



**County of Hanover**

**Board Meeting: June 11, 2014**

**Subject:** Approval of Minutes –  
March 26, 2014  
April 9, 2014  
April 23, 2014

**Summary of  
Agenda Item:** The minutes of March 26, 2014, April 9, 2014 and April 23, 2014 are included in the packet to be approved.

**County  
Administrator's  
Recommended  
Board Motion:** A motion to approve the Board of Supervisors' minutes of of March 26, 2014, April 9, 2014 and April 23, 2014.

# Board of Supervisors Draft Minutes – March 26, 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 26<sup>th</sup> day of March, 2014, at 7:00 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 7:00 p.m. All Board members were present.

- A. The invocation was given by Mr. Davis.
- B. The pledge of Allegiance was led by Mr. Hazzard.

## **II. Public Hearing**

- A. FY 15 Proposed Budget
- B. Five-Year Capital Improvements Plan
- C. Five-Year General Fund Financial Plan
- D. Proposed 2014 Tax Rates
- E. 2015 Fees and Related Ordinance Changes

Mr. Davis announced the items on the agenda for the public hearing. He asked if Board members had any comments or questions.

The Board members had a discussion on the tax cut that had been discussed and clarified that there had been a discussion at the previous meeting, not a proposal or a Board initiative. There was further discussion on the cash reserve fund and real estate tax assessments.

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Hearing no other comments, the Chairman opened the public hearing and asked that anyone wishing to speak for or against the matter come forward.

Name:	Dr. Michelle Schmitt	District:	Chickahominy
Budget Topic Area: Tax cut and public safety			
Stated the Sheriff and Fire Chief asked for more positions and the Commonwealth Attorney asked for more funding to stay competitive in salaries. She questioned why a tax decrease would be considered when we are not currently meeting public safety needs.			

Name:	Mr. William Brenzovich	District:	Mechanicsville
Budget Topic Area: Proposed budget/CSB			
Voiced support of proposed budget on behalf of Community Services Board. Described services provided by the CSB and stated these functions are essential. He asked for full support of the FY15 budget as presented.			

Name:	Ms. Janice Maino	District:	Beaverdam
Budget Topic Area: Tax and school technology			
Hanover County teacher and resident. Described outdated systems being used in the schools and explained necessity for updated programs to prepare students for college and life outside of the public schools. Asked that current tax rate be kept and funds be earmarked specifically for schools to update computers and software.			

Name:	Mr. Dan Johnson	District:	South Anna
Budget Topic Area: General			
Spoke in opposition of a tax cut. Can only support a tax cut after all public safety needs are met. Asked that no tax cut occur until Sheriff's Office, Schools, Fire/EMS and other needs are met.			

Name:	Mr. Robert Barnette	District:	Mechanicsville
Budget Topic Area: Social Services			
Speaking in support of Hanover Department of Social Services. He fully supports the proposed budget. Spoke of services provided by Social Services and the need for			

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additional funds to provide these services.
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Name:	Mr. Owen Matthews	District:	Beaverdam
Budget Topic Area: School budget			
Spoke on behalf of School Superintendent’s Business Advisory Committee. Described reasons for additional funds for the schools. Asked that the school budget be approved as presented.			

Name:	Ms. Kay Loving	District:	Beaverdam
Budget Topic Area: Education			
Spoke in opposition of what is going on with the budget and education in Hanover. She asked that the budget not be cut. She asked that the schools be repaired and technology be improved.			

Name:	Ms. MaryAnn Pugh	District:	South Anna
Budget Topic Area: Education			
Spoke on school needs. The list of unmet needs in education program is long. She asked that the Board meet all unmet needs: Schools, Sheriff’s Office, Social Services and Fire/EMS department.			

Name:	Ms. Gianna Clark	District:	Henry
Budget Topic Area: Education			
Spoke on behalf of the Hanover Education Foundation in support of school proposed budget. Believes the proposed budget aligns well with school needs. Fully supports proposed budget and recommends approval.			

Name:	Ms. Caroline Griffin	District:	Cold Harbor
Budget Topic Area: Taxation			
Spoke in support of the proposed school budget. She stated that she is opposed to the tax cut.			

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Name:	Ms. Toni Radler	District:	Ashland
Budget Topic Area: Operating budget			
Spoke against the tax cut. She is concerned that Board will do to the operating budget what has been done to the infrastructure needs.			

Name:	Mr. Bill Callahan	District:	Chickahominy
Budget Topic Area: Two cent decrease for HPE			
Spoke on behalf of Hanover Public Educators. Glad that proposed budget offers much deserved needs for teachers, public safety and others. Asked that the Superintendent, Department Heads and County Administrator be given the funds they need.			

Name:	Ms. Julie Keaney	District:	Ashland
Budget Topic Area: Proposed tax decrease			
Spoke against proposal to cut taxes. She values what tax dollars do for the community for schools, emergency services and public safety needs. Schools have been doing more with less. Feels cutting taxes would be fiscally irresponsible.			

Name:	Ms. Rachel Levy	District:	Ashland
Budget Topic Area: Education			
Spoke on behalf of Friends of Hanover Schools. Appreciates the increase in funding over last years' school budget. Continues to be concerned about continued needs for schools. Strongly opposed to two cent tax cut that was suggested and believes that committing to such a tax cut would be irresponsible.			

Name:	Ms. Mary Ellen Colangilo	District:	Henrico Resident
Budget Topic Area: Schools and safety			
Hanover County Teacher. Stated she is baffled by the proposal of tax cut. It has been made clear that schools and public safety entities are underfunded. Confused as to why Hanover has proposed tax decrease when Henrico has passed a meals tax to support education.			

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Name:	Mr. Chris Pace	District:	Chickahominy
Budget Topic Area: Public services			
Hanover County teacher. Spoke on outdated technology such as Windows 2003 systems. Need to keep student needs in the forefront. He is in support of the school budget and against a tax decrease.			

Name:	Mr. Bob Bailey	District:	Chickahominy
Budget Topic Area: General			
Spoke in support of Sheriff Office budget request. Commended Board on their leadership and consideration of a tax cut. Potential waste in Hanover County spending was looked at in the past and there was never any wasteful spending found.			

Name:	Mr. John Datovech	District:	Ashland
Budget Topic Area: Proposed real estate tax rate reduction			
Spoke in opposition to tax decrease. Spoke on need for low tax rates to maintain school system, repair aging buildings and improve technology to stay competitive with surrounding localities. Tax decrease will have little impact on citizens.			

Name:	Ms. Angela Downer	District:	Ashland
Budget Topic Area: School Board budget			
President of Hanover Professional Educators. Acknowledged work done by Superintendent and School Board. Feels 2% raise is insufficient. HPE is asking that any surplus funds from state or local services be applied to teacher salaries.			

Name:	Mr. Julian Parr	District:	Chickahominy
Budget Topic Area: Budget process			
Purpose of public hearing is to get the reaction of the citizens. Does not see a consensus to lower tax rate.			

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Name:	Mr. Serena Campbell	District:	Cold Harbor
Budget Topic Area: Taxes			
As a teacher in Hanover County, she was afforded an abundance of opportunities. Now teachers are frustrated with the staff size. She is not in favor of a tax decrease.			

Name:	Ms. Pat Pace	District:	Beaverdam
Budget Topic Area: Tax reduction			
Spoke in opposition of a tax reduction. Stated she believes additional funds should be used in the schools.			

Name:	Charles W. Talley	District:	Beaverdam
Budget Topic Area: Cost			
Stated that he has looked at the school budget. He is concerned about therapist salaries, toddlers in schools, wasteful spending in County and expensive tools in the trade center.			

Name:	James Hill	District:	Chickahominy
Budget Topic Area: Real estate tax reduction			
Stated that he is disappointed by comments made tonight. The budget can be reduced. The school budget is adequately funded. He asked for the budget to be examined for reductions that can be made.			

Name:	Kay Pangraze	District:	Ashland
Budget Topic Area: Support of budget			
Spoke on behalf of Hanover County Business Council. She supports the budget as presented. She spoke in opposition of a tax decrease.			

Name:	Larnie Allgood	District:	Cold Harbor
Budget Topic Area: School Board budget			
Stated that the School Board budget showed judgment and restraint but could easily be cut. He spoke in support of Mr. Hazard's comments.			

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Seeing no one else come forward, Mr. Davis closed the public hearing. He reminded citizens that there are many opportunities for citizens to provide input. Board members encourage this input.

### **III. Announcements**

None

### **IV. Adjournment**

At 8:20 p.m., the Chairman adjourned the meeting to April 9, 2014 in the Hanover County Administration Building at 2:00 p.m.

# Board of Supervisors Draft Minutes – April 9, 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 9<sup>th</sup> day of April, 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. Stanley.
- B. The pledge of Allegiance was led by Mr. Wade.
- C. Approval of Minutes

Upon a motion by Mr. Via, seconded by Mr. Hazzard, the minutes from the November 13, 2013, November 26, 2013 and the December 11, 2013 Board of Supervisors meetings were approved as presented.

	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

## II. Consideration of Agenda Amendments

The Chairman asked if there were any agenda amendments. Hearing none, moved on to citizens’ time.

## 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.

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Mr. Rick Ryan, Cold Harbor District, came forward and spoke in opposition of the proposed development at Bell Creek and Pole Green Roads.

## IV. Consent Agenda

Mr. Peterson noted that Item IV. – E. for the Mechanicsville District School Board position will be the only opportunity for the Board to receive nominations for candidates for this position. The choice must be made from the candidates who are brought forward at that meeting. Mr. Via made a motion to approve the consent agenda, 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.

## A. Adoption of Proclamations

### Girl Scout Charlotte Alexandra Torrence, Girl Scout Gold Award - Troop 629

#### Ashland Magisterial District

#### PROCLAMATION

WHEREAS Girl Scouts of the USA was founded by Juliette Gordon Low on March 12, 1912, and chartered by the United States Congress on March 16, 1950; and

WHEREAS Girl Scouts of USA helps girls build character and self-esteem to become the leaders of tomorrow; and

WHEREAS Sabrina Lacoss is a resident of the Ashland Magisterial District in Hanover County, Virginia, and a senior of Patrick Henry High School; and

WHEREAS on the 12<sup>th</sup> day of March, 2014, Sabrina Lacoss attained the Gold Award, the highest award granted by Girl Scouts of the USA; and

WHEREAS to achieve this high honor Sabrina Lacoss carried out a community project, “Shakespeare’s Readers’ Theatre”, at the Hanover Arts and Activities Center to provide an opportunity for young students to enjoy and get involved in the performing arts by creating a no charge program to

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learn about theatre and Shakespeare and providing a notebook full of scripts for young actors to use for future theatre projects at the Center; and

WHEREAS Sabrina Lacoss of Girl Scout Troop 629 which meets at Independence Christian Church has accomplished those high standards of commitment and has reached the long-sought goal of receiving the Gold Award; and

WHEREAS the Hanover County Board of Supervisors fully supports the programs of Girl Scouts of the USA 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 Sabrina Lacoss and acknowledges the good fortune of the County to have such an outstanding young woman as one of its citizens.

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

	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

### **Girl Scout Sabrina Lacoss - Girl Scout Gold Award – Troop 629**

#### **Ashland Magisterial District**

#### **PROCLAMATION**

WHEREAS Girl Scouts of the USA was founded by Juliette Gordon Low on March 12, 1912, and chartered by the United States Congress on March 16, 1950; and

WHEREAS Girl Scouts of USA helps girls build character and self-esteem to become the leaders of tomorrow; and

WHEREAS Charlotte Alexandra Torrence is a resident of the Ashland Magisterial District in Hanover County, Virginia, and a senior of Patrick Henry High School; and

WHEREAS on the 29<sup>th</sup> day of October, 2013, Charlotte Alexandra Torrence attained the Gold Award, the highest award granted by Girl Scouts of the USA; and

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WHEREAS to achieve this high honor Charlotte Alexandra Torrence carried out a community project “Art for All” at the Hanover Arts and Activities Center providing art classes to elementary school children to help bring more art into the community and creating a fully stocked art closet so others can teach free art classes at the Center; and

WHEREAS Charlotte Alexandra Torrence of Girl Scout Troop 629 which meets at Independence Christian Church has accomplished those high standards of commitment and has reached the long-sought goal of receiving the Gold Award; and

WHEREAS the Hanover County Board of Supervisors fully supports the programs of Girl Scouts of the USA 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 Charlotte Alexandra Torrence and acknowledges the good fortune of the County to have such an outstanding young woman as one of its citizens.

Upon a motion of Mr. Via, seconded by Mrs. Kelly-Wiecek, 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

### B. Committee Appointments

COMMITTEE NAME	DISTRICT	FIRST NAME	LAST NAME	TERM START	TERM LENGTH	TERM END	ACTION APPROVED
Cannery Advisory Committee	Beaverdam	Sheree	Bremner	03/01/13	1 year	02/28/14	Reappoint to 02/28/15
Hanover County Council on Aging	Beaverdam	James	Dorschel	03/01/13	1 year	02/28/14	Reappoint to 02/28/15
Historical Commission	Beaverdam	Natalie	Schermerhorn	03/01/12	2 years	02/28/14	Reappoint to 02/28/16

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Cannery Advisory Committee	Chickahominy	Lisa	Colligan	12/12/12	1 year	12/31/13	Reappoint to 12/31/14
Parks and Recreation Advisory Commission	Chickahominy	William	Berry	04/09/14	4 years	04/08/18	Appoint to 04/08/18
Hanover County Council on Aging	Cold Harbor	Melinda	Davis	04/01/13	1 year	03/31/14	Reappoint to 03/31/15
Cannery Advisory Committee	Cold Harbor	Allison	Coleman	04/24/13	1 year	04/30/14	Reappoint to 04/30/15
Cannery Advisory Committee	Mechanicsville	Janice	Henicheck	04/24/13	1 year	04/30/14	Reappoint to 04/30/15
Hanover County Council on Aging	Mechanicsville	Virginia	Bloch		1 year	04/30/14	Reappoint to 04/30/15
Hanover County Council on Aging	South Anna	Deborah	Nuttycombe	04/01/13	1 year	03/31/14	Reappoint to 03/31/15
Community Criminal Justice Board	Hanover County - Local Education Representative	William	Noel	04/09/14	4 years	04/08/18	Appoint to 04/08/18

**C. Proposed Change in the Composition of the Joint Education Committee to Increase the Number of Board of Supervisor Member Representatives from Two to Three and the Number of School Board Member Representatives from Two to Three.**

Board Sheet Background:

The Joint Education Committee was established by resolution of the Board of Supervisors on April 11, 2012. This proposed change would increase the representation of the Board of Supervisors from two members to three members and the representation of the School Board from two members to three members.

In addition, Chair Davis proposes that Ms. Kelly-Wiecek, Chickahominy District Supervisor, be appointed by the Board of Supervisors to fill this additional seat for the remainder of this calendar year.

Recommended Action:

Motion to increase the number of Board of Supervisor member representatives on the Joint Education Committee from two to three and appoint Ms. Kelly-Wiecek, Chickahominy District Supervisor, for the remainder of 2014 and to increase the number of School Board member representatives on the Joint Education Committee from two to three.

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### **D. Authorization to execute agreement with Caroline County for use of the Doswell and Beaverdam Tower sites.**

#### Board Sheet Background:

It is mutually beneficial and in the public interest for Hanover County to allow Caroline County to install its radio system equipment on leased tower and building space at the Doswell and Beaverdam Tower Sites, along with use of microwave connection between Doswell and Beaverdam. The annual fee to be paid by Caroline County under the agreement is \$38,500 each year beginning in FY15. This Agreement is authorized by Virginia Code Section 15.2-1300.1, and has been reviewed by the County Attorney's Office.

Additionally, Caroline County has proposed to purchase from Hanover County five (5) surplus RAK 9100 GPS units at an additional one time cost of \$74,320 (\$14,864 each).

#### Recommended Action:

Motion to authorize the County Administrator to enter into an Agreement with Caroline County for Caroline to lease space at the Beaverdam and Doswell Tower Sites and authorize the County Administrator to take all other actions necessary to implement the Agreement.

(Note: a copy of the full agreement is on file with the Board papers).

### **E. Authorization to Advertise Public Hearing – To Receive Nominations for School Board Member – (Mechanicsville Magisterial District)**

#### Board Sheet Background:

In accordance with Virginia Code, Section 22.1-29.1, the Hanover County Board of Supervisors is holding a public hearing on May 14, 2014, to receive nominations from citizens for the appointment of a School Board Member from the Mechanicsville Magisterial District. The Board of Supervisors will vote on the appointment at the June 11, 2014 meeting.

#### Recommended Action:

Motion to authorize advertisement of a public hearing for May 14, 2014, to receive nominations for School Board Member for the Mechanicsville Magisterial District.

### **F. Authorization to Advertise Public Hearing – Department of Public Works -Virginia Department of Transportation FY 2015-20 Secondary Six-Year Plan**

#### Board Sheet Background:

Annually, the County in conjunction with the Virginia Department of Transportation (VDOT) prepares

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an update to the Secondary Six-Year Plan and conducts a joint public hearing with VDOT prior to its adoption. While VDOT is responsible for the construction and maintenance of the secondary road system, the Board of Supervisors is responsible for establishing priorities for improvements to the secondary system.

The draft plan has been updated to reflect current cost estimates and allocations for the current six-year plan priorities. For the FY 15-20 plan update, \$276,380 in state secondary funding is available over each of the next six years to fund plan priorities. Staff recommends that these funds be assigned to Creighton Road and Atlee Road extended priority numbers 3.04 and 3.07 respectively, to cover funding shortfalls. Staff is not recommending the addition of any new projects to the plan given the funding shortfalls on existing priorities.

### Recommended Action:

Authorize the advertisement of a joint public hearing with the Virginia Department of Transportation on May 14, 2014 on the draft Secondary Six-Year Plan (FY 15-20) and Construction Budget (FY 15).

## **G. Adoption of Proclamation – Dr. Frank M. Sasser, Jr., (Beaverdam Magisterial District)**

### Board Sheet Background:

It is requested that the Board of Supervisors adopt the proclamation recognizing Dr. Frank M. Sasser, Jr., for his many years of service to the Hanover community and surrounding area as a practicing physician in the Beaverdam Magisterial District.

### Recommended Action:

A motion to adopt proclamation.

## **PROCLAMATION**

WHEREAS Dr. Frank M. Sasser, Jr., is a resident of the Beaverdam Magisterial District in Hanover County, Virginia; and

WHEREAS Dr. Frank M. Sasser, Jr., was born in Durham, North Carolina, and spent much of his childhood in Fayetteville, North Carolina, before moving to Richmond, Virginia, as a senior in high school where he attended and graduated from Thomas Jefferson High School in 1947; and

WHEREAS in 1948, while attending the University of Richmond, Dr. Frank M. Sasser, Jr., joined the National Guard and later became a Corporal in the Medical Company before graduating from college in 1951; and

WHEREAS Dr. Frank M. Sasser, Jr., upon completion of medical school at Virginia Commonwealth University, Medical College of Virginia School of Medicine, in Richmond, Virginia, began working as a practicing physician in Ashland, Virginia; and

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WHEREAS during his career Dr. Frank M. Sasser, Jr., helped establish the “Code Blue” Team at St. Mary’s Hospital and later served as chairman of the “Code Blue” Team at Johnston Willis Hospital before going to work for A.H. Robins; and

WHEREAS Dr. Frank M. Sasser, Jr., in March, 1990, began work in the Montpelier Family Practice providing comprehensive medical care for families and individuals in Hanover County, Virginia, which continued until Montpelier Family Practice was turned over to Hospital Corporation of America in 2010; and

WHEREAS Dr. Frank M. Sasser, Jr.’s distinguished medical career continued when he was named Associate Clinical Professor of Family Medicine at the VCU School of Medicine in 2002; and

WHEREAS Dr. Frank M. Sasser, Jr., has demonstrated care and responsiveness to the communities of the Beaverdam Magisterial District and the entire County of Hanover and surrounding area making a significant impact in the lives of those he served; and

WHEREAS Dr. Frank M. Sasser, Jr., will retire from active service in April, 2014, over fifty (50) years after beginning as a practicing physician in 1957 in Ashland, Virginia.

NOW, THEREFORE, BE IT PROCLAIMED that the Hanover County Board of Supervisors does hereby express its grateful appreciation to Dr. Frank M. Sasser, Jr., for his many years of service to the Hanover community and surrounding area and wishes him well in the years ahead.

On motion of Mr. Stanley, seconded by Ms. Kelly-Wiecek, 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

### **H. Request for Approval of Roadway Use Permit and Agreement – Bowles Farm Lane (Mechanicsville Magisterial District)**

#### Board Sheet Background:

On October 23, 2013, the Board approved rezoning C-6-13(c), RE2, LLC (GPIN 8724-28-1933) located between Bowles Farm Lane and the future Wawa site. As discussed as part of the rezoning request, the developers of the Wawa site are proposing an access from Bowles Farm Lane into their property. As part of the rezoning request, the applicant proffered that they would request approval of a Roadway Use Permit and Agreement giving them access through the County owned Bowles Farm Lane,

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which to date, has not been accepted into the state highway system for road maintenance by VDOT.

The site plan for Wawa – Rt. 360 (SPR-13-13) shows access to their site through the County owned portion of Bowles Farm Lane, therefore a Roadway Use Permit and Agreement is required.

Bowles Farm Lane currently provides access to Bowles Farm Plaza, which is a fully developed retail center. Based on the development of Liberty Trace townhomes behind both of these parcels, extension of Bowles Farm Lane is no longer necessary.

### Recommended Action:

Approval of the attached Roadway Use and Permit Agreement to use County right-of-way on Bowles Farm Lane. Approval of the Agreement will allow a more direct access to the proposed Wawa development through the portion of Bowles Farm Lane that has not been accepted by the Virginia Department of Transportation.

(Note: a copy of the full agreement is on file with the Board papers).

## **I. Appropriation - \$103,294 – Amended Proffer Payments Received in FY13 and Refunded in FY14**

### Board Sheet Background:

A portion of FY13 cash and road proffer payments were refunded for the following approved proffer amendment cases totaling \$214,701:

C-34-02 Am. 1-13 (Honey Meadows) \$102,240

C-53-04 Am. 1-13 (Liberty Trace) \$96,480

C-16-03 Am. 1-13 (Villas at Rose Hill) \$4,353

C-10-99 Am. 2-13 (Bluffs at Bell Creek) \$11,628

At the November 28, 2012, the Board voted to “eliminate the balance of receivable cash proffers provided that the parties responsible make proper application to amend their zoning cases to delete the cash proffer condition.” Per the Board meeting on December 12, 2012, proffers paid between November 28, 2012, the date upon which the previous cash proffer system was eliminated, and the date upon which the Board approved reduction of the cash proffer through a zoning amendment, are eligible for refund. The refund for Liberty Trace, Villas at Rose Hill, and Bluffs at Bell Creek reflect this policy. In addition, there were six proffers paid in Honey Meadows at the time of building permit issuance that were determined to be eligible for amendment due to the prepayment of the proffer prior to issuance of the certificate of occupancy.

Due to the timing of the approved proffer amendment cases, the refund payments were made subsequent to the fiscal year end that the supporting revenue was received. The school’s portion of the

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refunds were recovered which reduces the balance to \$103,294 for the County portion which will be transferred from the prior year balance.

The Finance & Management Services Department concurs with the requested action.

### Recommended Action:

Approve the appropriation of \$103,294 to the Capital Improvements Program as a source of funds for the refund of the amended proffer payments.

## **J. Budget Supplement & Appropriation: Sliding Hill Road/Air Park Road Intersection Project**

### Board Sheet Background:

At this time funding allocations for the Sliding Hill / Air Park road project from state and federal sources include \$2,160,370 in Secondary Road funds and \$484,020 in Congestion Mitigation and Air Quality (CMAQ) funding through the Metropolitan Planning Organization (MPO). These funding sources are 80 percent federal and 20 percent state funds. Total \$2,644,390. Currently \$1,435,000 of this allocation has been appropriated in the county budget for this project since inception (FY11). The remaining FY14 appropriation after prior year expenses for the project is \$1,217,868. This action would appropriate an additional \$1,000,000 in state and federal funds in the County budget to be used for this project. This will bring the total FY 14 appropriated funding for the project to \$2,217,868. Any remaining allocation from the state and federal sources will be used to cover VDOT charges not otherwise passed through the County. In addition any unused funds for this project will be transferred to an alternate County road project in accordance with project priorities. The Department of Public Works is currently reviewing bids received for the construction of turn lanes and a traffic signal at the intersection of Sliding Hill Road and Air Park Road with VDOT in anticipation of an award later in April. This appropriation is necessary to award this project.

The Department of Finance and Management Services concurs with the attached budget appropriation.

### Recommended Action:

Motion to approve the appropriation in the amount of \$1,000,000 of state and federal funds to the Capital Improvements Program for the Sliding Hill/Airpark Road project.

## **V. Presentation – FY15 Proposed Budget Amendments, State Budget**

Ms. Shelly Wright, Budget Division Director, came forward to make the presentation.

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Expenditures by Fund	Proposed	Amended	Difference
General Fund	\$ 214.6	\$ 214.7	\$ 0.1
Schools Operating Fund	170.7	170.7	-
Self-Insurance Fund	34.5	34.5	-
Public Utilities Fund	29.8	29.9	0.1
Debt Service Fund	19.3	19.3	-
County Improvements Fund	7.3	7.3	-
Food Services Fund	7.0	7.0	-
School Improvements Fund	6.3	6.3	-
Airport Fund	0.9	0.9	-
Lewistown CDA Fund	0.6	0.6	-
Bell Creek CDA Fund	0.4	0.4	-
Economic Development Authority	0.2	0.2	-
Less Interfund Transfers	(101.1)	(101.1)	-
<b>Total All Funds</b>	<b>\$ 390.6</b>	<b>\$ 390.8</b>	<b>\$0.2</b>

### VI. Adoption and Appropriation of the FY15 Budget and Associated Ordinances, Resolutions and Tax Rates

Board Sheet Background:

The Board of Supervisors’ established budget schedule provides for the adoption and appropriation of the FY15 Budget, approval of the Five-Year Capital Improvements Program, approval of the Five-Year General Fund Financial Plan, and approval of associated ordinances, resolutions, and tax rates at its April 9, 2014, Board meeting. Note: A complete copy of the FY15 Budget and Associated Ordinances, Resolutions and Tax Rates is on file with the Board papers.

### HANOVER COUNTY BOARD OF SUPERVISORS RESOLUTION FY15 BUDGET ADOPTION

BE IT RESOLVED that the Board of Supervisors of Hanover County does hereby adopt the County of Hanover’s FY15 Budget as presented by the County Administrator to the Board of Supervisors

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on February 26, 2014, with the amendments presented April 9, 2014, including the following funds and amounts, and the detail included in the FY15 Budget document filed with the Board papers:

General Fund	214,720,163
School Operating Fund	170,725,515
Food Services Fund	7,005,028
County Improvements Fund	7,347,914
School Improvements Fund	6,330,200
Debt Service Fund	19,277,026
Economic Development Authority	220,295
Public Utilities Fund	29,931,785
Airport Fund	854,651
Self-Insurance Fund	34,487,327
Lewistown Commerce Center CDA Fund	623,000
Bell Creek CDA Fund	360,000

On motion of Mr. Hazzard, seconded by Mrs. Kelly-Wiecek, 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

### HANOVER COUNTY BOARD OF SUPERVISORS

#### RESOLUTION

#### FY15 BUDGET APPROPRIATION

BE IT RESOLVED that the Board of Supervisors of Hanover County does hereby appropriate the funds detailed in the County of Hanover's adopted FY15 budget in the same funds and amounts included in the budget adoption resolution approved April 9, 2014.

BE IT FURTHER RESOLVED that all encumbered funds outstanding on June 30, 2014, both operating and capital, and all funds designated for capital improvements, shall be reappropriated for the 2015 fiscal year, to the same department and account for which they were appropriated for fiscal year

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2014. At the close of the fiscal year, all unencumbered appropriations lapse for budget items other than capital improvements. This reappropriation action applies to all appropriations for the Capital Improvements Program outstanding on June 30, 2014, and to all encumbered appropriations in the FY14 budget.

On motion of Mr. Hazzard, seconded by Mr. 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

**HANOVER COUNTY BOARD OF SUPERVISORS  
RESOLUTION  
2014 TAX RATES**

BE IT RESOLVED that the Board of Supervisors of Hanover County does hereby adopt the following taxes for calendar year 2014:

Real Property Tax Rate .....	\$0.81	per \$100 of assessed valuation
Personal Property Tax Rate.....	\$3.57	per \$100 of assessed valuation
Qualifying Fire and Rescue Vehicle Personal Property Tax Rate .....	\$1.78	per \$100 of assessed valuation
Qualifying Disabled Veterans Vehicle Personal Property Tax Rate .....	\$1.78	per \$100 of assessed valuation
Machinery and Tools Tax Rate.....	\$3.57	per \$100 of assessed valuation
Aircraft Personal Property Tax Rate .....	\$0.50	per \$100 of assessed valuation
Merchants' Capital Tax Rate .....	\$1.90	per \$100 of assessed valuation
Mobile Home Tax Rate.....	\$0.81	per \$100 of assessed valuation
Generating Equipment Tax Rate.....	\$0.81	per \$100 of assessed valuation
Hanover County Recycling Service District Tax Rate .....	\$24.36	per residential lot in Service District
Atlee Manor Sewer Service District Tax Rate...	\$780.00	per residential lot in Service District

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On motion of Mr. Hazzard, seconded by Mrs. Kelly-Wiecek, 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

### **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HANOVER, VIRGINIA DECLARING ITS INTENTION TO REIMBURSE THE COST OF CERTAIN EXPENDITURES IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,950,000**

WHEREAS, the County of Hanover, Virginia (the “County”) and the Hanover County School Board (the “School Board”) have made or will make expenditures (the “Expenditures”) in connection with capital projects for school purposes. The expenditures for the school improvements, including without limitation mechanical and roofing repair (the “School Projects”), are being made from the School Improvements Fund;

WHEREAS, the County may determine that the funds advanced and to be advanced to pay the Expenditures for the Projects will be reimbursed to the School Board from the proceeds of tax-exempt obligations (the “Indebtedness”) issued by the Virginia Public School Authority on behalf of the County; and

WHEREAS, as of the date hereof, there are no funds of the County or the School Board that are, or are reasonably expected to be, allocated on a long-term basis or reserved to finance that portion of the Projects that is to be financed with the Indebtedness;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF HANOVER, VIRGINIA (THE “BOARD”):

1. The Board hereby adopts this declaration of official intent under Treasury Regulations Section 1.150-2 and declares that the County intends to reimburse itself or the School Board, as appropriate, with the proceeds of Indebtedness for Expenditures made on, after or within sixty (60) days prior to the date hereof with respect to the Projects. Further, Expenditures made more than sixty (60) days prior to the date hereof may be reimbursed as to certain *de minimis* or preliminary expenditures described

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in Treasury Regulations Section 1.150-2(f) and as to other expenditures permitted under applicable Treasury Regulations.

2. The maximum principal amount of Indebtedness expected to be issued by the County in Fiscal Year 2015 for the Projects is \$4,950,000.

3. This Resolution shall take effect immediately upon its adoption.

On motion of Mr. Hazzard, seconded by Mrs. Via, 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

### ORDINANCE 14-01

**AN ORDINANCE AMENDING CHAPTERS 20 AND 23 OF THE HANOVER COUNTY CODE TO INCREASE WATER AND SEWER USER 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 FOR THE FIRST FULL BILLING CYCLE OF THE FISCAL YEAR, AND TO MAKE VARIOUS OTHER CHANGES PROPOSED TO BE EFFECTIVE JULY 1, 2014**

WHEREAS the Director of the Department of Public Utilities has performed a yearly review of the cost of utility service and has recommended increases in the utility rates; and

WHEREAS the Director of the Department of Public Utilities has recommended other

WHEREAS the Board of Supervisors has decided to implement these recommendations;

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, Sections 20-23 and 20-24 shall be amended to read in their entirety as follows:

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

(a) *Residential service charge.* For those customers connected to a county-owned sewerage system, the sewer rates consist of a base charge, plus a consumption charge under rate tiers based on usage as follows:

Bimonthly base charge .....\$20.03

Consumption charge

0-4,000 gallons, per 1,000 gallons .... 5.37

Above 4,000, per 1,000 gallons ..... 6.77

For residential customers, bimonthly sewer volume charges shall be based on the lesser of:

- (1) Actual water usage, or
- (2) One hundred twenty-five (125) percent of the average water usage determined during the customer's winter billing cycle.

For the purpose of this subsection, if the winter billing cycle reading is estimated or if the customer joins the system after the reading cycle, or an allowance is made for a leak during a winter billing cycle, billing shall not exceed charges for fifteen thousand (15,000) gallons. For residential units under construction, bimonthly sewer volume charges may be waived at the discretion of the director.

For residential customers where sewer service is provided by the County and water service is provided by an individual well, ninety-three dollars and fifty-six cents (\$93.56) per living unit every two (2) months will be charged.

The base charge for a residential customer served by a water meter larger than five eighths (5/8) inch shall be the base charge as prescribed in section 20-24(a).

(b) *Capacity fees for all county-owned sewerage facilities.* For residential customers, eight thousand thirty four dollars (\$8,034.00).

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).

(c) *Connection agreement.* Upon approval by the department of public utilities of a connection agreement, the user shall pay the minimum bimonthly sewer rate for the applicable category above, if service has not been initiated by the user. Charges for portions of the billing period shall be prorated.

### **Sec. 20-24. - Same—Commercial I, Commercial II.**

(a) For Commercial I customers, including master-metered multi-family housing units (average usage of five million (5,000,000) gallons or less per month) connected to a county-owned sewerage system, the sewer rates consist of a base charge, plus a consumption charge under rate tiers based on usage as follows:

Bimonthly base charges

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Meter size

1½" or less .....20.03

Greater than 1½" ..... 100.16

Volume charge

0-50,000 gallons, per 1,000 gallons .....\$ 6.26

Above 50,000, per 1,000 gallons ..... 5.02

(b) For Commercial II customers (average monthly usage of greater than five million (5,000,000) gallons) connected to a county-owned sewerage system, the sewer rates consist of a base charge of one thousand two hundred fifty-two dollars and thirteen cents (\$1,252.13) per month, a consumption charge on all usage, and a peak use rate applied to all monthly consumption greater than one hundred fifty (150) percent of the previous fiscal year's historical twelve-month average usage as follows:

Consumption charge

All usage, per 1,000 gallons .....\$ 4.13

Peak use fee, per 1,000 gallons ..... 1.24

Sewer charges will be prorated for each one thousand (1,000) gallon increment or portion thereof.

Bimonthly sewer billings shall be based on either:

- (1) One hundred (100) percent of the water consumption as determined by a county-owned water meter or privately owned water meter; or
- (2) The wastewater flow allocable to the subject property as determined by a raw sewage flow recorder installed by the commercial, industrial, business or public user at his own expense.

Any raw sewage flow recorder installed pursuant to this section shall be subject to the approval of the director and shall be calibrated to accurately record the wastewater flows allocable to the subject property connection. The maintenance and ownership of such recorders will remain that of the property owner; provided, however, that the county shall at all times have access to said recorder and/or flow data for the county's use in billing.

If the county determines that an infiltration and inflow problem exists because of deficiencies located on private property or within the control of the user, the director shall notify the user of such infiltration and inflow problem by certified mail, return receipt requested, and within sixty (60) days of the date on the notice, the user shall eliminate such problem by replacing or repairing the fixtures, lines or facilities. The infiltration and inflow determination will be based on the observation of infiltration or inflow, the rate of flow of wastewater through a monitoring manhole, by the rate of flow recorded on a wastewater flow recorder, or by other monitoring means as deemed necessary by the director. If the county determines that such infiltration and inflow is continuing after the sixty (60) day period, the

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director shall require installation of a raw sewage recorder at the owner's expense and the user will be billed based upon readings of the raw sewage recorder.

For private wastewater collection systems, wastewater collection systems on private property or within the control of the user which have the potential to receive flow in excess of metered water consumption or those wastewater systems with private pumping facilities connected to the public wastewater system, the director may require installation of a raw sewage meter/recorder at the owner's expense and the user will be billed based upon readings of the raw sewage recorder. Any raw sewage meter/recorder installed pursuant to this section shall be subject to the approval of the director and shall be calibrated to accurately record the wastewater flows allocable to the subject property connection.

Commercial customers that obtain all or part of their water supply from approved private sources other than the water distribution system of the county shall provide a water meter for each private source in order to determine the quantities of wastewater from the total metered water consumption, both county and private supplies, or provide a raw sewage flow recorder as provided for herein. All meters on private water supplies shall be provided and maintained to produce an accurate record of actual quantities of water. All cost of meter installation, calibration and maintenance shall be borne by the user. The type of meters shall be acceptable to the director, and the meter shall be accessible at all times for inspection by the county.

(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"	\$8,034.00
1"	20,083.00
1½"	40,167.00
2"	64,266.00
3"	128,534.00

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

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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.

(d) Connection agreement. Upon approval by the department of public utilities of a connection agreement, the user shall pay the minimum bimonthly sewer rate for the applicable category above, if service has not been initiated by the user. Charges for portions of the billing period shall be prorated.

Once service has been initiated, use of the property established, and the property used normally for a period of time, the director may waive the minimum bimonthly sewer charge during the time sewer service to the property is temporarily discontinued.

(e) Disposal of sludge and septic tank waste service charge. The fee for sludge, septage or other material disposal provided for in section 20-16 shall be:

- (1) Twenty-five dollars (\$25.00) per five hundred (500) gallons, or fraction thereof;
- (2) Fifty dollars (\$50.00) per five hundred (500) gallons, or fraction thereof, for oil and grease laden discharge;
- (3) Two (2) times that of the regular disposal charge for emergency after hours disposal, when such service can be provided by the County.

(f) Industrial waste discharge, pretreatment permit fees. Permits provided for in section 20-42 shall be issued for one (1), two (2) or three (3) years as appropriate in the opinion of the director and are nontransferable. The fee for such permits shall be:

- (1) One (1) year .....\$25.00
- (2) Two (2) years .....50.00
- (3) Three (3) years .....75.00

(g) Grease interceptor re-inspection fees. The fee for re-inspections as provided for in section 20-46.1 shall be:

- (1) Up to two (2) grease interceptors per site .....\$85.00
- (2) Additional grease interceptors per site .....42.50

(h) Strong waste surcharge. A surcharge for strong waste as provided for in section 20-47 shall be applied as follows:

- (1) Twenty-five dollars and seventy cents (\$25.70) per hundred weight for BOD in excess of two hundred fifty (250) milligrams per liter; and

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(2) Sixteen dollars and seventy-five cents (\$16.75) per hundred weight for suspended solids in excess of 250 milligrams per liter.

(3) If no access point is available for sampling, pursuant to section 20-46(c), the surcharge shall be as stated in subsections (1) and (2) above based upon the seventy-fifth percentile of BOD and suspended solids for the same or similar types of commercial/industrial businesses as determined by the director.

**2. That the Hanover County Code, Chapter 23, Water Code, Sections 23-62, 23-62.2, and 23-64 shall be amended to read in their entirety as follows:**

**Sec. 23-62. - Service fees.**

(a) For residential customers connected to county-owned water systems, the bimonthly water rate consists of a base charge of nine dollars and fifty-two cents (\$9.52), plus a consumption charge under rate tiers based on usage as follows:

Consumption charge

- 0 to 4,000 gallons, per 1,000 gallons .....\$ 1.51
- 4,001 to 15,000 gallons, per 1,000 gallons ..... 4.60
- Over 15,000 gallons, per 1,000 gallons ..... 5.99

The base charge for a residential customer served by a meter larger than five-eighths (5/8) inch shall be the base charge in subsection 23-62(b).

(b) For Commercial I customers connected to county-owned water systems the water rate consists of a base charge, plus a consumption charge under rate tiers based on usage as follows:

Bimonthly base charges

Meter Size	Fee
5/8"	\$9.52
3/4"	9.52
1"	23.84
1½"	47.54
2"	76.04
3"	152.10
4"	237.65
6"	475.30

Consumption charge

- 0 to 15,000 gallons, per 1,000 gallons .....\$ 4.09

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15,001 to 1,000,000 gallons, per 1,000 gallons .... 4.60

Over 1,000,000 gallons, per 1,000 gallons ..... 2.56

- (c) For Commercial II customers connected to county-owned water systems the water rate consists of:
- (1) A base charge of one hundred forty-six dollars and twenty-six cents (\$146.26) per month;
  - (2) A consumption charge of two dollars and thirty-eight cents (\$2.38) per one thousand (1,000) gallons; and
  - (3) A peak use fee of one dollar and forty seven cents (\$1.47) per one thousand (1,000) gallons on all consumption greater than one hundred fifty (150) percent of the previous fiscal year's twelve-month average.
- (d) For Commercial III customers connected to county-owned water systems the water rate consists of:
- (1) A base charge of fourteen thousand six hundred twenty-four dollars and seventy-two cents (\$14,624.72) per month;
  - (2) A consumption charge of one dollar and ninety-four cents (\$1.94) per one thousand (1,000) gallons; and
  - (3) A peak use fee of one dollar and forty seven cents (\$1.47) per one thousand (1,000) gallons on all consumption greater than one hundred fifty (150) percent of the previous fiscal year's 12-month average.
- (e) For customers with water meters used for irrigation purposes only, the water rate consists of:
- (1) A base charge in accordance with section 23-62(b), (c), or (d); and
  - (2) A consumption charge of five dollars and sixty-seven cents (\$5.67) per one thousand (1,000) gallons.
- (f) Upon approval by the department of public utilities of a connection agreement, the customer shall pay the water rate for the applicable category above, or the minimum rate stated above, if the customer has not initiated service. Charges for portions of the billing period shall be prorated.
- (g) Separate central private fire systems. The minimum bimonthly base charge will be equivalent to that charge in section 23-62(b) based upon the meter size of the low flow meter. The consumption charge for separate central private fire systems will be in accordance with section 23-62(b) and will be applied to any water not used to extinguish a fire.
- (h) Private fire protection systems. No person shall use water from a private fire protection system, other than for extinguishing a fire, without the written consent of the Director of Public Utilities. If water from a private fire protection system is used in a manner not authorized herein, all water service may be cut off unless such unauthorized use is terminated immediately upon notice from the department of public utilities and payment is made for all water consumed in accordance with section 23-62.

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### Sec. 23-62.2. Testing fee.

When a residential customer requests that the accuracy of their water meter be tested and that meter is found to be accurate within five (5) percent, the customer shall pay a fee of forty dollars (\$40.00).

When a non-residential customer requests that the accuracy of their water meter be tested and that meter is found to be accurate within five (5) percent, the customer shall pay the total cost of testing.

### Sec. 23-64. All metered water to be charged for.

Beginning with the installation of the meter, with the exception of water used for fire protection, all water passing through a meter will be charged for, whether used or wasted; provided, however, where leaks occur in water pipes or metered services and the owner, agent or tenant promptly makes all necessary repairs, the director may rebate the amount in excess of double the amount of the average monthly or bimonthly consumption for the premises. such average consumption shall be determined by averaging the usage on up to six (6) consecutive previous bills. If previous billing information is not available, the average consumption shall be based on the first full billing period after all necessary repairs have been completed. No rebate shall be allowed for leaks attributed to irrigation systems.

### 3. That this Ordinance shall be effective on July 1, 2014, except that changes in rates shall be effective for each full billing cycle beginning after July 1, 2014.

On motion of Mr. Hazzard, seconded by Via, the members of the Board of Supervisors voted to approve Ordinance No. 14-01, 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

## HANOVER COUNTY BOARD OF SUPERVISORS

### RESOLUTION

### FIVE-YEAR CAPITAL IMPROVEMENTS PROGRAM FY15 – FY19

WHEREAS, the County Administrator has prepared and recommended a Five-Year Capital Improvements Program to the Board of Supervisors and that Program is included in the Board papers; and

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WHEREAS, the Five-Year Capital Improvements Program was reviewed by the Hanover County Planning Commission at a work session held on March 13, 2014, and the recommendations of the Commission have been transmitted to and considered by the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Hanover County does hereby adopt the Five-Year Capital Improvements Program for FY15 – FY19 as presented by the County Administrator on February 26, 2014, with amendments presented on April 9, 2014, including the following categories and amounts:

Summary by Function	Total
Department of Public Utilities	\$ 47,062,386
Education	24,665,700
Public Safety	12,782,245
Airport	12,192,819
Public Works	13,100,800
General Government Admin.	9,968,000
Non-Departmental	1,548,721
Community Development	675,000
Human Services	500,000
Parks, Recreation & Cultural	140,000
<b>Total by Year</b>	<b>\$ 122,635,671</b>

On motion of Mr. Hazzard, seconded by Mr. Via, 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

### HANOVER COUNTY BOARD OF SUPERVISORS RESOLUTION FIVE-YEAR GENERAL FUND FINANCIAL PLAN

BE IT RESOLVED that the Board of Supervisors of Hanover County does hereby adopt the Five-Year General Fund Financial Plan for FY15 - FY19 as presented by the County Administrator on February 26, 2014, with amendments presented on April 9, 2014.

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On motion of Mr. Hazzard, seconded by Mrs. Via, 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

### **VII. Presentation – Public Safety Annual Report**

Mr. Jim Taylor, Deputy County Administrator, came forward to make the presentation. The departments featured in the report were the Sheriff's Office, Fire/EMS, Emergency Communications Animal Control, Pamunkey Regional Jail and Community Corrections.

#### **Emergency Communications**

It was noted that texting to 911 is a growing trend and is being addressed by the department. Mr. Curt Shaffer explained that Emergency Communications staff calls back when a number is abandoned. Mr. Taylor then noted a group of Emergency Communications Officers who were recognized in the previous year.

#### **Animal Control**

Mr. Taylor reported that Animal Control was dispatched by Emergency Communications 6,244 times and received over 9,000 calls in 2013.

For five years Animal Control has continued to have a relationship with the SPCA to reduce euthanasia to adoptable animals in the care of Hanover County. For the past five years no healthy animals have been euthanized because of space.

#### **Community Corrections**

Mr. Taylor noted that Community Corrections – Pretrial Services uses an objective and research based pretrial risk assessment, the Virginia Pretrial Risk Assessment Instrument, to assess risk of flight and danger to the community posed by pre-trial defendants.

Community Corrections provides an alternative to incarceration to persons convicted of certain misdemeanors or non-violent felonies for which sentences would be 12 months or less. This gives the court the opportunity to make sure these individuals are held accountable without resorting to the use of institutional custody.

#### **Pamunkey Regional Jail**

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Mr. Taylor reported that the jail has recently received some significant technological enhancements. An electronic medical records system was purchased through a one-time grant from the Department of Criminal Justice Services. There is a new jail management system, Interact, which allows citizens to search to find the name on any individual currently in the jail. It is thought that this will reduce the number of calls to the County and the jail.

### **Sheriff's Office**

Mr. Taylor reported on both the crime rate and the clearance rate for the Sheriff's Office.

### Recognition

Mr. Taylor reported that the Richmond Retail Merchants Association recognized Deputies Jason Bonifacio and Thomas Hauck for their courageous actions on November 1, 2013.

### **VIII. Presentation – Polling Precincts**

Ms. Smithson, County Registrar, came forward to give a presentation and explained it was a first step in the process of notifying the Board of any potential issues. She noted that there are 11 voting locations that have been identified as having issues. The issues include small rooms, problems with ingress and egress, parking and traffic congestion. Ms. Smithson reported that she would like for these 11 polling locations to be moved to alternate locations that have been identified by the Registrar's office.

Mr. Rives, County Attorney, noted that this preliminary presentation will be held today with the opportunity for Board members to ask any questions. He proposed holding a Board work session at the May 14 Board meeting to discuss areas of concern and alternatives. After the work session, the Board could possibly advertise and hold a public hearing on June 11 to hear from citizens. He explained the criteria for changes in polling places, such as the requirement for the polling place to be in a public building when possible.

- 104 Sliding Hill, Ashland District - Chickahominy Fire Station #10
- 202 Blunts, Beaverdam District - Doswell Fire Station #4
- 303 Shady Grove, Chickahominy District – Washington Henry Elementary School
- 304 Atlee, Chickahominy District – Atlee High School
- 403 Cold Harbor, Cold Harbor District – Cold Harbor Elementary School
- 404 Black Creek, Cold Harbor District – Black Creek Fire Station
- 505 Totopotomoy, Henry District – Eastern Hanover Fire Station #3
- 601 Village, Mechanicsville District – Mechanicsville Elementary School
- 701 Farrington, South Anna District – Farrington Fire Station #11

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- 703 Rockville, South Anna District – Rockville Library
- 704 Elmont, South Anna District – Elmont Elementary School

Ms. Smithson answered questions from Board members who then had a detailed discussion concerning the issue. The Board members expressed an interest in hearing what the citizens of Hanover County have to say on the matter.

Mr. Davis asked that any members of civic groups who were present at the meeting take this information back to their civic group and make it known that the Board would like their input.

Mrs. Kelly-Wiecek announced her intention to hold Town Hall meetings to facilitate discussions with her constituents.

### IX. Transportation Update

#### A. Highway Matters

Mr. Marshal Winn, Acting Residency Administrator, VDOT Ashland Office, came forward to make the presentation. He reported that there were 14 snow events this past season. They are currently working on pothole patching and ditch work throughout the county. Mr. Winn detailed the numerous VDOT activities that are ongoing in Hanover County.

#### B. Road Project Status Report

Mr. Joe Vidunas, Transportation Engineer, Department of Public Works, came forward to give the presentation. He reported on the current status of each road project in Hanover County.

##### Road Projects' Current Status

- 1 – U.S. Rt. 360 (Bridge Replacement) - Construction Phase – Apr. 2015 End Date
- 2 – Georgetown Rd Bridge Replacement & Realignment - Construction Phase – Jul. 2014 End Date
- 3 – Sliding Hill Rd / Air Park Rd Turn Lanes - Pre-Award Phase – Bids under evaluation
- 4 – Pole Green Rd / Rural Point Rd (Turn Lanes) - Advertisement Phase – Apr. 2014 Ad Date
- 5 – U.S. Rt. 360 & Elm Dr. (Traffic Signal Upgrade) - Pre-Advertisement Phase – May 2014 Ad Date
- 6 – Taylorsville Rd (Replace Bridge & Approaches) - Right-of-Way Phase – Aug. 2014 Ad Date
- 7 – Pole Green Rd / Walnut Grove Rd (Turn Lanes) - Right-of-Way Phase – Sept. 2014 Ad Date
- 8, 9, 21, 27 – U.S. Rt. 360 Corridor Widening –
  - PHASE 1 – Utility Relocation Phase – Oct. 2014 Ad Date
  - PHASE 2 – Design Phase – Jan. 2017 Ad Date
  - PHASE 3 – On-Hold

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- 10 – I-95 / Lewistown Rd. (Bridge & Approaches) - Right-of-Way Phase – Dec. 2014 Ad Date
- 11 – Cedar Ln (Shoulder Wedge & Overlay) - Design Phase – Dec. 2014 Ad Date
- 12 – Ashland Rd (Shoulder Wedge & Overlay) - Design Phase – Dec. 2014 Ad Date
- 13 – Atlee Rd. / U.S. Rt. 301 (Widening) - Right-of-Way Phase – Dec. 2014 Ad Date
- 13 – Atlee Rd. / U.S. Rt. 301 (Widening) - Right-of-Way Phase – Dec. 2014 Ad Date
- 14 – Greenwood Rd. (Bridge & Approaches) - Design Phase – Jan. 2015 Ad Date
- 15 – E. Patrick Henry Rd. / Woodside Ln (Turn Lanes) - Design Phase – Jun. 2015 Ad Date
- 16 – Atlee Rd. (Extension) - Right-of-Way Phase – Jul. 2015 Ad Date
- 16 – Atlee Rd. (Extension) - Right-of-Way Phase – Jul. 2015 Ad Date
- 17 – Studley Rd. / Rural Point Rd (Roundabout) - Pre-Design Phase – Jul. 16 Ad Date
- 18 – U.S. Rt. 33 / Ashland Rd (Turn Lanes) - Design Phase – Aug. 2016 Ad Date
- 19 – Creighton Rd/Cold Harbor Rd (Widening & Turn Lanes) - Right-of-Way Phase – Oct. 2016 Ad date
- 20 – Cedar Ln / U.S. Rt. 1 (Realignment) - Design Phase – Dec. 2016 Ad Date
- 23 – Cool Spring Rd (Shoulder Wedge & Overlay) - Pre-Design Phase – Ad Date TBD
- 24 – Sliding Hill Rd (Widening) - Pre-Design Phase – Ad Date TBD

Following his presentation, Mr. Vidunas answered Board members' questions.

### **X. Consideration of Policy – Protection of the Old Courthouse Historic Overlay District Grounds**

#### **Historic Integrity**

##### *Board Sheet Background:*

The Historic Courthouse Area Advisory Committee (the Committee) recently established guidelines and procedures by which it will review future proposals for the area within the historic district and the process for that review. A copy of this document is attached for the Board's information.

The Committee is advisory only; therefore, the guidelines document cannot establish County policy. This raises a concern of the Committee for maintenance of the integrity and historic character of the Historic Courthouse square (the area bounded by the brick wall and Route 301). To address this concern, the Committee wishes to recommend to the Board of Supervisors that a policy be established related to the historic square. The Committee provided a draft policy statement within the attached memorandum dated February 27, 2014.

If the Board determines such a policy is appropriate, staff has provided a policy document based upon the Committee's policy statement.

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The Chairman of the Committee, Anne Cross, will be present at the Board meeting to summarize the Committee’s concerns and recommendation. She and staff will be available to answer questions.

### Recommended Action:

Should the Board determine the recommended policy is appropriate, it is recommended that the policy be adopted.

Ms. Anne Cross came forward and addressed the Board on the committee’s findings that the policy is necessary.

Mr. Hazzard made a motion that the Board of Supervisors adopt the policy on the protection of the old courthouse historic overlay district grounds historic integrity, 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.

### **XI. Announcements**

Mrs. Kelly-Wiecek reminded those present that the new Hanover County website went live on March 31. She mentioned some of the new features and encouraged citizens and fellow Board members to visit the site.

Mr. Harris announced that the pinwheels at each Board member’s seat were to recognize April as National Child Abuse Prevention Month.

Mr. Stanley reminded everyone that the Beaverdam Wine Festival is this upcoming Saturday.

Mr. Davis noted that he was present at the Hanover County Court Appointment Special Advocate swearing in ceremony and thanked Judge Shannon Hoehl for allowing him to be a part of it.

### **XII. Adjournment**

At 4:20 p.m. the Chairman adjourned the meeting to April 23, 2014 – Hanover County Administration Building – 6:00 p.m.

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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 23<sup>rd</sup> day of April, 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 6:00 p.m. All Board members were present.

- A. The invocation was given by Mrs. Kelly-Wiecek.
- B. The Pledge of Allegiance was led by Mr. Peterson.
- C. Approval of Minutes

Upon a motion by Mr. Via, seconded by Mr. Hazzard, the minutes from the January 8, 2014, January 22, 2014 and the February 12, 2014 Board of Supervisors meetings were approved as presented.

	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

## II. Consideration of Agenda Amendments

The Chairman asked if there were any agenda amendments. Hearing none, moved on to citizens’ time.

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### 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.

Mr. Larry Giannasi of the Henry District came forward and spoke on the noise ordinance as it relates to repeated discharge of firearms.

Mr. Larnie Allgood of the Cold Harbor District came forward and spoke in support of the Registrar's proposal to relocate some of the polling locations in Hanover County.

Ms. Tara Taylor of the Cold Harbor District came forward and spoke in support of changing the zoning ordinance related to ownership of chickens in residences that are not zoned for agriculture.

Seeing no others come forward, the Chairman closed citizens' time.

### IV. Consent Agenda

Mr. Via made a motion to approve the consent agenda, 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.

### A. Adoption of Proclamations

**Eagle Scout Elliot Michael Sobel, Boy Scout Troop 706, South Anna Magisterial District**

### PROCLAMATION

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

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

WHEREAS William Jacob Hope is a resident of the South Anna Magisterial District in Hanover County, Virginia, and a senior at Patrick Henry High School; and

WHEREAS on the 26<sup>th</sup> day of March, 2014, William Jacob Hope attained the rank of Eagle Scout, the highest award granted by the Boy Scouts of America; and

WHEREAS to achieve this high honor William Jacob Hope carried out a community project by planting a vegetable garden and donating the harvest to the Central Virginia Food Bank; and

WHEREAS William Jacob Hope of Boy Scout Troop 706 which meets at St. Peter's 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 William Jacob Hope and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

On a motion of Mr. Hazzard, seconded by Mrs. Kelly-Wiecek, the Board of Supervisors voted to adopt this resolution.

	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

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### **B. Budget Transfer from Reserve for Contingencies \$42,900 – Registrar’s Office**

#### Board Sheet Background:

The Republican Primary Election for the office of Member of the United States House of Representatives for the 7<sup>th</sup> Congressional District has been set for June 10, 2014 by the State Board of Elections. The Electoral Board recommends \$42,900 to meet state requirements for a primary election. The costs include staffing of the 37 precincts as well as the costs to program the voting machines and print ballots along with other incidental items.

Personnel	\$ 20,770
Operating	<u>22,130</u>
Total	\$ 42,900

The costs associated with this primary were not included in the FY14 adopted budget because we cannot anticipate whether there will be a primary in a given year or how many there will be. Further, these costs are not anticipated to be reimbursable from any other source. Subsequent to this transfer, the remaining Reserve for Contingencies would be \$732,695.

Finance & Management Services concurs with this request.

#### Recommended Action:

Motion to transfer \$42,900 from Reserve for Contingencies to the Registrar’s budget to cover salary and operational costs.

### **V. Presentation of Proclamation – Dr. Frank M. Sasser, Jr.**

Mr. Stanley called Dr. Frank M. Sasser, Jr., and his wife, Joan, to the podium and presented Dr. Sasser with a proclamation recognizing his many years of dedicated service to the citizens of Hanover County.

### **VI. Update of Status on Board’s FY14 Initiatives and Adoption of Board’s FY15 Initiatives**

Mr. Harris came forward and gave a presentation on the FY14 and FY15 Initiatives.

#### Completed FY 2014 Initiatives:

- Developed capital plans to meet general government and school renovation needs, utilizing the debt service saving plan as a primary funding source.
- Completed the Comprehensive Plan 2012-13 update.

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- Developed a County plan to meet Chesapeake Bay and stormwater management updates.
- Developed strategies for increasing the inventory of Tier 3 (prime) commercial property by at least 100 acres.
- Petitioned the U.S. Department of Justice for termination of coverage of the preclearance requirements under Section 5 of the Voting Rights Act.

### **FY14 Initiatives Nearing Completion:**

- Further exploration of the efficiency of collaboration between general government and schools on related functions. Mr. Harris noted that this is actually an ongoing initiative.
- Update the Human Services Strategic Plan. Mr. Harris noted that eight departments have been working together to update the plan. The recommendations will be brought before the Board in June.
- Update the Information Technology Strategic Plan. The IT Department has been working on the updated plans and the draft plan has been reviewed by stakeholders. The recommendations will be brought before the Board in May.

### **FY15 Proposed Initiatives:**

- Conduct 2014 Citizens Survey. This is done on a three year cycle to receive input from the citizens on a broad range of topics. Three questions specific to Hanover County will be included in the survey. These questions will be determined by the Board.
- Update Economic Development Strategic Plan. The Economic Development Department will be working with a vendor to survey Hanover businesses
- Begin implementation of the Chesapeake Bay and stormwater management mandates. The goal is to undertake the Church of the Creator stream restoration and begin the Laurel Meadows stormwater basin project within the next year.
- Enter into construction of the new Courthouse facility. We are currently in the construction document phase.
- Provide merit pay increases to County and School employees.

Mrs. Kelly-Wiecek made a motion to approve the FY15 Board Initiatives as presented, seconded by Mr. Hazzard.

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	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.

### **VII. Employee Compensation Performance Management Criteria**

#### Board Sheet Background:

Propose revision of Human Resources Policy Section 14.7, *Performance Appraisal: Numerical Rating*, to provide half the approved merit increase to employees whose performance meets minimum expectations but who are not strong performers. This action is designed to further enhance the County’s pay-for-performance policy and practices.

#### Recommended Action:

A motion to approve the Employee Compensation Performance Management Criteria as proposed through a revision of Human Resources Policy Section 14.7.

Mrs. Janet Lawson, Director, Human Resources, came forward to give the presentation. She explained that the proposed change is expected to improve the process going forward.

Each year national compensation trends are tracked, even when the County is unable to provide compensation increases. This year reports from valued HR resources have indicated an expected incremental increase over the previous year’s increases, with an average 3.0% increase nationally. These rates cover all industries.

Following the presentation, Mrs. Lawson answered questions from Board members. There was a discussion concerning corrective action plans for employees who have not received a rating of Proficient or higher.

Mr. Hazzard made a motion to approve the employee compensation performance management criteria as proposed through a revision of Human Resources Policy Section 14.7, seconded by Mr. Via.

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	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. Request for Authorization to Advertise: Ordinance Amendment 14-04, Health Spas in OS, Office Service Districts**

#### Board Sheet Background:

The staff is seeking an amendment to the OS, Office Service Zoning District to correct a conflict within the district regulations. Specifically, Section 26-138 – Permitted Uses lists any use in the B-1, Neighborhood Business District as permitted. One of the uses within the B-1 District is Personal Service Establishment, the definition of which, among other uses, specifically references health spas.

The OS District also lists health spa among the uses requiring a Conditional Use Permit (Section 26-140). As such, the district regulations are in conflict. Staff has prepared an ordinance amendment eliminating health spa as a use requiring a Conditional Use Permit within the OS District. Such an amendment, if adopted, would clearly allow health spas as permitted uses within the OS District, which is consistent with the provisions of Section 126 -138 as it relates to permitted B-1 uses.

The draft amendment was reviewed by the Community Development Committee on February 17, 2014. The Committee supported the requested ordinance authorization.

#### Recommended Action:

Motion to advertise for Public Hearing - Ordinance Amendment 14-04, Health Spas in OS, Office Service Districts.

Mr. David Maloney, Director of Planning, came forward and made this presentation to the Board.

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Mr. Peterson made a motion to authorize the advertisement for Public Hearing - Ordinance Amendment 14-04, Health Spas in OS, Office Service Districts, 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.

The Chairman announced a brief recess at 6:57 p.m.

The meeting was reconvened at 7:07 p.m.

### IX. 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 no one come forward, the Chairman closed citizens' time.

### X. Planning Public Hearings

**C-37-98(c) AM. 1-14 Blue Ridge Custom Homes, L.L.C.**, Requests an amendment to the proffers approved with rezoning request C-37-98(c), Annie L. Johnson, on GPIN 7728-74-6317, zoned AR-6(c), Agricultural Residential District with conditions, and located on the west line of Annie Laura Lane (private road) approximately 800 feet south of its intersection with Mile Branch Road (State Route 703) in the South Anna Magisterial District. The proposed zoning amendment would amend the cash proffer.

#### Planning Analysis:

- The request is to amend the following:

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- Reduce Proffer No. 1 from \$5,185.00 (capital & road improvements) to \$1,275.00 (road improvements)

### Recommended Action:

The Planning Commission and staff recommend approval subject to the submitted proffers.

Mr. Maloney came forward and detailed this request. Following the presentation, Mr. Maloney answered questions from Board members.

Mr. Davis opened the public hearing and asked that anyone wishing to speak for or against the matter come forward. Seeing no one come forward, Mr. Davis closed the public hearing.

On motion of Mr. Hazzard, seconded by Mr. Via, the members of the Board of Supervisors voted to approve Ordinance C-37-98(c), Am. 1-14, Blue Ridge Custom Homes, L.L.C., subject to the submitted proffers.

### **ORDINANCE C-37-98(c), AM. 1-14**

**OWNER OF RECORD:** BLUE RIDGE CUSTOM HOMES, L.L.C.

WHEREAS the Planning Commission of Hanover County has held an advertised public hearing and forwarded this case to the Board of Supervisors with a recommendation of APPROVAL of the adoption of the following amendment to the Zoning Ordinance and Zoning District Map of Hanover County; and

WHEREAS the Board of Supervisors has held public hearings on the 23<sup>rd</sup> day of April, 2014, and advertised in the *Hanover Herald-Progress* once a week for two successive weeks as required by Virginia Code Section 15.2-2204; and

WHEREAS the Board of Supervisors has determined that the public necessity, convenience, general welfare, and good zoning practices require this amendment.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County that the Zoning Ordinance and the Zoning District Map of this County are amended (with conditions) by amending the proffers approved with rezoning request C-37-98(c), Annie L. Johnson, of the property described as GPIN 7728-74-6317, located on the west line of Annie Laura Lane (private road) approximately 800 feet south of its

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intersection with Mile Branch Road (State Route 703) (a detailed description is filed with the Board's papers), zoned AR-6(c), Agricultural Residential District with conditions, subject to the following conditions which were proffered by the Applicant on March 27, 2014, and accepted by the Board:

1. The Property Owner, for himself, his successors and assigns, agrees to pay Hanover County prior to issuance of a Certificate of Occupancy for the Property, the amount of One Thousand Two Hundred Seventy-Five and 00/100 (\$1,275.00) per single family unit built on the Property. The funds shall be used for the purpose of completing off-site road improvements relating to the development allowed by the rezoning and included in the Business and Residential Development Road Improvements Transportation Policy, adopted March 13, 2013. In the event funds are paid and are not used for such capital improvements, the County shall return the funds paid to the Owners or their successors in title.
2. In order to assure that the development is compatible with the existing residential development in the immediate area, the property will be developed in substantial conformity with a conceptual plan, revised May 10, 1999. The applicant reserves the right to adjust road and lot lines, to effectively design the subdivision following detailed engineering and soils testing for septic drainfield sites.
3. Each lot subdivided from the property shall share the use of a single private road for the purpose of accessing Mile Branch Road (Rte. 703).
4. Existing trees with a caliper of five inches (5") or greater on the Property shall be retained on site, with the exception of the necessary removal of diseased or dead trees or parts of trees or said areas that may be used for driveways, drainage, drainage and utility easements when necessary for dwelling construction, construction of a private road, accessory uses such as outbuildings, pool, parking area, garden area, pasture, and/or when required by the County of Hanover.
5. Right-of-Way Dedication. The owner agrees to dedicate twenty-five (25) feet from Centerline of State Route 703 for future road widening in accordance with Major Thoroughfare Plan where requested by the County, free of cost, and free of encumbrances restricting use for the road purposes.

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BE IT FURTHER ORDAINED that this Ordinance is effective on the date of adoption and the Planning Director is hereby directed to designate the boundaries of the foregoing area as rezoned, subject to conditions, on the Zoning District Map of Hanover County.

	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

**CUP-2-01 AM. 1-14 - BJ'S Wholesale Club, Inc.**, Requests an amendment to a Conditional Use Permit (CUP) in accordance with Section 26-140.1, of the Hanover County Zoning Ordinance to amend the conditions to allow accessory sales of propane fuel to non-members and to extend hours of operation of gasoline sales on Sunday to 7:00 p.m., on GPIN 8714-54-7997, consisting of approximately 15.85 acres. The area of the CUP will be limited to approximately 0.79 acres. The property is zoned OS(c), Office/Service District with conditions, and is located on the north line of Bell Creek Road (State Route 642) approximately 1,000 feet west of its intersection with Cold Harbor Road (State Route 156) in the Mechanicsville Magisterial District. The subject property is designated on the General Land Use Plan Map as Limited Industrial and Commercial.

Planning Analysis:

- In 2001, the proffers were amended to allow accessory gasoline fueling station with a CUP
- The following were included as included as conditions of approval:
  - Fuel sales would be for club members only
  - Hours of operation for fuel sales limited to 6:00 am to 6:30 pm on Sunday
- The CUP was amended May, 2013, to include propane sales limited to club members
- This request is for the following:
  - Allow the sale of propane fuel to non-members
  - Extended the hours of all fuel sales on Sundays from 6:30 p.m. to 7:00 p.m.

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### Recommended Action:

The Planning Commission and staff recommend approval subject to the conditions outlined in the staff report.

Mr. Maloney detailed this request for a CUP. Following the presentation, Mr. Maloney answered questions from Board members.

Mr. Davis opened the public hearing and asked that anyone wishing to speak for or against the matter come forward. Seeing no one come forward, Mr. Davis closed the public hearing.

On a motion by Mr. Peterson, seconded by Mr. Wade, the Board of Supervisors voted to approve CUP-2-01 AM. 1-14 subject to the conditions outlined in the staff report.

### **RESOLUTION**

**WHEREAS** after a public hearing held on this 23<sup>rd</sup> day of April, 2014, as advertised in the Herald-Progress once a week for two successive weeks as required by Virginia Code, Section 15.1-431 and the Hanover County Code.

**NOW, THEREFORE, BE IT RESOLVED** that BJ'S Wholesale Club, Inc., is granted an amendment to a Conditional Use Permit (CUP) in accordance with Section 26-140.1, of the Hanover County Zoning Ordinance to amend the conditions to allow accessory sales of propane fuel to non-members and to extend hours of operation of gasoline sales on Sunday to 7:00 p.m., on GPIN 8714-54-7997, consisting of approximately 15.85 acres. The area of the CUP will be limited to approximately 0.79 acres. The property is zoned OS(c), Office/Service District with conditions, subject to the following conditions, which incorporate all of the applicable conditions from previous amendments:

1. The Property which is the subject of the application shall be used only for an accessory retail fueling station, including propane fuel refills.
2. The hours of operation of the filling station shall be limited to 6:00 a.m. to 9:30 p.m., Monday through Saturday and 6:00 a.m. to 7:00 p.m. on Sunday.
3. All requirements of the Public Utilities Department, Fire Department, and Building Inspectors' Office shall be met.

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4. All development and use of the Property shall comply with all federal, State and local statutes, ordinances and regulations.
5. Retail gasoline fuel sales shall be limited to card carrying members of BJ's Wholesale Club. Propane fuel sales may be permitted to non-members.

Prior to initiating the new use on this property, site plan approval must be obtained.

	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

**CUP-9-02 AM. 1-14 Shalom Baptist Church Trustees,** Request an amendment to a Conditional Use Permit (CUP) in accordance with Section 26-20.21 of the Hanover County Zoning Ordinance to amend the sketch plan to adjust a CUP boundary line and show proposed additions to the church facilities, on GPINs 8724-39-5325 and 8724-38-4994, consisting of approximately 8.02 acres, zoned A-1, Agricultural District, located on the southeast quadrant of the intersection of Mechanicsville Turnpike (U.S. Route 360) and Adams Farm Road (State Route 830) in the Mechanicsville Magisterial District. The subject property is designated on the General Land Use Plan Map as Commercial and Suburban General (1-4 dwelling units per acre).

Planning Analysis:

- This request is to amend the following on the sketch plan:
  - Revised boundary of the CUP area which resulted from a lot line adjustment
  - Show future phased expansions of church facilities and parking areas:
    - 12,650 s.f. building additions (phases I and 2); expansion to the sanctuary is not proposed with this request
    - Modified parking and drive aisles

Recommended Action:

The Planning Commission and staff recommend approval subject to the submitted sketch plan and the conditions outlined in the staff report

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Mr. Maloney detailed this request for a CUP. Following the presentation, Mr. Maloney clarified the new CUP boundary line and answered questions from Board members.

Mr. Davis opened the public hearing and asked that anyone wishing to speak for or against the matter come forward. Seeing no one come forward, Mr. Davis closed the public hearing.

On a motion by Mr. Peterson, seconded by Mrs. Kelly-Wiecek, the Board of Supervisors voted to approve CUP-9-02 AM. 1-14 subject to the submitted sketch plan and the conditions outlined in the staff report.

### RESOLUTION

WHEREAS after a public hearing held on this 23<sup>rd</sup> day of April, 2014, as advertised in the Herald-Progress once a week for two successive weeks as required by Virginia Code, Section 15.1-431 and the Hanover County Code.

NOW, THEREFORE, BE IT RESOLVED that Shalom Baptist Church Trustees, is granted an amendment to a Conditional Use Permit (CUP) in accordance with Section 26-20.21 of the Hanover County Zoning Ordinance to amend the sketch plan to adjust a CUP boundary line and show proposed additions to the church facilities, on GPINs 8724-39-5325 and 8724-38-4994, consisting of approximately 8.02 acres, zoned A-1, Agricultural District, subject to the following conditions, which incorporate all of the applicable conditions from previous amendments:

1. The property which is the subject of the application shall be used only for a church, daycare (SE-11-08) and other accessory church uses and activities.
2. Upon request of the County or VDOT, the applicant shall dedicate sixty feet (60') of right-of-way from the centerline of Mechanicsville Turnpike (U.S. Route 360) to the property for future road widening, free of cost to the County and free of encumbrances for road use purposes.
3. All requirements of the Virginia Department of Transportation with regard to the site entrance shall be met.
4. Off-site drainage easements shall be recorded prior to site plan approval.

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5. The property shall connect to public sewer when available at the property line.
6. A 25' thoroughfare buffer shall be provided in accordance with Section 26-264 of the Zoning Ordinance.
7. All requirements of the Public Works Department, Public Utilities Department, County Health Department, and the Building Inspector's Office shall be met.
8. All development and use of the Property shall comply with all Federal, state and local statutes, ordinances and regulations.

Prior to initiating the new use on this property, site plan approval must be obtained.

	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

**CUP 9-13 – Althea Turner Brooks and Elwin W. Brooks, Jr.**, Request a Conditional Use Permit in accordance with Sections 26-20.25 and 26-20.31 of the Hanover County Zoning Ordinance to permit a commercial landscaping operation and mulch processing facility on GPIN 8746-93-2823, consisting of approximately 11.21 acres, zoned A-1, Agricultural District, and located on the north line of Mechanicsville Turnpike (U.S. Route 360) approximately 0.35 mile west of its intersection with Spring Run Road (State Route 628) in the Henry Magisterial District. The subject property is designated on the General Land Use Plan Map as Agricultural.

Planning Analysis:

- The applicants currently operate as Ed's Landscaping, located on Cold Harbor Road near I-295, and propose using the subject site as a second business location.
- The proposed uses for this site include:
  - Commercial landscaping business
  - On-site nursery
  - Mulch processing facility
  - Retail use in association with those businesses
- The submitted site layout and parking complies with district requirements.

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- The zoning ordinance limits, the hours of operation of the mulch processing from 7:00 a.m. to 7:00 p.m.
  - Staff is recommending that mulch processing not occur on Sundays.

### Sketch Plan:

- Entrance improvements include:
  - A commercial entrance
  - A left turn lane at the existing crossover on Route 360 to the main entrance
  - 25' thoroughfare buffer
- An access easement to a cell tower on an adjacent property is currently located where an existing entrance will be closed.
  - That easement must be rerouted to the new commercial entrance and recorded prior to site plan approval

### Recommended Action:

The Planning Commission and staff recommend approval subject to the conditions outlined in the staff report.

Mr. Maloney detailed this request for a CUP, including a modification to condition four. Mr. Maloney then answered questions from Board Members.

Mr. Davis opened the public hearing and asked that anyone wishing to speak for or against the matter come forward. Mr. Ronald Martin came forward as representative of the property owners. He explained the history of the case and confirmed the owners' acceptance of the modification as outlined by Mr. Maloney.

Seeing no one else come forward, Mr. Davis closed the public hearing.

On a motion by Mr. Davis, seconded by Mr. Wade, the Board of Supervisors voted to approve CUP 9-13 subject to the conditions outlined in the staff report.

## RESOLUTION

WHEREAS after a public hearing held on this 23<sup>rd</sup> day of April, 2014, as advertised in the Herald-Progress once a week for two successive weeks as required by Virginia Code, Section 15.1-431 and the Hanover County Code.

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NOW, THEREFORE, BE IT RESOLVED that Althea Turner Brooks and Elwin W. Brooks, Jr. are granted a Conditional Use Permit in accordance with Sections 26-20.25 and 26-20.31 of the Hanover County Zoning Ordinance to permit a commercial landscaping operation and mulch processing facility on GPIN 8746-93-2823, consisting of approximately 11.21 acres, zoned A-1, Agricultural District, subject to the following conditions:

1. The primary commercial entrance and the left turn lane (with at a minimum, a 200' taper and 100' of storage) into the site from eastbound Route 360 shall be located as shown on the sketch plan, and designed and constructed in accordance with VDOT standards and specifications. The secondary entrance at the eastern boundary line of the property that provides access to adjacent parcels to the north may remain, but shall not be used for the commercial uses subject to this Conditional Use Permit (CUP).
  2. Any expansion of the use, including structures, features or activities, not shown on the sketch plan or approved with this CUP request shall not be permitted without an amendment to the CUP.
  3. Prior to site plan approval, the owner shall reserve sixty feet (60') of right-of-way from the centerline of existing Mechanicsville Turnpike (U.S. Route 360) to the property for future road widening should it be determined to be needed at this location. Upon request of the County or VDOT, the owner shall dedicate any right-of-way within this reserved area that is necessary for the road widening to the County, free of cost to the County and free of encumbrances.
  4. If approved by VDOT, prior to site plan approval, the applicant shall erect and maintain a gate across the western entrance used as an entrance to the existing 20' easement crossing the subject property to the cell tower located on GPIN 8746-83-5507. The gate shall be secured and access limited to use by the easement owner. The site plan shall indicate the gate shall be erected and maintained until such time as the access easement shall be closed and relocated to the primary access point for the parcel.
- If the above is not approved by VDOT, prior to site plan approval, the owners shall provide a deed of easement to the owner of the easement of the cell tower

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relocating that access easement to provide access from the primary entrance, and such easement shall be recorded.

5. The hours of operation for the mulch processing facility shall be limited to 7:00 a.m. to 7:00 p.m. during Daylight Savings Time, and from 7:00 a.m. to 5:00 p.m. during Eastern Standard Time.
6. No mulch processing shall occur on Sundays.
7. The existing sign structure regulated by SE-8-10 can be used in accordance with the conditions approved. Any new or replacement signs shall be monument type constructed in accordance with all applicable sign regulations for the underlying zoning designation.
8. All requirements of the Public Works Department, the Health Department, Public Safety and the Building Inspector’s Office shall be met.
9. 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.

Prior to initiating the new use on this property, site plan approval must be obtained.

	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-3-14 – Patricia G. and Roy M. Billingsley, Jr.,** Request a Special Exception Permit in accordance with Section 26-21.14 of the Hanover County Zoning Ordinance to permit a day nursery on GPIN 7718-97-8952, consisting of approximately 3.05 acres, zoned A-1, Agricultural District, and located in the southwest quadrant of the intersection of Franklin Hills Drive (private road) and Rockville Road (State Route 622) approximately 700 feet north of its intersection with Locust Hill Drive (private road) in the South Anna Magisterial District.

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### Planning Analysis :

- The day nursery has been operating since August 2010 with a license from the Virginia Department of Social Services.
  - The applicant was just made aware that this use also requires the approval of a Special Exception.
- The day nursery is for up to 12 children, ages 6 months to 6 years old.
- Hours of operation are 7:30 am to 5:00 pm, Monday through Friday.
- The applicant has maintained the residential character on their property to limit the impact of the home business on the area.

### Recommended Action:

Approval subject to the conditions outlined in the staff report.

Mr. Maloney detailed this Special Exception request for the Board members.

Mr. Davis asked if Board Members had any questions. Hearing none, he opened the public hearing and asked that anyone wishing to speak for or against the matter come forward.

Seeing no one come forward, Mr. Davis closed the public hearing.

On a motion by Mr. Hazzard, seconded by Mr. Stanley, the Board of Supervisors voted to approve SE-3-14 subject to the conditions outlined in the staff report.

## **RESOLUTION**

WHEREAS the Board finds that, in its opinion, as a matter of fact, such exception will not substantially affect adversely the uses of adjacent and neighboring property.

NOW, THEREFORE, BE IT RESOLVED that Patricia G. and Roy M. Billingsley, Jr., are granted a Special Exception Permit in accordance with Section 26-21.14 of the Hanover County Zoning Ordinance to permit a day nursery on GPIN 7718-97-8952, consisting of approximately 3.05 acres, zoned A-1, Agricultural District, subject to the following conditions:

1. The hours of operation shall be limited to 7:30 am to 5:00 pm, Monday through Friday.

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2. The total number of children to be served by the facility shall not exceed twelve (12) or the capacity established by the Virginia Department of Social Services, whichever is less.
3. Any expansion in the number of children or the square footage of the facility approved by this Special Exception will require an amendment to this permit.
4. The existing driveway at the Franklin Hills Drive entrance shall be widened to eighteen (18) feet to accommodate two-way vehicular traffic within two (2) months of the date of approval of this Special Exception.
5. The Special Exception shall be valid for two (2) years following the date of approval, after which time the permit shall be reviewed by the Director of Planning for continued compliance with the conditions of approval. The permit may be extended indefinitely from two (2) years upon request of the applicants and approval by the Director of Planning. At the time of renewal, the County shall have the right to inspect the property to insure it is in compliance with zoning regulations.
6. 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.

	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

### **XI. Announcements**

Mr. Harris announced the Taste of Hanover event is scheduled for Wednesday, April 30<sup>th</sup> at the Bass Pro Shop.

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### **XII. Adjournment**

At 7:32 p.m. the Chairman adjourned the meeting to May 14, 2014 – Hanover County Administration Building – 2:00 p.m.