

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 12TH DAY OF FEBRUARY 2008, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Bruce C. Goodson, Chairman, Roberts District, Absent
James G. Kennedy, Vice Chairman, Stonehouse District
James O. Icenhour, Jr., Powhatan District
John J. McGlennon, Jamestown District
Mary Jones, Berkeley District

Sanford B. Wanner, County Administrator
Leo P. Rogers, County Attorney

B. MOMENT OF SILENCE

Mr. Kennedy requested the Board and citizens observe a moment of silence.

C. PLEDGE OF ALLEGIANCE - Hamed Barbarji, a fourth-grade student at D.J. Montague Elementary School, led the Board and citizens in the Pledge of Allegiance.

D. PUBLIC COMMENT

1. Mr. John Rhein, 3505 Hunters Ridge, gave information about the National Federation of the Blind (NFB), Greater Williamsburg chapter, and noted State legislation that affects the blind and independent voting abilities for the blind. He noted the NFB Williamsburg chapter's regular meeting at the Williamsburg/James City County Community Center at 1 p.m. on the third Saturday of the month.

2. Ms. Deborah Kratter, 113 Long Point, on behalf of the James City County Citizens' Coalition (J4C), commented on controlled growth and the initiating resolution to amend the Zoning Ordinance amendment.

3. Mr. Ed Oyer, 139 Indian Circle, commented on disapproval of the Hampton Roads Transportation Authority; commended the Police Department on the execution of funeral processions; status of an unmaintained property on Indian Circle; fees and taxes in the County; water tables in Virginia; property values in the County; and conflicts of interest in relation to the Hampton Roads Transportation Authority.

4. Mr. Brian Oyer, 925 Barnes Road, commented on the Hampton Roads Transportation Authority and additional taxes and fees; the environmental studies at the airport site; Greenspace Master Plan study; and the Hill Family Subdivision.

E. CONSENT CALENDAR

Mr. McGlennon made a motion to adopt the items on the Consent Calendar, including the amendment to the minutes.

On a roll call vote, the vote was: AYE: Icenhour, McGlennon, Jones, Kennedy. (4). NAY: (0).

- 1. Minutes – January 22, 2008, Regular Meeting
- 2. Virginia Department of Criminal Justice Services – Grant Award- \$5,000

RESOLUTION

VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES – GRANT AWARD - \$5,000

WHEREAS, the Virginia Department of Criminal Justice Services (DCJS) has awarded the James City County Police Department a Law Enforcement Terrorism Prevention Program (LETTP) grant in the amount of \$5,000; and

WHEREAS, the funds will be used for the purchase of personal protective equipment for officers; and

WHEREAS, there are no matching funds required of this grant.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation to the Special Projects/Grants fund:

Revenue:

DCJS - LETTP	<u>\$5,000</u>
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Expenditure:

DCJS - LETTP	<u>\$5,000</u>
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- 3. FY 2009 Virginia Department of Rail and Public Transportation Grant Application

RESOLUTION

FY 2009 VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION

GRANT APPLICATION

WHEREAS, the Commonwealth of Virginia has made funds available for public transportation; and

WHEREAS, the Board of Supervisors is desirous of securing said funds in support of the Williamsburg Area Transport Company's operations.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that

the County Administrator is authorized to execute and file the application to the Virginia Department of Rail and Public Transportation (VDRPT) of the Commonwealth of Virginia for a grant of State public transportation matching assistance under Section 58.1-638(A) (4) of the Code of Virginia. The amount requested for State and Federal assistance is \$1,639,235 to assist in eligible project expenses. The County Administrator shall be authorized to accept grant funds awarded and to furnish the VDRPT documents and other information as may be required for processing this grant request.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, certifies that the funds shall be used in accordance with the requirements of Section 58.1-638(A)(4) of the Code of Virginia and that James City County may be subject to audit by the VDRPT and the State Auditor of Public Accounts.

F. PUBLIC HEARINGS

1. Case No. Z-0007-2007/MP-0005-2007/SUP-0020-2007. Powhatan Terrace

Mr. Bill Porter, Development Manager, stated the applicant has requested a deferral for this case until February 26, 2008. He stated staff concurred with the deferral request.

Mr. Kennedy opened the public hearing.

As no one wished to speak to this matter, Mr. Kennedy continued the public hearing to February 26, 2008.

2. Case No. Z-0005-2007. 112 Ingram Road

Mr. Jose Ribeiro, Planner, stated Mr. Scott Evans of Scott Evans Contracting, LLC has applied to rezone a parcel of 0.37 acres located at 112 Ingram Road from R-8, Rural Residential, to B-1, General Business, with proffers. Properties located to the north, east, and west of the site and south, across Ingram Road, are zoned B-1, General Business, and designated Mixed-Use by the 2003 Comprehensive Plan. This site fronts on Ingram Road and it is located within the Five Forks area of James City County and therefore subject to the Primary Principles for the Five Forks Area Study adopted by the James City County Board of Supervisors on September 28, 2004.

Staff found that with the submitted proffers, the proposal will not negatively impact surrounding property. Staff also finds the proposal consistent with surrounding land uses, the land use policies of the Comprehensive Plan, the Comprehensive Plan Land Use Map designation, and the Primary Principles for Five Forks Area of James City County.

At its meeting on January 9, 2008, the Planning Commission recommended approval by a vote of 5-0, with two absentees.

Staff recommended approval of the application.

Mr. Icenhour asked if Ingram Road connects to John Tyler Highway.

Mr. Ribeiro stated the road ends before connecting to John Tyler Highway.
Mr. Icenhour asked if there was any plan to connect to John Tyler Highway.

Mr. Ribeiro stated he was unaware of any plan to connect.

Mr. Icenhour asked if all the surrounding property was zoned B-1.

Mr. Ribeiro stated this parcel was the only property in the area that was not zoned B-1.

Mr. Icenhour asked if there was a structure on the property.

Mr. Ribeiro stated there was one structure on the site.

Mr. Icenhour asked if the surrounding areas were undeveloped.

Mr. Ribeiro stated that all but one parcel adjacent to the property was developed.

Mr. Kennedy opened the public hearing.

As no one wished to speak to this matter, Mr. Kennedy closed the public hearing.

Mr. Icenhour made a motion to adopt the resolution.

RESOLUTION

CASE NO. Z-0005-2007. INGRAM ROAD

WHEREAS, in accordance with § 15.2-2204 of the Code of Virginia, 1950, as amended, and Section 24-15 of the James City County Zoning Ordinance, a public hearing was advertised, adjoining property owners notified, and a hearing scheduled on Zoning Case No. Z-0005-2007; and

WHEREAS, Mr. Scott Evans has applied to rezone his property located at 112 Ingram Road further identified as James City County Real Estate Tax Map No. 4710100023 (the "Property") from R-8, Rural Residential, to B-1, General Business, to allow the construction of a 1,440- square-foot two-story office building with a 520-square-foot attached garage; and

WHEREAS, the Property is designated Mixed Use on the 2003 Comprehensive Plan Land Use Map; and

WHEREAS, on January 9, 2008, the Planning Commission recommended approval of the application by a vote of 5-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case No. Z-0005-2007 as described herein and accept the voluntary proffers.

RESOLUTION

CASE NO. Z-0005-2007. INGRAM ROAD

WHEREAS, in accordance with § 15.2-2204 of the Code of Virginia, 1950, as amended, and Section 24-15 of the James City County Zoning Ordinance, a public hearing was advertised, adjoining property owners notified, and a hearing scheduled on Zoning Case No. Z-0005-2007; and

WHEREAS, Mr. Scott Evans has applied to rezone his property located at 112 Ingram Road further identified as James City County Real Estate Tax Map No. 4710100023 (the "Property") from R-8, Rural Residential, to B-1, General Business, to allow the construction of a 1,440- square-foot two-story office building with a 520-square-foot attached garage; and

WHEREAS, the Property is designated Mixed Use on the 2003 Comprehensive Plan Land Use Map; and

WHEREAS, on January 9, 2008, the Planning Commission recommended approval of the application by a vote of 5-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case No. Z-0005-2007 as described herein and accept the voluntary proffers.

On a roll call vote, the vote was: AYE: Icenhour, McGlennon, Jones, Kennedy. (4). NAY: (0).

4. **Ordinance to Amend Chapter 13, Motor Vehicles and Traffic – Parking Regulation**

Ms. Jennifer Lyttle, Assistant County Attorney stated that the proposed ordinance amends Section 13-36 of the County Code by authorizing the County Administrator or his designee to regulate parking on roads in the State secondary system of highways. She stated that Section 46.2-1222 of the *Virginia Code* provides specific authorization for James City County to regulate parking on secondary roads. Currently, the County Code only authorizes the County Administrator to regulate parking on County property and County-maintained roads. Ms. Lyttle stated there has been a growing concern throughout the County regarding residential neighborhoods being used as parking areas for adjacent schools and shopping centers, all-day parking along the secondary roads fronting business establishments, and other areas of the County where unregulated parking impacts adjacent properties. She indicated that by allowing the County Administrator to set parking regulations for secondary roads, the County can better address parking concerns throughout the County.

Staff recommended adoption of the ordinance amendment.

Mr. Kennedy opened the public hearing.

1. Mr. Greg Davis, Kaufman and Canoles, on behalf of New Town Association, stated his client supports the ordinance amendment to allow for time-limit parking in New Town. He stated that this would encourage all-day parking to take place away from in-and-out parking in front of businesses.

2. Mr. Roy Coker, 3905 St. Eric's Turn, stated his support on behalf of the Jamestown Hundred community members and homeowner's association. He stated his community supports the ordinance amendment to deter high school students from parking on the roads in the subdivision, causing difficulties for homeowners.

3. Ms. Trena Meeske, 3231 Reade's Way, stated support for the ordinance amendment based on the parking issue in the community related to high school students.

4. Mr. R.J. Blazer, 104 Canterbury Place, stated support for the ordinance amendment based on parking issues related to Prime Outlets.

5. Mr. Ed Oyer, 139 Indian Circle, stated his support for the ordinance amendment and commented that he would like to see it applied to all secondary roads, including Indian Circle and Plantation Road.

As no one else wished to speak to this matter, Mr. Kennedy closed the public hearing.

Mr. McGlennon asked staff for clarification that this ordinance permits parking enforcement in areas that are determined to be areas of concern.

Ms. Lyttle stated this was correct and that some locations such as the areas near Prime Outlets and Jamestown Hundred were already being evaluated for parking enforcement.

Mr. McGlennon stated that specific criteria would need to be determined to assign parking enforcement.

Ms. Lyttle stated that was correct and that there was also a need for signage placed on designated roads to indicate parking regulation.

Mr. McGlennon asked the range of fees for violations.

Ms. Lyttle stated that County Code already sets the traffic violation fees and noted that it was minimal. She stated that repeated offenses would lead to higher fines.

Mr. McGlennon asked if the appeal to State legislature to increase fines for traffic enforcement would affect the range of these fines.

Mr. Rogers stated the change in legislation would change the Code to allow for the use of the civil process, which results in higher fines rather than restricting the County to its current use of the traffic summons process.

Mr. McGlennon asked if the Police Chief felt the Police force could adequately enforce regulations.

Chief Emmett Harmon stated that the actual locations would determine the effectiveness. He indicated that areas such as Prime Outlets would be seasonal, and residential areas would need to be evaluated for enforcement, particularly areas being regulated during school hours.

Ms. Jones thanked Ms. Lyttle and staff for work on the ordinance amendment and responsiveness to the community. She thanked the citizens of Jamestown Hundred for moving forward on this issue.

Ms. Jones made a motion to adopt the ordinance.

On a roll call vote, the vote was: AYE: Icenhour, McGlennon, Jones, Kennedy. (4). NAY: (0).

4. Case No. Z-0014-2007/MP-0011-2007. Chestnut Grove Proffer and Master Plan Amendment.

Mr. David German, Planner, stated Mr. Joel Almquist of Health-E-Communities Enterprises has applied to amend the approved and adopted proffers and master plan for the Chestnut Grove Townhouse project located at 104 Wisteria Garden Drive on a property identified as Tax Map Parcel Number 5910100024. The parcel consists of 9.018 acres, is zoned R-5 (Multi-Family Residential), with Proffers and is designated as Moderate-Density Residential by the Comprehensive Plan. The original proffers and master plan were adopted as a part of Rezoning Z-0002-2007, Master Plan MP-0003-2007, approved for this property by the Board of Supervisors on June 12, 2007.

Staff found that the proposed changes to the adopted proffers and master plan would not materially alter the character, quality, or general design of the Chestnut Grove project, nor would these changes adversely affect the County or the citizens thereof. The proposed changes seek only to relocate and reshape the Low Impact Development (LID) features of the project, in an attempt to make them more effective and efficient, and to correct existing wording in the proffers that incorrectly describes how adjustments to the cash proffer contributions should be carried out using the Marshall and Swift Index. The proposed changes are not contrary to the James City County Zoning or Subdivision Ordinances, nor are they in conflict with the 2003 Comprehensive Plan.

At its meeting on February 6, 2008, the Planning Commission recommended approval by a vote of 7 to 0.

Staff recommended approval of the application.

Mr. Icenhour stated the map depicting the LID feature changes was helpful.

Mr. Kennedy opened the public hearing.

1. Mr. Joel Almquist, Health-E-Community Enterprises, stated between the site plan stage to the master plan development stage, once curb and gutter streets were installed, they would not be effective, and maintaining the same amount of square footage and relocating them, more effectively treating water, change to the proffer regarding financial matters was a minor issue.

2. Mr. Ed Oyer, 139 Indian Circle, stated he did not know if the right-turn lane would be incorporated and that he was not aware of the turn lane being addressed initially.

Mr. Almquist stated in the proffers restriping and additional left-turn lane if required by VDOT and it is shown in the site plan.

As no one else wished to speak to this matter, Mr. Kennedy closed the public hearing.

Mr. McGlennon made a motion to adopt the resolution.

Ms. Jones asked if this item was fast-tracked as prescribed by the Comprehensive Plan.

Mr. Porter stated this was fast-tracked in terms of advertising between the Planning Commission and the Board of Supervisors meetings.

On a roll call vote, the vote was: AYE: Icenhour, McGlennon, Jones, Kennedy. (4). NAY: (0).

RESOLUTION

CASE NO. Z-0014-2007/MP-0011-2007. CHESTNUT GROVE PROFFER AND

MASTER PLAN AMENDMENT

WHEREAS, in accordance with § 15.2-2204 of the Code of Virginia, 1950, as amended, and Section 24-15 of the James City County Zoning Ordinance, a public hearing was advertised, adjoining property owners notified, and a hearing scheduled on Zoning Case No. Z-0014-2007/MP-0011-2007, with Master Plan, for amending the previously approved (under Z-0002-2007/MP-0003-2007) Master Plan and Proffers for the Chestnut Grove project; and

WHEREAS, the Planning Commission of James City County, following its public hearing on February 6, 2008, recommended approval by a vote of 7 to 0; and

WHEREAS, the property affected by this amendment is located at 104 Wisteria Garden Drive and can be further identified as James City County Real Estate Tax Parcel ID No. 5910100024.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, following a public hearing, does hereby approve Case No. Z-0014-2007/MP-0011-2007 and accept the revised voluntary proffers.

Mr. Kennedy recognized Mr. Tony Obadal in attendance on behalf of the Planning Commission.

G. BOARD CONSIDERATIONS

1. **Acquisition of Real Property from Green Mount Associates, LLC for Route 60 Relocation**

Ms. Jennifer Lyttle, Assistant County Attorney, stated that on September 29, 2006, the County/State Administration Agreement was executed to locally administer the Route 60 East Relocation Project (Rt. 60 Project) financed by the Federal Highway Administrator and the Virginia Department of Transportation (VDOT). The Rt. 60 Project, located in the Roberts District and the Lee Hall area of James City County and Newport News, has been a top priority of James City County for more than ten years. The Rt. 60 Project provides for two lanes of travel in each direction, separated by a grass median with curb and gutter, and multiuse path. These improvements will make the road safer for residents and more convenient for businesses located in that area. On July 2, 2007, the County began the process of acquiring right-of-way property for the Rt. 60 Project by purchasing approximately 12 acres from Green Mount Associates, LLC (Green Mount). Since additional acreage from Green Mount is needed for the Rt. 60 Project, the Board authorized staff to negotiate for the additional acreage on September 11, 2007. Green Mount has agreed to sell approximately 1.9933 acres for \$99,665 to the County in furtherance of the Rt. 60 Project. The portion of the land to be acquired by the County is needed in advance of the design for the Rt. 60 Project in order to expedite the design and utility relocation for the future road improvements based on the approved alignment by the Commonwealth Transportation Board known as "Alignment A." To move forward with the Rt. 60 Project, staff recommends approval of the attached resolution authorizing the acquisition of property from Green Mount in furtherance of the Rt. 60 Project.

Mr. McGlennon asked if the value of the land would remain in the event that the project did not move forward.

Mr. Rogers stated there was an agreement that in the event that the project did not go forward, Green Mount Associates, LLC would purchase the land back from the County for that amount plus Consumer Price Index (CPI).

Mr. Icenhour made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: Icenhour, McGlennon, Jones, Kennedy. (4). NAY: (0).

RESOLUTION

ACQUISITION OF REAL PROPERTY FROM GREEN MOUNT ASSOCIATES, LLC,

ROUTE 60 RELOCATION

WHEREAS, Green Mount Associates, LLC (Green Mount) currently owns a certain real property identified as James City County Tax Parcel Nos. 6010100009 and 6010100009B, more commonly known as 9201 Pocahontas Trail and 9225 Pocahontas Trail (collectively, the "Site"); and

WHEREAS, in furtherance of the County's initiative to expand and relocate Route 60, beginning from Blow Flats Road and connecting to the City of Newport News at Skiffe's Creek, there is a proposed real estate purchase agreement to convey to James City County approximately 1.9933 (the "Property") of the Site, generally shown as "Area Hereby Conveyed To James City County As Right Of Way For Public Street Purposes, Area = 1.9933 AC." on that certain plat entitled "Re-Subdivision Of Lot 1A & Lot 1B Property Of Green Mount Associates, L.L.C., Roberts District, James City County, Virginia", dated October 30, 2007 and prepared by LandMark Design Group (the "Plat"); and

WHEREAS, the purchase price for the Property is \$50,000 per acre, being a total purchase price of \$99,665; and

WHEREAS, the Board of Supervisors is of the opinion the County should acquire the Property for the purpose of expanding Route 60.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize and direct the County Administrator to execute any and all documents necessary to acquire the 1.9933 acres as generally shown on the Plat for the purpose of expanding Route 60.

2. **Case No. ZO-0011-2007. R-4 (Residential Planned Community) Ordinance Amendment-Initiating Resolution**

Mr. David German, Planner, stated that at the Board of Supervisors meetings of October 23, 2007, and November 13, 2007, staff presented an Initiating Resolution to the Board instructing staff to prepare and present language to revise Sections 24-275 and 24-283 of the Zoning Ordinance. He said after deliberation at these two meetings, the Board elected to further discuss the two sections of the Zoning Ordinance and the proposed resolution to amend these sections, at its January 22, 2008, Work Session. At this Work Session, the Board instructed staff to bring forth the Initiating Resolution to the February 12, 2008, Board meeting for further consideration. Staff recommended adoption of the resolution to initiate consideration of an amendment

to Sections 24-275 and 24-283 of the Zoning Ordinance to clarify and fully define the language found in these two sections. Staff requested direction from the Board to simply clarify the language to explicitly follow past practices with these sections.

Mr. Icenhour made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: Icenhour, McGlennon, Jones, Kennedy. (4). NAY: (0).

RESOLUTION

ZO-0011-2007. R-4 (RESIDENTIAL PLANNED COMMUNITY) ORDINANCE AMENDMENT -

INITIATING RESOLUTION

WHEREAS, the Planning Commission of James City County, Virginia, is charged by Virginia Code §15.2-2286 to prepare and recommend to the Board of Supervisors various land development plans and ordinances, specifically including a zoning ordinance and necessary revisions thereto as seem to the Commission to be prudent; and

WHEREAS, in order to make the Zoning Ordinance more conducive to proper development, public review and comment of draft amendments is required pursuant to Virginia Code §15.2-2286; and

WHEREAS, the Board of Supervisors is of the opinion that the public necessity, convenience, general welfare, or good zoning practice warrant the consideration of amendments.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate review of the Zoning Ordinance to consider amending the language of Sections 24-275 and 24-283 of Article V. Districts, Division 5. Residential Planned Community District, R-4, by amending the provisions and procedures relating to the 400-acre requirement for proposed residential planned communities found in these Sections. The Planning Commission shall hold at least one public hearing on the consideration of amendments of said Ordinance and shall forward its recommendation thereon to the Board of Supervisors in accordance with law.

H. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, commented on parking issues due to single-family homes that house extended families.

I. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner recommended that the reappointment for the Purchase of Development Rights Committee be handled during Board Requests and Directives. He stated when the Board completes its business, it should recess to February 19, 2008, at 11 a.m. for a joint meeting with the Williamsburg City Council and the Williamsburg-James City County School Board. He stated the next regular meeting would take place on February 26, 2008, and noted that County offices would be closed on February 18, 2008, in observance of President's Day.

J. BOARD REQUESTS AND DIRECTIVES

Mr. Icenhour stated he attended a meeting of the Season's Trace Homeowners Association and stated one of the issues was extensive flooding at its single entrance. He stated that there was concern about emergency response during the event of a hurricane or other weather events. He stated Fire Chief Luton has examined three alternate entrances, and the neighborhood was interested in the short connectivity into Warhill High School to provide for an alternate access in the event of an emergency. He asked that staff evaluate this and provide information.

Mr. Wanner stated that an evaluation would be done involving Chief Luton, the Development Manager, the General Services Manager, VDOT, and the school system.

Mr. McGlennon made a motion to reappoint Dr. Martin C. Mathes to a three-year term on the Purchase of Development Rights Committee.

On a roll call vote, the vote was: AYE: Icenhour, McGlennon, Jones, Kennedy. (4). NAY: (0).

Mr. McGlennon stated in response to Mr. Brian Oyer's comments that he opposed the Hill Family Subdivision in that Mr. Hill indicated that it would not be a problem to prevent further subdivision of that property. Mr. McGlennon explained that regardless of the land's current owner, the decisions made on that land hold to it in perpetuity. He stated that further subdivision of the property on Skillman Drive could provide problems for the community in the future. He stated he supported that application and recommended the change in parcel size with the concurrence of Mr. Hill.

Mr. McGlennon noted that he attended the Comprehensive Plan Survey Press Conference. He commended the survey to the public to show the current mood of the public. He stated that the presenters from the firms involved expressed concern about the pace of residential and commercial development, and indicated that individual questions and volunteered responses were surprising. He stated that the survey results were posted on the County website.

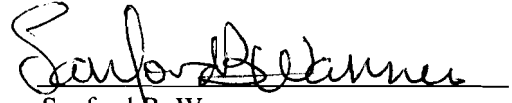
He also stated that at the last meeting a closed session was held, and he later read accounts in the newspaper from the closed session that attributed comments to him that were not accurate. He was concerned that there was discussion about the closed session material apparently by someone on the Board which implicated a partisan bias in his vote against Mr. Chris Henderson for a Planning Commission appointment. He stated his surprise and disappointment, and noted that the comments were misrepresented. He stated he did not comment in open session why he voted the way he did. He disclosed that he voted against this appointment because the voters had voted Mr. Henderson down in his bid for the Board of Supervisors and he felt that appointing him to the Planning Commission was going against the wishes of the electorate. He stated there was no partisan reasoning behind his vote. Mr. McGlennon indicated that he had asked the Board members to remain cognizant of the voters' voices.

K. RECESS to 11 a.m. on February 19, 2008.

Mr. McGlennon made a motion to recess.

On a roll call vote, the vote was: AYE: Icenhour, McGlennon, Jones, Kennedy. (4). NAY: (0).

At 8:03 Mr. Kennedy recessed the Board to February 19, 2008, at 11 a.m.


Sanford B. Wanner
Clerk to the Board

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