

MINUTES  
BOARD OF SUPERVISORS  
COUNTY OF YORK

Regular Meeting  
April 16, 2013

6:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 6:02 p.m., Tuesday, April 16, 2013, in the Board Room, York Hall, by Chairman Walter C. Zaremba.

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

Donald E. Wiggins was absent.

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

Invocation. Pastor M. A. Truckenmiller, Breakthrough Worship Center, gave the invocation.

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

**PRESENTATIONS**

INTRODUCTION OF NEW MEMBERS TO YORK COUNTY BOARDS AND COMMISSIONS

Chairman Zaremba introduced Mr. Steven J. Reandeanu, newest member to the Colonial Community Criminal Justice Board, and presented him with a Boards and Commissions Handbook and York County pin.

2012 VOLUNTEER REPORT AND AWARDS PRESENTATION

Mr. Dave Meredith, Department of Community Services, gave a presentation on the 2012 Volunteer Program and the contributions made to the County. There were 59,995 volunteer hours, which was equivalent to 29 full-time employees, and the monetary value to the County was \$1,500,783.

Chairman Zaremba noted the equivalent cost of 29 full-time employees was a little less than 2 cents on the tax rate. He thanked all the volunteers on behalf of the Board, staff, and all citizens of the County.

Mr. Meredith then recognized the following five individuals and two organizations receiving awards:

Myrna Graham	Senior Center of York Volunteer
Morris Randall	Head Start Program Volunteer
Mariners' Museum	Head Start Program
Jan Wiener	Master Gardener Volunteer
Virginia Naturalists	New Quarter Park Bluebird Monitoring Team
Captain James R. Parry (not in attendance)	Tall Ships Committee Volunteer
Lois Winter	Historical Committee Volunteer

**CITIZENS COMMENT PERIOD**

Ms. Maria Perkins, 2021 Cunningham Drive, Hampton, representing Alternatives, Inc., appeared before the Board representing the Youth Leadership Academy. She then introduced four participants in the leadership academy who provided the Board with some of their recent activities.

Chairman Zaremba stated the Board knew the Youth Leadership Academy was critically important to the youth, and he thanked the representatives for coming.

Mrs. Addie Jeanette Best, 819 Baptist Road, noted there was a builder on Maple Road. She stated when she built a fish pond, the County told her it could not overflow. She asked for the County's help in getting the builder to look at these issues before he moved water from Maple Road to Baptist Road.

**COUNTY ATTORNEY REPORTS AND REQUESTS**

Mr. Barnett stated he had no report at this time.

Chairman Zaremba noted that Mr. Wiggins was recovering from a serious illness, but he did not expect to be back for another six-seven weeks which would be after the FY14 Budget was adopted. He asked if there was an alternative way for Mr. Wiggins to legally vote with the Board if he was unable to be physically present when the vote on the budget was taken.

Mr. Barnett explained how Mr. Wiggins could be accommodated so that he could participate remotely as long as the audibility issue was taken care of. He noted the majority of the Board members must also agree to the remote participation.

**COUNTY ADMINISTRATOR REPORTS AND REQUESTS**

Mr. McReynolds reminded the Board of the upcoming work sessions to be held on April 23, April 30, and May 2 in the East Room. The public hearings on budget and tax rates would be held on April 25 in this room, and the Board was currently scheduled to adopt the budget on May 7, with one other regular meeting scheduled for May 21. Mr. McReynolds then noted that wheeled recycling carts were being delivered today, and the delivery was working fairly smoothly and should be completed before the scheduled pickup in May.

Discussion followed concerning the pickup schedule.

Mr. Shepperd reminded the citizens not to throw away the card that came with the cart because it showed when specific area collections would take place. He asked if people were able to get additional containers if they needed them.

Mr. John Hudgins stated that under the current contract they could not. Only one 98-gallon recycling container cart was provided each residence.

Mr. Shepperd stated the objective was to try to get citizens to understand if they could recycle appropriate materials, the County should be able to reduce its tipping fees. The incentive for citizens was to avoid future increases to trash collection by moving more into recycling.

Mr. Hrichak asked if the County was doing anything in its negotiations with health care providers to reduce costs through wellness programs.

Mr. McReynolds indicated the County offers health education programs, and its plan was set so that preventive things were accomplished without a co-pay. The County's plan will cover a six-week diabetes class and other sorts of education. The County educates the employees on how to access treatments at the lowest cost, the benefit of not going with brand name medication when a viable generic was available, and the most effective combination of copays and deductibles.

Chairman Zaremba asked Mr. McReynolds to speak regarding the new initiative for performance management.

Mr. McReynolds noted he had reorganized a number of functions within County Administration to look at performance management and long-range strategic planning, and this had been done within the existing budget. He introduced Mrs. Vivian McGettigan, the new Deputy County Administrator, and explained her lead role in a new program called Managing Performance for a Lean Government. He stated it would look at County services to make sure employees know which steps in a process add value and takes out the steps that do not. He stated it was a continuous ongoing program, with each process being reviewed every 1 to 5 years. He stated the program would engage all employees in discussing what needed to be done to make processes work better. Mr. McReynolds stated staff would be briefing the Board at regular intervals of the program's process. He stated an important piece of the program was that it would be engaging focus groups, citizens, and other stakeholders in the County's programs.

### **MATTERS PRESENTED BY THE BOARD**

Mrs. Noll stated she thought about added value to the County when she looked at volunteers this evening and their contributions. She encouraged others to think about volunteering because the County needed volunteers. She then spoke of the tragedy that took place in Boston yesterday, and she spoke of the volunteers who did not run away but ran toward the injured and helped mitigate the tragedy for those individuals. Mrs. Noll stated it was a very sad day for the entire nation.

Mr. Hrichak extended his congratulations to the volunteer award recipients, and he stated it was nice to hear from the Youth Leadership Academy. He then noted the Virginia Peninsula Chamber of Commerce was having an economic forecast summit on Monday, April 29. And he stated it should be worthwhile to attend.

Meeting Recessed. At 6:54 p.m. Chairman Zaremba declared a short recess.

Meeting Reconvened. At 7:03 p.m. the meeting was reconvened in open session by order of the Chair.

### **PUBLIC HEARINGS**

#### **APPLICATION NO. ZT-140-13, YORK COUNTY BOARD OF SUPERVISORS: SIDEWALK SIGNS AND YORKTOWN HISTORIC DISTRICT—WATERFRONT SUB-AREA WALL SIGN AREA LIMITS**

Mr. Carter gave a presentation on proposed Application No. ZT-140-13 requesting the amendment of various sections of the York County Zoning Ordinance pertaining to signs.

Discussion followed regarding signage at Riverwalk Landing.

Mrs. Noll asked if the signs were going to be illuminated.

Mr. Carter indicated they would have external illumination only.

Chairman Zaremba spoke of the example given on the slide, and asked what part was a sign and what part was not.

Mr. Carter stated all elements were a part of the sign according to the County ordinance.

Chairman Zaremba stated then a business could paint several things on its building and it be considered a sign.

Mr. Carter stated that graphics painted on a building was considered signage. He noted there was a 50 square foot limit on any sign.

Mrs. Noll asked if the business could use any color or did the County have a palette of colors.

April 16, 2013

Mr. Carter indicated all signage in Yorktown was subject to the Design Review Committee approval. He stated the particular sign shown had gone through the review process of the Historic Yorktown Design Committee and was approved at the last meeting subject to conformance with maximum area limits.

Chairman Zaremba asked if there were any signs that would have to be grandfathered under the current ordinance.

Mr. Carter indicated there were none, that all were well within these guidelines. This amendment would apply only on the waterfront area.

Mrs. Noll noted there was signage that hangs outside the buildings in Yorktown, and she asked if they would be replaced.

Mr. Carter stated the owner could either have projecting signage or wall signage, or he could divide the area up between the two.

Chairman Zaremba asked about banner signs.

Mr. Carter stated the flags were not permitted by the ordinance unless they were under the auspices of temporary signage. He stated they were a problem, and property owners were counseled by Code Enforcement staff. He noted businesses could use temporary banners of up to 40 square feet for the 120-day allowance, but most would take advantage of the 40 square foot signs.

Chairman Zaremba asked how these amendments would be advertised, noting there were all sorts of violations in the County.

Mr. Carter stated the Economic Development Office has a business signage brochure which was in the last of the production stage, and this amendment would be added to it. He also noted something could be placed in Citizen News. The York County Chamber of Commerce was also aware of it, and the Environmental and Development Services Department zoning enforcement staff would enforce the ordinance and its regulations.

Chairman Zaremba then called to order a public hearing proposed Ordinance No. 13-5 that was duly advertised as required by law:

AN ORDINANCE TO APPROVE APPLICATION NO. ZT-140-13 TO AMEND VARIOUS SECTIONS OF THE YORK COUNTY ZONING ORDINANCE (CHAPTER 24.1, YORK COUNTY CODE) PERTAINING TO SIGNS

There being no one present who wished to speak regarding the subject ordinance, Chairman Zaremba closed the public hearing.

Mr. Hrichak then moved the adoption of proposed Ordinance No. 13-5 that reads:

AN ORDINANCE TO APPROVE APPLICATION NO. ZT-140-13 TO AMEND VARIOUS SECTIONS OF THE YORK COUNTY ZONING ORDINANCE (CHAPTER 24.1, YORK COUNTY CODE) PERTAINING TO SIGNS

WHEREAS, Application No. ZT-140-13 has been sponsored by the Board of Supervisors to allow consideration of various amendments to the signage requirements set forth in the York County Zoning Ordinance; 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 16th day of April, 2013, that Application No. ZT-140-13 be, and it is hereby, approved to amend the York County Zoning Ordinance (Chapter 24.1, York County Code) to incorporate the following amendments:

**Yorktown Design Guidelines** – as referenced in Section 24.1-377 (Yorktown Historic District)

### III. Signs

#### A. Residential Signs

1. Signs for residential buildings shall be limited to those that provide identification of the residence by street number/name, family name, and/or building or property name.
2. Signs should be appropriate to the scale and design character of the residence and should not adopt thematic designs.
3. Residential identification signs shall not exceed one (1) square foot in size.
4. In addition to the standard residential identification sign, Bed and Breakfast and Tourist Home establishments accessory to a single family residential use may be identified by a separate free-standing or building mounted identification sign not exceeding four (4) square feet in area.

#### B. Commercial Signs

Commercial signs should be used primarily to identify a business rather than to advertise products or services. Commercial signs should be designed to be compatible in style with the building(s) to which it refers and should not adopt thematic designs.

##### 1. Appropriate Sign Types/Sizes

###### a. Types

###### (1) *Pivotal* buildings

Single-post, freestanding signs

###### (2) *Contributing* buildings and *new* construction

(a) Wall signs—attached to the exterior wall

(b) Hanging signs—hung from a metal bracket or porch lintel, if compatible with the design of the building and porch

(c) Elevated freestanding signs (single- or double-post)

(3) Portable signs, even for temporary use, shall not be used within the district, except for sidewalk signs as allowed by the terms of Article VII of the Zoning Ordinance.

###### b. Size

Historic Core:

- (1) Freestanding: maximum size – nine (9) square feet (per sign face, if two sided sign)
- (2) Hanging: maximum size – six (6) square feet (per sign face, if two-sided)
- (3) Wall-mounted: maximum size – five (5) square feet

Waterfront:

- (1) Freestanding: maximum size – nine (9) square feet (per sign face, if two-sided sign)
- (2) Hanging: maximum size – six (6) square feet (per sign face, if two sided)
- (3) Wall-mounted: maximum area for all wall signs not to exceed 1.0 square foot per foot of principal building width measured on the primary façade(s) of the structure or 50 square feet, whichever is less. Primary façade(s) shall be those which are parallel to a public street frontage, to a public pedestrian way, or to the York River. No structure shall be considered to have more than two (2) primary facades for the purposes of maximum sign area calculations.

## 2. Location

- a. Signs should not be attached directly to the walls or features of *pivotal* buildings in order to avoid damaging historic materials. For such structures, freestanding signs are more appropriate unless the building fronts directly on the sidewalk or street, in which case a building mounted sign could be appropriate also.
- b. Wall signs should be located adjacent to the entry door or on an appropriate façade or gable end. Buildings with multiple commercial tenants should have a directory sign with all tenants listed.
- c. Hanging signs should be attached to the underside of the porch roof or lintel, parallel to the front of the building, or from a bracket perpendicular to the face of the building or a porch column. Hanging signs should not be located higher than the top of the porch.
- d. No sign shall be mounted on or from the roof of a structure. Signs may be attached or applied to fabric awnings and umbrellas with approval on a case-by-case basis.
- e. Freestanding signs should be located within twenty (20) feet of the front property line, with the sign panel either parallel or perpendicular to the street.

## 3. Design, Shape and Materials

- a. Sign design should be compatible with the character of the building and simple in background, colors, lettering, and mounting structure. The building should remain the dominant feature, not the sign.
- b. A horizontal layout should be used for hanging signs. Signs hung over porch stairs or entrances should have a minimum clearance of seven feet six inches (7'-6").
- c. A single-post design should be used for elevated freestanding signs. The post should be of painted wood, five (5) feet to seven (7)

feet high, and of simple design, in character with traditional features such as fence posts, lampposts, and hitching posts. The sign should be of painted wood, hung from a simple wooden cross-arm or decorative metal bracket or centered on the top of the post. Sign panels should be double-sided if they are oriented perpendicular to the street. Wood signs, which are partially or entirely sandblasted or burned, are not appropriate. The maximum allowable height shall be ten (10) feet.

- d. Signs should be constructed of appropriate but durable materials, such as:
  - (1) marine-grade exterior plywood or weather-resistant composite materials, with banded or sealed edges, and all elements primed and painted
  - (2) brass or bronze sign panels attached to front façade, fence, or wall
  - (3) painted iron or pressure-treated wood posts for freestanding posts.

#### 4. Colors and Lettering

- a. Sign colors should be compatible with the principal color of the building, wall or fence to which they are attached or adjacent. Colors should be selected from the Yorktown Color Palette, as defined in Appendix 3, Glossary. Other colors may be considered on a case-by-case basis.
- b. Not more than three colors should be used on any one sign.
- c. Metal posts and hardware used for supporting or attaching signs should be painted black or other dark color.
- d. Lettering should be:
  - (1) easy to read in terms of size and style
  - (2) appropriate to the character of the property and its use

#### 5. Lighting

- a. Signs with internal illumination shall not be permitted.
- b. Freestanding, wall, and hanging signs may be illuminated by external light sources either directly focused on the sign or through indirect illumination by other site lighting. The specific fixtures and intensity of any external illumination focused on the sign shall be evaluated on a case-by-case basis. In any event, the bulbs shall be concealed by landscaping shields or other appropriate means.

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### ARTICLE VII. SIGNS

#### **Sec. 24.1-700. Applicability.**

No sign shall be erected, altered, expanded, reconstructed, replaced or relocated on any property except in conformance with the provisions of this article and all other applicable ordinances and regulations of the county. Repainting or refacing an existing sign or making minor non-structural repairs shall not require a permit.

**Sec. 24.1-701. Sign classifications.**

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

*Advertising sign.* A sign which directs attention to a business, profession, product, service, activity or entertainment which is not conducted, sold or offered on the premises upon which such sign is located.

*Banner.* A piece of cloth, plastic or other flexible material on which words, letters, figures, colors, designs or symbols are inscribed or affixed for the purposes of advertisement, identification, display or direction and which is suspended for display, typically from buildings or poles.

*Community identification sign.* A permanent sign which identifies the name of a subdivision, apartment complex, condominium or other type of residential or nonresidential development or neighborhood but not containing separate information pertaining to the builder, developer or financier associated with such property; however, signs identifying rental properties may specify the name of the management firm.

*Construction sign.* A temporary sign which identifies facilities being actively constructed or altered, the anticipated sale, lease or rental of those facilities, or the identity of the persons or firms engaged in the promotion, financing, design, construction or alteration of such facilities.

*External illumination.* Illumination by floodlights, spotlights or other sources which are focused directly on the face of the sign.

*Free-standing sign.* A sign, supported by one or more columns, uprights or braces, in or upon the ground, and not attached to any building. Free-standing signs include, but are not limited to, pole signs, monument signs, and signs attached to a flat surface such as a fence or wall not a part of a building.

*Monument sign.* A type of free-standing sign, other than a pole sign, with sides parallel to or nearly parallel to each other, with the supporting structure as wide as or wider than the sign face itself, and with the entire supporting structure in contact with the ground or within twelve inches (12") of the ground.

*Identification sign.* An on-premises sign which indicates the name, nature, logo, trademark, commodity, entertainment or service sold, offered or manufactured on the premises, and/or other pertinent information about a building, business, development or establishment on the premises.

*Internal illumination.* Illumination by a light source which is concealed or contained within the sign itself and which shines through a translucent surface.

*Marquee or canopy sign.* A sign which is painted on, attached to, or hung from a marquee or canopy which projects from and is totally or partially supported by a building.

*Off-Premises directional sign.* A sign which is not located on the same premises as the use to which it refers and which is intended to provide information as to the identity and location of a use, but which does not otherwise qualify as an advertising sign.

*Off-Premises directional open house sign.* A temporary sign which is intended to provide information on the location of a real estate open house, and which is not located on the same premises as the dwelling unit to which it refers. Such signs shall not contain any reference to any individual or firm.

*On-Premises directional sign.* A sign which is intended to provide directional information for the premises on which it is located. Such sign may pertain to traffic movement, pedestrian movement, parking or loading space, or similar types of information, but shall not consist of advertising matter.

*Pennants.* Pieces of cloth, plastic or flexible material, generally triangular or rectangular in shape, and which typically are strung together in a series on lines which are hung from poles, between buildings or in other arrangements for the purpose of decoration or attracting attention.

*Political sign.* A temporary sign which pertains to an issue of public concern or to an issue or candidate in a pending election.

*Portable sign.* Any sign not permanently attached to a structure or permanently mounted in the ground which can be transported to other locations. Portable signs shall include, but not be limited to, signs which are trailer-mounted or otherwise designed to be relocated, or are constructed on a chassis or carriage with permanent or removable wheels.

*Projecting sign.* A sign which is attached perpendicularly, or nearly perpendicularly, to a building wall or roof line and which extends from such wall or roof line not more than forty-eight inches (48").

*Realty sign.* A temporary sign which advertises the sale, lease, rental or display of the lot or building upon which such sign is displayed.

*Roof sign.* A sign which is an integral part of the building design and is attached to, painted on, or supported by the roof of a building.

*Sidewalk sign.* A type of portable sign that is self-supporting and which is placed on a sidewalk or pedestrian walkway as a temporary means of identification or advertising for an adjacent business during its business hours, and is not affixed to the ground or any surface. Sidewalk signs may be of the sort generically known as A-frame, sandwich board, stand, or pedestal signs.

*Temporary sign.* A sign, banner, poster, or advertising display constructed of cloth, plastic, sheet-metal, cardboard, wallboard, plywood or other like materials, intended to be displayed for a limited period of time, and not permanently attached to a building or the ground.

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#### **Sec. 24.1-704. Temporary signs.**

The zoning administrator, upon application, may issue permits for the following temporary signs and banners. Such signs shall not count against the normal sign area allowances for the property on which located. All temporary signs and banners shall be subject to the setback and sight-triangle clearance standards applicable to permanent signs. Freestanding temporary signs and banners shall be limited to one (1) per street frontage per individual parcel; building mounted temporary banners shall be limited to one per business establishment/tenant space with its own individual exterior entrance:

- (a) Banners or other temporary signs not exceeding forty (40) square feet in area, which promote a special civic, cultural or religious event such as a fair, exposition, play, concert or meeting sponsored by a governmental, charitable, not-for-profit or religious organization. The duration of such permit shall not exceed thirty (30) days.
- (aa) Banners or other temporary signs not exceeding forty (40) square feet in area which identify and are associated with a temporary business activity involving the sale of seasonal commodities as permitted pursuant to sections 24.1-306 and 24.1-440 of this chapter and which may be displayed for the duration of the seasonal commodities sales operation.
- (b) Banners or temporary signs not exceeding forty (40) square feet in area, and six (6) feet in height if freestanding, when used in conjunction with the opening of a new business or an establishment going out of business in any commercial or industrial district or a legally existing nonconforming business in any other district. The duration of such permit shall not exceed sixty (60) days and only one such sign, either freestanding or building mounted, shall be permitted. "Grand-Opening" temporary signage shall be permitted only within the one-year period after the actual business opening occurs. The com-

pletion of a major interior or exterior remodeling or a change in ownership for a pre-existing business shall be deemed eligible for temporary "grand-opening" banners within the one-year period after the renovation or ownership change.

- (bb) In addition to the above, businesses may install temporary banners or signs, not exceeding forty (40) square feet in area, and six (6) feet in height if freestanding, for the following purposes:
- (1) announcing employment opportunities (e.g., "Now Hiring" or "Help Wanted");
  - (2) announcing "Now Enrolling" in the case of a childcare or daycare center;
  - (3) announcing a sales event such as a "Clearance Sale" or "Truckload Sale", an anniversary of the business operation (e.g., "25<sup>th</sup> Year in Business"), or other business-related messages, including those that refer to a specific item, product or brand that is offered by the business;
  - (4) identifying/advertising a temporary business activity as permitted under Section 24.1-306 – Category 8 – Temporary Uses.

Such temporary signs or banners must be on the site of such business. Only one (1) building-mounted or one (1) freestanding sign shall be permitted per street frontage. Such sign may be displayed for a maximum period of 120 days in any single 12-month period. The 120-days maximum display allowance may be used as 120 consecutive days or may be broken into as many as six (6) separate time periods during the course of a 12-month period. The permit application for such sign shall specify the time period(s) during which the sign will be displayed.

In the case of a property occupied by a building or buildings with multiple tenant spaces (e.g., a strip shopping center), each business establishment/tenant space with its own individual exterior entrance shall be eligible for its own temporary building-mounted sign or banner, which shall be subject to the 120-days per 12-month period allowance. The property also shall be eligible for one (1) freestanding temporary sign or banner per street frontage, provided however that such freestanding sign may not be displayed at any time during which building-mounted signs or banners allowed by this subsection are being displayed by businesses within the center.

- (c) Temporary portable signs, not exceeding thirty-two (32) square feet in area or one (1) per parcel, which are intended to identify or display information pertaining to an establishment for which permanent free-standing signage is on order as evidenced by presentation of a copy of an executed order form for such permanent signage to the Zoning Administrator. Such permit shall expire and the portable sign shall be removed upon erection of the permanent sign or 120 days whichever shall occur first. In addition, temporary banners or sign sleeves, neither of which exceed normal sign area allowances, may be used when permanent signage is on order, as evidenced in the manner described above or when in the opinion of the zoning administrator other temporary business circumstances, such as relocation due to fire or disaster, warrant such use and the size of the temporary banner/sleeve does not exceed normally permitted sign area allowances. Such signage may be authorized for terms of up to 120 days, and may be renewed for good cause shown.
- (d) Temporary signs and banners when used to announce the grand opening and initiation of sales or leasing of lots and/or dwelling units within a newly developing residential project having at least ten (10) lots or units. The cumulative area of all such signs and banners erected for any single residential project shall not exceed forty (40) square feet. Signs and banners shall not be illuminated. The duration of such permit shall not exceed 120 days.
- (e) Temporary signs and banners when used to announce special events such as new home shows being conducted within a residential subdivision or development. The cumulative area of all such signs and banners erected for any single event shall not exceed forty (40) square feet. Signs and banners shall not be illuminated. Such signs shall not be erected more than fourteen (14) days prior to the event and shall be removed within seven (7) days following the closing of the event; provided, however, that no sign or

banner shall be permitted to remain in place for any event for more than thirty (30) days between the first appearance and its removal.

- (f) With the approval of the Virginia Department of Transportation, the zoning administrator may authorize banners to be suspended above a public road right-of-way for a period not to exceed seven (7) days or the duration of the event being announced or promoted plus three (3) days, whichever shall be greater.
- (g) Political headquarters signs in commercial and industrial districts which are in addition to the signs otherwise permitted on the subject property and which do not exceed thirty-two (32) square feet may be erected not earlier than sixty (60) days prior to the election, canvass, or primary to which such signs pertain and shall be removed within seven (7) days following the election, canvass or primary.

**Sec. 24.1-704.1. Sidewalk signs.**

The zoning administrator, upon application, may issue permits for sidewalk signs subject to the following standards and conditions. Such signs shall not count against the normal sign area allowances for the property on which located.

- (a) One non-illuminated sidewalk sign is allowed per business establishment having an exterior customer/client entrance. In the event a structure houses multiple businesses sharing a common customer entrance, two sidewalk signs may be authorized provided that the two signs are no closer than 30 feet to one another. Nothing shall prevent the identification of more than one of the businesses located on the premises on a single sign.
- (b) The placement of sidewalk signs shall be limited to a location within fifteen feet (15') of the front (i.e., between the imaginary extension of the side walls of the building) of the establishment to which it refers and not more than thirty feet (30') from the main customer/client entrance of the establishment.
- (c) Sign area shall not exceed 6 square feet (e.g., each face of a double-sided or A-frame sign). Maximum height shall be 4 feet. Maximum width shall be 2'6".
- (d) Sidewalk signs shall be constructed of durable materials, sufficient to withstand inclement weather, as well as color fading due to sunlight. Sidewalk signs shall not be constructed of glass.
- (e) The sign face may include permanent/fixed copy (e.g., painted on the surface) and changeable copy. Acceptable materials for changeable copy sidewalk signs may include chalk, dry-erase, removable letters, or other similar types of boards on which the messages can be easily and frequently changed.
- (f) The sign shall be of sufficient weight to prevent it from becoming a hazard in windy conditions or from being overturned by contact. Weights, if required, must be incorporated into the sign design and construction. The use of sandbags, bricks or similar items to add weight to the sign is not allowed.
- (g) No temporary posters, letters, flyers, balloons, pennants, flags, or other attention-getting devices may be attached to the sign. Mobile or moving sign copy or sign parts shall not be permitted.
- (h) The sign placement shall not prevent the sidewalk from being accessible as required by the Americans with Disabilities Act, nor shall it cause the unobstructed, clear-path of the walkway to be less than four feet (4') in width.
- (i) No sign shall be located within or closer than two feet (2') from curbs, driveways, parking lots or any other vehicular circulation or parking surfaces. No such sign shall be located in conflict with sight distance/sight triangle standards.
- (j) No such sign shall be permitted within a public road right-of-way.

April 16, 2013

- (k) The sign must be removed from the sidewalk or display location during times when the identified business establishment is closed. Storage during non-business hours shall be indoors.
- (l) When such sign is to be located on a sidewalk or walkway not under the sole control of the business owner, such as on a walkway within the common area of a multi-tenant shopping center or retail complex, the application for approval shall be accompanied by documentation indicating that the sidewalk owner has approved the use, design and placement of the sign.

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On roll call the vote was:

Yea: (3) Hrichak, Shepperd, Zaremba  
 Nay: (1) Noll

**CONSENT CALENDAR**

Mr. Hrichak moved that the Consent Calendar be approved as submitted, Item Nos. 2, 3, 4, 5, and 6, respectively.

On roll call the vote was:

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

Thereupon, the following minutes were approved and resolutions adopted:

Item No. 2. APPROVAL OF MINUTES

The minutes of the March 19, 2013, Regular Meeting of the York County Board of Supervisors were approved.

Item No. 3. AMENDMENT TO YORK COUNTY CODE, CHAPTER 24.1—SPONSOR APPLICATION: Resolution R13-42

A RESOLUTION TO SPONSOR AN APPLICATION TO AMEND CHAPTER 24.1, ZONING, YORK COUNTY CODE, BY ADDING PROVISIONS TO ALLOW AUTHORIZATION OF WEDDING RECEPTIONS CONDUCTED ON THE PREMISES OF OPERATING BED AND BREAKFAST ESTABLISHMENTS

WHEREAS, in response to property owner inquiries, the Board of Supervisors has determined that it would be appropriate to consider amendments to the Zoning Ordinance to provide opportunities for the operators of bed and breakfast establishments to host wedding receptions on the same premises; and

WHEREAS, suggested revisions to Chapter 24.1 to provide these opportunities are outlined in the County Administrator’s report to the Board dated April 2, 2013; and

WHEREAS, in the interest of good zoning and land use practice, the Board wishes to sponsor an application to allow these proposed amendments to be reviewed and considered in accordance with applicable procedures for Zoning Ordinance amendments;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 16th day of April, 2013, that it does hereby sponsor an application for amendment of Chapter 24.1, Zoning, of the York County Code to read as shown below;

BE IT FURTHER RESOLVED that the proposed amendments be, and they hereby are, referred to the York County Planning Commission for review, public hearing, and recommendation in accordance with applicable procedures:

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**Sec. 24.1-409. Standards for boarding house, tourist home and bed and breakfast establishments.**

- (a) When located in single-family residential zoning districts, boarding houses, tourist homes, and bed and breakfast establishments shall have the appearance of a single-family detached residence and normal residential accessory structures.
- (b) Other provisions of this chapter notwithstanding, one freestanding, non-illuminated sign, not exceeding four (4) square feet in area, may be permitted to identify such use.
- (c) In all residential districts, required off-street parking for the subject use shall be effectively screened by landscaping from view from adjacent residential properties and shall not be located in any required front yard area.
- (d) The board shall specify the maximum number of persons who may be accommodated in the proposed use. Such determination shall be based on a consideration of the density and character of the vicinity in which located and of the size and characteristics of the proposed site.
- (e) The owner/proprietor of an authorized and operating bed & breakfast (B&B) establishment or tourist home may apply for a supplementary Special Use Permit authorization to host private weddings and receptions for a fee as a business venture. In order to be eligible to apply for such supplementary Special Use Permit, the B&B or tourist home shall have been in continuous operation for at least one (1) year. The following performance standards and conditions shall be observed unless specifically modified or waived by the Board of Supervisors at the time of approval:
- (1) Frequency of events: No more than one (1) event per day, or two (2) events in any 7-day period, shall be allowed. A wedding ceremony and its associated reception shall be considered to be a single event.
- (2) Maximum number of guests: The maximum number of guests shall be established as a condition of the Special Use Permit approval and shall be based on an assessment of the capacity and suitability of the site in consideration of the size of the property and facilities, the amount of parking available to accommodate guests, the capacity and condition of the highway network providing access to the site, the surrounding land uses and their proximity, and such other considerations as the Board of Supervisors deems to be relevant.
- (3) Facilities: Any building or temporary tent used to accommodate ceremonies or receptions shall comply with all applicable Building and Fire Code requirements including, but not limited to: access; materials and fire ratings; emergency lighting; exit lights; fire detection and suppression; etc. If a tent is proposed, it shall be positioned on the property in accordance with all applicable setback requirements for principal structures or such greater setbacks as may be established as a condition of the Special Use Permit approval. Tents shall be dismantled within 48 hours of the conclusion of each event, unless the Special Use Permit shall allow a greater time.
- (4) Duration of event: Events shall be limited to the time period between 10:00 am and 10:00 pm. Set-up and take-down activities may take place no earlier than 8:00 am and no later than 11:00 pm.
- (5) Lighting: Exterior lighting shall be limited to fixtures and illumination intensities that will not produce illumination intensities exceeding 0.1 footcandles at any property line.
- (6) Noise: The activities on the subject property shall be conducted in complete accordance with all requirements of the York County Noise Ordinance set forth in Section 16-19 of the York County Code.

- (7) Parking: Except as may be provided otherwise in the Special Use Permit, as specified below, all parking demand associated with the event shall be accommodated on the site on a suitable all-weather surface. The minimum number of spaces shall be calculated at a ratio of one (1) parking space per every two (2) persons based on the maximum allowable occupancy/attendance limit plus one (1) space for every regular or contract employee associated with the reception facility.

The Special Use Permit may allow:

- a. the use of an abutting property owned or controlled by the applicant and from which event attendees can walk without obstruction to reach the reception site. For the purposes of this section, the term abutting shall be construed to include property located on the opposite side of a street right-of-way, provided that event attendees will be able to cross perpendicularly and safely and will not be required to walk along a road or road shoulder;
- a.b. the use of any available and conveniently located public parking spaces from which attendees can walk safely.

Any parking areas constructed or established specifically for support of the reception use shall be located a minimum of 25 feet from any abutting property not owned by the proprietor, unless with the consent of the owner of the abutting property, and shall be screened from view from those abutting properties and public rights-of-way by evergreen landscaping, unless the abutting property owner consents to waiver of the screening requirement. All applicable storm-water management standards and requirements associated with the installation of the required parking spaces shall be observed.

- (8) Fire and Emergency Vehicle Access: Driveway access to the site shall comply with all requirements as to weight capacity, base and surface material, width, configuration and alignment, and vertical and horizontal clearance as set forth in Section 24.1-261. Existing driveways shall be upgraded to meet these standards if they are deficient in any aspect.
- (9) Sanitation: Restroom/toilet facilities shall be provided for event attendees based on the ratios/requirements set forth in the Virginia Uniform Statewide Building Code. Reception venues that would be dependent on the dwelling's on-site septic system will not be approved unless the applicant provides written authorization from the Health Department as to the adequacy of the system. In the event portable restroom/toilet facilities are proposed to be used, all shall be screened from view from adjacent public rights-of-way and abutting properties and all shall be serviced within two working days of the conclusion of the event.
- (10) Caterers/Vendors: The proprietor shall ensure that any caterers or other vendors providing services for a reception are properly licensed and permitted, whether such caterer/vendor is hired by the proprietor or by the client contracting for the use of the facility. Likewise, the proprietor shall ensure that all applicable ABC permits have been obtained, either by the client or by the proprietor, and are kept valid.

Item No. 4. AMENDMENT TO YORK COUNTY CODE, CHAPTER 24.1—SPONSOR APPLICATION: Resolution R13-41

A RESOLUTION TO SPONSOR AN APPLICATION TO AMEND CHAPTER 24.1, ZONING, YORK COUNTY CODE, TO ALLOW CONSIDERATION OF PROPOSED REVISIONS TO REFLECT AND INCORPORATE VARIOUS CHANGES IN THE CODE OF VIRGINIA

WHEREAS, Chapter 24.1, Zoning, of the York County Code is in need of amendment to conform its provisions with certain Code of Virginia amendments adopted in the 2013 session of the General Assembly; and

WHEREAS, the suggested revisions to Chapter 24.1 are outlined in the County Administrator's report to the Board dated April 2, 2013; and

WHEREAS, in the interest of good zoning and land use practice, the Board wishes to sponsor an application to allow these proposed amendments to be reviewed and considered in accordance with applicable procedures for Zoning Ordinance amendments;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 16th day of April, 2013, that it does hereby sponsor an application for amendment of Chapter 24.1, Zoning, of the York County Code to read as shown below;

BE IT FURTHER RESOLVED that the proposed amendments be, and they hereby are, referred to the York County Planning Commission for review, public hearing, and recommendation in accordance with applicable procedures:

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**Sec. 24.1-271. Accessory uses permitted in conjunction with residential uses.**

The following accessory uses shall be permitted in conjunction with residential uses. No accessory use, activity or structure, except fences, shall be constructed or conducted until the principal use of the lot has commenced, or the construction of the principal building/structure has commenced and is thereafter diligently and continuously pursued to completion. Land uses not listed in this section and not deemed similar to a listed use pursuant to subsection (q) shall be deemed not allowed as residential accessory uses:

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- (p) Temporary family health care structures for use by a caregiver in providing care for a mentally or physically impaired person on property that is zoned for single-family residential use and that owned or occupied by the caregiver as his residence, subject to the following performance standards:
- (1) occupancy of the structure shall be by a mentally or physically impaired person who, for the purposes of this section, shall be deemed to be a person who is a resident of Virginia and who requires assistance with two or more activities of daily living, as defined in Section 63.2-2200 of the Code of Virginia and as certified in writing by a physician licensed by the Commonwealth of Virginia;
  - (2) a maximum of one (1) resident occupant, who shall be the mentally or physically impaired person, shall be permitted; or, in the case of a married couple, two (2) occupants, one of whom is a mentally or physically impaired person, and the other requires assistance with one or more activities of daily living as defined in Section 63.2-2200 of the Code of Virginia, as certified by a physician licensed in the Commonwealth;
  - (3) the structure shall not exceed 300 square feet in gross floor area;
  - (4) the structure shall comply with all applicable provisions of the Industrialized Building Safety Law and the Uniform Statewide Building Code;
  - (5) placement on a permanent foundation shall not be required or permitted;
  - (6) only one such structure shall be permitted on a lot;
  - (7) the structure shall comply with all setback requirements applicable to principal structures in the district in which located;

- (8) such structure shall be connected to all necessary public and/or private utilities and shall comply with all applicable requirements of the Virginia Department of Health;
- (9) no signage advertising or otherwise promoting the existence of the structure shall be permitted either on the exterior of the temporary family health care structure or elsewhere on the property;
- (10) prior to placement of such a structure on a residential property, the property owner shall obtain a permit, available from the office of the zoning administrator; the zoning administrator shall require submission of a sketch plan and such other documentation as deemed necessary to ensure compliance with the standards set forth herein;
- (11) any temporary family health care structure installed pursuant to this section shall be removed within ~~30~~ 60 days of the date on which the temporary family health care structure was last occupied by a ~~occurrence of the mentally or physically impaired person no longer receiving services or no longer in need of the~~ assistance of a caregiver;
- (12) for the purposes of this section, the term caregiver means an adult who provides care for a mentally or physically impaired person within the Commonwealth and the caregiver shall be either related by blood, marriage, or adoption to, or shall be the legally appointed guardian of, the mentally or physically impaired person for who care is being provided; and,
- (13) on an annual basis, at least 30 days prior to the anniversary date of the initial permit issuance, the caregiver shall be required to provide evidence of compliance with the terms of this section and to grant zoning and code enforcement personnel the opportunity to conduct an inspection of the property and the structure at a time mutually acceptable to the caregiver and the inspection personnel.

Item No. 5. OUTSTANDING YOUTH AWARDS SCHOLARSHIP PROGRAM: Resolutions R13-31, R13-32, R13-33, and R13-34

Resolution R13-31

A RESOLUTION TO COMMEND AND CONGRATULATE RYAN SIDHU ON HIS SELECTION AS THE 2013 YORK COUNTY OUTSTANDING YOUTH OF THE YEAR FOR COMMUNITY SERVICE

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County's youth; and

WHEREAS, Ryan Sidhu has been chosen by the Selection Committee to receive the 2013 Outstanding Youth of the Year Award for Community Service; and

WHEREAS, Ryan Sidhu has consistently demonstrated a genuine desire and commitment to serve others; and

WHEREAS, in spite of his demanding personal schedule as a senior at Grafton High School, where he has achieved Honor Roll recognition all four years, earned admission into the National Honor Society, participated in the Model U.N. program and performed all four years on the drumline of Grafton's Marching Band and as an accomplished percussionist with the Symphonic Band, Ryan has nevertheless remained "others focused" in his life and truly desires to serve and make a positive impact in his community and world; and

WHEREAS, Ryan has demonstrated a strong commitment to volunteer service throughout high school as evidenced by his working with Grafton's Sight and Sound crew for drama productions and serving as manager for the varsity soccer team; and

WHEREAS, Ryan has also volunteered all four years with Grafton's Interact Club, a service oriented organization sponsored by the Rotary Club on which Ryan and his colleagues have performed numerous service projects benefitting others in our community, nation and in other countries, including befriending a group of local seniors and delivering blankets to them that the students made themselves, sponsoring a bowling tournament this spring in support of the national Wounded Warrior Project and conducting a basketball tournament in support of destitute children in Ecuador; and

WHEREAS, for the past four years Ryan has also been very active as a member of Grafton's Green Team, working faithfully to help recycle paper, plastics and cardboard at the school; and

WHEREAS, Ryan has also travelled outside his school and community to serve others, volunteering his time and talents last summer in Washington, D.C. with the National Council for Community and Education Partnerships (NCCEP), a national non-profit organization that Ryan helped to prepare, organize and run the annual "NCCEP/GEAR UP" Conference with over 1,600 parents, teachers, educators and government officials attending from across the country in an ongoing effort to increase college access to low income and first generation students; and

WHEREAS, in this capacity, Ryan served over 130 hours for the Conference and for its associated Youth Congress that saw some 100 students from across the country attend as well; and

WHEREAS, Ryan's service with this conference drew high praise from Ms. Charles, NCCEP's Director of National Programs, who cited his hard work and ability with computer data bases, and commented that, "Ryan was industrious, smart, focused and efficient...keenly responsive" and that his "reliability, maturity and calm nature proved to be an extremely valuable part of what turned into a very productive meeting," all of which make it clear why Ryan was asked to come back again to volunteer for this summer's conference, which he unsurprisingly agreed to do, and now aspires to be a business major in college to perhaps work one day for a nonprofit or other organization where he can help make a positive difference meeting the needs of others; and

WHEREAS, Ryan has also earned the respect of his nominator and former biology teacher, Ms. Dodge, who affirms that, "Unlike many of his peers who spend only a year or two in an activity, I have watched Ryan dedicate himself to the Interact Club (for four years) and help it grow into a dynamic service organization reaching out into the local community," a sentiment echoed by Ms. Krauss, Ryan's former math teacher, who shares that, "Ryan is a quiet, humble leader" who "is extremely responsible and dedicated to each cause that he commits to;" and

WHEREAS, Ms. Dodge comments on Ryan's genuine motivation for service to others by relating that, "I smile as I watch him walk down the halls, picking up plastic containers of paper, bags of plastic bottles and cardboard boxes for recycling...the only glory in this job being the satisfaction of improving the...health of the planet," showing that, "he is a person of high standards and motivation to be so dedicated to this unpleasant job," and sums up this young man's positive impact and character by affirming that, "Ryan Sidhu is solid... if help is needed he is always there;"

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 16th day of April, 2013, that Ryan Sidhu, be, and is hereby, commended and congratulated for being selected as York County's 2013 Outstanding Youth of the Year for Community Service.

BE IT FURTHER RESOLVED that Ryan Sidhu be publicly recognized as a most worthy recipient of the Outstanding Youth Award for Community Service, that he be extended the sincere admiration and appreciation of the Board of Supervisors for his exemplary service and example, and that the Board's best wishes go with him as he makes a difference in this world by continuing to freely give his time and talents to serve others.

Resolution R13-32

A RESOLUTION TO COMMEND AND CONGRATULATE JOSEPH  
CULBERSON MONK, III ON HIS SELECTION AS THE 2013 YORK

April 16, 2013

COUNTY OUTSTANDING YOUTH OF THE YEAR FOR COMPASSION

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County's youth; and

WHEREAS, Joseph "Joey" Monk has been chosen by the Selection Committee to receive the 2013 Outstanding Youth of the Year Award for Compassion; and

WHEREAS, Joey Monk exemplifies the meaning of the word compassion, consistently and caringly extending himself to help others; and

WHEREAS, as a busy senior at Bruton High, Joey has excelled academically, maintaining honor roll status with a demanding course load, earning admission into the National Honor Society and being named an Advanced Placement Scholar, while at the same time remaining very active in extracurricular activities including serving as Sports Editor for the school's newspaper, excelling on the Varsity Golf team for 4 years, and staying active in the Distinguished Men of Bruton service organization; and

WHEREAS, Joey is widely known and respected for his kindness in routinely doing what he can to help others, a fact attested to by Mr. Onesty, Joey's golf coach the past four years, who shares that as the team's Captain and only senior this year, Joey wasn't merely concerned with his own performance and success, "but realized how important it was for him to set a good example for all of the underclassmen and to make sure they were attended to and guided in working on the right things at practice;" and

WHEREAS, Mr. Onesty relates how Joey also spent time talking individually with the other players, encouraging them if they were having problems with their game, sharing about his own struggles in golf and what had helped him improve; and

WHEREAS, Mr. Onesty firmly believes that Joey's leadership and extension of genuine care and support for his teammates were a "big component of the team's success this year" as they advanced to the Regional Golf Tournament for only the second time in the school's history; and

WHEREAS, Joey's attentiveness in helping others is also demonstrated through his work as Sports Editor for the "Panther Press" school newspaper, as the paper's sponsor Ms. Hart also commends the leadership and compassion she routinely observes as he patiently assists sports writers with their articles, answers their questions, makes suggestions, coaches them by inviting them to shadow him as he researches a story, and demonstrates his sensitivity and respect for them by always double checking with her first before making a major correction on someone's story; and

WHEREAS, Ms. Dollyhigh, Joey's nominator and Bruton's new Library Media Specialist, shares that throughout the year he has voluntarily come every day to the library during the school's Academic Enrichment Period to see if anyone needs tutoring help, and she was especially impressed early on when she asked if he needed the tutoring hours for the National Honor Society, and Joey replied that he already had enough hours for NHS requirements, but came because he just wanted to help; and

WHEREAS, Ms. Dollyhigh praises Joey for his effectiveness in helping others, remarking that, "I have been consistently amazed at the compassion and willingness to help that he has shown with regard to his schoolmates," volunteering, "without being asked, to tutor students in a variety of subjects," and that, "he never appears to get frustrated and is always encouraging, the kids are very open and receptive to him, and he's so kind, non-judgmental and very patient in answering their questions;" and

WHEREAS, when Joey's Mom was asked if she ever saw this compassion surface at an earlier age she recalled how in Kindergarten he befriended a classmate confined to a wheelchair and, "tried to involve the boy in things because he didn't want him to feel left out," remaining friends until the child moved away in third grade; and

WHEREAS, Joey's outward focus on the needs of others seems rooted in his genuine humility and lack of preoccupation with himself, a quality evidenced in a newspaper meeting last fall when staff discussed an upcoming article on the golf team and Joey, who received such honors this year as Bay Rivers District Player of the Year, First Team All Region and Second Team All State, refused to have his name listed alongside any of these individual accolades, sharing with the staff members and Ms. Hart that it was a team accomplishment, and singling his name out would diminish his teammate's hard work, whereupon, after being repeatedly pressed that this was something the newspaper would normally print even if he was not the Sports Editor, Joey finally agreed to only if all of his teammates were duly listed in the article as well;

NOW, THEREFORE, BE IT RESOLVED, on this 16th day of April, 2013, that Joey Monk be, and he is hereby, congratulated and commended by the York County Board of Supervisors as York County's 2013 Outstanding Youth of the Year for Compassion.

BE IT FURTHER RESOLVED that Joey be publicly recognized as a most worthy recipient of the Outstanding Youth Award for Compassion, that he be extended the sincere admiration and appreciation of the Board of Supervisors as he continues to live a life of exemplary care and concern for others, and that the Board's best wishes go with him as he makes an impact in this world by continuing to touch one life at a time.

#### Resolution R13-33

#### A RESOLUTION TO COMMEND AND CONGRATULATE ABIGAIL JONES ON HER SELECTION AS THE 2013 YORK COUNTY OUTSTANDING YOUTH OF THE YEAR FOR COURAGE

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County's youth; and

WHEREAS, Abigail Jones has been chosen by the Selection Committee to receive the 2013 Outstanding Youth of the Year Award for Courage; and

WHEREAS, Abigail "Abby" Jones exemplifies the meaning of courage, a quality recognized by all privileged to know this Tabb High School freshman and who have been touched by her spirit in spite of the adversity she has faced in her life; and

WHEREAS, Abby was born three months premature, with doctors advising her loving parents Phillip and Katy that she would probably not live through the night; and

WHEREAS, Abby miraculously lived through those critical early days and weeks to the relief and joy of her grateful family, but was stricken with cerebral palsy that left her legs tremendously weak; and

WHEREAS, her condition and resultant complications have required over 30 surgeries as well as numerous medical appointments, treatments, and physical therapy that continue today; and

WHEREAS, within the last two years she has experienced complications from some corrective procedures that have caused reoccurring headaches and further loss of muscle strength, flexibility and balance, which has led her doctors to prohibit her from anymore horseback riding, one of the loves of her life, a pursuit so dear to her and that she eagerly looked forward to enjoying every week with Dream Catchers; and

WHEREAS, in spite of her physical constraints and the daily challenges of life comprising a host of things that most people take for granted that she is either physically unable to do or can only accomplish with difficulty, Abby is nevertheless a radiant and constant source of encouragement and inspiration to her family, teachers and classmates, and is universally admired and respected by all; and

WHEREAS, Mrs. Dawson, Abby's nominator and English teacher, relates that at Tabb High, "Abby is well-known, and has emphatically chosen not to allow her wheelchair to impede or cripple her social interactions with peers or staff...and has the ability to make other people feel comfortable, special, and uninhibited around her, because she does not focus on her disa-

April 16, 2013

bility but rather reaches out to others with a warm display of sensitivity and encouragement," and that, "with a bright, contagious smile and sunny disposition she can be seen traveling through the halls, cordially greeting" everyone, "her energy and personality just brightening up a room when she comes in," an observation shared by case manager Ms. Osvold, who affirms, "Abby is joyous, very uplifting, always wanting others to be happy," and also by teacher Ms. Payne, who shares, "Abby has a very bright spirit and is always bubbly even if having a bad day;" and

WHEREAS, Assistant Principal Dr. Hartley echoes this, describing how every morning Abby comes by his office to give him a cheerful greeting, and asks how he's doing today, which, if he replies, "Well, kinda tired today Abby," is treated to her good-natured yet powerful scolding, "Aw suck it up and quit your whining," all of which leaves Dr. Hartley to admirably assert, "Given her circumstances and what she's gone through, she's the most upbeat, friendly, positive person in the building, period;" and

WHEREAS, Mrs. Dawson also commends Abby for her work ethic and diligence in class, maintaining a "B" average in English, and as Ms. Osvold glowingly confirms, "she's a sharp kid who is acing Algebra," and is "very independent and so humble" in spite of her success and the fact that she's so well-liked by others; and

WHEREAS, Mrs. Dawson also relates that, "Abby's success transcends academics, for she has faithfully reached out to the homeless" for the past four years in helping members of her church preparing and serving food to those in need; and

WHEREAS, seeing and feeling firsthand as parents all that has taken place in their daughter's life and how she's responded has deeply touched Phillip and Katy Jones who are "most awed by Abby's resilience and constant faith in God," and also share that, "her attitude is astounding, she literally has a smile on her face 24 hours a day, is the first to wake up in the morning between 5 and 5:30, goes through the slow process of getting herself ready, then cheerfully wakes us up, is the first person at the breakfast table, just eager to start each day, then goes to school, comes home after a tiring day and immediately starts her homework," all of which leads each of them to say, "I couldn't do what she does."

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 16th day of April 2013, that Abby Jones be, and she is hereby, congratulated and commended as York County's 2013 Outstanding Youth of the Year for Courage.

BE IT FURTHER RESOLVED, that Abby Jones be publicly recognized as a most worthy recipient of the Outstanding Youth Award for Courage, that she be extended the utmost admiration of the Board of Supervisors for her tremendous inspiration and example to us all, and that the Board's best wishes go with her for a most rewarding and blessed life, and a bright future filled with continued triumph.

#### Resolution R13-34

#### A RESOLUTION TO COMMEND AND CONGRATULATE MORGAN IRONS ON HER SELECTION AS THE 2013 YORK COUNTY OUTSTANDING YOUTH OF THE YEAR FOR OVERALL ACHIEVEMENT

WHEREAS, the York County Youth Commission and the Board of Supervisors established the Outstanding Youth of the Year Awards Program to recognize the accomplishments and achievements of York County's youth; and

WHEREAS, Morgan Irons has been chosen by the Selection Committee to receive the 2013 Outstanding Youth of the Year Award for Overall Achievement; and

WHEREAS, Morgan Irons epitomizes excellence and outstanding achievement with her numerous accomplishments and superior performance in numerous endeavors; and

WHEREAS, Morgan's many noteworthy academic achievements as a senior at Grafton High School include: earning a 4.7 grade point average in a demanding curriculum with numerous Advanced Placement and other weighted courses, earning Principal's Highest Honor Roll for straight A's ever since her freshman year, earning membership into the National and French Honor Societies, the Mu Alpha Theta Math Honor Society, the Tri-M Music Honor Socie-

ty and as a candidate for the National Thespian Honor Society, and also being named an Advanced Placement Scholar with Distinction; and

WHEREAS, examples of Morgan's numerous leadership achievements include: serving as president of the French Honor Society, president of the Future Business Leaders of America, captain of Grafton's top-ranking Color Guard team, captain of the Debate team, Class Marshall for last year's graduation ceremony, president of her church young women's group and recipient of its Young Woman in Excellence Award for completing 48 goals and eight service projects, recipient of the George Washington Most Outstanding Leadership Award at last year's American Independence Foundation of Colonial VA Youth Conference where she plans to return this summer as a senior counselor, and, receiving nomination for Governor and selection as Secretary of Education while a delegate at Girls State last summer where she was awarded the \$1,000 Virginia State Samsung Scholarship, went on to be named one of the nine recipients in the country for a \$20,000 National Samsung American Legion Scholarship, and has been invited to return this summer as a junior counselor; and

WHEREAS, Morgan's considerable service achievements encompass over 100 hours of volunteer service during each of her four years in high school, including working with her family, church youth group, school, the Red Cross and by herself to participate in a variety of projects including several canned food drives, both a clothes collection drive and gift/food collection in support of the residents at Natasha House, visiting with residents in retirement homes, making blankets for hospitals, performing yard work for the elderly, and tutoring Grafton students in math and French; and

WHEREAS, in her spare time Morgan enjoys a number of interests including: research in advanced material science as a NASA Langley Intern this year; her singing, in which she participated in Grafton's Select Choir, was named to the All District Choir three times, and was asked to sing at the closing ceremony for last summer's Girls State Conference; her public speaking, in which she has won First Place in American Legion District and Regional competitions and Second Place at the state level, as well as placing First in Public Speaking I and II at the FBLA Regional Conference and Fourth Place at the state level; her acting and modeling, in which she contracts for two agencies, has appeared in 13 theatre productions, as well as movies and TV episodes, and placed third in a national competition; and, finally, she somehow still finds the time to pursue her love for portraiture and writing; and

WHEREAS, Morgan also keenly enjoyed dance for seven years, but broke her leg following surgery to remove a tumor and had to wear an external fixator for almost a year, which, as her loving Mom and nominator Becky shares, gave Morgan the opportunity to learn "empathy towards others with handicaps," and

WHEREAS, Morgan's heart has truly been touched in a deeper way for others, and she has put wings on her empathy by aspiring to be an orthopedic surgeon to design better orthotics and prosthetics, which has led this industrious young woman to shadow orthopedic surgeons at Riverside Hospital, volunteer weekly on the orthopedic floor, and set her sights on pursuing an undergraduate degree in biomedical engineering this fall at Duke University; and

WHEREAS, indeed, Morgan's many activities and accomplishments are surpassed only by her character, which has inspired many people including Ms. Crews, the Director of Virginia Girls State, who admirably states, "The fact that she was able to persevere after her leg surgery and loss of dance and was able to turn this disappointment around and press on is remarkable;" and

WHEREAS, Dr. Park, her NASA research mentor commends her, not only for being "brilliant and very talented," but also for being "hard working and a student who is genuinely interested in the research and work...and is learning much from it;" and

WHEREAS, Band Director Mr. Kirsch also enthusiastically affirms the person Morgan is, sharing that, "she is humble, extremely hard working...responsible and dependable enough that we often let her lead her own practices" for the Color Guard, and "she always, and I mean always...sets the most positive role model you could ever expect for a student;" and

WHEREAS, Becky Irons praises these inner qualities in her daughter as well, sharing that, "Most of all, Morgan is genuinely happy and kind...goes out of her way to befriend everyone she meets," and "is humbled that others look to her as a source of support, experience and inspiration;"

April 16, 2013

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 16th day of April, 2013, that Morgan Irons be, and she is hereby, commended and congratulated for being selected as York County's 2013 Outstanding Youth of the Year for Overall Achievement.

BE IT FURTHER RESOLVED that Morgan Irons be publicly recognized as a most worthy recipient of the Outstanding Youth Award for Overall Achievement, that she be extended the sincere admiration and appreciation of the Board of Supervisors for her outstanding example as a role model to the youth of our community, and that the Board's best wishes go with her as she continues to use her talents and abilities in making a positive impact in our community and world through helping others.

Item No. 6. Child Development Resources, Inc., Support Agreement: Resolution R13-22

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A SUPPORT AGREEMENT WITH CHILD DEVELOPMENT RESOURCES, INC., A NON-PROFIT VIRGINIA CORPORATION, PROVIDING \$115,662 ANNUAL FUNDING DURING FISCAL YEAR 2014 FOR THE OPERATION OF EARLY CHILDHOOD CARE AND DEVELOPMENTAL SERVICES IN THE GRIFFIN-YEATES LEARNING CENTER LOCATED ON GOVERNMENT ROAD

WHEREAS, it is in the public interest to continue to make available an early childhood educational experience and positive learning opportunities on behalf of economically disadvantaged and other qualified County citizens; and

WHEREAS, Child Development Resources, Inc., a non-profit Virginia corporation, has provided such services by operation of a program called First Steps;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 16th day of April, 2013, that the County Administrator be, and he is hereby, authorized to execute a Support Agreement with the Child Development Resources, Inc. in substantially similar form as attached to the County Administrator's memorandum of April 3, 2013 approved as to form by the County Attorney with the Child Development Resources, Inc., for the operation of the First Steps program for the period May 1, 2013, until June 30, 2014.

**MATTERS PRESENTED BY THE BOARD** (continued)

Mr. Shepperd gave update on the HRMFFA trip to Washington DC to meet with certain members of the Department of Defense to discuss and get insight as to what the plan was for the Hampton Roads area. He stated he was fortunate to be able to take this trip, and it was interesting for the group that retired General Craig Quigley had worked with our lobbying firm to create a letter addressed to all agencies at the Pentagon asking for their support of our group. Mr. Shepperd then shared some insights from the trip and the people with whom the group met. He stated he was well pleased with the support Hampton Roads was receiving, and it was interesting that they were asking the group what we could do to help them. He noted help was needed to promote NASA because it was a very good thing for our area. The President's budget got a plus up for the Veterans Administration. It was pointed out that 60 percent of the veterans have not filed for the benefits, and they need to know that the benefits were there for them. Mr. Shepperd stated the veterans were not the problem, but the solution.

Mrs. Noll asked if there was discussion about simplifying the paperwork for filing.

Mr. Shepperd stated the discussion was on the Veterans Administration hospital here in Hampton. There was discussion on putting a new Veterans Administration facility on Fort Monroe, but the City of Hampton has indicated it was not a fit for the environment because of evacuation requirements during storms and other emergencies.

Chairman Zaremba noted it takes well over a year for a valid claim to pass muster and be acted on by the Veterans Administration.

Mr. Shepperd stated he wished he had known, that it would have been a great opportunity to bring that up. He noted that all the Services were there, and the Coast Guard was the only one the group was not able to talk with. He stated the Marine Corps did not attend either because it was not affected. Mr. Shepperd stated sequestration was here and was not going anywhere. It will have a tremendous impact on the region, but there was no movement in Congress to do away with it. Each of the elements were coming back and hitting hard in this area.

Chairman Zaremba asked if Washington mentioned when the regions would start feeling sequestration.

Mr. Shepperd stated the service members were feeling it right now. There was a furlough in place; and as money continues to slide and this region continues to get hit, there will be a rippling effect on the community. He stated the BRAC issue is also out there, and there was some danger, but there was not a lot of support in Congress for it. The Navy mission was not going to be impacted. The Air Force has a BRAC problem in that it has infrastructure they need to dispose of.

Chairman Zaremba spoke about the upcoming budget adoption, stating the process was dependent on interaction with the public in building the proposed budget. He asked that the citizens communicate with the Board by telephone, email, or letter.

Mr. Shepperd noted the Board was looking to approve the budget on May 7, and the Board has asked Mr. McReynolds to provide it with information that was a level or two down on discretionary funds. He stated his experience was that it had the potential to drag out the budget process, and the Board might have to have additional meetings to solve the problems.

Chairman Zaremba asked how locked in was the May 7 adoption date.

Mr. McReynolds stated the Board was confined somewhat by moving forward to a May 7 adoption date and a June 25 collection date. He stated that more or less locked the adoption date in to early May.

Chairman Zaremba indicated the state budget had been adopted, and he asked what the problem was with getting the figures.

Mr. McReynolds stated the state had to get the ADMs and other information in order to provide the localities with the needed information. He stated he had not yet seen those numbers, and staff was working with the School Board to get them.

Chairman Zaremba noted there were three more work sessions, so he asked the Board to be optimistic about a May 7 adoption.

Mr. McReynolds stated on April 23 staff would break down the mandated versus the non-mandated services. Staff was planning to provide the Board with more detail regarding personnel, major areas of responsibilities, and service provided by each category. He indicated it was his hope the Board would give staff further direction for the April 30 and May 2 work sessions.

Chairman Zaremba indicated he talked to Mr. Wiggins today, and he was sounding stronger, but he had a couple of setbacks. Mr. Wiggins wanted him to share with the Board that rumors of his not coming back for the remainder of his term of office were grossly exaggerated.

**CLOSED MEETING.** At 7:55 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: (4) Shepperd, Noll, Hrichak, Zaremba  
Nay: (0)

Meeting Reconvened. At 8:03 p.m. the meeting was reconvened in open session by order of the Chair.

April 16, 2013

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 16th day of April, 2013, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

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

APPOINTMENT TO THOMAS NELSON COMMUNITY COLLEGE BOARD

Mrs. Noll moved the adoption of proposed Resolution R13-43 that reads:

A RESOLUTION TO APPOINT A YORK COUNTY REPRESENTATIVE TO THE THOMAS NELSON COMMUNITY COLLEGE (TNCC) BOARD

WHEREAS, the term of Dr. Joseph Shipes on the TNCC Board expires on June 30, and he is not eligible for reappointment;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 16th day of April, 2013, that Elizabeth S. Tai be, and she is hereby, appointed as a York County representative to the Thomas Nelson Community College Board, such term to begin July 1, 2013, and expire June 30, 2017.

On roll call the vote was:

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

Meeting Adjourned. At 8:12 p.m. Chairman Zaremba declared the meeting adjourned to 6:00 p.m., Tuesday, April 23, 2013, in the East Room, York Hall, for the purpose of conducting a work session.

James O. McReynolds, Clerk
York County Board of Supervisors

Walter C. Zaremba, Jr., Chairman
York County Board of Supervisors