

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
May 21, 2013

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 21, 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, Donald E. Wiggins, George S. Hrichak, and Thomas G. Shepperd, Jr.

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. Reverend Carleton Bakkum, Grace Episcopal Church gave the invocation.

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

PRESENTATIONS

OUTSTANDING YOUTH AWARDS

Chairman Zaremba presented bound and sealed copies of resolutions adopted by the Board of Supervisors commending the following students as recipients of the County's Outstanding Youth Awards for 2013:

Ryan Sidhu	Community Service
Joey Monk	Compassion
Abby Jones	Courage
Morgan Irons	Overall Achievement

VIRGINIA MUNICIPAL LEAGUE "WHERE THE RUBBER MEETS THE ROAD" (WTRMTR) AWARD

Ms. Beth Rosenthal, Director of Safety Services, Virginia Municipal League, presented the County with the WTRMTR Award. She recognized the following County trainers for their continued dedication to the WTRMTR Program and their training excellence over the past three years:

Ms. Casey Nance, Certified National Safety Council Instructor, and the Risk Manager and Loss Administrator for the Department of Financial and Management Services

Deputy Thomas West, Certified National Safety Council Instructor and Master Deputy from the Sheriff's Department (not in attendance)

Captain Marty Tomasek, Health and Safety Coordinator with the Department of Fire and Life Safety

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CITIZENS COMMENT PERIOD

Mr. James R. Morgan, 213 Mt. Vernon Drive, addressed the Board regarding his concerns with the budget and problems related to the budget. He noted the FY2014 adopted budget was not on the County's website as stated in Citizen News. He stated he felt the School Board had been thrown a curve in that the Board had reduced its contribution, and he wished that the two Boards would work together better. He then spoke of his concerns regarding the Board's actions of the past 5 years in deciding to freeze the pay of County employees and basically force the School Board to do the same. He stated the County had a schedule of pay for the employees, as did the schools; but because the Board had refused to fund it, there were employees whose salaries had been frozen for 4 years. He stated because the FY2014 adopted budget was not available on the website, he did not know if the Board had allowed step increases. Mr. Morgan expressed his concern that the Board of Supervisors and the School Board needed to come up with a plan to reinstitute the employee pay plans.

Chairman Zaremba asked Mr. McReynolds to check and make sure the approved budget was on the County's website.

Mr. George Wargo, 204 Mastin Avenue, addressed the Board regarding the increased costs for trash pickup and recycling. He stated the Board had previously asked the citizens if they would like to pay for recycling, and the citizens had said they did not want to pay to recycle. He stated prices had increased, but his capability to dispose of trash had been reduced by 50 percent with the current plan. Mr. Wargo stated he felt York County should provide him the service for trash collection but not at an increase of 81 percent for two containers.

COUNTY ATTORNEY REPORTS AND REQUESTS

Mr. Barnett indicated he had had no report to present at this time.

COUNTY ADMINISTRATOR REPORTS AND REQUESTS

Mr. McReynolds reminded the citizens of the upcoming Memorial Day holiday on May 27, stating he hoped everyone would take a moment to remember those who had died serving to protect the country's freedoms. He then reminded the Board of the regular meetings to be held on June 4 and June 18.

Mr. Shepperd commented on the new adopted budget not being on the website, stating there was a process to get it posted which took some time.

Mr. McReynolds stated staff had been working to prepare the budget for the website, making sure that everything was in accordance with what the Board had adopted. He stated it should be available online in the next day or so.

Mrs. Noll commented on the previous presentations to the Outstanding Youth of the Year, stating it was never an easy decision to make because there were so many well qualified applicants. She felt it was wonderful that the Youth Commission supported this initiative and worked with the selection committee to make the choices because they were their peers. Mrs. Noll informed the citizens that at noon on Memorial Day there would be a ceremony in front of York Hall to commemorate those who had given their lives for this country. She also informed the citizens that there would be a ceremony at 8:00 a.m. on Memorial Day to commemorate all the individuals who were being brought to Yorktown as slaves but did not make it, passing away in the Middle Passage. She stated the Middle Passage was a very important part of Yorktown's history, and she hoped to see many citizens at the ceremony.

Meeting Recessed. At 6:57 p.m. Chairman Zaremba declared a short recess.

Meeting Reconvened. At 7:05 p.m. the meeting was reconvened in open session by order of the Chair.

JOINT PUBLIC HEARING**SIX-YEAR SECONDARY ROAD IMPROVEMENT PROGRAM**

Mr. Carter gave a presentation on proposed Resolution R13-57 to approve a project priority listing for the Secondary Road System Six-Year Plan for Fiscal Years 2014 – 2019 and the Secondary System Construction Budget for FY2014. He stated this was a joint public hearing held by the Board of Supervisors and the Virginia Department of Transportation (VDOT) as required by the State Code. Mr. Carter introduced Ms. Sonya Hallums-Ponton, the liaison from the Hampton Roads District Office, who was also in attendance to answer any questions the Board might have.

Discussion followed regarding the Penniman Road project, past frustration with lack of funding for transportation projects, the use of secondary funds for stormwater projects, and the Mooretown Road repaving project.

Chairman Zaremba then called to order a public hearing on proposed Resolution R13-57 that was duly advertised as required by law and is entitled:

A RESOLUTION TO APPROVE A PROJECT PRIORITY LISTING
FOR SECONDARY ROAD CONSTRUCTION FOR THE SIX-YEAR
PERIOD FY 2014 THROUGH FY 2019 AND TO APPROVE A CON-
STRUCTION BUDGET FOR FY 2014

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

Mrs. Noll then moved the adoption of proposed Resolution R13-57 that reads:

A RESOLUTION TO APPROVE A PROJECT PRIORITY LISTING
FOR SECONDARY ROAD CONSTRUCTION FOR THE SIX-YEAR
PERIOD FY 2014 THROUGH FY 2019 AND TO APPROVE A CON-
STRUCTION BUDGET FOR FY 2014

WHEREAS, the York County Board of Supervisors has been requested to give consideration to a proposed program of Secondary System road improvements contained in the Six-Year Plan; and

WHEREAS, the Virginia Department of Transportation has provided a recommended program which the Board of Supervisors has carefully considered; and

WHEREAS, the projects on this list have been determined by the York County Planning Commission to be in conformance with the York County Comprehensive Plan; and

WHEREAS, the Board and the Virginia Department of Transportation have jointly conducted a duly advertised public hearing on the proposal in accordance with applicable procedures; and

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 21st day of May, 2013, that the Board does hereby adopt the following project priorities for the Six-Year Secondary Road Plan during the six-year period of FY2014 through FY2019:

1. **Lakeside Drive** – intersection and turning lane improvements between Route 17 and Old Lakeside Drive.
2. **Penniman Road** – realign the Penniman/Government intersection and reconstruct and repave from Alexander Lee Parkway to Fillmore Drive.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby approves the Secondary System Construction Budget for FY 2014 as presented by the Virginia Department of Transportation.

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BE IT STILL FURTHER RESOLVED that the Virginia Department of Transportation staff serving York County be, and they are hereby, commended for their assistance and support in addressing the transportation needs of the County.

BE IT STILL FURTHER RESOLVED that the County Administrator be, and he is hereby, authorized to sign and execute all such documents as are necessary to evidence the Board's approval of the Construction Budget and the Six-Year Plan.

On roll call the vote was:

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

PUBLIC HEARINGS

APPLICATION NO. UP-823-13, JENNIFER BACON & LOUELLA HECK; BAKIN' IT BETTER, INC.

Mr. Carter made a presentation on Application No. UP-823-13 to authorize the establishment of a catering kitchen as a home occupation in a renovated detached garage associated with a single-family detached home on a 0.37-acre parcel located at 105 Nelson Drive. The Planning Commission considered the application and forwarded it to the Board of Supervisors with a recommendation of approval 7:0, and staff recommended approval of the application.

Mr. Shepperd stated his understanding was that the kitchen would simply be used for the preparation of food to take somewhere else.

Mr. Carter indicated that was correct and stated many of their customers would come to the site to pick up the products.

Ms. Jennifer Bacon and Ms. Louella Heck, 105 Nelson Drive, introduced themselves as the applicants. Ms. Bacon stated most of their customers were catered, and they usually arranged for delivery of the food or the customers would come and pick up the items. She noted they were working on doing farmers markets, but that would be products set up at a different location for sale.

Mr. Shepperd asked if their products were principally baked items.

Ms. Bacon stated they prepare cakes, candies, breads, pastries, and items of that nature.

Mr. Wiggins asked the applicants if they had talked with any of their neighbors about the kitchen.

Ms. Bacon stated they had been in the neighborhood for about 30 years, and all the neighbors had been very supportive. She noted one of her next door neighbors would speak on their behalf, and all their neighbors were very excited for them.

Chairman Zaremba asked how they marketed their products.

Ms. Bacon stated most of their marketing was done either through sending out menus or by word of mouth. She stated that by doing the farmers markets, they hoped to get their business out to the public.

Chairman Zaremba then called to order a public hearing on Application No. UP-823-13 that was duly advertised as required by law. Proposed Resolution R13-45 is entitled:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AUTHORIZE A CATERING KITCHEN AS A HOME OCCUPATION WITH ON-PREMISES CUSTOMER/CLIENT CONTACT AT 105 NELSON DRIVE

Ms. Violet Chalkley, 121 Semple Road, addressed the Board in support of the application, stating she had known the applicants for many years, and they did incredible baking. She stated

they were great people, and parking would not be an issue. She recommended approval of the application.

There being no one else present who wished to speak concerning the subject resolution, Chairman Zaremba closed the public hearing.

Mrs. Noll then moved the adoption of proposed Resolution R13-45 that reads:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AUTHORIZE A CATERING KITCHEN AS A HOME OCCUPATION WITH ON-PREMISES CUSTOMER/CLIENT CONTACT AT 105 NELSON DRIVE

WHEREAS, Jennifer Bacon and Louella Heck and Bakin' It Better, Inc., have submitted Application No. UP-823-13 requesting a Special Use Permit, pursuant to Section 24.1-283(b)(1) of the York County Zoning Ordinance, to authorize the establishment of a catering kitchen as a home occupation use in a renovated detached garage associated with a single-family detached home on a 0.37-acre parcel located at 105 Nelson Drive (Route 727) and further identified as Assessor's Parcel No. 10B-2B-17 (GPIN G14c-0924-0971); 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 RESOLVED by the York County Board of Supervisors this the 21st day of May, 2013, that Application No. UP-823-13 be, and it is hereby, approved to authorize a Special Use Permit, pursuant to Section 24.1-283(b)(1) of the York County Zoning Ordinance, to authorize the establishment of a catering kitchen as a home occupation use in a renovated detached garage associated with a single-family detached home on a 0.37-acre parcel located at 105 Nelson Drive (Route 727) and further identified as Assessor's Parcel No. 10B-2B-17 (GPIN G14c-0924-0971) subject to the following conditions:

1. This use permit shall authorize the establishment of a catering kitchen as a home occupation use in a renovated detached garage associated with a single-family detached home on a 0.37-acre parcel located at 105 Nelson Drive (Route 727) and further identified as Assessor's Parcel No. 10B-2B-17 (GPIN 14c-0924-0971).
2. The home occupation shall be conducted in accordance with the provisions of the York County Zoning Ordinance, Sections 24.1-281 and 24.1-283(b), except as modified herein.
3. The floor area layout of the home business use shall be generally in accordance with the floor plan submitted by the applicant and received by the Planning Division on March 4, 2013, a copy of which shall remain on file in the office of the Planning Division.
4. No person other than individuals residing on the premises shall be engaged in the home occupation.
5. One off-street parking space, in accordance with all applicable Zoning Ordinance standards and limitations, shall be provided on the premises (i.e., off-street) to accommodate customers/clients. This space shall be in addition to the two (2) spaces that are otherwise required for the single-family residence.
6. The days and hours of operation shall be by appointment only, and shall be limited to Monday through Saturday, 8:00 AM to 7:00 PM. Customer/client contact on the premises shall be limited to no more than one customer appointment at any one time, and

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not more than eight (8) appointments per day. The applicant's appointment book/log shall be made available for review by the Zoning and Code Enforcement staff upon request.

7. Prior to commencement of the home business use, the portion of the structure used for the catering kitchen as well as customer/client entrance and parking areas shall conform to minimum standards of the Virginia Uniform Statewide Building Code, the 2009 Virginia Statewide Fire Prevention Code, and the Virginia Department of Health.
8. Proof of licensure from the Virginia Department of Health shall be submitted to the Building Regulation Division prior to issuance of a Certificate of Occupancy for the catering kitchen use.
9. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of this resolution shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court prior to issuance of a Certificate of Compliance and Occupancy for the home occupation use.

BE IT FURTHER RESOLVED that this Special Use Permit is not severable, and invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

On roll call the vote was:

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

APPLICATION NO. UP-824-13, TRINITY ASSISTED LIVING

Mr. Carter made a presentation on Application No. UP-824-13 to authorize the establishment of a group home with up to 8 occupants and up to 8 shift employees (no more than 3 at one time) in an existing single-family detached home located on a 2.1-acre parcel located at 101 Shady Bluff Point. Mr. Carter stated the Board of Zoning Appeals had done something that was unusual in making its decision to uphold the County's position in that the Board of Zoning Appeals also passed a resolution asking the Board of Supervisors to have a positive attitude toward the application when it came before it for the consideration of the group home application. The Planning Commission considered the application and forwarded it to the Board of Supervisors with a recommendation of approval 7:0, and staff recommended approval of the application.

Chairman Zaremba asked what the rationale was behind the Board of Zoning Appeals asking the Board of Supervisors to have a positive attitude towards the application.

Mr. Carter thought the rationale was that the Board of Zoning Appeals had felt this was a worthy project that just did not fit the language that was spelled out in the ordinance in the exception clause; however, it would fit under the provisions that allow authorization of a special use permit for a group home in an area that was zoned RR.

Mrs. Noll stated the house had six bedrooms but only 5 full baths, and she asked if it was a requirement that all bedrooms have a bath.

Mr. Carter stated that was not a requirement.

Mr. Wiggins asked if there had been any letters of protest against the application.

Mr. Carter stated when the applicants had first set up the assisted living operation at the residence, there had been concerns expressed; but the applicants had attended a neighborhood meeting and explained what they were doing, and for the most part, the neighborhood felt like it was a reasonable proposal. There was one speaker at the Planning Commission meeting who expressed opposition to the application. Another speaker expressed a neutral opinion about the particular use but was concerned that it might set a precedent for other uses in other neighborhoods where it would not be appropriate. There was also one person who spoke in favor of the application.

Mr. Hrichak asked if this home would be similar to the adult home on Lakeside Drive and fall under the same provisions.

Mr. Carter stated it would be similar and would be under the group home provisions as well.

Mr. Hrichak stated he had read there had been a concern about the septic system, and he asked if the home would be suitable for eight residents.

Mr. Carter stated at the present time the Health Department certification was for a maximum of six residents which was what the applicant was proposing at the current time; but at a later date, there was the potential for improvement or adjustment of the system which might make it suitable for eight residents.

Chairman Zaremba asked about the level of training and the qualifications for the employees.

Ms. Tracy Anthony, 707 Schooner Boulevard, stated at the present time they had one employee who was a certified nursing assistant. There would be a licensed practical nurse, and possibly either another licensed practical nurse or a medication aide. She noted the only state requirement was to have a medication aide; however, she wanted to have a more qualified staff.

Discussion followed regarding the number of residents to be at the facility and staff coverage.

Chairman Zaremba then called to order a public hearing on Application No. UP-824-13 that was duly advertised as required by law. Proposed Resolution R13-46 is entitled:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AUTHORIZE A GROUP HOME AT 101 SHADY BLUFF POINT

Dr. Laura Mark, 104 Wilson Drive, addressed the Board in support of the application, stating there was a huge need for high quality housing and homes for the County's geriatric citizens. She spoke of how difficult it was to get patients discharged into good and appropriate placements. She stated the assisted living facility was a beautifully laid out house that was beautifully furnished with huge rooms. She noted the house was a 6,500 square foot house; and although it only had 6 bedrooms, it could actually house many more folks. She stated there were a lot of employees from the State hospital living in the community, and they were all very enthusiastic about having the assisted living facility for geriatric citizens nearby.

Ms. Anthony, 707 Schooner Boulevard, Williamsburg, stated she had been a nurse for over 17 years, a director of nursing, and a staff educator. She spoke of how she had taught her employees the best way to handle elderly patients was to treat them with respect and dignity. She read a poem written by an elderly woman who died in a geriatric ward in Scotland. She spoke of how people keep a part of their younger years within them as they age and how she had often wondered what the people were thinking as they were lying in an assisted living facility, nursing home, or convalescent center when no one would come and help them. She stated some of the things she had seen were heartbreaking; and if she could help one person, that was what she wanted to do.

There being no one else present who wished to speak concerning the subject resolution, Chairman Zaremba closed the public hearing.

Mrs. Noll then moved the adoption of proposed Resolution R13-46 that reads:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AUTHORIZE A GROUP HOME AT 101 SHADY BLUFF POINT

WHEREAS, Trinity Assisted Living has submitted Application No. UP-824-13 requesting a Special Use Permit to authorize a group home with up to eight (8) occupants and up to three (3) non-resident employees at any one time in an existing single-family detached dwelling located on a 2.1-acre parcel of land located at 101 Shady Bluff Point (Route 1613) and further identified as Assessor's Parcel No. 3-2-1-70 (GPIN E20a-0429-3103); and

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

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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 RESOLVED by the York County Board of Supervisors this the 21st day of May, 2013, that Application No. UP-824-13 be, and it is hereby, approved to authorize a Special Use Permit authorizing the establishment of a group home with up to eight (8) occupants and up to three (3) non-resident employees at any one time in an existing single-family detached dwelling located on a 2.1-acre parcel of land located at 101 Shady Bluff Point (Route 1613) and further identified as Assessor's Parcel No. 3-2-1-70 (GPIN E20a-0429-3103) subject to the following conditions:

1. This Special Use Permit shall authorize the establishment of a group home with up to eight (8) occupants and up to three (3) non-resident employees at any one time in an existing single-family detached dwelling located on a 2.1-acre parcel of land located at 101 Shady Bluff Point (Route 1613) and further identified as Assessor's Parcel No. 3-2-1-70 (GPIN E20a-0429-3103).
2. The facility shall be operated as an "assisted living facility" for the aged as defined in Section 63.2-100 of the Code of Virginia and shall comply at all times with all applicable regulations and licensing requirements of the Virginia Department of Social Services.
3. The facility shall be under 24-hours-a-day care and supervision of at least one and no more than three professional staff persons (at any one time), one or more of whom may also reside in the facility. The facility may include and offer on-site counseling, education, and training services for residents; however, such services may not be offered at the premises to non-residents.
4. The external appearance and arrangement of such facility shall retain a form and character that is compatible with the appearance and arrangement of other residential uses in the general area.
5. No signage shall be permitted.
6. All parking associated with the group home shall be accommodated off the street in a suitably surfaced and located space. The existing landscape buffering of the current parking area shall be maintained. Any additional parking area or expansion of or addition to the existing parking area shall be located not less than 25 feet from any residential property line and shall be effectively screened from view from adjacent residential properties by additional landscaping consistent with the Type 25 (25-foot) Transitional Buffer requirements.
7. Prior to issuance of a Certificate of Occupancy for the group home, the applicants shall submit to the Virginia Department of Health (VDH) a Wastewater Characterization, prepared by an appropriately licensed professional engineer, to determine the ability of the existing on-site sewage disposal system to accommodate the group home. Approval of this Special Use Permit, and issuance of a Certificate of Occupancy, shall be contingent upon VDH approval of the proposed use and subject to any occupancy limits established by the VDH as noted in Condition No. 8 below.
8. The maximum number of residents shall be eight (8), and no more than three (3) non-resident employees shall be on the premises at any one time, or such lower limits on the number of residents and/or non-resident employees as may be established by the Virginia Department of Health based on the capacity and capabilities of the on-site sewage disposal system.
9. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of this Resolution shall be recorded at the expense of the applicant in the

name of the property owner as grantor in the office of the Clerk of the Circuit Court prior to issuance of a Certificate of Occupancy for the group home.

BE IT FURTHER RESOLVED that this Special Use Permit is not severable and invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

On roll call the vote was:

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

LEASE AGREEMENT – WENDIN LLC D/B/A/ WILLIAMSBURG CHARTER SAILS

Mr. James Noel, Director of Economic Development, made a presentation on proposed Resolution R13-54 to authorize the lease of docking space at the York County piers for the purpose of conducting sailing, sightseeing, educational, and instructional charters and excursions.

Mr. Hrichak asked if the Virginia Procurement law allowed the County to fill the closed request for proposals from last year without going out and opening it up to the public again.

Mr. Noel stated his understanding was that this was an unsolicited proposal, but he would defer the question to Mr. Barnett.

Mr. Barnett stated the County had treated the agreement as a land lease as the piers were a fixture to the land, so they have the status of real estate which did not require getting proposals. He stated this was an unsolicited proposal and the County has the right to lease the land under whatever terms and conditions it desired, subject to a public hearing.

Mr. Noel stated that last year there had only been one response to the RFP, so the second slot was still vacant.

Mr. Bill O'Donvan, 101 Thomas Brice, James City County, the applicant, stated he was trying to get people from Williamsburg to come to Yorktown from the very specific field of the timeshares in Williamsburg. He stated the reason he was using the name Williamsburg Charter Sales and not Yorktown Charter Sales was that he did not want to cause any confusion with the existing successful Alliance and Serenity tours operated by Mr. Greg Lohse. He stated his basic premise was to simply get small groups of people out on the water to enjoy the 202 miles of York County waterfront.

Chairman Zaremba then called to order a public hearing on proposed Resolution R13-54 which was duly advertised as required by law and is entitled:

A RESOLUTION DECLARING THE NECESSITY TO ENTER UPON AND TAKE A CERTAIN PERMANENT UTILITY EASEMENT IN CONNECTION WITH THE WATERVIEW SANITARY SEWER PROJECT ON PROPERTY OWNED BY CHRISTOPHER A. EASLEY, 100 OAK POINT DRIVE, YORKTOWN, VIRGINIA

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

Mr. Wiggins then moved the adoption of proposed Resolution R13-54 that reads:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH WENDIN, LLC, A VIRGINIA LIMITED LIABILITY COMPANY, DOING BUSINESS AS WILLIAMSBURG CHARTER SAILS, TO LEASE DOCKING SPACE AT THE YORK COUNTY PIERS ON THE YORKTOWN WATERFRONT FOR THE PURPOSE OF CONDUCTING SAILING, SIGHTSEEING, EDUCATIONAL, AND INSTRUCTIONAL CHARTERS AND EXCURSIONS

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WHEREAS, the County desires to offer various tourism and recreational activities at the Yorktown waterfront for purposes of the enhancement of tourism and economic development; and

WHEREAS, this Board has considered the advisability of entering into a lease agreement for the lease of docking space at the Riverwalk Landing T-Pier in Yorktown for the operation of sailing, sightseeing, educational and instructional charters and excursions; and

WHEREAS, this matter has been duly advertised for a public hearing pursuant to Code of Virginia §15.2-1800, and it is the opinion of this Board that it is in the public interest for the County to enter into a lease agreement with Wendin, LLC, d/b/a Williamsburg Charter Sails, for docking space at the T-Pier for such purposes.

NOW, THEREFORE, BE IT RESOLVED, by the York County Board of Supervisors this the 21st day of May, 2013, that the County Administrator be, and he is hereby, authorized to execute a lease agreement as described in the County Administrator's memorandum of May 8, 2013, with Wendin, LLC, d/b/a Williamsburg Charter Sails, for the use of approximately twenty-five (25) feet of dock space, for a term of one year beginning June 1, 2013, renewable for up to four (4) additional one-year terms upon mutual agreement of the parties, such lease agreement to be approved as to form by the County Attorney.

On roll call the vote was:

Yea:	(4)	Shepperd, Noll, Wiggins, Hrichak
Nay:	(0)	
Abstention:	(1)	Zaremba

AMENDMENT TO YORK COUNTY CODE, SECTIONS 23.3.12 AND 23.3.15

Mr. Barnett made a presentation on proposed Ordinance No. 13-4 to amend the York County Code Sections 23.3-12 and 23.3-15 by deleting the provision that waivers or exceptions granted by the Chesapeake Bay Board or the Chesapeake Bay Preservation Manager to a proposed project located in a Chesapeake Bay Preservation Area would become null and void if the project was not completed or substantial work performed within five years.

Chairman Zaremba asked what would happen if the zoning on a parcel was changed.

Mr. Barnett stated the zoning laws would the make that decision, and it was actually addressed with some specificity in the Virginia statue. He did not feel the Chesapeake Bay waiver would override the zoning.

Chairman Zaremba then called to order a public hearing on proposed Ordinance No. 13-4 that was duly advertised as required by law and is entitled:

AN ORDINANCE TO AMEND YORK COUNTY CODE SECTIONS 23.2-12 AND 23.2-15 BY DELETING THE PROVISION THAT WAIVERS OR EXCEPTIONS GRANTED BY THE CHESAPEAKE BAY BOARD OR THE CHESAPEAKE BAY PRESERVATION MANAGER TO A PROPOSED PROJECT LOCATED IN A CHESAPEAKE BAY PRESERVATION AREA WILL BECOME NULL AND VOID IF THE PROJECT IS NOT COMPLETED OR SUBSTANTIAL WORK PERFORMED WITHIN FIVE YEARS

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

Mrs. Noll then moved the adoption of proposed Ordinance No. 13-4 that reads:

AN ORDINANCE TO AMEND YORK COUNTY CODE SECTIONS 23.2-12 AND 23.2-15 BY DELETING THE PROVISION THAT WAIVERS OR EXCEPTIONS GRANTED BY THE CHESAPEAKE BAY BOARD OR THE CHESAPEAKE BAY PRESERVATION MAN-

AGER TO A PROPOSED PROJECT LOCATED IN A CHESAPEAKE
BAY PRESERVATION AREA WILL BECOME NULL AND VOID IF
THE PROJECT IS NOT COMPLETED OR SUBSTANTIAL WORK
PERFORMED WITHIN FIVE YEARS

BE IT ORDAINED by the York County Board of Supervisors this the 21st day of May, 2013, that York County Code sections 23.2-12 and 23.2-15, relative to exceptions and waivers on projects located in a Chesapeake Bay Preservation Area, be and they are hereby amended to read and provide as follows:

Sec. 23.2-12. Noncomplying use and development waivers.

The lawful use of a principal building or structure which existed on September 20, 1990, or which exists at the time of any amendment to this chapter, and which is not in compliance with the provisions of this chapter or such amendment thereto, may be continued in accordance with article VIII of chapter 24.1 of the County Code.

No alteration or expansion of any noncomplying structure shall be allowed except in accordance with the following:

- (a) The CBPA Manager may grant a noncomplying use and development waiver for legally existing principal structures on lots not in compliance with CBPA standards to provide for alterations and additions to such noncomplying structures provided that:
 - (1) There will be no increase in the nonpoint source pollution load;
 - (2) Any development or land disturbance exceeding an area of 2,500 square feet complies with all erosion and sediment control requirements of chapter 10, Erosion and Sediment Control, of this code; and
 - (3) Accessory structures or additions to accessory structures shall not be authorized by noncomplying use and development waivers.
- (b) An application for a noncomplying use and development waiver shall be made to the CBPA Manager and shall include, for the purpose of proper enforcement of this section, the following information:
 - (1) Name and address of applicant and property owner;
 - (2) Legal description of the property and type of proposed use and development;
 - (3) A sketch of the dimensions of the lot or parcel, location of buildings and proposed additions relative to the lot lines, and boundary of the resource protection area;
 - (4) Location and description of any existing private water supply or sewage disposal system; and
 - (5) A WQIA, BMP plan and buffer restoration plan as deemed necessary by the CBPA Manager.
- (c) Noncomplying use and development waivers for legally existing principal structures processed through an administrative review of the application shall be subject to the findings required by subsection 23.2-13, such findings to be made by the CBPA Manager, but without the requirement for a public hearing.

* * *

On roll call the vote was:

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

May 21, 2013

ENTERPRISE ZONE DESIGNATION

Mr. Noel made a presentation on proposed Resolution R13-55 to support the need for a Commonwealth of Virginia Enterprise Zone and the desire to apply for an Enterprise Zone Designation. He stated the Virginia Enterprise Zone application was being done in concert with James City County and the City of Williamsburg. He introduced Mr. Russ Seymour, Director of Economic Development for James City County, Ms. Michelle DeWitt, Director of Economic Development for the City of Williamsburg, and Mr. Telly Tucker, Assistant Director of Economic Development for James City County. Mr. Noel noted Mr. Tucker also managed the Enterprise Zone Program in James City County.

Mrs. Noll asked if the zone had to be contiguous.

Mr. Noel stated it was a strange definition of contiguous in that it could be linked together by right-of-way. He stated they had tried to find the most advantageous areas to attract additional development, expand development, and help distressed areas. He stated the areas were linked together by rights-of-way which were allowed by the program regulations. He stated it was a bit convoluted, but the key was to have the properties the Board wanted in the zone, and this plan touched the key areas for York County.

Chairman Zaremba noted there had been an article in the Daily Press on Monday that summarized the initiative, and he asked if there had been any comments from the property owners or citizens.

Mr. Noel stated he had only received positive feedback on the program.

Mr. Wiggins asked if the fuel farm property on Route 199 that they had such vibrant hopes for could be a part of the zone.

Mr. Noel stated he had held back on some of the areas and had only used about half of the allocation, but after a year those areas could be added if the Board felt that was something it wanted to do.

Mrs. Noll spoke of the past grant the County had gotten for the Altria plant, and she asked Mr. Noel if that was in any way going to affect this application.

Mr. Noel stated it should have no bearing at all, and that was the only Governor's Opportunity Fund award the County had ever received, so his argument would be the County should get Enterprise Zone status.

Discussion followed on the State VEZ incentives and the proposed local incentives.

Chairman Zaremba asked if a business would have to be a widget making enterprise and not a service.

Mr. Noel stated the businesses cannot be retail, restaurants, or hospitality but have to be some type of commercial operation.

Mrs. Noll commented that the operative word Mr. Noel had used while giving his presentation was that the incentives were based on future increases in the tax base, but that the tax base itself would not change. She noted this would be a gamble, but the Board had to do something to move forward, and the citizens needed to understand that the tax base was protected.

Chairman Zaremba then called to order a public hearing on proposed Resolution R13-55 that was duly advertised as required by law and is entitled:

A RESOLUTION TO AUTHORIZE A VIRGINIA ENTERPRISE ZONE APPLICATION FOR 2014 DESIGNATION

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

A RESOLUTION TO AUTHORIZE A VIRGINIA ENTERPRISE ZONE
APPLICATION FOR 2014 DESIGNATION

WHEREAS, the Commonwealth of Virginia is accepting applications for new Enterprise Zones; and

WHEREAS, the County of York strongly supports the need for an Enterprise Zone and desires to apply for Enterprise Zone designation

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 21st day of May, 2013, that the County of York shall hereby apply for an Enterprise Zone designation jointly with the City of Williamsburg and James City County.

BE IT FURTHER RESOLVED that James City County is hereby designated to act as program administrator for the enterprise zone.

BE IT STILL FURTHER RESOLVED that the County of York hereby authorizes the County Administrator of James City County, acting as program administrator, to submit all information needed to apply for the Enterprise Zone designation.

BE IT STILL FURTHER RESOLVED that the County of York hereby authorizes the County Administrator of James City County, acting as program administrator, to carry out all program administrative and reporting requirements on its behalf, as defined by the Enterprise Zone regulations, throughout the life of the zone.

BE IT STILL FURTHER RESOLVED that the County of York, the City of Williamsburg, and James City County have completed a Joint Enterprise Zone Application Agreement, such agreement prepared as to form by the County Attorney.

On roll call the vote was:

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

CONSENT CALENDAR

Mr. Hrichak spoke regarding item No. 10, stating that instead of extending this contract for three years, he would rather see the contract extended until the expiration date of the current waste and recycling contracts so that they could all be put out to bid at the same time to make the bid more attractive.

Mr. John Hudgins, Director of Environmental and Development Services, stated the recycling agreement with VPPSA was bid differently than the contracts for garbage pickup and the operation of the transfer station. He stated when the County had originally bid the garbage contract, staff tried to align it with the curbside pickup of garbage and with the transfer station, which they had been successful in doing. He stated the only difference was the transfer station operation had three 3-year extensions because the County has VPPSA debt against the transfer station. He stated he had attempted to align it with the garbage pickup, but the VPPSA contract has never aligned with the garbage contract; and in the previous years the recycling pickup had been totally different and at odds with the garbage pickup and disposal. He stated when the garbage contract is rebid on June 30, 2016, the County would have a good answer on what it plans to do with the recycling agreement with VPPSA.

Mr. Hrichak asked if what was before the Board this evening included garbage.

Mr. Hudgins stated the transfer station operations contract sets the rate for the disposal of the curbside pickup and the citizen drop-off. It also sets the rates for the operation of the citizen drop-off. The contract for the curbside pickup of garbage was separate from this contract. He stated this was basically a no cost contract with BFI which was now Allied Waste.

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

May 21, 2013

On roll call the vote was:

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

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

Item No. 7. APPROVAL OF MINUTES

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

March 26, 2013, Adjourned Meeting
April 2, 2013, Regular Meeting
April 9, 2013, Adjourned Meeting
April 16, 2013, Regular Meeting
April 23, 2013, Adjourned Meeting
April 25, 2013, Adjourned Meeting

Item No. 8. EMPLOYEE OF THE QUARTER: Resolution R13-53

A RESOLUTION TO COMMEND JANET S. HANEY, DIVISION OF FISCAL ACCOUNTING SERVICES, DEPARTMENT OF FINANCIAL AND MANAGEMENT SERVICES, AS EMPLOYEE OF THE QUARTER

WHEREAS, Ms. Janet S. Haney has been employed with the County since March of 2008; and

WHEREAS, Ms. Haney has exhibited expertise in the performance of her job and is willing to volunteer for and initiate additional tasks and duties beyond her normal job activities; and

WHEREAS, Ms. Haney has been responsible for improved efficiencies within Accounts Payable and for users of payables' documents County-wide through work with our software vendor and our Computer Information Manager on a process where transactions are electronically uploaded to the payables' system saving hours of time as well as enhancing accuracy and providing more detail in the general ledger; and

WHEREAS, Ms. Haney is responsible for filing IRS 1099 forms for the County, the School Division, Colonial Behavioral Health and Social Services, and she has improved the 1099 form reporting process and educated the Accounts Payable staff at the other entities to greatly reduce chances of errors and subsequent IRS penalties, and she has automated the process for filing annual 1099 forms with the IRS, saving time and postage; and

WHEREAS, Ms. Haney was instrumental in making accounts payable documents available for viewing by all County employees through Laserfiche by working with the Chief of Computer Support Services to create a database of the check registers and a form that allows searches on any one of five criteria, and she wrote instructions and trained many employees on using the system, and for which she was awarded both a NACO Innovations Award and a GFOA Award for Excellence in Government Finance, and she initiated a verification process for the scanned documents that eliminates the need for retaining and storing the paper documents, thereby saving the storage and personnel costs related to document retention; and

WHEREAS, Ms. Haney has obtained savings in the form of credits for overcharges on our phone bills through incorrect pricing and incorrect charging of communications sales tax on our bills resulting in credits in the amount of \$71,475; and

WHEREAS, Ms. Haney provided documentation on our utility and phone bills and worked with a vendor that specializes in finding overcharges was able to find refunds and/or credits of \$21,500; and

WHEREAS, Ms. Haney has a positive attitude and outlook, and eagerly accepts change, exemplified by one of her favorite quotes "Change is opportunity";

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this 21st day of May, 2013, that Janet S. Haney be and is hereby congratulated upon her selection as Employee of the Quarter for the quarter ending March 31, 2013.

Item No. 9. COMMENDATION OF THE 2012-2013 YOUTH COMMISSION: Resolution R13-36

A RESOLUTION TO COMMEND THE 2012-2013 YORK COUNTY YOUTH COMMISSION AND TO EXPRESS THE APPRECIATION OF THE BOARD OF SUPERVISORS TO EACH MEMBER FOR THEIR DEDICATED SERVICE TO YORK COUNTY

WHEREAS, the Board of Supervisors established the York County Youth Commission in 1983; and

WHEREAS, the following youth,

Ashley Gailey, Chairman	Matthew Hoffman, Vice Chairman
Monica Quintana, Secretary	Kassie Abbinanti
Cody Carroll	Jessica Chandrasekhar
Eesha Choudhari	Sophie Cienski
Anne Conner	Joey Hsu
Sara Khalil	Hobie Kopczynski
Ashley Letendre	Tina Selby
James Zhang	

have served with distinction on the 2012-2013 York County Youth Commission; and

WHEREAS, the Board of Supervisors is extremely pleased with the worthwhile activities undertaken by the Youth Commission this past year and wishes to publicly recognize the members for their accomplishments, which include:

Preparing for the year by attending training and teambuilding sessions during a two-day orientation last August; and

Presenting quarterly activity reports to the Board of Supervisors, praying the invocation at these meetings; and

Assisting during the annual Yorktown Day commemoration by greeting parade spectators and passing out programs and American flags; and

Assisting the Registrar's Office by providing commissioner volunteers who worked alongside staff members immediately following the closing of the polls for the November General Election; and

Promoting a sense of community amongst the County's youth by helping to publicize the annual countywide high school ski trip in January; and

Enjoying bonds of friendship with senior citizens by serving refreshments and giving prizes at the annual Valentine's Bingo Party at the Senior Center of York; and,

Organizing a countywide bonfire event to bring students from all schools together for an enjoyable evening, while also promoting the Wounded Warrior Project and donating \$180 toward that organization's efforts to support our wounded armed service members and their families; and

Co-sponsoring the Annual Outstanding Youth Awards Program with the Board of Supervisors by helping to publicize the program, selecting two members to serve on the Selection Committee, and by assisting at the reception honoring the award recipients in

May; and

Continuing the Cafeteria Mini Survey program, by conducting three mini-surveys this year, soliciting student opinions for both county and school related topics during high school lunch periods, obtaining valuable information on student views and concerns, and then presenting this information to the Board of Supervisors in Quarterly Reports and also forwarding results to school administration officials; and

Continuing to provide communication opportunities between the County's youth and elected officials by sponsoring the 10th annual "Town Hall Meetings" in each of the County's four large public high schools this spring, providing meaningful dialog between students and members of the Board of Supervisors and School Board in personal, face-to-face settings;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors on this the 21st day of May, 2013, that the 2012-2013 York County Youth Commission members be, and they hereby are, congratulated for their dedicated service to York County and commended for an outstanding year.

BE IT FURTHER RESOLVED that the York County Board of Supervisors hereby extends its best wishes for continued success to these leaders of today and tomorrow.

Item No. 10. TRANSFER STATION CONTRACT EXTENSION: Resolution R13-44

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXTEND THE OPERATION OF THE TRANSFER STATION AGREEMENT BETWEEN YORK COUNTY AND BFI TRANSFER SYSTEMS OF VIRGINIA, LLC, FOR THREE YEARS

WHEREAS, The County of York's current agreement with BFI Transfer Systems of Virginia, LLC, formerly known as BFI, Republic Services, and/or Allied Waste, for Operation and Maintenance of the County Transfer Station expires on June 30, 2013; and

WHEREAS, the County issued a request for proposals on July 30, 2004, to procure this service on a competitive basis; and

WHEREAS, the Operation and Maintenance of the County Transfer Station contract allows for one additional extension of three years;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 21st day of May, 2013, that the County Administrator be, and he is hereby, authorized to execute a contract extension with BFI Transfer Systems of Virginia, LLC, for the Operation and Maintenance of the York County Transfer Station for three years, effective July 1, 2013.

CLOSED MEETING. At 8:43 p.m. Mr. Wiggins 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) Shepperd, Noll, Wiggins, Hrichak, Zaremba
Nay: (0)

Mr. Wiggins left the meeting at 8:45 p.m.

Meeting Reconvened. At 9:04 p.m. the meeting was reconvened in open session by order of the Chair.

Mr. Hrichak moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREE-
DOM OF INFORMATION ACT REGARDING MEETING IN CLOSED
MEETING

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

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 21st day of May, 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)

APPOINTMENTS TO THE SENIOR CENTER OF YORK BOARD

Mrs. Noll moved the adoption of proposed Resolution R13-46 that reads:

A RESOLUTION TO APPOINT AND REAPPOINT REPRESENTATIVES TO THE SENIOR CENTER OF YORK BOARD

BE IT RESOLVED by the York County Board of Supervisors this 21st day of May, 2013, that the following individuals be, and they are hereby, reappointed to the Senior Center of York Board, such terms to begin on July 1, 2013, and expire June 30, 2017:

Laurie B. Coleman (York County Staff)	Margaret G. Rowe
Ida F. Cross	Mildred J. Russinko
Davene D. Davis	Carol R. Scott
Oljie Emmons	Myrtle I. Smith
Donna J. Gilroy	Charlotte W. Tyeryar
William S. Massey (PAA)	
Thomas D. McNamara	

BE IT FURTHER RESOLVED that Wanda Fralick and Sandra Jones be, and are hereby, appointed as representatives to the Senior Center of York Board for a term of four years, such terms to begin July 1, 2013, and expire June 30, 2017.

On roll call the vote was:

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

APPOINTMENTS TO THE YORK-POQUOSON SOCIAL SERVICES BOARD

Mr. Hrichak moved the adoption of proposed Resolution R13-48 that reads:

A RESOLUTION TO APPOINT YORK COUNTY REPRESENTATIVES TO THE YORK-POQUOSON SOCIAL SERVICES BOARD

WHEREAS, a vacancy for a York County representative on the York-Poquoson Social Services Board exists due to the resignation of Dr. Esther Benoit, who term expires on December 31, 2013;

WHEREAS, a vacancy also exists due to the expired term of Ms. Belinda Willis whose term expired on December 31, 2012, and she is ineligible for reappointment;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 21st day of May, 2013, that Susan Doherty be, and is hereby, appointed as a York County representative to the York Poquoson Social Services Board such term to begin immediately and end December 31, 2016.

BE IT FURTHER RESOLVED that Mary Chappell be, and is hereby, appointed as a York County representative to the York Poquoson Social Services Board to fill the unexpired term of Dr. Esther Benoit, such term to begin immediately and end December 31, 2013.

On roll call the vote was:

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

APPOINTMENTS TO THE YORK COUNTY YOUTH COMMISSION

Mr. Shepperd moved the adoption of proposed Resolution R13-35 that reads:

A RESOLUTION TO APPOINT MEMBERS TO THE YORK COUNTY YOUTH COMMISSION FOR 2013 - 2014

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 representing grades 9-12 appointed to serve on the Youth Commission, that they shall be comprised of three members from each voting district and that the Board may appoint at-large members whenever one or more districts has fewer than three qualified applicants;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors on this 21st day of May, 2013, that the following individuals be, and they hereby are, appointed to the York County Youth Commission for 2013 - 2014.

<u>Name</u>	<u>Election District</u>
Suzanna Wright	1
Kassie Abbinanti	1
Haley Gardner	1
Alice Grace Cherry	2
Maegan Krantz	2
Michaela Svaranowic	2

Ashley Letendre	3
Darius Palmer	3
Ashley Gailey	3 (At-Large)
Jessica Chandrasekhar	4
Sophie Cienski	4
Courtney Taylor	4
Laura Ellen Barber	5
Taylor Hogge	5
Bryan A. Moon	5

BE IT FURTHER RESOLVED that the above-named individuals' terms will begin on July 1, 2013, and expire June 30, 2014.

On roll call the vote was:

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

APPOINTMENTS TO THE PLANNING COMMISSION

Mrs. Noll moved the adoption of proposed Resolution R13-52(R) that reads:

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

WHEREAS, the Planning Commission terms of Christopher Abel, originally appointed to represent District 1 and later redistricted into District 3, and Alexander T. Hamilton, representing District 2, will expire on June 30, 2013; and

WHEREAS, both members will have served two complete terms and thus are not eligible for reappointment; and

WHEREAS, the Board desires to make appointments, one for District 1 and one for District 2, to fill these two vacancies;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 21st day of May, 2013, that it does hereby appoint the following individual to the York County Planning Commission to serve a term that begin July 1, 2013, and expire June 30, 2017.

Glenn Brazelton - District 2

On roll call the vote was:

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

APPOINTMENTS TO THE TRANSPORTATION SAFETY COMMISSION

A RESOLUTION TO APPOINT TWO MEMBERS TO THE YORK COUNTY TRANSPORTATION SAFETY COMMISSION

WHEREAS, Mr. Todd Ackerman and Ms. Kathleen Rose have recently resigned from the Transportation Safety Commission; and

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WHEREAS, the Board has carefully considered the qualifications of candidates who have expressed interest in serving on the Transportation Safety Commission;

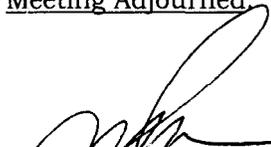
NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 21st day of May, 2013, that Noel West be hereby appointed to serve on the York County Transportation Safety Commission to fill the unexpired term of Kathleen Rose, such term to begin immediately and end on December 31, 2014.

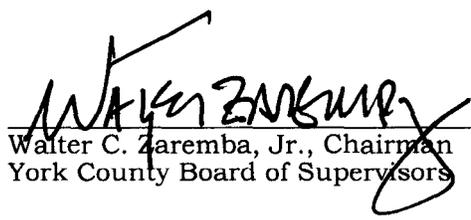
BE IT FURTHER RESOLVED that J. David Grose be hereby appointed to serve on the York County Transportation Safety Commission to fill the unexpired term of Todd Ackerman, such term to begin immediately and end on March 31, 2016.

On roll call the vote was:

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

Meeting Adjourned. At 9:06 p.m. Chairman Zaremba declared the meeting adjourned sine die.


James D. McReynolds, Clerk
York County Board of Supervisors


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