MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
March 21, 2006

6:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 6:00 p.m., Tuesday, March 21, 2006, 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, Kenneth L. Bowman, James S. Burgett, and Thomas G. Shepperd, Jr.

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

Invocation. Kyle Messick, York County Youth Commission, gave the Invocation.

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

**HIGHWAY MATTERS**

Mr. Jim Brewer, Residency Administrator, Virginia Department of Transportation (VDOT), appeared to discuss highway matters with the Board of Supervisors. He informed the Board that the latest residency report was now available on the internet, and the report provided complete details of all the projects in the Williamsburg Residency. He said the report would keep the Board apprised of the progress on the projects. He then noted that the plant mix schedule had come in, and the price for asphalt has almost doubled since last year. He stated if the cost continues to rise, it may severely impact subdivision work and where programs have been initiated for asphalt. Mr. Brewer stated that VDOT is continuing to patch potholes and work on drainage.

Mr. Shepperd thanked VDOT for its timely response in fixing the ditch issue at Creek Terrace. He asked about the status of the improvements at the Big Bethel Road intersection with Routes 171 and 134.

Mr. Brewer stated the project is still on schedule.

Mr. Shepperd asked if the new improvements at the intersection of Carey's Chapel and Victory had been completed. He asked if the orange barrels on the site could be picked up.

Mr. Brewer stated he would have the contractor pick up the barrels.

Mrs. Noll stated that in reading the online residency report it was easy to see the number of projects that were on budget. She said that it also showed which projects were on time and which were not on time because of environmental concerns.

Mr. Bowman asked about the mowing schedule for the Seaford area and asked how many cuttings were slated for this area. He said there is broom straw along the shoulders, and it is a place for deer to hide and create a dangerous situation.

Mr. Brewer stated that the primary roads are under contact and set up for eight mowings. The main secondary roads are set up for four mowings this year.

Mr. Bowman stated he would send Mr. Brewer an email regarding the areas that only received one to two cuttings last year.

Mr. Zaremba questioned whether companies such as Map Quest that provide mapping services on the internet have any contact with VDOT regarding the names of roads and their locations. He said he thought there should be some sort of approval process for these types of business to insure the correctness of the information they provide over the internet.

Mr. Brewer stated there was no relationship between VDOT and Map Quest. He added that occasionally the publishers of the ADC map books would have questions regarding new roads or ask if VDOT thought any changes should be made in their publications.

**PRESENTATIONS**

EMPLOYEE RECOGNITION PROGRAM

Chairman Zaremba congratulated Robert W. Walker, Department of General Services, for his 20 years of service with the County, and he presented him with a service pin and certificate.

Mr. McReynolds congratulated the following Board of Supervisors members for their years of service with the County, and he presented them their service pins:

| | |
|---|---|
| Sheila Noll | 10 years |
| Walter Zaremba | 10 years |
| James Burgett | 5 years |

YORK COUNTY YOUTH COMMISSION

Mr. Brownlee Bakkum, Chairman of the York County Youth Commission, provided the Board with the Commission's third quarterly report. He said that the deadline for the submission of applications for next year's Youth Commission had been extended to April 4. On January 27 Parks and Recreation sponsored its annual Wintergreen ski trip with 165 students in attendance. He stated that February was Senior Month for the Commission, and the Commissioners had made valentines for residents at York Convalescent Center and co-sponsored the annual Senior Center Valentine Bingo Party with Parks and Recreation. He noted the Commission had received the results of the 2005 opinion survey in February. Mr. Bakkum then reviewed the upcoming projects of the Youth Commission, including a tour of the County's 911 Emergency Call Center, a Saturday morning Adopt-a-Highway clean-up project on Goodwin Neck Road, participation on the Outstanding Youth Awards selection committee, and assisting the Historical Committee with a welcoming reception for the exchange students from Zweibrücken, Germany. He noted that the annual town meetings would be held in the high schools the week of May 21, and the Commission was very excited about the town meetings as it brings high school students in direct contact with members of the Board of Supervisors as well as members of the School Board. He thanked the Board for its past participation in the Youth Commission's programs as well as its support.

Mr. Zaremba asked if it was common knowledge to the students at the high schools that the Youth Commission exists and how to obtain applications.

Mr. Bakkum stated the Commission had made an effort to get information out to all students, including canvassing all the classrooms in the County.

EFFICIENCIES REPORT AND 2005 ACCOMPLISHMENTS

Mr. McReynolds presented the 2005 Operational Efficiencies and Accomplishments Report to the Board and elaborated on the findings of that report. He highlighted a grand total savings to the County of $12,866,199, and he cited examples of how those savings occurred.

CITIZENS SATISFACTION SURVEY

Ms. Jeannine Perry, Continental Research Associates, gave a presentation on the results from the November 2005 Citizen Opinion Survey. She noted this was the year the survey has been administered, and it is used to measure satisfaction with County services and characteristics. She gave an overview of how the study was conducted and stated the sample size of citizens surveyed was 300. The households were selected randomly with a quota of 20 percent being from the upper County and 80 percent from the lower County. She stated the study revealed that the County's customer satisfaction levels are high.

**CITIZENS COMMENT PERIOD**

No one appeared to speak to the Board at this time.

**COUNTY ATTORNEY REPORTS AND REQUESTS**

Mr. Barnett reported that the General Assembly had wrapped up this year's session. He reviewed some of the highlights of the 2006 session that might make changes in the way the County does business or prompt some ordinance changes. He noted there are several bills dealing with vicious and dangerous dogs, new rules for franchise cable television providers, the moped bill, the appointed officials bill, the E911 bill, and Joint Resolution 223 commemorating Yorktown on the 225th Anniversary of the Surrender at Yorktown that was adopted by both houses.

Mr. Burgett asked if the moped bill had a section to prohibit those types of vehicles from being operated on streets that had a speed limit of 25 mph or higher, stating the intent of the bill was to keep kids off the roads where the speed limit is 55 mph.

Mr. Barnett said he would have the check that particular aspect of the bill.

Mr. Burgett said this needs to be done and that the Sheriff needed to be informed to keep the kids off the streets that are dangerous.

Meeting Recessed. At 7:03 p.m., Chairman Zaremba declared a short recess.

Meeting Reconvened. At 7:14 p.m. the meeting was reconvened in open session by order of the Chair.

INTRODUCTION OF NEW MEMBERS TO YORK COUNTY BOARD AND COMMISSIONS

Chairman Zaremba introduced and welcomed Jeanne Eickhoff as the newest appointee to the Colonial Services Board and presented her with a Boards and Commissions Handbook and York County pin.

**PUBLIC HEARINGS**

PROHIBITED OR RESTRICTED PARKING

Mr. Carter gave a presentation on proposed Ordinance No.06-6 to amend the York County Code to add the Lotz Acres Estates and Tabb Meadows subdivisions to the list of specific areas where parking of certain classifications of commercial, recreation, and passenger carrying vehicles on public streets is prohibited.

Chairman Zaremba then called to order a public hearing on proposed Ordinance No. 06-6 that was duly advertised as required by law and is entitled:

AN ORDINANCE TO AMEND SECTION 15-48, PARKING PROHIB-

ITED OR RESTRICTED IN SPECIFIC PLACES, OF THE YORK COUNTY CODE, TO ADD THE LOTZ ACRES ESTATES AND TABB MEADOWS SUBDIVISIONS TO THE LIST OF SPECIFIC AREAS WHERE THE PARKING OF COMMERCIAL, RECREATIONAL AND PASSENGER-CARRYING VEHICLES ON PUBLIC STREETS IS PROHIBITED

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

Mr. Shepperd explained his involvement in getting these parking restrictions through for the subdivision since there was not a homeowners association to formally request that the restrictions be added to the County ordinance. He then moved the adoption of proposed Ordinance No. 06-6 that reads:

AN ORDINANCE TO AMEND SECTION 15-48, PARKING PROHIBITED OR RESTRICTED IN SPECIFIC PLACES, OF THE YORK COUNTY CODE, TO ADD THE LOTZ ACRES ESTATES AND TABB MEADOWS SUBDIVISIONS TO THE LIST OF SPECIFIC AREAS WHERE THE PARKING OF COMMERCIAL, RECREATIONAL AND PASSENGER-CARRYING VEHICLES ON PUBLIC STREETS IS PROHIBITED

WHEREAS, the York County Board of Supervisors has determined that the parking of large vehicles along certain streets, other than for temporary periods to allow deliveries, may present safety hazards for other vehicles and for pedestrians and may contribute to premature failure of road surfaces designed to accommodate primarily passenger vehicles; and

WHEREAS, pursuant to Section 46.2-1222 of the Code of Virginia, the Board has adopted an ordinance that prohibits the parking of certain classifications of vehicles on certain secondary system highways in designated areas of the County; and

WHEREAS, pursuant to a request made on behalf of the residents of the subject neighborhoods, and the investigation of the streets and parking characteristics of that development, the Board has determined that it would be appropriate and desirable to add both the Lotz Acres Estates and Tabb Meadows subdivisions, as delineated and described in the County Administrator's report to the Board dated March 7, 2006, to the list of areas subject to the special parking restrictions; and

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this 21st day of March, 2006, that Section 15-48(c)(3) of Chapter 15, Motor Vehicles and Traffic, York County Code, be and it is hereby amended to add subsections ee. and ff. as follows:

ee. Lotz Acres Estates, Section 2
ff. Tabb Meadows

On roll call the vote was:

Yea: (5) Noll, Bowman, Shepperd, Burgett, Zaremba
Nay: (0)

APPLICATION NO. UP-698-06, CHARITY BARRRETT

Mr. Carter gave a presentation on Application No. UP-698-06 requesting a use permit authorizing a beauty shop as a home occupation within an existing single-family detached residence located at 409 Cheadle Loop Road. The Planning Commission considered the application and forwarded it to the Board of Supervisors with a recommendation of approval, and staff recommended approval of the application through the adoption of proposed Resolution R06-30.

Ms. Charity Barrett, the applicant, came before the Board to answer any questions they might have.

Mrs. Noll asked if the business was just being transferred from one address to another.

Ms. Barrett said that was correct.

Chairman Zaremba then called to order a public hearing on Application No. UP-689-06 that was duly advertised as required by law. Proposed Resolution R06-30 is entitled:

A RESOLUTION TO APPROVE AN APPLICATION FOR A SPECIAL USE PERMIT TO AUTHORIZE A BEAUTY SHOP AS A HOME OCCUPATION AT 409 CHEADLE LOOP ROAD

Ms. Judy Hutchinson, 312 Marion Drive, stated she is and has been a customer of Ms. Barrett's for several years, and there had never been any traffic problems at her former place of business. She welcomed Ms. Barrett's business to their neighborhood.

Mr. Tom Klump, 101 Goose Creek Road, said he and his wife are clients of Ms. Barrett. He noted that Ms. Barrett's residence was about 100 yards away from his property, and he could not see traffic being an issue. He stated Ms. Barrett had always been very professional, and he thought she would be an asset to their neighborhood.

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

Mrs. Noll then moved the adoption of proposed Resolution No. 06-30 that reads:

A RESOLUTION TO APPROVE AN APPLICATION FOR A SPECIAL USE PERMIT TO AUTHORIZE A BEAUTY SHOP AS A HOME OCCUPATION AT 409 CHEADLE LOOP ROAD

WHEREAS, Charity Ann Barrett has submitted Application No. UP-698-06 requesting a Special Use Permit, pursuant to Sections 24.1-283(b)(1) and 24.1-281(b) of the York County Zoning Ordinance, to authorize a beauty shop as a home occupation within a single-family detached dwelling on property located at 409 Cheadle Loop Road (Route 686) and further identified as Assessor's Parcel No. 25C-3-1 (GPIN #U08a-0780-3177); 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 given careful consideration to the public comments and staff recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 21st day of March, 2006, that Application No. UP-698-06 be, and it is hereby, approved to authorize a Special Use Permit, pursuant to Sections 24.1-283(b)(1) and 24.1-281(b) of the York County Zoning Ordinance, to establish a beauty salon as a home occupation within a single-family detached dwelling on property located at 409 Cheadle Loop Road (Route 686) and further identified as Assessor's Parcel No. 25C-3-1 (GPIN #U08a-0780-3177), subject to the following conditions:

1. This use permit shall authorize the establishment of a one (1)-chair beauty shop as a home occupation within a single-family detached dwelling on property located at 409 Cheadle Loop Road and further identified as Assessor's Parcel No. 25C-3-1 (GPIN #U08a-0780-3177).

2. The conduct of such home occupation shall be limited to an area within the existing home consisting of approximately 468 square feet.

3. The home occupation shall be conducted in accordance with the provisions of Sections 24.1-281 and 24.1-283(b) of the York County Zoning Ordinance, except as modified herein.

4. No person other than individuals residing on the premises shall be engaged on the premises in the home occupation.

5. The days and hours of operation shall be limited to Tuesdays and Thursdays from 10:00 AM to 6:00 PM, and Wednesdays and Fridays from 10:00 AM to 2:00 PM, and Saturdays from 10:00 AM to 2:00 PM.

6. No more than one (1) customer at any one time shall be served within the applicant's home.

7. Retail sales on the premises shall be limited to incidental sales of shampoo, conditioning, and other hair care products.

8. No signs or other forms of on-premises advertisement or business identification visible from outside the home shall be permitted.

9. In accordance with the terms of the Zoning Ordinance, at least one (1) off-street parking space shall be provided on the premises to accommodate clients. This space shall be in addition to the two (2) spaces that are otherwise required for the single-family residence.

10. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this Special Use Permit 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.

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) Bowman, Shepperd, Burgett, Noll, Zaremba
Nay: (0)

**CONSENT CALENDAR**

Mr. Shepperd asked for clarification of Item No. 4, and Mr. Zaremba asked for clarification of Item No. 5.

Discussion followed regarding the rapid and steady rising costs of the County's water, sewer, and drainage construction projects and the need to move in an expeditious manner so keep the costs closer to the original estimates.

Mr. Bowman moved that the Consent Calendar be approved as submitted, Item Nos. 3, 4, 5, 6, and 7, respectively.

On roll call the vote was:

Yea: (5) Shepperd, Burgett, Noll, Bowman, Zaremba
Nay: (0)

Thereupon, the following minutes were approved and resolutions adopted:

Item No. 3. APPROVAL OF MINUTES

The minutes of the February 21, 2006, meeting of the York County Board of Supervisors were

approved.

Item No. 4. MOORE'S CREEK, PHASE ONE, CONTRACT AGREEMENT: Resolution R06-28

A RESOLUTION TO APPROPRIATE $550,000 FROM FUND 26-STORMWATER CAPITAL FUND AND APPROVE THE PROCUREMENT OF THE SERVICES OF J. SANDERS CONSTRUCTION CO. FOR THE CONSTRUCTION OF THE MOORES CREEK DRAINAGE IMPROVEMENT PROJECT, PHASE I

WHEREAS, it is the policy of the Board of Supervisors that all procurement of goods and services by the County involving the expenditure of $30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurement is necessary and desirable, it involves the expenditure of $30,000 or more, and that the applicable laws, ordinances and regulation have been complied with; and

WHEREAS, to fully fund the Moores Creek Drainage Improvement Project Phase I, an additional appropriation of $550,000 from Fund 26-Stormwater Capital Fund, is required by the Board;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 21st day of March 2006, that additional funding totaling $550,000 be, and is hereby, appropriated in Fund 26-Stormwater Capital Fund for the Moores Creek Drainage Improvement Project, Phase I.

BE IT FURTHER RESOLVED that the County Administrator be, and he is hereby, authorized to conclude the procurement arrangements for the construction of the Moores Creek drainage improvement project, Phase 1, with J. Sanders Construction Company at a cost of $1,388,700.

Item No. 5. MARLBANK, PHASE TWO, CONSTRUCTION CONTRACT: Resolution R06-29

A RESOLUTION TO APPROPRIATE $850,000 FROM FUND 74-WATER AND SEWER EXTENSION FUND AND APPROVE THE PROCUREMENT OF THE SERVICES OF J. SANDERS CONSTRUCTION CO. FOR THE CONSTRUCTION OF THE MARLBANK SANITARY SEWER PROJECT, PHASE II

WHEREAS, it is the policy of the Board of Supervisors that all procurement of goods and services by the County involving the expenditure of $30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurement is necessary and desirable, it involves the expenditure of $30,000 or more, and that the applicable laws, ordinances and regulation have been complied with; and

WHEREAS, to fully fund the Marlbank Sanitary Sewer Project Phase II, an additional appropriation of $850,000 from Fund 74-Water and Sewer Extension Fund, is required by the Board;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 21st of March 2006, that additional funding totaling $850,000 be, and is hereby, appropriated in Fund 74-Water and Sewer Extension Fund for the Marlbank Sanitary Sewer Project, Phase II.

BE IT FURTHER RESOLVED that the County Administrator be, and he is hereby, authorized to conclude the procurement arrangements for the Marlbank sanitary sewer project, Phase 2, with J. Sanders Construction Company at a cost of $2,631,310.

Item No. 6. ACCEPTANCE OF WILLIAMSBURG COMMUNITY HEALTH FOUNDATION GRANT: Resolution R06-26

A RESOLUTION TO ACCEPT AND APPROPRITE WILLIAMSBURG COMMUNITY HEALTH FOUNDATION GRANT FUNDS IN THE AMOUNT OF $250,000 FOR AN ADVANCED LIFE SUPPORT AMBULANCE, AMBULANCE EQUIPMENT AND SUPPLIES, AND "AUTOPULSE" CARDIOPULMONARY RESUSCITATION (CPR) DEVICES AND TO AUTHORIZE THE COUNTY ADMINISTRATOR TO DO ALL THINGS NECESSARY TO PROCURE THE FUNDED ADVANCED LIFE SUPPORT AMBULANCE, AMBULANCE EQUIPMENT AND SUPPLIES, AND "AUTOPULSE" CPR DEVICES IN THE AMOUNT OF $250,000

WHEREAS, the York County Department of Fire and Life Safety sought and has been awarded grant funding from the Williamsburg Community Health Foundation in the amount of $250,000 for the purchase of an advanced life support ambulance, ambulance equipment and supplies, and "Autopulse" cardiopulmonary resuscitation (CPR) devices; and

WHEREAS, the grant funds were provided to York County specifically to improve health care in the greater Williamsburg area; and

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of $30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the procurement of an advanced life support ambulance, ambulance equipment and supplies, and "Autopulse" CPR devices in the amount of $250,000 are necessary and desirable, it involves the expenditure of $30,000 or more, and that all applicable laws, ordinances and regulations have been complied with;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 21st day of March, 2006, that grant funds in the amount of $250,000 from the Williamsburg Community Health Foundation be accepted and appropriated.

BE IT FURTHER RESOLVED that the County Administrator be, and he is hereby, authorized to execute procurement arrangements for the advanced life support ambulance, ambulance equipment and supplies, and "Autopulse" CPR devices in the amount of $250,000.

Item No. 7. ENDORSEMENT OF FAIR HOUSING PRINCIPLES: Resolution R06-23

A RESOLUTION ENDORSING THE PRINCIPLES OF FAIR HOUSING AS SET FORTH IN TITLE 36, CHAPTER 5.1 OF THE CODE OF VIRGINIA (1950) AS AMENDED

WHEREAS, the Commonwealth of Virginia has, through Section 36-96.1 of the Code of Virginia (1950, as amended), established a policy to: "provide for fair housing throughout the Commonwealth, to all its citizens, regardless of race, color, religion, national origin, sex, elderliness, familial status of handicap, and to that end to prohibit discriminatory practices with respect to residential housing by any person or group of persons, in order that the peace, health, safety, prosperity and general welfare of all inhabitants of the Commonwealth may be protected and insured"; and

WHEREAS, Section 36-96.8 et.seq., of the Code of Virginia (1950 as amended) empowers the Virginia Real Estate Board to receive complaints and conduct investigations of alleged violations of the Fair Housing Law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this

21st day of March, 2006, that the Board does hereby reaffirm its endorsement of the principles of the Virginia Fair Housing Law and does hereby state that it is the policy of the York County Board of Supervisors that said principles are, and continue to be, adhered to in this County.

**COUNTY ADMINISTRATOR REPORTS AND REQUESTS**

Mr. McReynolds stated there had recently been a brush fire in the County and in addition to the York County Fire and Life Safety personnel who responded, there were also a number of surrounding jurisdictions, as well as federal installations, who came out to help fight the fire. He thanked all who had responded as well as the County staff. He said he also received a letter from Gloucester thanking the County for their help and support during the recent fires in their locality. He then noted that the Board had been given several marketing and tourism publications that were tabbed with references to York County and some of the efforts to get publicity out on the opportunities in the County for visitors and citizens. Mr. McReynolds also reminded the Board of its upcoming public hearing and work session on March 23 and March 28 (tentative), and Regular Meetings on April 4 and April 18.

**MATTERS PRESENTED BY THE BOARD**

Mr. Shepperd apprised the Board and citizens of a town meeting he would be conducting on April 10 at 7:00 p.m. at the Tabb Elementary School gymnasium. He stated he had attended the monthly meeting of the Chamber of Commerce, and the focus on the meeting had been on keeping businesses and helping them to expand, which included information on how businesses are able to interact with the government to insure they are completing the steps necessary to complete business transactions. He suggested the possibility of a County liaison person to help businesses in York County make sure they get through the processes in an expeditious manner.

Mr. Burgett said that this afternoon he had heard from a very large, established business in the County that wanted to expand and was having difficulty understanding the process. He stated he wanted to reiterate for the citizens and for the staff of the County that customer service is the Board's number one priority, and he thought it was an outstanding idea to add a liaison who would help anyone in a position to expand their business and make sure they received the help needed. Mr. Burgett then addressed the problem of graffiti, stating there was some on a fence at the electric substation next to the log cabin offices on Route 17, and it was time the fence was painted. He added there had been interesting laudatory editorial in the Williamsburg Gazette about York's progress, but he found it interesting that the article talked about how the Supervisors were shortchanging Public Safety while providing 6 percent raises across the board to teachers and merit raises up to $3,000. He noted the Board of Supervisors has nothing to do with the teachers' raises or the School Division's budget, and added the County is spending $23.8 million this year on Public Safety which is 20 cents out of each tax dollar. He noted he had a conversation with Representative Glenn Oder regarding the payday lender bill, stating that Mr. Oder will bring the bill back to the General Assembly next year. Mr. Burgett then added that after the budget is completed, the Board's focus would be turned to the zoning ordinance to include special permits for payday lenders and changing mini-storage permits from general business to industrial where they should be by right.

Mr. Bowman stated the Stormwater Advisory Committee has made a plea to citizens who want to become involved in local government to step forward and volunteer to serve on the Committee. Citizens who would be willing to serve on this committee or any other board or commission should go to the County website to fill out a board bank application. He noted that many citizens are impacted by the new tax assessments, including those who are on a limited income. He encouraged those who might be eligible for elderly and disabled real estate tax relief to call the Commissioner of Revenue to see if they qualify for the program.

Chairman Zaremba reiterated that the public hearing on the proposed budget for the upcoming fiscal year is scheduled for Thursday, March 23, at 7:00 p.m., and he reviewed the schedule of meetings the Board had conducted leading up to the adoption of the FY07 budget. He said the Board was well aware of the significant increase in the tax assessments and that they averaged about 25 percent in the increased value of the average home across the County. Chairman

Zaremba said the Board had directed the County Administrator to cut to the bone the tax rate to offset the actual increase in tax dollars that would be paid by the property owners, and he felt the County Administrator had done a marvelous job, with the help of the staff, and had come to the Board with a recommendation to reduce the tax rate from $0.8175 to $0.6975 for every $100 of assessed value and still meet the personnel requirements, the services, and programs to continue to provide the County with the current level of support and quality of life. He stated he had an opportunity to talk with the Chairman of the School Board and asked him to revisit at the School Board's budget request to see if there are any further reductions that could be made.

**NEW BUSINESS**

APPLICATION NO. UP-697-06, STOR-MOORE

Mr. Carter gave a presentation on proposed Resolution R06-21 to amend the conditions of approval for a previously approved special use permit authorizing an additional 20,000 square feet of storage floor area at a mini-storage warehouse facility located at 7307 George Washington Highway. Staff recommended approval of the application.

Discussion followed regarding the intended use of the 20,000 square feet of the storage site area that was originally intended for boat or RV storage.

Mr. Bowman moved the adoption of proposed Resolution R06-21 that reads:

> A RESOLUTION TO AMEND THE CONDITIONS OF APPROVAL FOR A PREVIOUSLY APPROVED SPECIAL USE PERMIT BY AUTHORIZING AN ADDITIONAL 20,000 SQUARE FEET OF STORAGE FLOOR AREA AT A MINI-STORAGE WAREHOUSE FACILITY LOCATED AT 7307 GEORGE WASHINGTON HIGHWAY

WHEREAS, Kenneth Dale Moore, c/o MRP, LLC submitted Application No. UP 634-04, pursuant to Section 24.1-306 (Category 14, No. 6) of the York County Zoning Ordinance, which requested authorization to develop a mini-storage warehouse facility on property located at 7307 George Washington Memorial Highway (Route 17) approximately 250 feet north of the intersection of George Washington Memorial Highway and Whites Road and further identified as Assessor's Parcel Nos. 24-133 and 24-128 (GPIN# Q08d-4692-0110 and GPIN# Q08d-4951-0396); and

WHEREAS, on May 18, 2004, the York County Board of Supervisors approved said application through the adoption of Resolution No. R04-84; and

WHEREAS, pursuant to Section 24.1-115(d)(2) of the York County Zoning Ordinance, Stor-Moore LLC has submitted Application No. UP-697-06, which requests amendment of the conditions of approval set forth in the above-referenced resolution to authorize an additional 20,000 square feet of mini-storage warehouse floor area;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 21st day of March, 2006, that Application No. UP 697-06, be, and it is hereby, approved to amend the conditions of approval set forth in the Resolution No. R04-84 by authorizing an additional 20,000 square feet of mini-storage warehouse floor area at the facility located at 7307 George Washington Memorial Highway (Route 17), approximately 250 feet north of the intersection of George Washington Memorial Highway and Whites Road and further identified as Assessor's Parcel Nos. 24-133 and 24-128 (GPIN# Q08d-4692-0110 and GPIN# Q08d-4951-0396), subject to the following conditions:

1. Modifications to the layout of the mini-storage warehouse facility depicted on the plan titled "Proposed New Storage, Stor-Moore 5," prepared by Campbell Land Surveying, Inc., dated 8/22/04 and received by the York County Planning Division February 1, 2006 shall be permitted. Said modifications shall specifically include the addition of 20,000 square feet of mini-storage warehouse floor area as depicted on the referenced plan.

2. Except as specifically modified herein, the conditions set forth in Resolution No. R04-84 shall remain in full force and effect.

3. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, prior to application for site plan approval, a certified copy of the resolution authorizing this Special Use Permit 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.

On roll call the vote was:

Yea: (4) Burgett, Bowman, Shepperd, Zaremba
Nay: (1) Noll

**CLOSED MEETING**. At 8:17 p.m. Mr. Bowman 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; and Section 2.2-3711(a)(3) pertaining to real property used for a public purpose, specifically pertaining to the acquisition of real property for a public purpose.

On roll call the vote was:

Yea: (5) Shepperd, Noll, Bowman Burgett, Zaremba
Nay: (0)

Meeting Reconvened. At 8:34 p.m. the meeting was reconvened in open session by order of the Chair.

Mr. Shepperd 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 21st day of March, 2006, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (5) Noll, Bowman, Burgett, Shepperd, Zaremba
Nay: (0)

APPOINTMENTS TO THE TRANSPORTATION SAFETY COMMISSION

Mrs. Noll moved the adoption of proposed Resolution R06-32 that reads:

A RESOLUTION TO APPOINT TWO MEMBERS TO THE YORK

COUNTY TRANSPORTATION SAFETY COMMISSION

WHEREAS, William J. Cooper completed his term on the York County Transportation Safety Commission on December 31, 2005; and

WHEREAS, Scott M. Bergeron's term on this Commission will expire on March 31, 2006; and

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

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 21st day of March, 2006, that the following individuals be, and they are hereby, appointed to serve on the York County Transportation Safety Commission for term to begin and expire as described below:

William J. Cooper
(Term to begin immediately and expire December 31, 2008)

Scott M. Bergeron
(Term to begin April 1, 2006 and expire March 31, 2009)

On roll call the vote was:

Yea: (5) Bowman, Burgett, Shepperd, Noll, Zaremba
Nay: (0)

APPOINTMENTS TO THE YORK COUNTY HISTORICAL COMMITTEE

Mr. Burgett moved the adoption of proposed Resolution R06-31 that reads:

A RESOLUTION TO APPOINT MEMBERS TO THE YORK COUNTY HISTORICAL COMMITTEE

WHEREAS, Elfriede M. Morrison, Carol R. Meredith, and Robert O. Bigelow have resigned as members of the York County Historical Committee; and

WHEREAS, Mrs. Meredith and Mr. Bigelow have requested to remain on the Committee as Associate Members;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 21st day of March, 2006, that the following individuals be, and they are hereby, appointed to the York County Historical Committee as Full Members:

Steven R. Adcox

Mary Gatens

Donna A. Briede

BE IT FURTHER RESOLVED that Carol R. Meredith and Robert O. Bigelow be appointed to the York County Historical Committee as Associate Members.

On roll call the vote was:

Yea: (5) Burgett, Shepperd, Noll, Bowman, Zaremba
Nay: (0)

Meeting Adjourned. At 8:35 p.m. Chairman Zaremba declared the meeting adjourned to 7:00 p.m., Thursday, March 23, 2006, in the Board Room, York Hall, for the purpose of conducting public hearings on the proposed Fiscal Year 2007 Budget and 2006 Tax Rates.

James O. McReynolds, Clerk
York County Board of Supervisors

Walter C. Zaremba, Chairman
York County Board of Supervisors