



I.-C.

Agenda Item

County of Hanover

Board Meeting: January 14, 2015

Subject: Approval of Minutes –
November 12, 2014
November 25, 2014
December 4, 2014

**Summary of
Agenda Item:** The minutes of November 12, November 25 and December 4, 2014 are included in
the packet to be approved.

**County
Administrator's
Recommended
Board Motion:**

A motion to approve the Board of Supervisors meeting minutes of November 12,
November 25 and December 4, 2014

HANOVER COUNTY BOARD OF SUPERVISORS

MINUTES

Hanover County Administration Building Board Room

November 12, 2014

VIRGINIA: At a regular meeting of the Board of Supervisors for Hanover County held in the Board Room of the Hanover County Administration Building on the 12th day of November, 2014, at 2:00 p.m.

Present: Mr. Sean M. Davis, Chairman
Mr. Wayne T. Hazzard, Vice-Chairman
Mrs. Angela Kelly-Wiecek
Mr. W. Canova Peterson
Mr. Aubrey M. Stanley
Mr. G.E. “Ed” Via, III
Mr. Elton J. Wade, Sr.
Mr. Cecil R. Harris, Jr., County Administrator
Mr. Sterling E. Rives, III, County Attorney

I. Call to Order

The Chairman called the meeting to order at 2:00 p.m. All Board members were present.

- A. The invocation was given by Mr. Hazzard.
- B. The Pledge of Allegiance was led by Mr. Peterson.

II. Consideration of Agenda Amendments

The Chairman asked if there were any agenda amendments. Mr. Hazzard made a motion to add Item IV.-I. - Adoption of Proclamation – Color the World Orange Month, to the consent agenda, seconded by Mrs. Kelly-Wiecek.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye

Board of Supervisors Draft Minutes – November 12, 2014

W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Mr. Hazzard detailed the Mission to Hanover event for the Board members and attendees. This event was held November 8th by area churches. Liberty Middle School and Patrick Henry High School were two of the locations where citizens participated. Mr. Hazzard described the businesses that donated materials and listed some of the projects completed.

Mr. Davis recognized Veterans’ Day and noted the important role played by our veterans.

Mr. Davis announced that Congressman Brat has been sworn in. He congratulated him and Senator Warner.

III. Citizens’ Time

The Chairman opened citizens’ time and offered to anyone who wanted to address the Board of Supervisors for up to five minutes on any matter within the scope of the Board’s authority that is not on the agenda for that meeting to come forward.

Seeing none, the Chairman closed citizens’ time.

IV. Consent Agenda

Mr. Hazzard made a motion to approve the consent agenda as amended, seconded by Mr. Peterson.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

IV.-A. Adoption of Proclamations:

1. Eagle Scout Parker Hohman, Troop 544 – **Chickahominy Magisterial District**

Board of Supervisors Draft Minutes – November 12, 2014

PROCLAMATION

WHEREAS the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910; and

WHEREAS the Boy Scouts of America was founded to promote citizenship, training, personal development and fitness of individuals; and

WHEREAS Parker Hohman is a resident of the Chickahominy Magisterial District in Hanover County, Virginia, and a sophomore at Atlee High School; and

WHEREAS on the 3rd day of September, 2014, Parker Hohman attained the rank of Eagle Scout, the highest award granted by the Boy Scouts of America; and

WHEREAS to achieve this high honor Parker Hohman carried out a community project by planning, organizing and installing posts and lattice work to shield multiple heat pumps from view while still providing repair access at Fairfield Presbyterian Church in Hanover County, Virginia; and

WHEREAS Parker Hohman of Boy Scout Troop 544 which meets at Shady Grove United Methodist Church has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout; and

WHEREAS the Hanover County Board of Supervisors fully supports the programs of the Boy Scouts of America and recognizes the important service they provide to the youth of our Country.

NOW, THEREFORE, BE IT RESOLVED that the Hanover County Board of Supervisors hereby extends its congratulations to Parker Hohman and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

On motion of Ms. Kelly-Wiecek, seconded by Mr. Hazzard, members of the Board of Supervisors voted to adopt this Proclamation as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Board of Supervisors Draft Minutes – November 12, 2014

2. Eagle Scout Blake R. Glover, Troop 544 – **Chickahominy Magisterial District**

PROCLAMATION

WHEREAS the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910; and

WHEREAS the Boy Scouts of America was founded to promote citizenship, training, personal development and fitness of individuals; and

WHEREAS Blake R. Glover is a resident of the Chickahominy Magisterial District in Hanover County, Virginia, a 2014 graduate of Atlee High School, and a freshman at Wabash Valley College; and

WHEREAS on the 7th day of July, 2014, Blake R. Glover attained the rank of Eagle Scout, the highest award granted by the Boy Scouts of America; and

WHEREAS to achieve this high honor Blake R. Glover carried out a community project by planning, organizing and cleaning a section of East End Cemetery in Henrico County, Virginia, to remove debris, tree limbs, and vines; and

WHEREAS Blake R. Glover of Boy Scout Troop 544 which meets at Shady Grove United Methodist Church has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout; and

WHEREAS the Hanover County Board of Supervisors fully supports the programs of the Boy Scouts of America and recognizes the important service they provide to the youth of our Country.

NOW, THEREFORE, BE IT RESOLVED that the Hanover County Board of Supervisors hereby extends its congratulations to Blake R. Glover and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

On motion of Ms. Kelly-Wiecek, seconded by Mr. Hazzard, members of the Board of Supervisors voted to adopt this Proclamation as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Board of Supervisors Draft Minutes – November 12, 2014

IV.-B. Committee Appointments

COMMITTEE NAME	DISTRICT	FIRST NAME	LAST NAME	CURRENT TERM BEGAN	TERM LENGTH	CURRENT TERM ENDS	ACTION
Hanover County Council on Aging	Ashland	Madge	Carter	01/01/14	1 year	12/31/14	Reappoint to 12/31/15
Hanover County Council on Aging	Beaverdam	Donald	Pleasants	N/A	1 year	N/A	Appoint to 11/12/15
Richmond Regional Transportation Planning Organization	N/A	Joe	Vidunas	01/25/12	2 years	N/A	Remove as voting member. Will serve as a staff representative.

IV. C. Consideration of Vote Allocations for the Hanover County Appointees to the Richmond Regional Transportation Planning Organization

Board Sheet Background:

On October 2, 2014, the policy board of the Richmond Area Metropolitan Planning Organization voted to change the public name of the agency to the Richmond Regional Transportation Planning Organization (RRTPO).

The change was one of a series of amendments to the organization’s bylaws designed to improve its ability to achieve its long-standing mission as the federally-designated forum for regional transportation decision-making, planning, and programming. Another change defines that only elected officials may be voting members of the RRTPO board therefore Joe Vidunas, Hanover County Public Works, is to serve in a staff position rather than a RRTPO board position. The attached press release describes the changes in more detail.

Votes on the RRTPO policy board continue to be allocated on a sliding scale, with the most-populated localities having as many as four votes and the smallest localities only one. Hanover is allocated three votes. While the voting weight of each locality was not modified, the new bylaws allow each local governing body to delegate its respective votes to its representatives either as a block or according to the previous system of one vote per representative.

Hanover’s appointees to the RRTPO worked with staff to develop the voting scenarios described in the attached staff memorandum.

Recommended Action:

Approve the vote allocations for the Hanover County appointees to the Richmond Regional

Board of Supervisors Draft Minutes – November 12, 2014

Transportation Planning Organization in accordance with the attached memorandum

IV.-D. Adoption of Resolution Establishing 2014 Personal Property Tax

Board Sheet Background:

In 2005 the General Assembly amended the Personal Property Tax Relief Act and limited the relief available for local personal property taxpayers. Beginning in tax year 2006 and each successive year, the County will receive \$15,002,000 from the Commonwealth of Virginia for car tax relief. The State will make four payments each year as follows: 5% of allocation by August 15; 75% of allocation by November 15; 10% of allocation by February 15; and 10% by May 15.

In conformance with Ordinance 05-30, which implemented these changes in the Personal Property Tax Relief Act of 1998, the Commissioner of the Revenue, in conjunction with the Finance Department and the Treasurer's office, proposes adoption of the attached resolution. It is recommended that the Hanover County Board of Supervisors establish the percentage of personal property tax relief for 2014 at 100 percent for qualifying vehicles valued at \$1,000 or less and at 57 percent for the first \$20,000 in value of each qualifying vehicle with a value above \$1,000. The Commissioner estimates that these levels of relief will exhaust the funds available from the State for this purpose. In Tax Year 2013 the percentage relief for qualifying vehicles valued at \$1,001 or above was 57 percent. The proposed percentage of relief for 2014 allows approximately \$70,000 in remaining relief for supplemental tax year 2014 billings that are not included in the 2014 personal property tax roll.

Recommended Action:

Motion to approve resolution establishing personal property tax relief percentages for tax year 2014.

RESOLUTION

PERSONAL PROPERTY TAX RELIEF

WHEREAS the Board of Supervisors adopted Ordinance 05-30 implementing changes in the Personal Property Tax Relief Act of 1998 enacted by the General Assembly in 2005, and

WHEREAS those changes resulted in a fixed amount of funding for the Personal Property Tax Relief program each year, and

Board of Supervisors Draft Minutes – November 12, 2014

WHEREAS the staff has provided estimates to the Board of rates of relief which will use all of the relief available to the County from the State, for tax year 2014, and

WHEREAS the Board establishes the annual rate or rates of relief on the basis of those estimates.

NOW THEREFORE BE IT RESOLVED by the Hanover County Board of Supervisors that the rate of 100 percent of relief shall be applied to qualifying vehicles valued at \$1,000 or less and that the rate of 57% shall be applied to the first \$20,000 in value of each vehicle with a value above one thousand dollars. Those rates of relief are estimated to exhaust the state relief available to the County for the tax year 2014, and

BE IT FURTHER RESOLVED that this rate shall be applied to personal property tax bills of qualifying personal use vehicles in accordance with Chapter 22, Article III of the Hanover County Code.

This Resolution shall be effective upon adoption for the tax year 2014.

On motion of Hazzard, seconded by Peterson, the members of the Board of Supervisors voted to approve this Resolution, as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

IV.-E. Financial Policy Amendments

Board Sheet Background:

The County's Financial Polices are adopted by the Board of Supervisors, and set County policy for the financial management of the County, including specific objectives, defined authorization levels, etc. The County's Financial Policies are reviewed and amended periodically to reflect enhancements to internal controls, changing operational needs, and changes in operations necessitated by regulations.

These amendments were presented to the Finance Committee on November 5, 2014. Based on the Finance Committee's authorization, a change to the Budget Policy section of the County Financial Policies is being proposed to reflect enhancements to internal controls and changing operational needs

Board of Supervisors Draft Minutes – November 12, 2014

as outlined on the attached Summary of Policy Changes.

The proposed changes to the Policies are also attached, with changes highlighted.

The Department of Finance and Management Services concurs with these Policy amendments.

Recommended Action:

Motion to approve the proposed changes to the County's Financial Policy.

IV.-F. Request for Special Exception Permit Extension - SE-16-97, Forrest R. Traylor (Henry Magisterial District)

Board Sheet Background:

At their meeting of November 22, 2011, the Hanover County Board of Supervisors approved the above-captioned request for a Special Exception Permit to allow a home occupation for the sale and repair of firearms on GPIN 8718-84-0318. Condition #5 states that the permit shall be valid for the duration of the Federal Firearms Permit or the cessation of the use, whichever occurs first. The extension is required to coincide with the periodic renewal of the Federal Firearms Permit. The Special Exception may be renewed by action of the Board at no cost to the applicant upon renewal of the Federal Firearms Permit and verification of compliance with the conditions. The Board has granted permit extensions in 1999, 2002, 2005, 2008, and 2011. On October 8, 2014, the applicant applied for another extension and submitted a copy of the renewed Federal Firearms Permit. Subsequently, staff inspected the subject property and confirmed that all of the conditions of approval have been met. Therefore, staff recommends an extension of the permit subject to the original conditions of approval.

Recommended Action:

Motion to approve the extension request for SE-16-97, Forrest R. Traylor, for three (3) years subject to the original conditions of approval.

Mr. Davis made a motion to approve the extension request for SE-16-97, Forrest R. Traylor, for three (3) years subject to the original conditions of approval, seconded by Mr. Hazzard.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye

Board of Supervisors Draft Minutes – November 12, 2014

Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

IV.-G. Adoption of Resolution – Directs the Clerk of the Board to Post and Publish Notice of Board’s Intent to Abandon a Section of Adams Farm Road – Virginia Department of Transportation (VDOT) Requirement (Mechanicsville Magisterial District)

Board Sheet Background:

VDOT has advised the staff and applicants of the need to comply with requirements for abandonment of a portion of Adams Farm Road; the draft resolution requests Board authorization to begin that process.

The Hanover County Board of Supervisors approved rezoning request C-15-13(c), Hanover Land, LLC on March 12, 2014. The rezoning approved the extension of Adams Farm Road to serve the new residential development. With the extension of Adams Farm Road, the cul-de-sac “bulbs”, consisting of 0.070 acres, located at the existing terminus, will no longer be required. Access to existing parcels located outside of the proposed development will not be affected by the Board’s action to abandon this particular section of Adams Farm Road. Ownership of the section of Adams Farm Road to be abandoned will revert to the owner of GPIN: 8724-37-8172 and will ultimately become part of the Adams Farm Subdivision. Adoption of the attached resolution is the first step in the abandonment process.

Recommended Action:

Motion to adopt “Resolution to Direct the Clerk of the Board to Post and Publish Notice of Board’s Intent to Abandon a Section of Adams Farm Road”

RESOLUTION

A RESOLUTION TO DIRECT THE CLERK OF THE BOARD TO POST AND PUBLISH NOTICE OF THE BOARD’S INTENT TO ABANDON A SECTION OF ADAMS FARM ROAD (STATE ROUTE 830), CONSISTING OF 0.070 ACRES.

WHEREAS, it appears to this Board that a portion of the existing cul-de-sac, consisting of 0.070 acres at the terminus of Adams Farm Road (State Route 830), serves no public necessity and is no longer necessary as part of the Secondary System of State Highways,

Board of Supervisors Draft Minutes – November 12, 2014

NOW, THEREFORE, BE IT RESOLVED BY THE HANOVER COUNTY BOARD OF SUPERVISORS: The clerk of the Board is directed to post and publish notice of the Board’s intent to abandon the aforesaid section of State Route 830, pursuant to §33.1-151 of the Code of Virginia, as amended.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Commissioner of the Virginia Department of Transportation.

On a motion of Mr. Peterson, seconded by Mr. Hazzard, the members of the Board of Supervisors voted to approve this Resolution, as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

IV.-H. Adoption of Proclamation – Cecil R. “Rhu” Harris, Jr.

Board Sheet Background:

It is requested that the Board of Supervisors adopt the attached proclamation recognizing Cecil R. “Rhu” Harris, Jr., for his thirty (30) years of dedicated and distinguished service to Hanover County and conveying best wishes for a future of continued success.

IV.-I. - Adoption of Proclamation – Color the World Orange Month (added to agenda)

PROCLAMATION

WHEREAS Complex Regional Pain Syndrome (CRPS), also known as Reflex Sympathetic Dystrophy (RSD), is a nerve disorder that causes chronic pain; and

WHEREAS Complex Regional Pain Syndrome was first identified during the Civil War, and it remains a poorly-understood disease that causes those who suffer with the condition burning and stabbing pain that is out of proportion to the severity of the initial injury and can include sensitivity to touch, swelling, and discoloration; and

Board of Supervisors Draft Minutes – November 12, 2014

WHEREAS the causes of Complex Regional Pain Syndrome is unknown, where in more than 90 percent of cases the condition is triggered by a clear history of trauma or injury such as fractures, sprains/strains, burns, cuts and bruises; and

WHEREAS Complex Regional Pain Syndrome is a condition that effects people of all ages; and

WHEREAS community awareness is imperative in order to focus attention to ways to assist those affected by this condition as well as seeking to find a cure.

NOW, THEREFORE, BE IT RESOLVED that the Hanover County Board of Supervisors does hereby proclaim November to be known as “Color the World Orange Month” in Hanover County, Virginia.

On motion of Mr. Hazzard, seconded by Mr. Peterson, members of the Board of Supervisors voted to adopt this Proclamation as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

V. Presentation - FY14 Comprehensive Annual Financial Report (CAFR)

Board Sheet Background:

The County's fiscal year 2014 Comprehensive Annual Financial Report (CAFR) will be presented to the Board of Supervisors in accordance with the County's Audit Policy and Section 15.2-2511 of the Code of Virginia. The Departments of Finance and Management Services, County Administration and KPMG, LLP, the County's independent auditors, reviewed the CAFR and the County's results of operations and financial position for fiscal year 2014, the auditor's opinion and reports, and the results of the audit with the Finance Committee at their meeting on November 5, 2014. The County's fiscal year 2014 financial position remained in compliance with the Board's fund balance and debt policies.

Board of Supervisors Draft Minutes – November 12, 2014

Mrs. Kathy Seay, Director of Finance, came forward to give this presentation to the Board. She reported on the General Fund – Summary of Audited Financial Results, noting that the final year results are very close to the preliminary projections that were presented in August. The details of the Fund Balance Commitments and Assignments were given. It was also reported that the Debt Ratios are in compliance with the County’s financial policies and a summary was given.

There was clarification on debt payoff and it was noted that the County’s debt is being paid off more rapidly than what is required by the County policy.

Mr. Tim Conner with KPMG, LLP came forward and presented the Board with the results of the audit of the financial statements for June 30, 2014. He reported that there were no significant deficiencies or material weaknesses.

There was a discussion on the AAA rating the County has maintained and the history of thoroughness of KPMG.

VI. Presentation - Human Services Annual Report

Mr. Jim Taylor, Deputy County Administrator, came forward to give this presentation to the Board. The featured departments were: Community Resources, Community Services Board (CSB), Hanover Health Department, Juvenile Court Services and the Department of Social Services (DSS). Mr. Taylor detailed the primary functions and programs of each featured department and described their accomplishments.

Dr. Sheila Crossen-Powell, Director of Social Services came forward and offered clarification on Social Services statistics for “Clients Employed” and tracking methods to determine how many of those citizens are able to maintain employment. She explained the availability of data from the State and the changing demographics in Hanover County.

Mr. Taylor reported on the key indicators for the featured departments. The Tier 1 Board Indicators for Human Services were reported as follows:

Board of Supervisors Draft Minutes – November 12, 2014

Key Indicator	Target	Benchmark*	Current Measure
Annual County health rankings report	Top decile among VA localities	90%	90.3%
Adult obesity rate	Lower than State Avg.	28%	27%
Population living in poverty	Lower than State Avg.	11.1%	5.1%
Students receiving free or reduced lunch	Lower than State Avg.	41%	15%
Teenage pregnancy rate per capita	Lower than State Avg.	18.6 per 1,000	7.7 per 1,000
Accredited preschool programs	To be developed	n/a	n/a
School readiness plan for Hanover Preschool Initiative	100% progressing	n/a	100%
Kindergartners passing PALS-K benchmark	95% (stretch goal)	n/a	94.3%

*most recent data available

Mr. Taylor noted that progress has been made on the Human Services Strategic Plan for 2014-19. The focus for the near future will be early intervention and prevention programs with the hope of reinstating home visiting. Mr. Mike Smith, Chairman, Hanover Early Childhood Council, was recognized.

VII. Presentation and Request for Authorization to Advertise Public Hearing – Ordinance 14-14 – Addition of Rutland Subdivision to the Hanover County Recycling Service District (Chickahominy Magisterial District)

Board Sheet Background:

A public hearing is requested for an ordinance to establish County recycling services for residents of Rutland Subdivision by inclusion of Rutland Subdivision into the existing service district of approximately 2800 properties for the purpose of providing curbside recycling services.

In accordance with the application procedure adopted by the Board of Supervisors in 2007, staff met with the residents of Rutland Subdivision on August 7, 2014 to discuss their application for inclusion in the District. Rutland Subdivision residents have presented the Department of Public

Board of Supervisors Draft Minutes – November 12, 2014

Works with petitions with signatures from over eighty percent of the parcel owners (signatures from 83 percent of 420 parcel owners) in accordance with the County's policy.

The Public Works Department recommends that the Board hold the public hearing on the expansion of the Hanover County Recycling Service District to add Rutland Subdivision pursuant to Va. Code Section 15.2-2400 and following sections, for the purpose of assessment of a tax on all properties within the district to fund the cost of curbside recycling service. Notice will be mailed to all residents of the new area, Rutland Subdivision, prior to the public hearing. The pro-rata cost of the service is added to the real estate tax bill for all lots within the District, regardless of whether the individual lot owners use the service. The estimated annual cost for the service and the resulting tax is \$19.50 per lot starting July 2015 and could increase annually according to the consumer price index, new contracts, or other cost factors. The actual tax amount would be approved by the Board in the budget process, with associated notice and public hearing. Residents wishing to participate are required to purchase recycling bins/carts for use in the program or place a decal on another approved container. Services are provided through an agreement between the County and Central Virginia Waste Management Authority (CVWMA). Pickup occurs every other week. Public information and service questions will be provided through CVWMA. Hanover County staff will serve as facilitator of services.

Recommended Action:

Motion to authorize a public hearing to be held December 10, 2014 on Ordinance 14-14, addition of Rutland Subdivision to Hanover County Recycling Service District for the purpose of providing curbside recycling services, and mailing of notices of the proposed action to residents of Rutland Subdivision.

Mr. Mike Flagg, Director of Public Works, came forward to give this presentation to the Board. He detailed the history of curbside recycling in Hanover County as well as the current procedures for recycling service districts. He reported on the history of the Rutland Curbside proposal, beginning with the request from the citizens of that community.

Following the presentation, Mr. Flagg answered questions from Board members, including questions about the frequency of pick-up.

Board of Supervisors Draft Minutes – November 12, 2014

Mrs. Kelly-Wiecek made a motion to authorize a public hearing to be held December 10, 2014 on Ordinance 14-14, addition of Rutland Subdivision to Hanover County Recycling Service District for the purpose of providing curbside recycling services, and mailing of notices of the proposed action to residents of Rutland Subdivision. The motion was seconded by Mr. Via.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

VIII. Presentation and Request for Adoption – Revisions to Code Compliance Policies

Board Sheet Background:

Staff has prepared modified Code Compliance Policies. The existing policy has evolved through the years as a result of ordinance changes and changes in enforcement responsibilities amongst the various County departments and agencies. The Planning Department is not only responsible for Zoning compliance as stated in the current policy, but is also responsible for the enforcement of the Subdivision Ordinance, and shares responsibility for the enforcement of the Noise Ordinance.

Like the current policy, the draft policies clearly establish priorities for investigating complaints. A significant change is the enforcement procedures that are outlined in the existing policy are removed from the proposed policy currently being considered. The type and nature of enforcement activities necessitates that staff has some discretion as to how to best address alleged violations with the goal of achieving compliance as expeditiously as possible. Unlike the current policy, the draft also references provisions for enforcement of the Subdivision and Noise Ordinances. The policy clearly identifies the components of the Noise Ordinance with which it has specific enforcement responsibility which include the following disturbances:

- Noise associated with industrial activities;
- Noise associated with land uses such as the operation of construction equipment and the collection of trash; and
- Shared enforcement of Noise Ordinance regarding general noise violations and barking

Board of Supervisors Draft Minutes – November 12, 2014

dog complaints

The draft policy was reviewed by the Community Development Committee on September 26, 2014. The Committee endorsed the requested policy.

Recommended Action:

Adopt Revised Code Compliance Policies as presented

Mr. David Maloney, Director of Planning, came forward to give this presentation to the Board. He explained that the policies have not been revised since 1989. He explained the situations where Planning would be responsible for enforcement as well as those that would be handled by the Sheriff's Office.

Following his presentation, Mr. Maloney answered questions from Board members.

Mr. Hazzard made a motion to adopt the revised code compliance policies as presented, seconded by Mr. Stanley.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

IX. Reconsideration of C-7-14(c), E. Tyree Chappell Estate

Board Sheet Background:

Reconsideration of C-7-14(c) has been placed on the agenda at the request of Supervisor Wade. A public hearing was held on the referenced case during the October 22, 2014, meeting. A motion to approve the rezoning was considered by the Board but failed on a vote of three in favor and four against. No subsequent motion to disapprove the application was made by a Board member.

Following the Board's action that evening, Mr. Wade contacted the County Administrator and requested that this matter be placed on the next Board agenda for reconsideration.

If the Board approves a motion to reconsider, the effect would be to bring the motion to approve the rezoning case back to the floor. At that point, the Board could vote on the motion to approve again or defer action on the motion until a later date. If the Board desires to conduct an

Board of Supervisors Draft Minutes – November 12, 2014

additional public hearing prior to voting on the motion to approve, the matter should be deferred to a future meeting so that the public hearing can be advertised in accordance with the Code of Virginia and the Hanover County Zoning Ordinance. Staff would recommend that a public hearing, should one be scheduled by the Board, take place at the meeting on December 10, 2014, or at a subsequent Board meeting.

Recommended Action:

If the Board approves the motion to reconsider, that Staff be authorized to advertise a public hearing for Rezoning Case C-17-14(c) on December 10, 2014.

Mr. Wade made a motion to rescind the action taken by the Board on October 22, 2014, on C-7-14(c), E. Tyree Chappell Estate. The motion was seconded by Mr. Via.

The Board members had a discussion about the issue and the process. There was then discussion about the County's Comprehensive Plan and having the Roads Committee reconsider some of the transportation priorities and the Board take a look at the Comprehensive Plan to ensure areas that have the impact of school complexes in close proximity to proposed developments and road improvements are addressed. Board members had further discussion on the Comprehensive Plan.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Mrs. Kelly-Wiecek made a motion to defer C-7-14(c), E. Tyree Chappell Estate until December 10, 2014 and that a public hearing be scheduled at that time with notice published as required and mailings to the adjoining property owners be made. The motion was seconded by Mr. Via.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye

Board of Supervisors Draft Minutes – November 12, 2014

Elton J. Wade, Sr. Aye

Motion Approved.

X. Closed Session - Section 2.2-3711(A)(7) of the Code of Virginia – Consultation with legal counsel and staff regarding Claim against the County by EMAC, LLC (“McGeorge Rolling Hills RV SuperCenter”), Section 2.2-3711(A)(3) of the Code of Virginia – Acquisition of right of way on GPIN 7796-85-9481, Atlee Road Extended Roadway Improvement Project, and Section 2.2-3711(A)(7) of the Code of Virginia – Acquisition of right of way, permanent utility easement, temporary construction easement on GPINs 8735-08-9799, 8735-18-1831, 8735-19-1438, 8735-18-4862, Pole Green Road / Walnut Grove Road Intersection Improvement Project

Mr. Hazzard moved that the Board of Supervisors go into Closed Session pursuant to the following: Section 2.2-3711(A)(7) of the Code of Virginia – Consultation with legal counsel and staff regarding Claim against the County by EMAC, LLC (“McGeorge Rolling Hills RV SuperCenter”), Section 2.2-3711(A)(3) of the Code of Virginia – Acquisition of right of way on GPIN 7796-85-9481, Atlee Road Extended Roadway Improvement Project, and Section 2.2-3711(A)(7) of the Code of Virginia – Acquisition of right of way, permanent utility easement, temporary construction easement on GPINs 8735-08-9799, 8735-18-1831, 8735-19-1438, 8735-18-4862, Pole Green Road / Walnut Grove Road Intersection Improvement Project. The motion was seconded by Mr. Stanley.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Board members entered Closed Session at 3:25 p.m. At the conclusion of the Closed Session, all Board members returned to the Board room, and the Chairman called the regular meeting back to order at 4:12 p.m.

Certification of Closed Session

Mr. Hazzard moved that the Board of Supervisors certify that during the Closed Session only public business matters lawfully exempted from the open meeting requirement of the Freedom of

Board of Supervisors Draft Minutes – November 12, 2014

Information Act and only such public business matters as were identified in the motion for the Closed Session were discussed. The motion was seconded by Mrs. Kelly-Wiecek.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Mrs. Kelly-Wiecek made a motion that the Board authorize the purchase of a parcel identified as GPIN 7796-85-9481 for \$172,000 for the purpose of right-of-way for road improvements and authorize the County Administrator to take all actions necessary to complete the acquisition. The motion was seconded by Mr. Via.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

XI. Recess to Randolph Macon College – Presentation and Dinner, Birdsong Hall, Second Floor

The meeting was recessed at 4:13 p.m. The Board members went to Randolph Macon College and were given a presentation by Mr. Robert Lindgren, President, about activities and developments at the college.

The meeting was reconvened in the Hanover County Administration Building at 7:00 p.m.

Mr. Hazzard detailed the Mission to Hanover event for the Board members and attendees. This event was held November 8th by area churches. Liberty Middle School and Patrick Henry High School

Board of Supervisors Draft Minutes – November 12, 2014

were two of the locations where citizens participated. Mr. Hazzard described the businesses that donated materials and listed some of the projects completed.

Mr. Davis recognized Veterans' Day and noted the important role played by our veterans.

Mr. Davis announced that Congressman Brat has been sworn in. He congratulated him and Senator Warner.

XII. Citizens' Time

The Chairman opened citizens' time and offered to anyone who wanted to address the Board of Supervisors for up to five minutes on any matter within the scope of the Board's authority that is not on the agenda for that meeting to come forward.

Mr. Herb Chitum, Cold Harbor Magisterial District, came forward to speak in opposition of the 9/11 video that was shown in some Hanover County school classrooms.

Mr. Gouldman, Mechanicsville Magisterial District, came forward to speak in opposition of the 9/11 video that was shown in some Hanover County school classrooms.

Mr. Charles Waddell, Henry Magisterial District, came forward to voice concerns about a law firm and engineering firm used in the closing of a property acquisition. He also spoke in favor of televised Board meetings through the use of available public television stations.

Mr. Bill Callahan, Chickahominy Magisterial District, came forward to speak in support of teachers' decisions to show the 9/11 video that was shown in some Hanover County school classrooms.

Seeing no others, the Chairman closed citizens' time.

XIII. Presentations:

Eagle Scout Cary James Bevan – Troop 503 – Chickahominy Magisterial District

Mrs. Kelly-Wiecek called Eagle Scout Bevan and his family forward and presented him with a proclamation from the Board recognizing his achievement.

Eagle Scout John Barrett White – Troop 555 – Henry Magisterial District

Mr. Davis called Eagle Scout White and his family forward and presented him with a proclamation from the Board recognizing his achievement.

Board of Supervisors Draft Minutes – November 12, 2014

XIV. Public Hearings - Department of Public Works – Ordinance 14-10, Amending Chesapeake Bay Preservation Ordinance and Stormwater Management Ordinance, and Ordinance 14-11, Amending the Hanover County Drainage Design Handbook

Board Sheet Background:

On July 1, 2014, the Virginia Department of Environmental Quality (DEQ) informed the County Administrator that the County had been granted provisional approval of the state-required stormwater management program, conditioned upon certain amendments.

In response to DEQ comments on the adopted County ordinances and stormwater management program, the Department of Public Works and County Attorney's Office have drafted amendments to the Chesapeake Bay Preservation Ordinance, Stormwater Management Ordinance, and Drainage Design Handbook contained in Ordinances 14-10 and 14-11. These amendments are necessary to obtain state approval of Hanover County's stormwater management program. In addition, staff has proposed amendments to reduce the complexity of stormwater requirements for single family home development.

These ordinances were authorized for public hearing on October 8, 2014.

Recommended Action:

Motion to adopt – Ordinance 14-10, Amending Chesapeake Bay Preservation Ordinance and Stormwater Management Ordinance, and Ordinance 14-11, Amending the Hanover County Drainage Design Handbook to become effective on adoption.

Mr. Flagg came forward to give the presentations for both ordinances to the Board.

Summary of Changes: Ordinance 14-10

- Amended section 10-38 of Article II of Chapter 10 of the Hanover County Code (Chesapeake Bay Preservation Ordinance) to conform to changes in state regulation relating to qualification of persons performing inspections of on-site sewage systems.
- Amended sections 10-78, 10-79, 10-80, 10-82, and 10-87 of Article V of Chapter 10 of the Hanover County Code (Stormwater Management Ordinance) to change provisions relating to the permitting of single-family homes. A provision authorizing an agreement is added as an option to simplify permitting "*Agreement in lieu of a stormwater management plan*" of single family homes. In addition, single family residences separately built and disturbing less than

Board of Supervisors Draft Minutes – November 12, 2014

one acre of land are now exempt from the stormwater VSMP and water quality requirements when they are not part of a common plan of development.

Summary of Changes: Ordinance 14-11

- Section V. STORM SEWER is amended to clarify conditions for analyzing flows, due to changes in stormwater regulations.
- Section VI. OPEN MANMADE and NATURAL CHANNELS is amended to lower the permissible slope for grass lined channels (subsection B.) and to establish minimum channel slopes for concrete lined channels (subsection C.). These changes make the exceptions in subsection H unnecessary, therefore subsection H is deleted.
- Section IX. STORMWATER MANAGEMENT, subsection B. is modified to require compliance with the minimum state requirements set forth in 9VAC25-870-66. In addition, to ensure a higher level of protection for downstream channels from erosion, a provision requiring the analysis of channels using permissible velocity is maintained as a more stringent requirement.

The Chairman asked if there were any questions from Board members. Hearing none, he opened the public hearing on Ordinance 14-10 and asked that anyone who wished to speak for or against the matter come forward. Seeing none, he closed the public hearing.

ORDINANCE 14-10

AN ORDINANCE AMENDING ARTICLES II AND V OF CHAPTER 10 OF THE HANOVER COUNTY CODE PURSUANT TO TITLE 62.1, CHAPTER 3.1, ARTICLES 2.3 (§ 62.1-44.15:24 ET SEQ.) AND 2.5 (§62.1-44.15:67 ET SEQ.) OF THE CODE OF VIRGINIA TO CONFORM TO CHANGES IN STATE LAW AND NEW REGULATORY REQUIREMENTS

WHEREAS on February 12, 2014, the Hanover County Board of Supervisors adopted Ordinance 13-12 to incorporate specific components of the Stormwater Management Act (Virginia Code § 62.1-44.15:24 et seq.) and Stormwater Regulations, including a stormwater management ordinance to become effective July 1, 2014; and

WHEREAS on February 12, 2014, the Hanover County Board of Supervisors adopted Ordinance 13-10 to incorporate specific components of the Chesapeake Bay Preservation Act (Virginia Code § 62.1-44.15:67 et seq.); and

Board of Supervisors Draft Minutes – November 12, 2014

WHEREAS the Department of Public Works has received comments from the Virginia Department of Environmental Quality that minor revisions are required in order to conform to statutory and regulatory requirements;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County:

1. That Section 10-38 of Article II of Chapter 10 of the Hanover County Code shall be amended to read as follows:

Sec. 10-38. - General performance criteria for Chesapeake Bay Preservation Areas.

Any use, development or redevelopment of land within the Chesapeake Bay Preservation Area (CBPA) shall meet the following performance criteria:

- (1) No more land shall be disturbed than is necessary to provide for the proposed use or development.
 - a. The limits of land disturbance, development or redevelopment, including clearing or grading, shall be strictly defined by the construction footprint shown on the building permit, site plan, subdivision plat or water quality impact assessment. These limits and all CBPAs shall be clearly shown on all plans and physically marked on the development site prior to any clearing or grading on the site.
 - b. Ingress and egress to any site within the CBPA during construction shall be limited to one (1) access point, unless otherwise approved by the director.
- (2) Indigenous vegetation shall be preserved to the maximum extent practicable consistent with the use or development proposed.
 - a. Existing trees over six (6) inches in diameter measured outside the bark at a point four and one-half (4.5) feet above the ground shall be preserved outside the construction footprint. Diseased trees or trees weakened by age, storm, fire or other injury may be removed.
 - b. Clearing shall be allowed only to provide necessary access, construction of improvements, positive site drainage, water quality best management practices, and the installation of utilities, as approved by the director.
 - c. Prior to clearing or grading, suitable protective barriers, such as safety fencing, shall be erected five (5) feet outside of the dripline of any tree or stand of trees to be preserved. These protective barriers shall remain so erected throughout all phases of construction. The

Board of Supervisors Draft Minutes – November 12, 2014

storage of equipment, materials, debris, or fill shall not be allowed within the area protected by the barrier.

(3) Land development shall minimize impervious cover consistent with the use or development proposed.

(4) Notwithstanding any other provisions of this article or exceptions or exemptions, any land disturbing activity within a CBPA exceeding two thousand five hundred (2,500) square feet, including construction of all single-family houses, septic tanks and drainfields, shall comply with the erosion and sediment control requirements of state law and with this chapter. Any such proposed development shall be the subject of a land disturbance permit, certification, building permit, site plan, subdivision plat or water quality impact assessment found by the director to be consistent with this article.

(5) On-site sewage treatment systems in a CBPA not requiring a Virginia Pollutant Discharge Elimination System permit shall comply with the following:

a. Systems shall be pumped out at least once every five (5) years, unless the owner submits documentation every five (5) years, certified by an operator or on-site soil evaluator licensed or certified under Chapter 23 (Section 54.1-2300 et seq.) of Title 54.1 of the Code of Virginia as being qualified to operate, maintain or design on-site sewage systems, that the septic system has been inspected, is functioning properly, and the tank does not need to have the effluent pumped out of it. As an alternative to the mandatory pump-out or documentation, a plastic filter approved by the health department may be installed and maintained in the outflow pipe from the septic tank to filter solid material from the effluent.

b. A reserve sewage disposal site with a capacity at least equal to that of the primary sewage disposal site shall be provided on each lot or parcel proposed for new construction. This reserve sewage disposal site requirement shall not apply to any lot or parcel recorded prior to October 1, 1989, if the lot or parcel is not sufficient in capacity to accommodate a reserve sewage disposal site, as determined by the local health department.

c. Building or construction of any impervious surface shall be prohibited on the area of all sewage disposal sites until the development is served by public sewer or an on-site sewage treatment system which operates under a permit issued by the state water control board.

Board of Supervisors Draft Minutes – November 12, 2014

2. That Sections 10-78, 10-79, 10-80, 10-82, and 10-87 of Article V of Chapter 10 of the Hanover County Code shall be amended to read as follows:

ARTICLE V. STORMWATER MANAGEMENT

Sec. 10-78. Definitions.

In addition to the definitions set forth in the Virginia Stormwater Management Program Regulations, Section 25-870-10 of Title 9 of the Virginia Administrative Code, as amended, which are expressly adopted and incorporated herein by reference, the following words and terms used in this article have the following meanings unless otherwise specified herein. Where definitions differ, those incorporated herein shall have precedence.

"Agreement in lieu of a stormwater management plan" means a contract between the VSMP authority and the owner or permittee that specifies methods that shall be implemented to comply with the requirements of a VSMP for the construction of a single-family residence; such contract may be executed by the VSMP authority in lieu of a stormwater management plan.

Applicant means any person submitting an application for a permit or requesting issuance of a permit under this article.

Best management practice or BMP means schedules of activities, prohibitions of practices, including both structural and nonstructural practices, maintenance procedures, and other management practices to prevent or reduce the pollution of surface waters and groundwater systems from the impacts of land-disturbing activities.

Chesapeake Bay Preservation Act land-disturbing activity means a land-disturbing activity including clearing, grading, or excavation that results in a land disturbance equal or greater than 2,500 square feet and less than one acre in all areas of Hanover County designated as subject to the regulations adopted pursuant to the Chesapeake Bay Preservation Act, § 62.1-44.15:67 et seq. of the Code of Virginia.

Common plan of development or sale means a contiguous area where separate and distinct construction activities may be taking place at different times on different schedules.

Control measure means any best management practice or stormwater facility, or other method used to minimize the discharge of pollutants to state waters.

Clean Water Act or CWA means the federal Clean Water Act (33 U.S.C. § 1251 et seq.), formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act

Board of Supervisors Draft Minutes – November 12, 2014

Amendments of 1972, Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-117, or any subsequent revisions thereto.

Department means the Department of Environmental Quality.

Development means land disturbance and the resulting landform associated with the construction of residential, commercial, industrial, institutional, recreation, transportation or utility facilities or structures or the clearing of land for non-agricultural or non-silvicultural purposes.

Director means the Director of the Department of Public Works, who is responsible for administering the VSMP on behalf of the county, or any authorized agent of the director.

General permit means the permit titled GENERAL PERMIT FOR DISCHARGES OF STORMWATER FROM CONSTRUCTION ACTIVITIES found in Chapter 880 of Title 9 of the Virginia Administrative Code (§ 25-880-1 et seq.) of the regulations, as amended, authorizing a category of discharges under the CWA and the Act within a geographical area of the Commonwealth of Virginia.

Land disturbance or *land-disturbing activity* means a man-made change to the land surface that potentially changes its runoff characteristics including clearing, grading, or excavation except that the term shall not include those exemptions specified in section 10-79(d) of this article.

Layout means a conceptual drawing sufficient to provide for the specified stormwater management facilities required at the time of approval.

Minor modification means an amendment to an existing general permit before its expiration not requiring extensive review and evaluation including, but not limited to, changes in EPA promulgated test protocols, increasing monitoring frequency requirements, changes in sampling locations, and changes to compliance dates within the overall compliance schedules. A minor general permit modification or amendment does not substantially alter general permit conditions, substantially increase or decrease the amount of surface water impacts, increase the size of the operation, or reduce the capacity of the facility to protect human health or the environment.

Owner or *operator* means the owner or operator of any facility or activity subject to regulation under this article.

Permit or *land disturbance permit* means a permit to conduct a land-disturbing activity issued by the director for the initiation of a land-disturbing activity, in accordance with this article, and which may only be issued after evidence of general permit coverage has been provided by the department.

Board of Supervisors Draft Minutes – November 12, 2014

Permittee means the person to whom the land disturbance permit is issued.

Person means any individual, corporation, partnership, association, state, municipality, commission, or political subdivision of a state, governmental body, including federal, state, or local entity as applicable, any interstate body or any other legal entity.

Regulations means the Virginia Stormwater Management Program (VSMP) Regulations, section 25-870-10 et seq. of title 9 of the Virginia Administrative Code, as amended.

Site means the land or water area where any facility or land-disturbing activity is physically located or conducted, including adjacent land used or preserved in connection with the facility or land-disturbing activity. Areas channelward of mean low water in tidal Virginia shall not be considered part of a site.

State means the Commonwealth of Virginia.

State board means the Virginia State Water Control Board.

State Water Control Law means Chapter 3.1 (§62.1-44.2 et seq.) of Title 62.1 of the Code of Virginia.

State waters means all water, on the surface and under the ground, wholly or partially within or bordering the commonwealth or within its jurisdiction, including wetlands.

Stormwater means precipitation that is discharged across the land surface or through conveyances to one or more waterways and that may include stormwater runoff, snow melt runoff, and surface runoff and drainage.

Stormwater management plan means a document containing material describing methods for complying with the requirements of section 10-82 of this article.

Stormwater pollution prevention plan or *SWPPP* means a document that is prepared in accordance with good engineering practices and that identifies potential sources of pollutants that may reasonably be expected to affect the quality of stormwater discharges from the construction site, and otherwise meets the requirements of this article. In addition the document shall identify and require the implementation of control measures, and shall include or incorporate by reference an approved erosion and sediment control plan, an approved stormwater management plan, and a pollution prevention plan.

Subdivision means the same as defined in section 25-4 of the county's subdivision ordinance.

Total maximum daily load or *TMDL* means the sum of the individual wasteload allocations for point sources, load allocations for nonpoint sources, natural background loading and a margin of

Board of Supervisors Draft Minutes – November 12, 2014

safety. TMDLs can be expressed in terms of either mass per time, toxicity, or other appropriate measure. The TMDL process provides for point versus nonpoint source trade-offs.

Virginia Stormwater Management Act or Act means Article 2.3 (§ 62.1-44.15:24 et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia.

Virginia stormwater BMP clearinghouse website means a website that contains detailed design standards and specifications for control measures that may be used in Virginia to comply with the requirements of the Virginia Stormwater Management Act and associated regulations.

Virginia stormwater management program or VSMP means a program approved by the state board after September 13, 2011, that has been established by a locality to manage the quality and quantity of runoff resulting from land-disturbing activities and shall include such items as local ordinances, rules, permit requirements, annual standards and specifications, policies and guidelines, technical materials, and requirements for plan review, inspection, enforcement, where authorized in this article, and evaluation consistent with the requirements of this article and associated regulations.

Virginia stormwater management program authority or VSMP authority means an authority approved by the State Board after September 13, 2011, to operate a Virginia Stormwater Management Program.

Sec. 10-79. Stormwater permit requirement; exemptions.

- (a) Except as provided herein, no person may engage in any land-disturbing activity until a land disturbance permit has been issued by the director in accordance with the provisions of this article and article I.
- (b) A Chesapeake Bay Preservation Act land-disturbing activity shall be subject to an erosion and sediment control plan consistent with the requirements of the erosion and sediment control ordinance, Hanover County Code section 10-1 et seq., a stormwater management plan pursuant to section 10-82 or an executed agreement in lieu of a stormwater management plan, the technical criteria and administrative requirements for land-disturbing activities pursuant to section 10-85, and the requirements for long-term maintenance of control measures pursuant to section 10-86.
- (c) No person may engage in any land-disturbing activity until a complete and accurate general permit registration has been submitted to the director in accordance with section 25-880-1 et seq. of chapter 9 of the Virginia Administrative Code, if such registration is required pursuant to section 25-880-50 of title 9 of the Virginia Administrative Code.

Board of Supervisors Draft Minutes – November 12, 2014

- (1) *New construction activities.* Any operator proposing a new stormwater discharge associated with the construction of a single-family residence separately built, disturbing less than one (1) acre and part of a larger common plan of development or sale is authorized to discharge under the general permit and is not required to submit a registration statement.
- (2) *Existing construction activities.* Any operator with an existing stormwater discharge associated with the construction of a single-family residence separately built, disturbing less than one (1) acre and part of a larger common plan of development or sale, and who intends to continue coverage under the general permit, is authorized to discharge under the general permit and is not required to submit a registration statement provided that:
- a. The stormwater management plan for the larger common plan of development or sale provides permanent control measures (i.e. stormwater management facilities) encompassing the single-family residence; and
 - b. The operator updates their stormwater pollution prevention plan to comply with the requirements of the general permit no later than sixty (60) days after the date of coverage under the general permit.
- (d) Notwithstanding any other provisions of this article, the following activities are exempt, unless otherwise required by federal law:
- (1) Permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted under the provisions of title 45.1 of the Code of Virginia;
 - (2) Clearing of lands specifically for agricultural purposes and the management, tilling, planting, or harvesting of agricultural, horticultural, or forest crops, livestock feedlot operations, or as additionally set forth by the state board in regulations, including engineering operations as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation; however, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of chapter 11 (§ 10.1-1100 et seq.) of title 10.1 of the Code of Virginia or is converted to bona fide agricultural or improved pasture use as described in subsection B of § 10.1-1163 of article 9 of chapter 11 of title 10.1 of the Code of Virginia;

Board of Supervisors Draft Minutes – November 12, 2014

- (3) Single-family residences separately built and disturbing less than one (1) acre of land and not part of a larger common plan of development or sale, including additions or modifications to existing single-family detached residential structures;
- (4) Land disturbing activities that disturb less than one (1) acre of land outside of an area designated as subject to the Chesapeake Bay Preservation Area Designation and Management Regulations except for activities that are part of a larger common plan of development or sale that is one (1) acre or greater of disturbance;
- (5) Land disturbing activities that disturb less than two thousand five hundred (2,500) square feet inside of an area designated as subject to the Chesapeake Bay Preservation Area Designation and Management Regulations except for activities that are part of a larger common plan of development or sale that is one (1) acre or greater of disturbance;
- (6) Discharges to a sanitary sewer or a combined sewer system;
- (7) Activities under a state or federal reclamation program to return an abandoned property to an agricultural or open land use;
- (8) Routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original construction of the project. The paving of an existing road with a compacted or impervious surface and reestablishment of existing associated ditches and shoulders shall be deemed routine maintenance if performed in accordance with this subsection; and
- (9) Conducting land-disturbing activities in response to a public emergency where the related work requires immediate authorization to avoid imminent endangerment to human health or the environment. In such situations, the director shall be advised of the disturbance within seven (7) days of commencing the land-disturbing activity and compliance with the administrative requirements of subsection (a) is required within thirty (30) days of commencing the land-disturbing activity.

Sec. 10-80. Stormwater management program established; submission and approval of plans; prohibitions.

- (a) Pursuant to § 62.1-44.15:27 of the Code of Virginia, Hanover County hereby establishes a Virginia stormwater management program for land-disturbing activities and adopts the applicable regulations that specify standards and specifications for VSMPs promulgated by the state board

Board of Supervisors Draft Minutes – November 12, 2014

for the purposes set out in section 10-77 of this article. The county hereby designates the director of the department of public works as the person who is responsible for administering the county's Virginia stormwater management program.

- (b) No land disturbance permit shall be issued by the director, until the following items have been submitted to and approved by the director as prescribed herein:
 - (1) A permit application that includes a general permit registration statement, unless such registration statement is not required pursuant to section 25-880-50 of title 9 of the Virginia Administrative Code;
 - (2) An erosion and sediment control plan approved in accordance with the Hanover County Erosion and Sediment Control Ordinance (Hanover County Code, section 10-1 et seq.); and
 - (3) A stormwater management plan that meets the requirements of section 10-82 of this article or an executed agreement in lieu of a stormwater management plan, except that the construction record drawing required by section 10-82(d) shall be required prior to closure of the land disturbance permit.
- (c) No land disturbance permit shall be issued until evidence of state fee payment in accordance with the regulations and general permit coverage is obtained, if general permit coverage is required.
- (d) No land disturbance permit shall be issued until the fees required to be paid to the director are received, and a reasonable performance bond required pursuant to section 10-92 of this article has been submitted.
- (e) No land disturbance permit shall be issued unless and until the permit application and attendant materials and supporting documentation demonstrate that all land clearing, construction, disturbance, land development and drainage will be done according to the approved permit.
- (f) No grading, building or other local permit shall be issued for a property with land disturbing activity subject to the requirements of this article unless a land disturbance permit has been issued by the director.

Sec. 10-82. Stormwater management plan; contents of plan.

- (a) The stormwater management plan, required by section 25-870-55 of title 9 of the Virginia Administrative Code and section 10-80 of this article, must apply the stormwater management technical criteria set forth in section 10-85 of this article to the entire land-disturbing activity and consider all sources of surface runoff and all sources of subsurface and groundwater flows

Board of Supervisors Draft Minutes – November 12, 2014

converted to surface runoff. Individual lots in new residential, commercial, or industrial developments shall not be considered separate land disturbing activities. A complete stormwater management plan shall include the following elements:

- (1) Information on the type and location of stormwater discharges; information on the features to which stormwater is being discharged including surface waters and the predevelopment and postdevelopment drainage areas;
- (2) Contact information including the name, address, and telephone number of the owner/operator and the parcel number of the property or properties affected;
- (3) A narrative that includes a description of current site conditions and final site conditions;
- (4) A general description of the proposed stormwater management facilities and the mechanism through which the facilities will be operated and maintained after construction is complete;
- (5) Information on the proposed stormwater management facilities, including:
 - a. The type of facilities;
 - b. Location, including geographic coordinates;
 - c. Acres treated; and
 - d. The surface waters into which the facility will discharge.
- (6) Hydrologic and hydraulic computations, including runoff characteristics;
- (7) Documentation and calculations verifying compliance with the water quality and quantity requirements of section 10-85 of this article; and
- (8) A map or maps of the site that depicts the topography of the site and includes:
 - a. All contributing drainage areas;
 - b. Existing streams, ponds, culverts, ditches, wetlands, other water bodies, and floodplains;
 - c. Soil types, forest cover, and other vegetative areas;
 - d. Current land use including existing structures, roads, and locations of known utilities and easements;
 - e. Sufficient information on adjoining parcels to assess the impacts of stormwater from the site on these parcels;
 - f. The limits of clearing and grading, and the proposed drainage patterns on the site;
 - g. Proposed buildings, roads, parking areas, utilities, and stormwater management facilities;and

Board of Supervisors Draft Minutes – November 12, 2014

- h. Proposed land use with tabulation of the percentage of surface area to be adapted to various uses, including but not limited to planned locations of utilities, roads, and easements.
- (b) If an operator intends to meet the water quality and/or quantity requirements set forth in section 10-85 of this article through the use of off-site compliance options, where applicable, then a letter of availability from the off-site provider must be included. Approved off-site options must achieve the necessary nutrient reductions prior to the commencement of the applicant's land-disturbing activity except as otherwise allowed by § 62.1-44.15:35 of the Code of Virginia.
- (c) Elements of the stormwater management plans that include activities regulated under chapter 4 (§ 54.1-400 et seq.) of title 54.1 of the Code of Virginia shall be appropriately sealed and signed by a professional registered in the Commonwealth of Virginia pursuant to article 1 (§ 54.1-400 et seq.) of chapter 4 of title 54.1 of the Code of Virginia.
- (d) A construction record drawing for permanent stormwater management facilities shall be submitted to the director. The construction record drawing shall be appropriately sealed and signed by a professional registered in the commonwealth, certifying that the stormwater management facilities have been constructed in accordance with the approved plan.

Sec. 10-87. Monitoring and inspections.

- (a) The director shall inspect the land-disturbing activity during construction for:
 - (1) Compliance with the approved erosion and sediment control plan;
 - (2) Compliance with the approved stormwater management plan or agreement in lieu of a stormwater management plan;
 - (3) Compliance with conditions of the general permit, if general permit required;
 - (4) Development, updating, and implementation of a pollution prevention plan; and
 - (5) Development and implementation of any additional control measures necessary to address a TMDL.
- (b) The director may, at reasonable times and under reasonable circumstances, enter any establishment or upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations necessary in the enforcement of the provisions of this article.
- (c) In accordance with a performance bond with surety, cash escrow, letter of credit, any combination thereof, or such other legal arrangement or instrument, the director may also enter any

Board of Supervisors Draft Minutes – November 12, 2014

establishment or upon any property, public or private, for the purpose of initiating or maintaining appropriate actions which are required by the permit conditions associated with a land-disturbing activity when a permittee, after proper notice, has failed to take acceptable action within the time specified.

- (d) Pursuant to § 62.1-44.15:40 of the Code of Virginia, the director may require every land disturbance permit applicant or permittee, or any such person subject to land disturbance permit requirements under this article, to furnish when requested such application materials, plans, specifications, and other pertinent information as may be necessary to determine the effect of his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of this article.
- (e) Post-construction inspections of stormwater management facilities required by the provisions of this article shall be conducted by the director pursuant to the county's adopted and state board approved inspection program, and shall occur, at minimum, at least once every five (5) years except as may otherwise be provided for in section 10-86.

3. That this Ordinance shall be effective upon adoption.

On motion of Mr. Hazzard, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve Ordinance No. 14-10, as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

The Chairman opened the public hearing on Ordinance 14-11 and asked that anyone who wished to speak for or against the matter come forward. Seeing none, he closed the public hearing.

ORDINANCE NO. 14-11

AN ORDINANCE AMENDING THE HANOVER COUNTY DRAINAGE DESIGN HANDBOOK DATED FEBRUARY 12, 2014 AND ADOPTING THE REVISED DRAINAGE DESIGN HANDBOOK INCLUDING CHANGES

Board of Supervisors Draft Minutes – November 12, 2014

NECESSARY TO OBTAIN STATE APPROVAL OF HANOVER COUNTY'S STORMWATER MANAGEMENT PROGRAM. THE HANDBOOK INCLUDES SPECIFICATIONS FOR CONSTRUCTION MATERIALS, MAINTENANCE AGREEMENT REQUIREMENTS AND DETAILS FOR DESIGN OF CURB AND GUTTER, STORM SEWER, OPEN CHANNELS, LOT GRADING, IMPOUNDMENTS AND EMBANKMENTS.

WHEREAS the Board of Supervisors finds that it is proper to amend the Hanover County Drainage Design Handbook first adopted in 1988 and last amended in February 2014, and to adopt the revised Drainage Design Handbook to better provide for administration of matters related to stormwater management, floodplain, grading and drainage control facilities; and

WHEREAS the Board finds that in order to obtain state approval of Hanover County's Stormwater Management Program, and to properly provide for improvements associated with development in the County and protect the public health, safety and welfare, it is necessary to adopt requirements and standards detailed in the Drainage Design Handbook.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County that the Drainage Design Handbook first adopted October 25, 1988 and last revised in February 2014 shall be amended and the revised Handbook shall be adopted as follows:

1. The Hanover County DRAINAGE DESIGN HANDBOOK attached to this Ordinance shall be adopted. Copies of the Handbook shall be maintained in the offices of the Public Works and Planning departments for reference.
2. That this ordinance shall be effective on the date of adoption.

On motion of Mr. Hazzard, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve Ordinance No. 14-11, as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Board of Supervisors Draft Minutes – November 12, 2014

XV. Public Hearing - Ordinance 14-08 amending Chapters 20 and 23 of the Hanover County Code to revise the County’s water and sewer capacity fees – Department of Public Utilities

Board Sheet Background:

During the FY15 budget process, the Board requested that Public Utilities perform a detailed study of its capacity fees. Public Utilities completed the study and presented the results to the Board on October 8, 2014. The Board authorized a public hearing on the recommended changes at this meeting.

Based on the study, Public Utilities recommends changes to capacity fees. For a residential customer, Public Utilities recommends decreasing the sewer capacity fee from \$8,034 to \$6,149 and increasing the water capacity fee from \$5,290 to \$5,982. This proposal would result in a decrease of the combined water and sewer capacity fees for a residential customer from \$13,324 to \$12,131, a total decrease of \$1,193.

Similar, proportional changes are recommended to water and sewer capacity fees for non-residential customers.

Recommended Action:

Approve Ordinance 14-08 amending Chapters 20 and 23 of the Hanover County Code to revise the County’s water and sewer capacity fees

Mr. Steve Herzog, Director of Utilities, came forward to give this presentation to the Board.

History

- Public Utilities previous capacity fee study was completed in March 2011
- Between studies the ENR construction cost index is used
- During the FY15 Budget process the Board requested that Public Utilities update the study
- Public Utilities contracted with HDR Engineering
- On July 21, 2014 the Board’s Finance Committee was briefed
- On October 8, 2014 the Board was briefed and authorized tonight’s public hearing

Purpose of Capacity Fees

- Capacity fees are one-time charges new water and sewer customers pay to recover all or a part of the cost of system capacity constructed for their use
- Capacity fees are not used to fund operations
- Capacity fees are used to fund capital projects that increase the capacity of the system

Combined “Methodology”

Board of Supervisors Draft Minutes – November 12, 2014

- Both water and sewer systems have available capacity but we also plan to construct additional (future) capacity

System Value

- Valuation of existing assets
- Valuation of planned capacity related improvements

Existing and Future ERU's

- Planning horizon 30 years to 2044
- Future demand = existing ERU's grown at 2% rate annually
 - 2014 – 35,700 ERU's
 - 2044 – 64,700 ERU's

Calculation of cost per ERU

- Buy-in component:
 - Value of existing assets ÷ 2044 ERU's
- Incremental Cost component:
 - Cost of future capacity improvements ÷ Additional ERU's added or ERU's served by improvement , whichever is larger
- Debt Service Credit
 - Credit for debt service anticipated to be collected through user fees

Major Changes:

- Average Daily Use
- Water 271 GPD/ERU to 187 GPD/ERU
- Sewer 271 GPD/ERU to 234 GPD/ERU
- Updated growth projections
- Updated existing asset valuation
- Updated cost estimates
- Modified the incremental cost methodology
- Updated planned projects based on the current Comprehensive Plan and input from Economic Development

Following the presentation, Mr. Herzog answered questions from Board members.

Board of Supervisors Draft Minutes – November 12, 2014

The Chairman opened the public hearing on Ordinance 14-08 and asked that anyone who wished to speak for or against the matter come forward. Seeing none, he closed the public hearing.

Mr. Peterson made a motion to approve Ordinance 14-08 amending Chapters 20 and 23 of the Hanover County Code to revise the County's water and sewer capacity fees, seconded by Mr. Via.

Mr. Hazzard requested that the water capacity fees for meters larger than 5/8" remain the same. The Board members had a detailed discussion on the fees and clarification was provided by Mr. Rives, Mr. Harris and Mr. Herzog. Following the discussion, Mr. Peterson withdrew his motion.

ORDINANCE 14-08

AN ORDINANCE AMENDING CHAPTERS 20 AND 23 OF THE HANOVER COUNTY CODE TO REDUCE SEWER CAPACITY FEES AND INCREASE WATER CAPACITY FEES PURSUANT TO TITLE 15.2, CHAPTER 21 OF THE CODE OF VIRGINIA, AND INCLUDING SPECIFICALLY VA. CODE §§ 15.2-2111, 15.2-2119 AND 15.2-2122, PROPOSED TO BE EFFECTIVE UPON ADOPTION.

WHEREAS the Director of the Department of Public Utilities has performed a review of the cost of providing water and sewer capacity and has recommended a reduction in sewer capacity fees and an increase in water capacity fees; and

WHEREAS the Board of Supervisors has decided to implement this recommendation;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County:

1. That the Hanover County Code, Chapter 20, Sewers and Sewage Disposal, Section 20-23(b) shall be amended to read as follows:

Sec. 20-23. Service fees and capacity fees—Residential (including individually metered multi-family housing units).

(b) Capacity fees for all county-owned sewerage facilities. For residential customers, six thousand one hundred forty nine dollars (\$6,149.00).

For a residential customer served by a water meter larger than five-eighths (5/8) inch, the capacity fee shall be as prescribed in section 20-24(c).

2. That the Hanover County Code, Chapter 20, Sewers and Sewage Disposal, Section 20-24(c) shall be amended to read as follows:

Board of Supervisors Draft Minutes – November 12, 2014

Sec. 20-24. Same—Commercial I, commercial II.

(c) Capacity fees for commercial I and commercial II customers. Capacity fees for commercial customers requiring three-inch and smaller meters shall be based upon the meter size according to the following schedule:

Meter Size	Fee
5/8"	\$ 6,149
1"	15,371
1½"	30,744
2"	49,189
3"	98,380

Capacity fees for commercial customers requiring larger than three-inch meters shall be determined on a case by case basis and established by contract, but in no case shall be less than the capacity fee for a three-inch meter.

For meter sizes three-inch and smaller, if an existing commercial customer desires to redevelop and replace an existing sewer connection with a single or multiple sewer connections, the value of the capacity fee associated with the existing sewer connection shall be determined based on the fee schedule above and credited for use on the property. For commercial customers with connections associated with meters larger than three-inch, the property will be credited the value of a three-inch meter capacity fee unless documentation of payment of a greater capacity fee is provided, in which case the capacity fee credited shall be the actual amount paid. Once a capacity fee has been credited to a property, the amount of the credit is fixed and available for use on the property. Refunds shall not be made for any unutilized amount.

3. That the Hanover County Code, Chapter 23, Water Code, Section 23-47(a) and (b) shall be amended to read as follows:

Sec. 23-47. Capacity fees.

(a) For residential customers using a standard three-quarter ($\frac{3}{4}$) inch service pipe and a five-eighths ($\frac{5}{8}$) inch meter, the capacity fee shall be five thousand nine hundred eighty two dollars (\$5,982.00). Capacity fees for meters larger than five-eighths ($\frac{5}{8}$) inch shall be in accordance with section 23-47(b).

(b) Capacity fees for commercial I, commercial II, and commercial III customers. Capacity fees for commercial customers requiring three-inch or smaller meters shall be based upon the installed meter size according to the following schedule:

Board of Supervisors Draft Minutes – November 12, 2014

Meter Size	Capacity Fee
5/8"	\$ 5,982
1"	13,226
1½"	26,451
2"	42,322
3"	84,643

Capacity fees for commercial customers requiring larger than three-inch meters shall be determined on a case by case basis and established by contract, but in no case shall be less than the capacity fee for a three-inch meter.

For meter sizes three-inch and smaller, if an existing commercial customer desires to redevelop and replace an existing meter with a single or multiple meters, the value of the capacity fee associated with the existing meter shall be determined based on the fee schedule above and credited for use on the property. For commercial customers with meters larger than three (3) inches, the property will be credited the value of a three-inch meter capacity fee unless documentation of payment of a greater capacity fee is provided, in which case the capacity fee credited shall be the actual amount paid. Once a capacity fee has been credited to a property, the amount of the credit is fixed and available for use on the property. Refunds shall not be made for any unutilized amount.

4. That this Ordinance shall be effective upon adoption.

On motion of Mr. Peterson, seconded by Mr. Hazzard, the members of the Board of Supervisors voted to approve Ordinance No. 14-08, as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

XVI. Public Hearing - Department of Public Utilities – Quitclaim of Surplus Portion of Utility Easements on GPIN 7788-69-2400, owned by EMAC, LLC. (Ashland Magisterial District)

Board Sheet Background:

Virginia. Code Section 15.2-1800 requires that a public hearing be held prior to disposal of surplus property.

Board of Supervisors Draft Minutes – November 12, 2014

Hanover County owns utility easements on the parcel identified as GPIN 7788-69-2400 owned by EMAC, LLC. The improvements on this property have been redesigned in conjunction with the construction of a new building. As a result, a portion of an existing utility easement is no longer needed. Public Utilities has received a request from EMAC, LLC that Hanover County quitclaim its interest in the surplus portion of the easement shown on the attached plat titled “Plat Showing a Portion of an Existing 20’ Utility Easement to be Quitclaimed Across the Property of EMAC, L.L.C.”.

Public Utilities recommends conveying ownership of the surplus portion of the utility easements to EMAC, LLC via quitclaim deed.

Recommended Action:

Approve the disposal of surplus property consisting of a portion of utility easements on GPIN 7788-69-2400 to EMAC, LLC as shown on the attached plat by quitclaim deed.

Mr. Steve Herzog, Director of Utilities, came forward to give this presentation to the Board.

Overview:

- As part of the expansion of the McGeorge RV facility the alignment of a future waterline across the site was changed
- Easements for the new alignment have been recorded
- Public Utilities is in a position to recommend abandonment of the portion of the existing easement no longer needed

The Chairman asked if there were any questions from Board members. Hearing none, he opened the public hearing and asked that anyone who wished to speak for or against the matter come forward. Seeing none, he closed the public hearing.

On motion of Mr. Via, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve the disposal of surplus property consisting of a portion of utility easements on GPIN 7788-69-2400 to EMAC, LLC, as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye

Board of Supervisors Draft Minutes – November 12, 2014

Elton J. Wade, Sr. Aye

XVII. Planning Public Hearings

SE-19-14 – Charles D. Waddell, Requests a Special Exception Permit in accordance with Section 26-21.11 of the Hanover County Zoning Ordinance to permit a private garage for more than four (4) vehicles on GPIN 8735-08-5429, consisting of approximately 2.13 acres, zoned A-1, Agricultural District, and located in the southeast quadrant of the intersection of Pole Green Road (State Route 627) and Walnut Grove Road (State Route 615) in the **Henry Magisterial District**.

Planning Analysis:

- Private garage for more than 4 vehicles
 - 2nd garage on the property
 - 24' X 40' in size to allow for additional storage space
 - 2nd driveway entrance proposed off Pole Green Road for access to the garage
- Today, the applicant made the staff aware that he was interested in constructing a 2-story garage
 - Condition #1 limits the garage to 1,000 sq. ft.
 - Staff recommends this condition be amended as follows:
 - The garage, which is subject to this SE, shall be limited to 2,000 sq. ft. and constructed as generally shown on “Exhibit A”

Recommendation:

- Staff recommends approval subject to the conditions outlined in the staff report.

Mr. Maloney presented this case to the Board. Following the presentation, Mr. Maloney answered questions from Board members.

The Chairman opened the public hearing and asked that anyone who wished to speak for or against the matter come forward. Seeing none, he closed the public hearing.

Board of Supervisors Draft Minutes – November 12, 2014

RESOLUTION

WHEREAS after a public hearing held on this 12th day of November, 2014, as advertised in the Herald-Progress once a week for two successive weeks as required by Virginia Code, Section 15.2-2204 and the Hanover County Code.

NOW, THEREFORE, BE IT RESOLVED that Charles D. Waddell, is granted a Special Exception Permit in accordance with Section 26-21.11 of the Hanover County Zoning Ordinance to permit a private garage for more than four (4) vehicles on GPIN 8735-08-5429, consisting of approximately 2.13 acres, zoned A-1, Agricultural District, subject to the following conditions:

1. The garage, which is subject to this Special Exception, shall be limited to 2,000 square feet.
2. The applicant shall obtain all required permits prior to construction, including a building permit and VDOT entrance permit.
3. All development and use of the Property shall comply with all federal, state and local statutes, ordinance and regulations.

The Special Exception Permit shall lapse after the expiration of one (1) year if no substantial construction or change of use has taken place in accordance with the plans for which the Exception was approved.

On motion of Mr. Davis, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve SE-19-14 – Charles D. Waddell, as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

SE-18-14 – Dominion Land & Development Corp., Requests a Special Exception Permit in accordance with Section 26-275(d)(5) of the Hanover County Zoning Ordinance to allow an off-site general advertising sign on GPIN 7788-49-6820, consisting of approximately 1.88 acres, zoned B-3(c), General Business District with conditions, and located on the northeast quadrant of the intersection of

Board of Supervisors Draft Minutes – November 12, 2014

North Lakeridge Parkway (State Route 782) and Northlake Park Drive (State Route 2028) in the **Ashland Magisterial District.**

Planning Analysis:

- The owners' association desires a signage program to direct incoming traffic to the desired destination
- The applicant is proposing the 1st of these signs with this request
- The proposed sign is:
 - 9.5 feet tall and 3.5 feet wide
 - The face of the sign is approx. 22 sq. ft.

Recommendation:

- Staff recommends approval subject to the conditions outlined in the staff report.

Mr. Maloney gave this presentation to the Board.

The Chairman asked if there were any questions from Board members. Hearing none, he opened the public hearing and asked that anyone who wished to speak for or against the matter come forward.

Mr. William Shumack with LeClair Ryan came forward to speak on behalf of EMAC, LLC and McGeorge RV Dealership. He stated they are generally in support but stated that the property owners association needs to be in control of the sign.

Mr. Gibson Wright with Northlake came forward and stated the maintenance and other aspects of the signage will be discussed with the association.

Seeing no others come forward, the Chairman closed the public hearing.

RESOLUTION

WHEREAS after a public hearing held on this 12th day of November, 2014, as advertised in the Herald-Progress once a week for two successive weeks as required by Virginia Code, Section 15.2-2204 and the Hanover County Code.

NOW, THEREFORE, BE IT RESOLVED that Dominion Land & Development Corp., is granted a Special Exception Permit in accordance with Section 26-275(d)(5) of the Hanover County Zoning Ordinance to allow an off-site general advertising sign on GPIN 7788-49-6820, consisting of approximately 1.88 acres, zoned B-3(c), General Business District, subject to the following conditions:

Board of Supervisors Draft Minutes – November 12, 2014

1. The applicant shall obtain all necessary permits, including both a sign permit and a building permit, prior to construction of each sign. Location of the sign shall be outside the sight distance triangle and the area of any public utility easements.
2. All development and use of the Property shall comply with all federal, State and local statutes, ordinances and regulations.

The Special Exception Permit shall lapse after the expiration of one (1) year if no substantial construction or change of use has taken place in accordance with the plans for which the Exception was approved.

On motion of Mr. Via, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve SE-18-14 – Dominion Land & Development Corp., as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

XVIII. Announcements/Adjournment

There were no announcements made.

At 8:23 p.m. the Chairman adjourned the meeting to November 25, 2014 – Hanover County Administration Building – 6:00 p.m.

**HANOVER COUNTY BOARD OF SUPERVISORS
MINUTES**

**Hanover County Administration Building
Board Room**

November 25, 2014

VIRGINIA: At a regular meeting of the Board of Supervisors for Hanover County held in the Board Room of the Hanover County Administration Building on the 25th day of November, 2014, at 6:00 p.m.

Present: Mr. Sean M. Davis, Chairman
Mr. Wayne T. Hazzard, Vice-Chairman
Mrs. Angela Kelly-Wiecek
Mr. W. Canova Peterson
Mr. Aubrey M. Stanley
Mr. G.E. “Ed” Via, III
Mr. Elton J. Wade, Sr.
Mr. Cecil R. Harris, Jr., County Administrator
Mr. Sterling E. Rives, III, County Attorney

I. Call to Order

The Chairman called the meeting to order at 6:01 p.m. All Board members were present.

- A. The invocation was given by Mr. Davis.
- B. The Pledge of Allegiance was led by Mr. Via.
- C. Approval of Minutes

Mr. Hazzard made a motion to approve the minutes of September 24, October 8 and October 22, 2014 as presented. The motion was seconded by Mr. Stanley.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Board of Supervisors Draft Minutes – November 25, 2014

II. Consideration of Agenda Amendments

The Chairman asked if there were any agenda amendments.

Mr. Peterson made a motion to move CUP-6-14 and SE-17-14 – Robert Oliver to the beginning of Item VIII. – Planning Public Hearings. The motion was seconded by Mr. Hazzard.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Mrs. Kelly Wiecek made a motion to add a video from Battlefield Elementary School to the agenda to be played after Item IV. – Consent Agenda. The motion was seconded by Mr. Hazzard.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

III. Citizens’ Time

The Chairman opened citizens’ time and offered to anyone who wanted to address the Board of Supervisors for up to five minutes on any matter within the scope of the Board’s authority that is not on the agenda for that meeting to come forward.

Ms. Marion Jones, Henry Magisterial District, came forward to speak in opposition of encouraging private land owners to ready property for development. She cited the importance of agricultural properties in Hanover County.

Seeing no others, the Chairman closed citizens’ time.

Board of Supervisors Draft Minutes – November 25, 2014

IV. Consent Agenda

Mr. Hazzard made a motion to approve the consent agenda as presented, seconded by Mrs. Kelly-Wiecek.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

IV.-A Adoption of Proclamation – Kay Bezley, Henry Magisterial District

PROCLAMATION

WHEREAS Kay Bezley has been a resident of the Henry Magisterial District in Hanover County, Virginia, since 1973; and

WHEREAS Kay Bezley has faithfully served as Postmaster of the Studley Post Office in Hanover County, Virginia, for thirty-four (34) years; and

WHEREAS post office boxes for about 150 families are located in the Studley Post Office with no more than 50 customers visiting daily; and

WHEREAS Kay Bezley has a love of Hanover County and its people and was pleasant and courteous to her customers always looking forward to the next work day; and

WHEREAS Kay Bezley brought her friendship and integrity to the Hanover community and was highly regarded and respected for the significant impact she has made in the lives of Hanover citizens; and

WHEREAS Kay Bezley will be missed each day by those who visit the Studley Post Office.

NOW, THEREFORE, BE IT RESOLVED that the Hanover County Board of Supervisors does hereby wish to recognize Kay Bezley for her thirty-four (34) years of service to the community as Postmaster of the Studley Post Office and further wishes her the very best in her retirement.

Board of Supervisors Draft Minutes – November 25, 2014

On motion of Mr. Davis, seconded by Mr. Hazzard, members of the Board of Supervisors voted to adopt the proclamation as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

IV.-B Adoption of Proclamation – Colonel David R. Hines

PROCLAMATION

WHEREAS Colonel David R. Hines is a resident of the Henry Magisterial District in Hanover County, Virginia; and

WHEREAS on July 16, 1984, Colonel David R. Hines began his service with the Hanover County Sheriff's Department as a Patrol Deputy and was promoted during his years of service advancing to a Lieutenant Colonel on October 16, 2003; and

WHEREAS on September 16, 2010, Colonel David R. Hines began his service as Sheriff of Hanover County, Virginia, and has served in this capacity for four (4) years continuing to build the Hanover County Sheriff's Office into a respected, professional and efficient organization that helps to lead the region and enhance the quality of life for all County residents and businesses; and

WHEREAS Colonel David R. Hines has been directly responsible for implementation of innovative programs designed to increase the effectiveness of law enforcement responses and further community partnerships such as the Crime Management Initiative (CMI), where members of Patrol, Investigations, Crime Prevention and the community meet every other week to discuss crime trends and develop solutions to problems that are occurring and may occur as identified in other surrounding jurisdictions, and the Predictive Policing Program, unique to Hanover County and published by the International Association of Chiefs of Police (IACP), which uses all available information affirmed through scientific process and actionable intelligence in an effort to be on the forefront of a criminal act and maximize the effective uses of law enforcement resources; and

Board of Supervisors Draft Minutes – November 25, 2014

WHEREAS under Colonel Hines' leadership the Hanover Sheriff's Office continues to be one of the most respected, efficient and proficient agencies in the State of Virginia which was reflected during the largest search and rescue operation in the history of Virginia on October 23, 2011. Colonel Hines led the search for young Robert Wood who was separated from his family and lost in the woods at North Anna Battlefield Park. The Sheriff's Office response was cheered throughout the nation to include formal recognition by former host of America's Most Wanted, Mr. John Walsh, and CEO of the National Center for Missing and Exploited Children, Mr. Ernie Allen; and

WHEREAS under Colonel Hines' leadership the Hanover Sheriff's Office is active in a wide variety of regional partnerships such as the Central Virginia Intelligence Group, the Rappahannock Regional Intelligence Group, the DEA Task Force, The Joint Terrorism Task Force, the regional Chiefs meeting, as well as multiple crime prevention associations and networks all designed to further professional peer partnerships and service to our community. The Sheriff's Office is also one of only two agencies in the state to maintain both a state and national accreditation and, during the recent national accreditation, received a gold standard accreditation with excellence award. In addition, the Sheriff's Office is one of only thirteen localities within Virginia certified as a crime prevention community; and

WHEREAS Colonel David R. Hines' dedication and stalwart service to the County and its citizens represents the best attributes of Hanover County employees; and

WHEREAS Colonel David R. Hines has a major impact on the quality of life in the County with Hanover consistently enjoying one of the lowest crime rates in the region and a crime clearance rate more than double the national average during his tenure.

NOW, THEREFORE, BE IT RESOLVED that the Hanover County Board of Supervisors, on behalf of the citizens, wishes to recognize and thank Colonel David R. Hines for his thirty (30) years of dedicated and distinguished service and conveys their best wishes for a future of continued success.

On motion of Mr. Hazzard, seconded by Mrs. Kelly-Wiecek, members of the Board of Supervisors voted to adopt the proclamation as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye

Board of Supervisors Draft Minutes – November 25, 2014

Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

The Chairman announced that the Board will be presenting a previously approved proclamation on *Color the World Orange Month*. Mr. Hazzard noted that the intent of the proclamation is to increase awareness of Complex Regional Pain Syndrome. A Hanover County resident who suffers from the condition was called forward to receive the proclamation.

Mrs. Kelly-Wiecek introduced a video that was filmed at Battlefield Park Elementary School regarding a charity drive held to collect coats for children in the community. The video was shown at that time.

V. Citizen Survey Report

Mr. John Budesky, Deputy County Administrator, came forward to present the summary of findings from the Hanover County 2014 National Citizen Survey. He explained that this is an independent assessment of perceptions on and aspects of community life, local government service quality, and resident participation in community activities. Mr. Budesky detailed the findings from each area of focus in the study.

Identified Opportunities for Review and Growth

- Continuous Improvement in Customer Service
- Citizen Engagement and Education
 - Opportunities for citizen participation
 - Opportunities to build trust, openness, and acceptance
- Parks and Recreation Amenities and Facilities
 - Evaluate opportunities to promote or encourage participation
 - Evaluate capital investment needs and opportunities
- Promote Participation in Library Services and Programming
- Evaluate land use planning and development design
- Review policies that impact community options for investments in business development, creation of social activities, and retirement housing options

Next Steps

Board of Supervisors Draft Minutes – November 25, 2014

- Analysis of results by Board, County Leadership , and employees
- Share reports with citizens via the website and encourage review and feedback
- Consideration of prioritizing initiatives, strategies, and capital investments to address identified needs
- Identify areas that will not be addressed due to funding limitations
- Evaluate citizen engagement opportunities to assist with education and continuous learning
- Sustain the positive feedback and identify opportunities for continuous improvement
- Align findings and resulting strategies with the Hanover County Strategic Plan
- Conduct next survey in 2017

Following the presentation, Mr. Budesky answered questions from Board members. There was a discussion on utilizing the County website, social media and the Hanover Review to help address the growth concerns that were expressed. There was also a discussion concerning the lack of retirement communities and the possible geographic causes for this.

VI. Legislative Agenda Update

Mr. Sterling Rives, County Attorney, came forward to present the Hanover County Legislative Agenda for the 2015 General Assembly Session. He announced that the Virginia Association of Counties (VACo) has adopted its legislative agenda.

Mr. Rives detailed the Legislative Agenda Action Items and recapped Hanover County's position on legislation anticipated to come before the 2015 session as well as the Legislative Policy Statements.

Select items from VACo's 2015 Legislative Agenda with regard to the following areas were highlighted:

- Education
- Environment and Agricultural. It was noted that Delegate Peace has announced that he will be submitting legislation on industrial sludge.
- Finance
- Transportation

Mr. Rives then described prefiled bills of interest to the Board.

Board of Supervisors Draft Minutes – November 25, 2014

There was discussion on the County Legislative Committee and the School Board’s Legislative Committee embarking on a multi-year process of looking at activities that are required by the State that may or may not bring real value to the school system. There was further discussion on education funding with regard to SOQ funding and the *Cost of Competing Allowance*.

The Chairman announced that the Planning Items would be heard prior to the scheduled closed session. He then announced a brief recess at 7:01 p.m.

The meeting was reconvened at 7:05 p.m.

VIII. Planning Public Hearings

CUP-6-14 – Robert Oliver Requests a Conditional Use Permit in accordance with Section 26-130.1 of the Hanover County Zoning Ordinance to permit a meeting hall within a shopping center on GPIN 8714-05-0985, consisting of approximately 5.65 acres. The area of the Conditional Use Permit will be limited to approximately 4,971 square feet. The property is zoned B-3, General Business District, and is located on the northeast quadrant of the intersection of Mechanicsville Turnpike (U.S. Route 360) and Shady Grove Road (State Route 640) in the **Mechanicsville Magisterial District**. The subject property is designated on the General Land Use Plan Map as Mixed Use (High Commercial/Low Residential).

SE-17-14 – Robert Oliver, Requests a Special Exception Permit in accordance with Section 26-131.3 of the Hanover County Zoning Ordinance to permit an afterschool child day care program in a 4,971 square foot space within a shopping center on GPIN 8714-05-0985, consisting of approximately 5.65 acres, zoned B-3, General Business District, and located on the northeast quadrant of the intersection of Mechanicsville Turnpike (U.S. Route 360) and Shady Grove Road (State Route 640) in the **Mechanicsville Magisterial District**.

On motion of Mr. Peterson, seconded by Mr. Via, the members of the Board of Supervisors voted to defer CUP-6-14 and SE-17-14 – Robert Oliver until January 14, 2015 as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye

Board of Supervisors Draft Minutes – November 25, 2014

G. E. “Ed” Via, III Aye
Elton J. Wade, Sr. Aye

CUP-2-93, AM. 1-14 - Virginia Electric & Power Company D/B/A Dominion Virginia Power, Requests an amendment to a Conditional Use Permit in accordance with Section 26-20.12 of the Hanover County Zoning Ordinance to permit the expansion of the Elmont substation on GPINs 7777-69-4065, 7778-55-2361, 7777-79-1155, 7777-79-1455 and 7777-67-6294(part), consisting of approximately 37.34 acres, zoned A-1, Agricultural District, and located at the terminus of a private driveway that intersects the south line of Cedar Lane (State Route 623) approximately 400 feet east of its intersection with Old Washington Highway (State Route 626) in the **South Anna Magisterial District**. The subject property is designated on the General Land Use Plan Map as Suburban Transitional (1-2 dwelling units per acre).

SE-16-14 - Virginia Electric & Power Company D/B/A Dominion Virginia Power, Requests a Special Exception Permit in accordance with Section 26-336 of the Hanover County Zoning Ordinance to allow a twenty (20) foot tall security fence, which is taller than permitted, on GPINs 7777-69-4065, 7778-55-2361, 7777-79-1155, 7777-79-1455 and 7777-67-6294 (part), consisting of approximately 37.34 acres, zoned A-1, Agricultural District, and located at the terminus of a private driveway that intersects the south line of Cedar Lane (State Route 623) approximately 400 feet east of its intersection with Old Washington Highway (State Route 626) in the **South Anna Magisterial District**.

Planning Analysis:

- A CUP amendment is requested to allow the expansion of the Elmont Substation, which is part of Dominion Virginia Power’s Substation Security Enhancement Project
 - The 2.1 acre expansion of the substation will allow for the storage of spare equipment
 - Access to the site is a shared driveway that runs along the former Ashland trolley line right-of-way
- There is a concurrent SE request for a security fencing that would be 20’ in height
- Elevations have been provided showing metal mesh panels that will screen and protect the substation

Recommendations:

CUP-2-93, Am. 1-14 - The Planning Commission and staff recommend approval subject to the conditions outlined in the staff report

Board of Supervisors Draft Minutes – November 25, 2014

SE-16-14 - Staff recommends approval subject to the conditions outlined in the staff report

Mr. David Maloney, Director of Planning, presented the Board with these requests.

Mr. Davis opened the combined public hearing for both items and asked that anyone wishing to speak for or against the matters come forward. Seeing none, Mr. Davis closed the public hearing.

RESOLUTION

WHEREAS after a public hearing held on this 25th day of November, 2014, as advertised in the Herald-Progress once a week for two successive weeks as required by Virginia Code, Section 15.2-2204 and the Hanover County Code.

NOW, THEREFORE, BE IT RESOLVED that Virginia Electric & Power Company D/B/A Dominion Virginia Power is granted an amendment to a Conditional Use Permit in accordance with Section 26-20.12 of the Hanover County Zoning Ordinance to permit the expansion of the Elmont substation on GPINs 7777-69-4065, 7778-55-2361, 7777-79-1155, 7777-79-1455 and 7777-67-6294(part), consisting of approximately 37.34 acres, zoned A-1, Agricultural District, subject to the following conditions (all conditions approved with CUP-2-93, Am. 2-06 shall remain unchanged):

1. Any further expansion of these facilities shall require an amendment to the Conditional Use Permit.
2. All development and use of the Property shall comply with all federal, state, and local statutes, ordinances, and regulations.

The Conditional Use Permit shall lapse after the expiration of one (1) year if no substantial construction or change of use has taken place in accordance with the plans for which the Conditional Use was approved.

RESOLUTION

WHEREAS after a public hearing held on this 25th day of November, 2014, as advertised in the Herald-Progress once a week for two successive weeks as required by Virginia Code, Section 15.2-2204 and the Hanover County Code.

NOW, THEREFORE, BE IT RESOLVED that Virginia Electric & Power Company D/B/A Dominion Virginia Power is granted a Special Exception Permit in accordance with Section 26-336 of the Hanover County Zoning Ordinance to allow a twenty (20) foot tall security fence, which is taller than permitted, on GPINs 7777-69-4065, 7778-55-2361, 7777-79-1155, 7777-79-1455 and 7777-67-

Board of Supervisors Draft Minutes – November 25, 2014

6294(part), consisting of approximately 37.34 acres, zoned A-1, Agricultural District, subject to the following conditions:

1. The fence shall be limited to twenty (20) feet in height with poles no taller than twenty-five (25) feet.
2. The fence shall be constructed in substantial conformance with the colors, materials, and design as shown on the elevations titled, “Training Center High Security Test Bed 20’ Guardian 7000”, dated November 28, 2013, and prepared by Dominion and the photograph titled, “Dominion Security Panel (20-foot, outside)”.
3. All development and use of the property shall comply with all federal, state, and local statutes, ordinances, and regulations.

The Special Exception Permit shall lapse after the expiration of one (1) year if no substantial construction or change of use has taken place in accordance with the plans for which the Exception was approved.

On motion of Mr. Hazzard, seconded by Mr. Peterson, the members of the Board of Supervisors voted to approve CUP-2-93, AM. 1-14 and SE 16-14 – Virginia Electric & Power Company D/B/A Dominion Virginia Power as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

VII. Closed Session – Section 2.2-3711(A)(7) of the Code of Virginia – Acquisition of right of way, permanent utility easement, temporary construction easement on GPINs 8735-08-9799, 8735-18-1831, 8735-19-1438, 8735-18-4862, Pole Green Road/Walnut Grove Road Intersection Improvement Project

Mr. Hazzard moved that the Board of Supervisors go into Closed Session pursuant to the following: Section 2.2-3711(A)(7) of the Code of Virginia – Acquisition of right of way, permanent utility easement, temporary construction easement on GPINs 8735-08-9799, 8735-18-1831, 8735-19-

Board of Supervisors Draft Minutes – November 25, 2014

1438, 8735-18-4862, Pole Green Road/Walnut Grove Road Intersection Improvement Project. The motion was seconded by Mr. Stanley.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Board members entered Closed Session at 7:11 p.m. At the conclusion of the Closed Session, all Board members returned to the Board room, and the Chairman called the regular meeting back to order at 7:27 p.m.

Certification of Closed Session

Mr. Hazzard moved that the Board of Supervisors certify that during the Closed Session only public business matters lawfully exempted from the open meeting requirement of the Freedom of Information Act and only such public business matters as were identified in the motion for the Closed Session were discussed. The motion was seconded by Mr. Wade.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Mr. Davis made a motion that the Board authorize the purchase of right-of-way, a permanent utility easement, and temporary construction easements on GPIN's 8735-08-9799, 8735-18-1831, 8735-19-1438, 8735-18-4862 for \$75,000.00 for proposed road improvements, and authorize the County Administrator to take all actions necessary to complete this acquisition. The motion was seconded by Mr. Via.

Board of Supervisors Draft Minutes – November 25, 2014

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

IX. Announcements

There were no announcements.

X. Adjournment

At 7:29 p.m. the Chairman adjourned the meeting to December 4, 2014 – Special Meeting - Legislative Workshop - Randolph Macon College - 8:00 a.m.

HANOVER COUNTY BOARD OF SUPERVISORS
MINUTES

Special Meeting with Members of General Assembly
Representing Hanover County

December 4, 2014

VIRGINIA: At a special meeting of the Board of Supervisors for Hanover County held in the Dollar Tree Community Room at Randolph Macon College on the 4th day of December, 2014, at 8:00 a.m.

Present: Mr. Sean M. Davis, Chairman
Mr. Wayne T. Hazzard, Vice-Chairman
Mrs. Angela Kelly-Wiecek
Mr. Aubrey M. Stanley
Mr. Cecil R. Harris, Jr., County Administrator
Mr. Sterling E. Rives, III, County Attorney
Mr. Dennis Walter, Senior Assistant County Attorney
Delegate Christopher K. Peace
Delegate H.F. “Buddy” Fowler
Senator Ryan T. McDougle
Senator A. Donald McEachin
Senator Walter A. Stosch

Absent: Mr. W. Canova Peterson
Mr. G.E. “Ed” Via, III
Mr. Elton J. Wade, Sr.

I. Call to Order

The Chairman called the meeting to order at 8:03 a.m.

- A. The invocation was given by Senator McEachin.
- B. The Pledge of Allegiance was led by Sheriff Hines.

Board of Supervisors Draft Minutes – December 4, 2014

II. Opening Remarks

Mr. Davis welcomed the members of the General Assembly. He also welcomed Mayor George Spagna, Hanover County officials, Dr. Jamelle Wilson, School Superintendent, and the School Board members who were present.

III. Discussion of Hanover County Legislative Agenda for the 2015 Session

Mrs. Kelly-Wiecek, Chair, Legislative Committee, and Mr. Rives, County Attorney led the discussion, beginning with the 2015 Legislative Agenda Action Items.

2015 Legislative Agenda Action Items

- Request that the General Assembly fully fund the Line of Duty Act benefits for law enforcement and public safety personnel as it did from the time that the General Assembly created these benefits in 1995 until the 2012 fiscal year.
- Request that the General Assembly ensure that the state continues to appropriate adequate monies to fund its pro rata share of the required contributions for VRS benefits for state funded teacher salaries and that the state make its contributions directly to VRS so that the state liability will be accurately reported under applicable accounting standards.
- To help local governments provide for the stormwater quality programs and facilities necessary to achieve the Chesapeake Bay Total Maximum Daily Load (TMDL) requirements, request that the General Assembly create a mechanism to provide for a stable and adequate source of the funding required to implement these programs.
- Request that Va. Code section 8.01-407 be amended to provide that attorneys may not issue subpoenas in custody and visitation proceedings under Chapter 6.1 (Section 20-124.1 et seq.) of Title 20 when the person whose attendance is sought is an employee of a school division, community services board, behavioral health authority or local department of social and the testimony sought is related to such employment.
- Request that the Department of Environmental Quality conduct or commission a comprehensive study to determine the potential environmental and health risks of the land application of industrial residuals and to establish regulations specifically designed for industrial residuals based on the characteristics of residuals from different sources, including

Board of Supervisors Draft Minutes – December 4, 2014

testing parameters, application methods, setbacks, record keeping, inspection protocols and enforcement authority.

- Request that the date of primary elections held in the month of June be changed from the second Tuesday to the third Tuesday in June and to change candidate filing deadlines to reflect that change of date. Because many localities use public school buildings for polling places, this change would minimize the number of occasions when primary elections held in June would take place while public schools are still in session. This change would reduce interference with school functions, enhance student safety and facilitate the conduct of primary elections.
- Request that the General Assembly amend the Code of Virginia to require that all bills that have a local fiscal impact—whether to localities or local school divisions—be filed on the first day of a Session of the General Assembly in provide time for fiscal impact analysis.

There was a discussion on Hanover County’s position on legislation anticipated to come before the 2015 session.

Positions on Legislation Anticipated to Come Before the 2015 Session

- Support legislation that would provide counties with the same local taxing authority as cities in order that counties might reduce their dependence on real estate and personal property taxes.
- Support the development of alternative and equivalent additional revenue sources for localities prior to any repeal of the current authority for machinery and tools taxes and business professional occupation license taxes.
- Support maintenance of the existing provisions of Va. Code § 22.1-79.1 governing the date for the opening of the school year.
- Support legislation that would prohibit private ownership of dangerous, wild animals, except for licensed zoos, research facilities and animal sanctuaries.
- Support for a study by the Joint Legislative Audit and Review Commission (JLARC) of Medicaid-funded transportation services; such study would be separate and apart from any additional studies regarding those who are eligible for Medicaid or the provision of Medicaid services in Virginia.

Board of Supervisors Draft Minutes – December 4, 2014

Legislative Policy Statements

- Support protection of existing authority regarding local budget decisions and oppose any shifting of funding responsibility from the state to localities for new or existing programs.
- Support the protection of existing local government authority in all areas including revenue and land use.
- Support only environmental regulations and programs that are scientifically valid and reasonably cost effective and that will result in substantial and demonstrable improvements to the environment.
- Support equitable reallocation of revenue and service responsibilities between the state and localities to provide for ongoing stability in taxation and the delivery of government services.
- Support the development of alternative funding sources for capital improvements required to serve new development.

There was a detailed discussion on the legislative policy statements.

IV. Comments by Members of General Assembly

Each Senator and Delegate addressed the Board and several issues were discussed. The legislators expressed their appreciation for the opportunity to participate in the discussions and encouraged further input from Hanover County and other localities.

V. Announcements

The legislators and citizens were thanked for their attendance and participation.

VI. Adjournment

At 9:25 A.m. the Chairman adjourned the meeting to December 10, 2014 – Hanover County Administration Building – 2:00 p.m.