed Resolution R15-55 that reads:

A RESOLUTION TO DESIGNATE A PORTION OF THE REAL PROPERTY TAX FOR SCHOOL PURPOSES

WHEREAS, Public Law 874 enacted by the 81st Congress, and codified in 20 U.S.C. Sections 236 to 241-1 and 242 to 244 (hereinafter “the Act”), provides for federal financial assistance to local educational agencies in areas affected by federal activities; and

WHEREAS, approximately thirty-seven percent (37%) of the land area of York County is controlled by the federal government, which entitles the York County School Division to financial assistance under Section 2 of the Act, as administered pursuant to U. S. Department of Education regulations governing distribution of financial aid authorized by the Act, 34 CFR Part 222, Subpart J; and

WHEREAS, the York County School Division is a fiscally dependent local educational agency under these U. S. Department of Education regulations; and

WHEREAS, 34 CFR Section 222.3, Definitions, provides that for a fiscally dependent local educational agency, the local real property tax rate for school purposes can be defined as “that portion of a local real property tax rate designated by the general government for

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school purposes”; and

WHEREAS, the York County Board of Supervisors finds it to be in the best interest of the citizens of York County to designate a portion of the local real property tax rate for school purposes in conformance with 34 CFR Section 222.3;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5th day of May, 2015, that, for Fiscal Year 2016, a portion of the York County, Virginia, local real property tax rate equal to fifty eight and seven tenths cents (\$0.587) per \$100 of valuation be, and is hereby, designated for school purposes as provided in 34 CFR Section 222.3.

On roll call the vote was:

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

OPEN DISCUSSION

Mr. Hrichak stated he had attended a volunteer recognition last meeting, and many organizations were requesting more volunteers. He indicated if anyone was interested in volunteering to contact the Bargain Box or HermioneYorktown.com, which are actively looking for volunteers and have the information and forms needed.

Mrs. Noll noted the Historical Museum also needs more volunteers. She indicated the Museum's shop raised money for Celebrate Yorktown.

Mr. Wiggins spoke of the County's roadside ditches, stating many residents in his neighborhood were out this past weekend cleaning out the ditches. He mentioned that his wife owned a house in another neighborhood, and the entire neighborhood flooded because of the stopped up pipes. Mr. Wiggins asked that residents call VDOT if their pipes needed cleaning out. He noted that many people actually rake their leaves into the ditches, and this would stop up the pipes, and which would also cause more mosquito problems.

Mr. Zaremba noted there was a big issue with a roadside ditch in Schenk Estates. He stated about a week or two ago there was an effort to clean out the ditches. He stated the culverts were under the driveways, and now there was a huge hole at 153 Wilkinson where the culvert ends. Mr. Zaremba asked that someone on staff have look into what could be done.

Mr. Carter stated it was not County crews doing the work, and he would check with VDOT.

Mr. Zaremba asked if anything had been done to find out how many houses were being serviced by Mountain Lakes in Carver Gardens, stating he understood that mold was starting to show up.

Mr. Carter stated an engineer in the Environmental Services Department was looking at the area and doing a cost estimate of the work to be done. He also stated Mr. Barnett was doing legal work on the financial issues, and hopefully there would be a report within 30-60 days.

Mr. Zaremba stated not all of the residents were serviced by Mountain Lakes, that some were serviced by Aqua Virginia. He stated he kept hearing about poor water quality and leaking water from the residents.

Mr. Carter noted the water was Newport News water, and it was the pipes in the system that are the issue.

Mr. Zaremba stated the County has a population around 67,000, and roughly James City County was the same with the same number of school children and services. He stated York County had a budget of \$134,000,000 and James City County's budget was \$184,000,000 with a tax rate increased by 8 cents. Mr. Zaremba stated it reinforces the frugality and smart decision making on the part of the policies coming from the Board and the work being done by the County's incredible workforce. When comparing like jurisdictions, he stated the County could be very proud of what it has done with what was spent.

Chairman Shepperd stated one of the things he brought up with Mr. Carter was his concern about the Hermione. He noted that over the years the biggest event the County has had was the 4th of July, and the battlefield had literally been filled up with cars. He stated he was listening to a commentary while driving the other day about how wonderful the ship was, and it was coming to Yorktown. Mr. Shepperd stated he then asked himself where the County was going to put 150,000 people and their vehicles. He stated Yorktown was such a beautiful place, and now it had, on an international stage, a once-in-a-lifetime ship coming and people will want to come see it. Mr. Shepperd stated he had been talking to Mr. Carter about how to handle the parking situation.

Mrs. Noll stated she understood there would be only 6,000 tickets for people to be able to go aboard the ship, and she had heard numbers of approximately 20,000 people coming.

Mr. Carter stated no one really knew how many people would come to see the Hermione. Staff was looking at the options for parking, and use of the battlefield was off the table. He stated staff was looking at possible satellite locations for bus transportation in and out of the town.

Mr. Zarembo noted the sooner staff gets a handle on this the better. He suggested asking the Historic Triangle Collaborative for help.

Mrs. Noll indicated a possible alternative for parking was Fort Eustis and busing people from there.

Chairman Shepperd stated since this was York County, York County had to make it work, not the State of Virginia. He stated the County was responsible for the success or failure of this visit. He suggested that staff call Boston to find out what the tourism rates are up there and how they handle the transportation issues. Mr. Shepperd told staff to let him know if the County needed to engage the area cities for help.

CLOSED MEETING. At 7:32 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, Zarembo, Shepperd
Nay:	(0)	

Meeting Reconvened. At 7:48 p.m. the meeting was reconvened in open session by order of the Chair.

Mrs. Noll moved the adoption of proposed Resolution SR-1 that reads:

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

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 5th day of May, 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

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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)

YORK COUNTY YOUTH COMMISSION FOR FISCAL YEAR 2016

Mrs. Noll moved the adoption of proposed Resolution R15-38 that reads:

A RESOLUTION TO APPOINT MEMBERS TO THE YORK COUNTY YOUTH COMMISSION FOR 2015 – 2016

WHEREAS, the York County Board of Supervisors established the York County Youth Commission on March 3, 1983; and

WHEREAS, the revised bylaws of December 5, 2000, direct there shall be up to fifteen student members appointed, three from each voting district provided each district has at least three qualified applicants, grades 9 through 12, to serve on the Commission;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Super visors on this 5th day of May, 2015, that the following individuals be, and they are hereby, appointed to the York County Youth Commission for 2015 – 2016:

<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

BE IT FURTHER RESOLVED that the above-named individuals' terms shall begin on July 1, 2015, and expire June 30, 2016.

On roll call the vote was:

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

REAPPOINTMENT TO THE HISTORIC YORKTOWN DESIGN COMMITTEE

Mr. Zaremba moved the adoption of proposed Resolution R15-42 that reads:

A RESOLUTION TO REAPPOINT A MEMBER OF THE HISTORIC YORKTOWN DESIGN COMMITTEE

WHEREAS, the Board of Supervisors has established the Yorktown Historic District and the Yorktown Design Guidelines, both of which became effective as of June 1, 2004; and

WHEREAS, the Yorktown Historic District Design Guidelines are administered by the 3-member Historic Yorktown Design Committee (HYDC); and

WHEREAS, the term of Mr. Robert J. Andrade, II, will expire on May 31, 2015;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 5th day of May, 2015, that Mr. Robert J. Andrade, II, be, and he is hereby, reappointed to the Historic Yorktown Design Committee, such term to commence on June 1, 2015, and expire May 31, 2019.

On roll call the vote was:

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

APPOINTMENTS TO THE YORK COUNTY PLANNING COMMISSION

Mrs. Noll moved the adoption of proposed Resolution R15-50 that reads:

A RESOLUTION TO APPOINT TWO MEMBERS TO THE YORK COUNTY PLANNING COMMISSION

WHEREAS, the Planning Commission terms of two Planning Commissioners, both of whom serve at-large, will expire on June 30, 2015; and

WHEREAS, the Board desires to make appointments to fill these two vacancies;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 5th day of May, 2015, that it does hereby appoint the following individuals to the York County Planning Commission to serve terms that begin July 1, 2015 and expire June 30, 2019.

Melissa S. Magowan

Robert W. Peterman

On roll call the vote was:

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

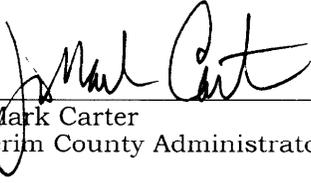
Meeting Adjourned. At 7:50 p.m. Mr. Hrichak moved that the meeting be adjourned sine die.

On roll call the vote was:

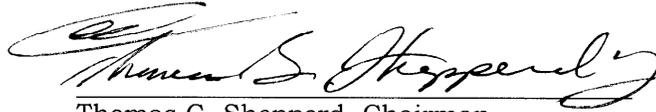
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Yea: (5) Zaremba, Noll, Wiggins, Hrichak, Shepperd
Nay: (0)



J. Mark Carter
Interim County Administrator



Thomas G. Shepperd, Chairman
York County Board of Supervisors