



I.-C.

Agenda Item

County of Hanover

Board Meeting: October 8, 2014

Subject: Approval of Minutes –
August 27, 2014
September 10, 2014

**Summary of
Agenda Item:** The minutes of August 27, 2014 and September 10, 2014 are included in the packet to be approved.

**County
Administrator's
Recommended
Board Motion:** A motion to approve the Board of Supervisors meeting minutes of August 27, 2014 and September 10, 2014.

HANOVER COUNTY BOARD OF SUPERVISORS

MINUTES

Hanover County Administration Building Board Room

August 27, 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 27th day of August, 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. G.E. “Ed” Via, III
Mr. Elton J. Wade, Sr.
Mr. Cecil R. Harris, Jr., County Administrator
Mr. Sterling E. Rives, III, County Attorney

Absent: Mr. Aubrey M. Stanley

I. Call to Order

The Chairman called the meeting to order at 2:01 p.m. All Board members were present except for Mr. Aubrey M. Stanley.

- A. The invocation was given by Mr. Via.
- 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 June 25 and July 23, 2014 Board of Supervisors meetings were approved as presented.

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

II. Consideration of Agenda Amendments

The Chairman asked if there were any agenda amendments. Hearing none, moved 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.

Mr. Oscar Walker, Ashland Magisterial District, came forward to speak on public health and safety, legal issues and budget shortfalls with respect to illegal immigration.

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

IV. Consent Agenda

Mr. Via made a motion to approve the consent agenda as presented, seconded by Mr. Peterson.

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

Motion approved.

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IV-A. Committee Appointments

| COMMITTEE NAME | NON-DISTRICT APPOINTMENT | FIRST NAME | LAST NAME | TERM START | CURRENT TERM END | TERM LENGTH | ACTION |
|--|--------------------------|---------------------|-----------|------------|------------------|-------------|--|
| Board of Zoning Appeals | N/A | Lewis | Hester | 9/1/2014 | N/A | 5 years | Appoint to replace Mr. Jeter for remainder of term (to 6/30/2019) |
| Board of Zoning Appeals | Alternate | Norman Donnal (Don) | Wade | 9/1/2014 | N/A | 5 years | Appoint for remainder of term (to 6/30/2019) |
| Central Virginia Waste Management Authority-Board | Staff Alternate | Randy | Hardman | 9/1/2014 | N/A | 4 years | Appoint to 8/31/2018 |
| Richmond Area Metropolitan Planning Organization Board | Alternate | Wayne | Hazzard | 9/1/2014 | N/A | 2 years | Appoint to replace David Maloney for remainder of term (to 12/31/2015) |
| Richmond Area Metropolitan Planning Organization Board - Executive Committee | Board Alternate | Sean | Davis | 9/1/2014 | N/A | 2 years | Appoint for remainder of term (to 12/31/2015) |

IV-B. Approval of FY 15-16 Performance Contract with the Virginia Department of Behavioral Health and Developmental Services

Board Sheet Background:

The Hanover County Community Services Board (HCCSB) staff reviewed and supplied the required data and information for the FY15-16 Performance Contract, a document developed by the Virginia Department of Behavioral Health and Developmental Services to be executed by each

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community services board and behavioral health authority in Virginia. This is a prerequisite for the receipt of state-controlled funds for mental health, intellectual disabilities and substance use disorder services. Execution of the Performance Contract requires approval by both the CSB Board and the Board of Supervisors.

The Code of Virginia requires that prior to the execution of the performance contract, each community services board and behavioral health authority make the proposed Performance Contract available for public comment for a thirty-day period. HCCSB made the proposed FY15-16 Performance Contract available for public comment on July 14, 2014. There were no public comments received by the end of the comment period. On August 18, 2014, the HCCSB Board took the necessary action to recommend to the Board of Supervisors the approval of the FY15-16 Performance Contract.

Recommended Action:

Approval of the FY15-16 Performance Contract

IV-C. Budget Appropriation - \$2,145,893 - Reappropriation of the Fiscal Year 2014 Budget

Board Sheet Background:

The County's operating budget appropriations lapse each year on June 30. At the end of FY14, as in past years, there were purchases and projects in progress that were not completed prior to June 30. This request is for the consideration of a budget appropriation of \$2,145,893 of unspent funding from the FY14 operating budget. These funds were appropriated in FY14 and included in quarterly report forecasts made during the year. There is no new or additional funding required for this reappropriation as the funding sources for this reappropriation were recognized during FY14 as part of a balanced budget. As part of the Finance Department's review of reappropriation requests, efforts are made to ensure that the reappropriation balances recommended by the County Administrator represent those projects that need to continue and/or were in progress to honor commitments.

During the FY15 budget process, a resolution was adopted by the Board of Supervisors providing for all outstanding operating encumbrances (purchase orders) and continuing capital projects to be reappropriated at year-end after thorough review by Finance and Administration. As a part of that review, some projects have been closed or reduced in funding due to updated project information. Capital projects and operating encumbrances are not included in this request.

On August 19, 2014, the Finance Committee was presented with the County's recommended

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reappropriations which had been reviewed by the Finance Department and County Administrator's Office. Finance and Management Services concurs with the attached budget appropriation request.

Recommended Action:

Approve the budget appropriation of \$2,145,893 to FY15 for various funds and departments.

IV-D. Approval of Third Addendum to Tower Construction and Lease Agreement between Hanover County and New Cingular Wireless PCS, LLC (Ashland Magisterial District)

Board Sheet Background:

On February 28, 2001, Hanover County and Triton PCS Property Company, L.L.C. entered into a Tower Construction and Lease Agreement under which Triton leased the right to use the Airport Beacon Tower and a portion of ground area on the Tower Site to install and operate telecommunications equipment, including antennas. The Agreement was subject to renewal for four additional terms of five years each. The Agreement was subsequently amended on February 28, 2007 and March 24, 2010.

Under the Agreement, New Cingular Wireless PCS, LLC, successor in interest to Triton PCS Property Company, L.L.C., currently pays a yearly base fee of \$22,500, which increases with each renewal term. AT&T Mobility Corporation, the Manager for New Cingular Wireless PCS, LLC, wishes to install additional antennas, associated cables, and equipment, as described in Exhibit 1-A to the Third Addendum.

A Structural Analysis and Radio Frequency study determined no adverse effects to the Beacon Tower and airport users from installation of the additional antennas, cables, and equipment.

For placement of the additional equipment on the Beacon Tower, New Cingular Wireless PCS, LLC will pay an additional base fee in the amount of \$200.00 per month or \$2,400.00 per year over the previously established base fee.

The County Attorney's Office has reviewed and approved the Third Addendum as to form.

Recommended Action:

Motion to authorize the County Administrator to approve the Third Addendum to Tower Construction and Lease Agreement, and to take all actions necessary to implement the terms of the Addendum.

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IV-E. Budget Supplement and Authorization of Public Safety Training and Response Equipment with Asset Forfeiture Funds – Sheriff’s Office - \$83,000

Board Sheet Background:

The Hanover County Sheriff’s Office has received funding through the Virginia Attorney General’s Asset Forfeiture Sharing Program for Hanover County’s Crisis Intervention Team (CIT), and is designed to assist law enforcement and other first responders. The identified benefits of the CIT approach are enhancing safety for all involved in a crisis situation and strengthening the relationships between those agencies involved in an emergency mental health response. This funding would be utilized in continuing community outreach and education, and officer training (\$23,341).

The Hanover County Sheriff’s Office will use State Asset Forfeiture funding to complete needed renovations and equipment upgrades to the Sheriff’s Office gym facility. The current gym equipment is twenty-years-old and well past its life span. The purchases include new cardio machines, paint and flooring and exercise/weight machines (\$59,659).

The Sheriff’s Office is requesting approval to spend \$83,000 in prior year’s forfeiture funds to purchase public safety training equipment and to fund facility renovations.

As of August 2014, the Sheriff’s Office has \$631,790.54 remaining in Federal Forfeiture Funds and \$92,341.08 in State Asset Forfeiture Funds. This amount is roughly equivalent to the last three years of funds received (FY12-14). These funds cannot be appropriated in anticipation of future collections per the following state and federal regulations: US DOJ Forfeiture Guide, Section X. *Uses of Equitable Shared Property*, A.4.b; VA DCJS Forfeited Asset Sharing Manual, Appendix H *Uses of Equitable Shared Money*; and, VA Sheriff’s Accounting Manual, Chapter 8 Forfeited Property – Best Accounting Practices. This request meets the requirements for the use of forfeiture funds.

The Finance and Management Services Department concurs with this request.

Recommended Action:

Motion to approve the budget supplement and purchase of public safety training and response equipment with Asset Forfeiture Funds in the amount of \$83,000.

IV-F. Request for Conditional Use Permit Extension – CUP-2-11, Fairmount Memorial Baptist Church

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Board Sheet Background:

The Hanover County Board of Supervisors approved CUP-2-11 on August 24, 2011, to allow for the construction of Fairmount Memorial Baptist Church on GPIN 8746-83-5507. Extensions of one year were granted by the Board of Supervisors on August 22, 2012 and August 28, 2013, because funds were not available to start construction since the sale of the current church property had not occurred. The Church is now in negotiations for the sale of its facilities in eastern Henrico County. Because construction of the church facility in Hanover is contingent upon receipt of funds from this sale, the Church is requesting and additional one (1) year extension.

The property remains unimproved, and no zoning violations were found to exist when inspected in July 2014. Based on consistency with prior Board actions on similar requests, the Planning Department recommends approval of a one (1) year extension, subject to the original conditions of approval.

Recommended Action:

Approval of the extension of Conditional Use Permit, CUP-2-11, Fairmount Memorial Baptist Church, until August 31, 2015, subject to the originally approved conditions

IV-G. Adoption of Resolution – Acceptance of Streets into the Secondary System of Highways – Rutland, Section 4A (Chickahominy Magisterial District)

Board Sheet Background:

Rutland, Section 4A is a 32 lot subdivision recorded on July 12, 2012. The Virginia Department of Transportation – Ashland and the Departments of Planning and Public Works recommend processing for acceptance of streets in the attached resolution into the State Secondary System.

Recommended Action:

Adopt the attached resolution requesting the Virginia Department of Transportation to accept Oakham Drive, Lyndon Circle, and Thistleton Court in Rutland, Section 4A Subdivision into the Secondary System of State Highways.

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RESOLUTION

WHEREAS, the street(s) described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Hanover County, and

WHEREAS, the representative for the Virginia Department of Transportation has advised this Board that the street(s) in **Rutland - Section 4A** meets the requirements established by the Virginia Department of Transportation's Subdivision Street Requirements, and

NOW, THEREFORE, BE IT RESOLVED, the Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, after receiving a copy of this resolution and all outstanding fees and documents required of the developer, whichever occurs last in time, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Area Land Use Engineer for the Virginia Department of Transportation.

On motion of Mrs. Kelly-Wiecek, seconded by Mr. Via, the members of the Board of Supervisors voted to approve the resolution as follows:

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

V. Award Presentation to the Hanover County Sheriff's Office for achieving state accreditation through the Virginia Law Enforcement Professional Standards Commission

Sheriff Charles Jett, Stafford Sheriff's Office, came forward as representative of the Virginia Law Enforcement Professional Standards Commission. He recognized Sheriff Hines and the members of the Hanover County Sheriff's Office for their commitment to law enforcement excellence as

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evidenced by their successful completion of the certification process of the Virginia Law Enforcement Accreditation Program. He noted that all accreditation programs are designed to measure and confirm compliance of the participating organization with the professional standards in the discipline or profession they are involved. It is one of the only means by which citizens and government agencies can be assured that an agency is maintained ethical standards and benchmarks of performance that the community has a right to expect.

To obtain accreditation, the Sheriff's Department must demonstrate compliance with the administrative, operational, training and personnel policies and practices with the 190 professional standards of the Commission. The process involves the assessment and evaluation of the agency by trained law enforcement professionals from outside of the agency.

Sheriff Jett noted that this is the fourth reaccreditation for the Hanover Sheriff's Office and stated that the Hanover Sheriff's Office is also recognized by the National Commission on Accreditation for Law Enforcement Agencies, which makes it the only Sheriff's Office in Virginia to achieve dual accreditation.

Colonel Hines came forward and recognized the importance of his staff as well as the Board and County Administrator's support in achieving the accreditation.

VI. Presentation - Overview of Recent Activities – Capital Region Airport Commission

Mr. Mathiasen, President/CEO, came forward to address the Board. He presented an overview of recent and upcoming projects and provided information on the current state of air travel.

Infrastructure Development:

Runway 16/34 – underway now:

- Approximate Cost - \$18MM
- Full Length Pavement Rehab
- Replacement/Repair of Stormwater Drainage System

Snow Equipment Removal Building:

- Approximate Cost – \$6.23MM
- Haley Builders, Ashland, Virginia

Taxiway Mike:

- Approximate Cost - \$29MM

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- Group IV Taxiway
- Full Parallel to Runway 16/34
- American Infrastructure – Virginia

Collector/Access Road from Williamsburg Road to East Side Development Area:

- Approximate Cost – \$12 MM
- Bid Advert: September 14, 2014

Future Development:

- General Aviation Hangars
- Large/Small East Side Parcels

New Service, Retained Route Initiations

- Southwest transitioned AirTran's Atlanta flights to Southwest in early August.
- JetBlue will add additional Richmond-Boston service starting in November.
- American started New York-LaGuardia in April, joining Delta on the route.
- Delta commenced 2x RIC-BOS service in March, joining JetBlue and US Airways.

2014 Fundamental Truths in Aviation:

- Economic development and fuel costs drive air service development.
- Via consolidation and capacity discipline, domestic networks are shrinking.
- Since schedules are primarily built based on historic data, better usage now leads to opportunities for increased flight frequencies and new route opportunities in the future for Richmond Region travelers.
- Only competition creates competitive fares, thus it is important to include all carriers in your travel plans, including LCCs Southwest and JetBlue.
- If domestic service is going to be dominated by four big brands, each of these brands need to be well-represented in Richmond: American/US Airways, Delta Air Lines, United Airlines and Southwest Airlines
- Richmond travelers should be familiar with www.SaveLowFares.com.

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

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VII. Presentation - Dominion Power Update

Mrs. Jennifer Kostyniuk, Manager, Regional State and Local Affairs, and Jeff Hutchinson, Regional Operations Center Manager, came forward to update the Board on the new Dominion Wire Down Identification measures to help identify if fallen wires are electric, telephone, cable or other. Dominion Virginia Power wire down will be marked with yellow tape that reads “CAUTION Dominion”. Wire that does not belong to Dominion will be marked with orange tape that reads “CAUTION Dominion”. Dominion will create a National Joint Use Notification System ticket when orange CAUTION tape is used. This will notify other utility companies their wire is down.

VIII. Presentation – Virginia Pollution Abatement Permit, Industrial Residuals Program

Mr. Kyle Winter, Virginia Department of Environmental Quality Piedmont Regional Deputy Director/Water Compliance and VPA Program Manager came forward to provide an overview of the Virginia Pollution Abatement Permit, Industrial Residuals Program and description of industrial residuals.

Following his presentation, Mr. Winter answered questions from Board members. There was clarification and detailed discussion on the following areas of concern:

- The previous role of the Department of Health in the issuance of biosolids permits
- The two parties able to apply for permits (facility or entity that is generating the material or an applicator/broker/third party who did not generate the material)
- The information that must be provided to DEQ by the applicant and how DEQ determines what is in the materials
- What office or division of DEQ evaluates whether or not the material has value as a fertilizer or soil amendment
- The role of the Department of Conservation and Recreation (DCR) in the process
- The benefit of using these type materials as opposed to commercial fertilizer due to the requirements that must be met to prevent run-off
- What DEQ does to ensure the application is being done responsibly once a permit is issued
- When DEQ inspects sites and the percentage of sites that are inspected
- Whether or not the material is tilled into the fields
- Storage requirements for the material and what party holds the permits for storage

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- The vegetative buffers required around an application site
- How DEQ handles permit applicants who have a history of violations related to previous permits
- Mr. Stanley's efforts to contact landowners in the area of the permit applied for in Hanover, including the owner of the parcel in question

Ms. Dale Taylor, Beaverdam Magisterial District, came forward and voiced opposition to the use of industrial residuals. She had questions concerning if the company in question has been vetted to determine their history of compliance, the self-reporting of the process and clarification of when notice was given to Hanover County. She asked that DEQ send her an email confirming that the permit application in question has been withdrawn.

Mr. John Davenport, West Point resident, came forward and voiced opposition to to the use of industrial residuals and asked the County to go on record in opposition of the use of industrial residuals by sending a letter to the SWCB.

Mr. Don Wagner, King William resident, came forward and voiced opposition to to the use of industrial residuals and noted other localities that have gone on record as being opposed to their use.

Ms. Tyla Matteson, Chesterfield County resident, came forward and voiced opposition to to the use of industrial residuals. She expressed concern about harm to the waterways, oyster farms, and wells and stated the company in question has had a record of previous violations and fines.

Ms. Deborah Wooten, South Anna Magisterial District, came forward and voiced opposition to to the use of industrial residuals. She expressed concerns about there being general regulations as opposed to specific regulations, the level of self-regulation allowed, the post application inspection process when violations have occurred and the 30% of sites that are not inspected.

Mr. C.L Jones, Beaverdam Magisterial District, came forward and voiced opposition to to the use of industrial residuals, citing concerns about damage to residential wells.

Ms. Jeannette Wagner, King William resident, came forward and voiced opposition to to the use of industrial residuals, citing concerns about the reporting requirements and the retention of files.

Ms. Martha Wingfield, Beaverdam Magisterial District, came forward and voiced opposition to to the use of industrial residuals, and asked the County to pass a resolution in opposition to the use of industrial residuals.

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Ms. Kim Singhas, South Anna Magisterial District, came forward and voiced opposition to to the use of industrial residuals, citing concerns about damage to residential wells and the negative impact on property values. She asked for the County to pass a resolution in opposition to the use of industrial residuals.

There was further discussion by the Board members concerning compliance history, DEQ's process when non-compliance is discovered after application, previous sites in Hanover County where problems have occurred and the limited authority of local government in this matter. The Board members discussed adding this matter to the list of items to be addressed at the Legislative Committee meeting to be held on August 28.

Mr. Sterling Rives, County Attorney, detailed the history of the uses of biosolids and industrial residuals in Hanover County and the efforts the County has taken to monitor these uses.

The Chairman announced a brief recess at 4:41 p.m.

The Chairman reconvened the meeting at 4:50 p.m. and announced that Item X. would be heard at that time. He stated that the Board would then go into Closed Session until 6:50 p.m., at which time Item IX. would be heard.

X. Presentation of the Year-End June 30, 2014 Financial Report

Mrs. Kathy Seay, Director of Finance, came forward and presented the operating results for the County's General Fund, Public Utilities and the School Division Operating Fund for the year ending June 30, 2014.

As reported in May, operating revenues have a positive variance to budget. Preliminary year end revenues totaled \$203.5 million, 102% of the appropriated budget. Expenditures and transfers including encumbrances and reappropriations totaled \$198.2 million, 94.7% of the appropriated budget.

General property taxes are favorable to budget by approximately \$2.8 million. This includes an increase of approximately \$1 million for real property taxes due to a change in reassessment from 0.5% to 2.07% and an increased base last year. Additionally, personal property taxes are approximately \$1.4 million higher than budget. Public service corporation taxes are \$308,000 favorable to budget due to an increased collection rate and an increase in the tax rate.

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Other local taxes are favorable to budget by approximately \$384,000. This favorability is primarily due to an increase in the estimates for sales tax. The Permits and fees revenue has also increased due to anticipated growth and regulation changes.

Total year expenditures and transfers were also favorable to budget. Personnel savings are estimated to be approximately \$1.8 million and operating savings are estimated to be approximately \$5.4 million with a return from the School Board of approximately \$3.8 million.

The total projected favorable variance to budget is approximately \$15.0 million which is primarily planned for use in the County and School budgets in FY15 and the subsequent five year plan.

The General Fund's fund balance increased approximately \$5.3 million due to actual revenues greater than expenditures. Changes to fund balance classifications include small increases to nonspendable and restricted balances. These balances represent resources that are not in a spendable form such as inventories and amounts constrained to specific purposes by providers such as grantors, bondholders, and higher levels of government.

At this time, the General Fund's Unassigned Fund Balance is projected to increase approximately \$438,000 and remain at 12.6% of operating revenues consistent with the prior year. By Board policy, the County's General Fund maintains a minimum unassigned fund balance of at least 10% of revenues to protect against unanticipated expenditures or revenue shortfalls, with a higher targeted percentage to maintain its triple AAA rating and lowest possible interest on capital projects. The estimated change to assignment balances net of encumbrances and reappropriations is approximately \$4.3 million.

Based on available operating balance funds, the Preliminary County Administrator Assignment balances including encumbrances and reappropriations as of June 30, 2014 are estimated to be approximately \$22.0 million. These funds are assigned for various purposes including economic development, education, the subsequent year budget and five year financial plan and capital improvements as noted on the screen.

The audited financial statements will be presented with the County's CAFR in November at the conclusion of the annual audit.

A detailed statement of revenues, expenses and changes in net position for Public Utilities was presented. Operating revenues were \$22.6 million or approximately \$435,000 higher than the appropriated budget. This favorable variance is primarily due to increases in plan review and

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inspection fees, sewer user fees, and miscellaneous revenues. User fees for water service were \$273,000 below budget reflecting an ongoing trend of lower water consumption. Expenses for the year were \$17.9 million or 94% of the appropriated budget. Personnel costs were \$290,000 below budget, long-term water and sewer contracts with Henrico County and the City of Richmond were \$400,000 below budget and power costs were \$135,000 below budget.

Non-operating revenues were \$6.4 million or approximately \$2.2 million higher than the appropriated budget, primarily due to a significant increase in water and sewer capacity fees. Partial receipt of grant funds designated to Totopotomoy wastewater treatment plan improvements (CIP) were received during the year resulting in a \$757,000 unfavorable budget variance. Donated assets in the amount of \$3.5 million were received, but were not projected as part of the annual budget process.

The FY14 capital improvement plan of \$14.4 million included \$3.4 million of continuing projects from prior years and \$11.1 million of current year capital appropriations and transfers. Capital expenditures during the year were \$6.7 million. Multi-year capital project costs are not included in the Statement of Revenues, Expenses and Changes in Fund Net Position.

Also provided were detailed statements of revenues, expenditures and changes in fund balance for the School Division Operating Fund. The School division will return approximately \$3.8 million to the County's General Fund. As compared to the prior year both appropriated revenues and expenditures have decreased due primarily to the creation of the debt service fund of \$15.7 million, reduction of staffing in the FY14 budget of approximately \$2.0 million, consolidation of services with the county of approximately \$400,000 and transfer of approximately \$600,000 from the operating fund to the capital fund to support summer capital projects and the implementation of a new phone system.

FY14 appropriated revenues of \$162.4 million have decreased by \$18.8 million compared with appropriated revenues in the prior year of \$181.2 million. FY14 appropriated expenditures of \$164.5 million have decreased by \$19.2 million compared with appropriated expenditures in the prior year of \$183.7 million. The factors affecting the reduction are substantially the same as noted for revenues. Actual revenues accrued as anticipated in FY14 compared to the appropriated budget. Final revenue payments, based on amendments adopted in the General Assembly caboose bill, confirm that sales tax was slightly over budget, however, actual student enrollment this year is higher than anticipated by the State and the basic aid and other related state dollars are more than sufficient to cover that potential

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shortfall. Expenditure savings are primarily the result of utility savings from continued energy containment efforts and attrition savings from employee turnover.

XI. Closed Session

- 1. Section 2.2-3711(A)(7) of the Code of Virginia – Consultation with legal counsel and briefing by staff regarding specific legal matters - proposed Third Amendment to Development/Acquisition Agreement with Lewistown Commerce Center LLC and Lewistown Commerce Center CDA**
- 2. Section 2.2-3711(A)(19) of the Code of Virginia - Discussion of reports and plans related to the security of governmental facilities – Hanover County Public Schools**
- 3. Section 2.2-3711(A)(7) of the Code of Virginia – Briefings by legal counsel – (A) Legislative Prayer after Greece v. Galloway and (B) Section 15.2-2208.1 (HB. 1054)**

Mr. Hazzard moved that the Board of Supervisors go into Closed Session pursuant to the following: Section 2.2-3711(A)(7) of the Code of Virginia – Consultation with legal counsel and briefing by staff regarding specific legal matters - proposed Third Amendment to Development/Acquisition Agreement with Lewistown Commerce Center LLC and Lewistown Commerce Center CDA, Section 2.2-3711(A)(19) of the Code of Virginia - Discussion of reports and plans related to the security of governmental facilities – Hanover County Public Schools and Section 2.2-3711(A)(7) of the Code of Virginia – Briefings by legal counsel – (A) Legislative Prayer after Greece v. Galloway and (B) Section 15.2-2208.1 (HB. 1054). The motion was seconded by Mrs. Kelly-Wiecek.

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

Motion Approved.

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Board members entered Closed Session at 5:01 p.m. At the conclusion of the Closed Session, all Board members returned to the Board room, and the Chairman called the regular meeting back to order at 5:58 p.m.

Certification of Closed Session

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

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

Motion Approved.

XII. Recess

The meeting was recessed at 5:59 p.m.

The meeting reconvened at 6:50 p.m.

IX. Strategic Plan Update and Recommendations

Mr. John Budesky, Deputy County Administrator, presented the Board with the Strategic Plan update and recommendations. He described the work of the taskforce and noted that Mrs. Kelly-Wiecek (Chair), Mr. Via and Mr. Stanley participated in the taskforce.

Assigned Role of Taskforce Goals

1. Assess and Confirm Objectives or Establish new/revised Objectives as related to established Goals
2. Assess if the Key Indicators are true measurements/Benchmarks of achievement towards meeting the stated objectives and goal
3. Identify Revised Key Indicators and Data sets as necessary

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4. Adopt a Dash Board or Reporting Format for Key Indicator Measurements to provide Consistency and Clarity on Strategic Plan Performance to our Citizens
5. Determine plan for how to integrate Strategies and Board Initiatives

Review of Key Focus Areas & Goal Statements

| Strategic Focus Area | Goal Statement |
|-----------------------------|---|
| Education | Provide an environment for life-long learning |
| Public Safety | To be a safe community |
| Health and Human Services | Promote citizen independence and a high quality of life |
| Stewardship | Provide sound financial and infrastructure management |
| Service and Engagement | Provide excellent employee customer service while leveraging promoting citizen engagement |
| Economic Development | Create strategic business investment that enhances quality of life |
| Community | To have a vibrant community while preserving natural and cultural, and historic resources |

Next Steps

- Recommend adoption of the proposed changes to BOS Strategic Plan
- Annual Presentations to full Board of Supervisors on progress of all County Strategic Plans – BOS Plan, Specific Focus Area Plans, and Departmental Strategic Plans
- Continue to evolve and update all Strategic Plans Annually and clarify reporting between plans(BOS Plan, Strategic Focus Area Plans, Department Plans)
- Update all Strategic Plans at least every five years
- Evaluate options for improved measurement and correlation between budgeted strategies and outcomes

Mrs. Kelly-Wiecek made a motion to adopt the recommended changes to the Board of Supervisors Strategic Plan. The motion was 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 |
| G. E. “Ed” Via, III | Aye |
| Elton J. Wade, Sr. | Aye |
| Aubrey M. Stanley | Absent |

Motion Approved.

XIII. Citizens’ Time

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

Ms. Emily Harlow, Henry Magisterial District, came forward to speak in opposition of the proposed Dollar General store in the Henry District, citing the large number of fellow citizens who are opposed and the traffic problems that will ensue.

Mr. Ron Harlow, Henry Magisterial District, came forward to speak in opposition of the proposed Dollar General store in the Henry District, citing traffic issues and the safety issues of large trucks needing to enter and exit the site.

Mr. Dennis Young, Henry Magisterial District, came forward to speak in opposition of the proposed Dollar General store in the Henry District, citing architectural design and traffic concerns.

Mr. Keith Ober, Henry Magisterial District, came forward to speak in opposition of the proposed Dollar General store in the Henry District, citing lack of community support, proximity to similar stores and traffic issues.

Ms. Jennifer Clements, Henry Magisterial District, came forward to speak in opposition of the proposed Dollar General store in the Henry District, citing safety issues with student drivers from Hanover High School, dangerous road conditions already present, the need for imposing standards of development requirements on the developer and the negative impact on the quiet, rural environment.

Mr. Lee Newton, Henry Magisterial District, came forward to speak in opposition of the proposed Dollar General store in the Henry District, citing the need for a turning lane, the narrow width of Pine Ridge Road and the future cost to taxpayers when these issues must be addressed.

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Ms. Carol Towns, Henry Magisterial District, came forward to speak in opposition of the proposed Dollar General store in the Henry District, citing safety concerns if the high school students use the private road for training and the change from a quiet, rural environment.

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

The Board members discussed the issues of previous zoning actions, no-parking signs, the lack of a turning lane, other traffic safety concerns, aesthetics of the proposed building and the possible benefit of residents contacting the landowner and/or company.

Mr. Rives explained the history of previous cases and the reason the County is unable to down-zone this property.

The Chairman announced a brief recess at 7:49 p.m.

The Chairman reconvened the meeting at 7:57 p.m.

XIV. Presentations

Eagle Scout Robert W. Scaplehorn – Troop 521 - Ashland Magisterial District

Mr. Via came forward and presented this award to Eagle Scout Scaplehorn.

Eagle Scout Michael Joseph Lenzi, Jr., Troop 500, Henry Magisterial District

Mr. Davis came forward and presented this award to Eagle Scout Lenzi.

XV. Presentations – Recognition of Robert R. Jeter, Jr.

Mr. Davis called Mr. Robert R. Jeter, Jr. forward and presented him with a letter of recognition on behalf of the Board. Mr. Davis conveyed the Board's appreciation to Mr. Jeter for his many years of service to Hanover County, including his years on the Board of Zoning Appeals and the Grand Jury.

XVI. Public Hearing – Lease of County Property – Between Hanover County and Zynnovation LLC for a location to pilot a new recycling technology. (Beaverdam Magisterial District)

Board Sheet Background:

Zynnovation, located in the Hanover County Clean Technology Innovation Center, proposes to evaluate the feasibility of recovering polymers from soiled disposable diapers. The recovered polymers would be utilized to manufacture irrigation tree mats. The Department of Public Works proposes to lease a 40' by 20' area at the Solid Waste Transfer Station site for the purposes of locating

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a 100 square foot processing building. Zynnovation will be responsible for all operating costs including diaper collection from local day cares, electricity, water, sewage (discharge approved by Hanover County DPU) and residue disposal costs. The lease would be for one year beginning October 1, 2015 and ending September 30, 2016. The Virginia Department of Environmental Quality has approved this project that is dependent on Zynnovation receiving a grant from the National Science Foundation. The lease amount will be \$1 per year.

The Department of Public Works will amend its Site Plan and Operations Plan to incorporate the pilot project upon Zynnovation receiving its grant approval from the National Science Foundation. This is anticipated to require a nominal amount of staff time.

The County Attorney’s Office has approved the attached form of the agreement.

Recommended Action:

Motion to authorize the County Administrator to enter into the lease of County property between Hanover County and Zynnovation LLC in a form approved by the County Attorney and authorize all actions necessary to implement the lease.

Mr. Mike Flagg, Director of Public Works, presented the Board with this request.

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

Seeing none, Mr. Davis closed the public hearing.

On motion of Mr. Hazzard, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve the lease of County property between Hanover County and Zynnovation LLC for a location to pilot a new recycling technology.

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

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XVII. Planning Public Hearings

C-24-02(c) AM. 1-14 – Gina M. and Erich M. Petschauer (Greenwood Creek Subdivision),

Request an amendment to the proffers approved with rezoning request C-24-02(c), Cauthorne Family, L.L.C. on GPIN 7759-89-6608, zoned AR-6(c), Agricultural Residential District with conditions, and located at the terminus of Greenwood Creek Drive (private road) approximately 3,400 feet east of its intersection with Greenwood Church Road (State Route 657) in the **South Anna Magisterial District**. The proposed zoning amendment would amend the cash proffer.

Planning Analysis:

- The request is to amend the following:
 - Reduce Proffer No. 1 from \$7,399.00 (capital & road improvements) to \$2,306.00 (road improvements)
 - The amended proffer is in accordance with the Business and Residential Development Road Improvements Transportation Policy

Recommendation:

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

Mr. David Maloney, Director of Planning, presented the Board with this request.

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

Seeing none, Mr. Davis closed the public hearing.

ORDINANCE C-24-02(c), AM. 1-14

OWNER OF RECORD: GINA AND ERICH MICHAEL PETCHAUER

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 27th day of August, 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

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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-24-02(c), Cauthorne Family, L.L.C. , of the property described as GPIN 7759-89-6608, located at the terminus of Greenwood Creek Drive (private road) approximately 3,400 feet east of its intersection with Greenwood Church Road (State Route 657) (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 July 1, 2014, and accepted by the Board:

1. The Property shall be developed in substantial conformity with the conceptual plan attached, titled "Layout 20 Lots" ("the Plan"), dated 5-10-2002, and revised 8-13-2002, and prepared by Goodfellow, Jalbert & Beard.
2. There shall be no removal of trees in the required rear and side yard area of each building lot, as defined by the Zoning Ordinance, with the exception of dead or diseased trees. This shall not prevent the removal of trees necessary for the construction of improvements, driveways, utility easements, drain fields, drainage facilities, wells, swimming pools, or basketball or tennis areas.
3. The owner agrees to dedicate thirty (30) feet of right-of-way measured from the centerline of Greenwood Church Road (State Route 657) to the property for future road widening when requested by the County, free of cost, and free of encumbrances interfering with the use for road purposes.
4. The 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 Two Thousand Three Hundred Six and 00/100 (\$2,306.0) 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 31, 2013. In the event funds are paid and are not used for such improvements, the County shall return the funds paid to the Owner or his successors in title.
5. There shall be no direct access to Fair Oaks Lane (private road).
6. There shall be no direct access from any lot to Greenwood Church Road (State Route 657).

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7. With the exception of the entrance road, a 50’ buffer shall be placed along Greenwood Church Road (State Route 657). Existing deciduous trees with a caliper of five (5) inches or greater, and coniferous trees four (4) feet or greater in height, shall be retained within the buffer.

8. Restrictive covenants shall be established which provide for a 50’ natural buffer along the western and northern property lines as depicted on the conceptual plan titled “Layout 20 Lots” (“the Plan”), dated May 10, 2002, and revised August 13, 2002. Such restrictions shall be recorded concurrently with the final subdivision plat.

9. All house foundations shall be brick, stone and/or stucco.

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.

On motion of Mr. Hazzard, seconded by Mr. Via, the members of the Board of Supervisors voted to approve Ordinance C-24-02(c), Am. 1-14, Gina and Erich Michael Petchauer as follows:

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

C-30-04(c) AM. 1-14 – Adrienne L. and James D. Knox (Main Street Homes) (Triple Oaks Subdivision), Requests an amendment to the proffers approved with rezoning request C-30-04(c), Triple Oaks, L.L.C. (KLS, L.L.C.) on GPIN 7739-99-9099, zoned RC(c), Rural Conservation District with conditions, and located on Whispering Creek Circle (private road) approximately 1,500 feet west of its intersection with Triple Oaks Estates Drive (private road) in the **South Anna Magisterial District**. The proposed zoning amendment would amend the cash proffer.

Planning Analysis:

- The request is to amend the following:
 - Reduce Proffer No. 8 from \$7,700.00 (capital & road improvements) to \$2,306.00 (road improvements)

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- The amended proffer is in accordance with the Business and Residential Development Road Improvements Transportation Policy

Recommendation:

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

Mr. Maloney presented the Board with this request.

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

Seeing none, Mr. Davis closed the public hearing.

ORDINANCE C-30-04(c), AM. 1-14

OWNER OF RECORD: ADRIENNE L. AND JAMES D. KNOX (MAIN STREET HOMES)

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 27th day of August, 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-30-04(c), Triple Oaks, L.L.C. (KLS, L.L.C.), of the property described as GPIN 7739-99-9099, located on Whispering Creek Circle (private road) approximately 1,500 feet west of its intersection with Triple Oaks Estates Drive (private road) (a detailed description is filed with the Board's papers), zoned RC(c), Rural Conservation District with conditions, subject to the following conditions which were proffered by the Applicant on May 5, 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 Two Thousand

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Three Hundred Six and 00/100 (\$2,306.00) 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 improvements, the County shall return the funds paid to the Owner or his successors in title.

2. The exterior foundation of houses shall be brick or stone construction unless the house is constructed of synthetic stucco (DriVit) in which case the foundation shall be of like material. Above the foundation, the exterior of the houses shall be constructed of brick, stone, synthetic stucco (DriVit), premium vinyl siding or concrete based siding material (Hardi Plank).
3. The minimum house size shall be two thousand five hundred (2,500) square feet of floor area measured along the exterior walls of the structure, but not including garages or breezeways in the calculation.
4. There shall be no removal of trees five inches (5”) in caliper or greater in the required rear and side yard setback areas of each building lot as defined by the Zoning Ordinance with the exception of dead or diseased trees. This shall not, however, prevent the removal of trees necessary for the construction of improvements, driveways, utility easements, drainfields, drainage facilities, wells, swimming pools or basketball or tennis areas. No trees five inches (5”) in caliper or greater may be cleared in the Common Open Space with the exception of clearing necessary for the installation of utilities, pathways or recreational facilities designed to serve the residents.
5. The Property Owner shall record an easement concurrently with recordation of the subdivision, for the benefit of the owners’ association for the Property. The easement shall establish a twenty five foot natural buffer for the benefit of the owners’ association along the side and rear lot lines within Lots 1-6 as shown on the conceptual plan. The easement shall provide that trees five inches (5”) in caliper or greater shall not be removed from within the easement with the exception of dead, dying or diseased trees.

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.

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On motion of Mr. Hazzard, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve Ordinance C-30-04(c), Am. 1-14, Adrienne L. and James D. Knox (Main Street Homes), as follows:

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

C-5-14(c) – Linda and Joseph Doane, Request to rezone from A-1, Agricultural District, to AR-6(c), Agricultural Residential District with conditions, on GPIN 8744-75-0551, consisting of approximately 39.86 acres, and located on the south line of Parsleys Mill Road (State Route 609) at its intersection with Crown Hill Road (State Route 632) in the **Cold Harbor Magisterial District**. The subject property is designated on the General Land Use Plan Map as Agricultural. The proposed zoning amendment would permit the creation of one additional building lot for a gross density of one (1) dwelling unit per 19.93 acres.

Planning Analysis:

- The applicant is proposing to rezone to AR-6(c) to permit the creation of 2 lots:
 - 5.43 acre lot with the existing house
 - 34.43 acre lot

Proffers:

- Conceptual plan
- Tree Preservation
- Contribution for Road Improvements
- Dedication of Right-of-Way

Recommendation:

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

Mr. Maloney presented the Board with this request.

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

Seeing none, Mr. Davis closed the public hearing.

ORDINANCE C-5-14(c)

OWNER OF RECORD: LINDA AND JOSEPH DOANE

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 27th day of August, 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 the rezoning of the property described as GPIN 8744-75-0551, consisting of 39.86± acres located on the south line of Parsleys Mill Road (State Route 609) at its intersection with Crown Hill Road (State Route 632), (a detailed description is filed with the Board's papers) from A-1, Agricultural District, to AR-6(c), Agricultural Residential District with conditions, subject to the following conditions which were proffered by the Applicant on June 19, 2014, and accepted by the Board:

1. Conceptual Plan. The property shall be divided in substantial conformity with the conceptual plan attached, titled "Compiled Plat & Conceptual Plan for Rezoning of GPIN 8744-75-0551 for Joseph & Linda Doane," dated April 27, 2014, revised June 2, 2014, and prepared by Goodfellow, Jalbert, Beard and Associates (the "Conceptual Plan").
2. Tree Preservation. Existing trees of 5 inch caliper or greater on the Property shall not be removed with the exception of dead or diseased trees or parts thereof. This shall not prevent the removal of trees necessary for the construction of improvements, driveways, drainfields, or drainage facilities. With the exception of areas found to be located in Chesapeake Bay Resource Protection Areas (RPA), tree removal for the purposes of expanding the pasture shall

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be limited to areas no lower than the 172' contour, as generally depicted on the Conceptual Plan.

3. Contribution for Road Improvements. The 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 Two Thousand Three Hundred Six and 00/100 (\$2,306.00) 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 improvements, the County shall return the funds paid to the Owner or his successors in title.

4. Dedication of Right-of-Way. The Property Owner agrees to dedicate thirty (30) feet of right-of-way from the centerline of Crown Hill Road (State Route 632) and twenty-five (25) feet of right-of-way from the centerline of Parsleys Mill Road (State Route 609) to the property for future road widening, free of cost to the County, upon request of the County of VDOT.

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.

On motion of Mr. Wade, seconded by Mr. Peterson, the members of the Board of Supervisors voted to approve Ordinance C-5-14(c), Linda and Joseph Doane, as follows:

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

SE-9-14 – Bon Secours – Memorial Regional Medical Center, Requests a Special Exception Permit in accordance with Section 26-338 of the Hanover County Zoning Ordinance to allow two signs larger than permitted on GPINs 8705-54-0926 and 8705-53-7813, consisting of approximately 1.78 acres, zoned B-1(c), Neighborhood Business District with conditions, and located at the Atlee Road entrance to Memorial Regional Medical Center, on the east line of Atlee Road (State Route 638), at its

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intersection with Summer Walk Parkway (State Route 1900), and Meadowbridge Road entrance to Memorial Regional Medical Center, on the west line of Meadowbridge Road (State Route 627), approximately 1,600 feet north of its intersection with Atlee Road in the **Chickahominy Magisterial District**.

Planning Analysis:

- The proposed signs incorporate an electronic message board so that temporary advertisement signs are no longer needed

| | Permitted (max) | Proposed | Difference |
|-------------|-----------------|------------|------------|
| Sign Area | 30 s.f. | 73.67 s.f. | 43.67 s.f. |
| Sign Height | 6' | 14' 8" | 8' 8" |

Recommendation:

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

Mr. Maloney presented the Board with this request.

It was noted that Mr. Peterson is a member of the Community Advisory Board for Memorial Regional Medical Center, but this does not constitute a conflict of interest as Mr. Peterson has no personal interest in the matter.

Following his presentation, Mr. Maloney answered questions from Board members. Hearing no other questions, Mr. Davis opened the public hearing and asked that anyone wishing to speak for or against the matter come forward.

Seeing none, Mr. Davis closed the public hearing.

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 Bon Secours – Memorial Regional Medical Center is granted a Special Exception Permit in accordance with Section 26-338 of the Hanover County Zoning Ordinance to allow two signs larger than permitted on GPINs 8705-54-0926 and 8705-53-7813, consisting of approximately 1.78 acres, zoned B-1(c), Neighborhood Business District with conditions, subject to the following conditions:

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1. The applicant shall obtain all necessary permits, including both a sign permit and a building permit, prior to construction of each sign. Location of the sign shall be outside the sight distance triangle and the area of any public utility easement.
2. The current hospital identification sign located in the median of the Atlee Road entrance to the hospital shall be removed within 30 days of the installation of the sign, which is the subject of this Special Exception Permit.
3. The current hospital identification sign located in the median of the Meadowbridge Road entrance to the hospital shall be removed within 30 days of the installation of the sign, which is the subject of this Special Exception Permit.
4. All temporary advertising signs shall be removed from the hospital properties prior to issuance of a building permit for either of the signs approved with this Special Exception Permit.
5. All development and use of the Property shall comply with all federal, State and local statutes, ordinances and regulations.

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

On motion of Mrs. Kelly-Wiecek, seconded by Mr. Peterson, the members of the Board of Supervisors voted to approve SE-9-14 – Bon Secours – Memorial Regional Medical Center.

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

SE-12-14 – Carol and Roger Martin, Requests a Special Exception Permit in accordance with Section 1.4.5 (repealed AR-1 District) of the Hanover County Zoning Ordinance to permit a private garage for more than four (4) automobiles on GPIN 8715-78-5568, consisting of approximately 4.1 acres, zoned AR-1, Agricultural Residential District, and located on the east line of Verdi Lane (State Route 710) approximately 850 feet north of its intersection with Pole Green Road (State Route 627) in the **Henry Magisterial District**.

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Planning Analysis:

- The applicants are proposing a detached private garage, approx. 1,856 sq. ft.
 - The space will accommodate more than 4 vehicles, as well as lawn equipment, tools, a work area and restored collector's items
- The sketch plan shows the proposed garage structure will be located to the rear of the house, exceeding the required setbacks
- The property is heavily wooded and the garage should not be visible from the road

Recommendation:

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

Mr. Maloney presented the Board with this request.

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

Seeing none, Mr. Davis closed the public hearing.

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 Carol and Roger Martin are granted a Special Exception Permit in accordance with Section 1.4.5 (repealed AR-1 District) of the Hanover County Zoning Ordinance to permit a private garage for more than four (4) automobiles on GPIN 8715-78-5568, consisting of approximately 4.1 acres, zoned AR-1, Agricultural Residential District, subject to the following conditions:

1. The garage, which is subject to this Special Exception, shall be limited to 1,856 square feet.
2. All development and use of the Property shall comply with all federal, state and local statutes, ordinance and regulations.

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

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On motion of Mr. Davis, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve SE-12-14 – Carol and Roger Martin.

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

SE-13-14 – Nancy Pecsok, Requests a Special Exception Permit in accordance with Section 26-21.3 of the Hanover County Zoning Ordinance to permit a commercial dog kennel on GPIN 7769-71-2498, consisting of approximately 4.58 acres, zoned A-1, Agricultural District, and located on the south line of Melton Place Drive (private road) approximately 725 feet west of its intersection with Melton Road (State Route 679) in the **Beaverdam Magisterial District**.

Planning Analysis:

- The proposed commercial dog kennel is for up to 5 dogs to be boarded inside the applicant’s house
- The sketch plan shows access to a fenced area in the backyard and sufficient parking onsite for customers
- The County’s noise ordinance states that animal noises from commercial kennels are governed by the conditions of approval of the Special Exception
 - Staff has recommended a condition that requires the enforcement of that portion of the noise ordinance for excessive barking of dogs

Recommendation:

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

Mr. Maloney presented the Board with this request.

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

Seeing none, Mr. Davis closed the public hearing.

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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 Nancy Pecsok is granted a Special Exception Permit in accordance with Section 26-21.3 of the Hanover County Zoning Ordinance to permit a commercial dog kennel on GPIN 7769-71-2498, consisting of approximately 4.58 acres, zoned A-1, Agricultural District, subject to the following conditions:

1. No more than five (5) dogs shall be boarded on the property, and all dogs shall be boarded inside the house. This condition does not apply to the property owner’s personal dogs.
2. No dog shall create howling, barking, whining, or other such noises which are plainly audible across a property boundary or through partitions common to two (2) residences within a building and that take place continuously or repeatedly (i) during a period of at least fifteen (15) minutes in duration between 7:00 a.m. until 10:00 p.m. or (ii) during a period of at least ten (10) minutes in duration between 10:00 p.m. and 7:00 a.m.
3. Customer parking shall be limited to the driveway only. No customers shall park along Melton Place Drive.
4. All development and use of the Property shall comply with all federal, state and local statutes, ordinance and regulations.

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

On motion of Mr. Hazzard, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve SE-13-14 – Nancy Pecsok.

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

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SE-14-14 – Wright’s Enterprise, L.L.C., Requests a Special Exception Permit in accordance with Section 26-131.5 of the Hanover County Zoning Ordinance to allow a dwelling for use by the proprietor or employee of a business on GPIN 8745-19-6168, consisting of approximately 1.307 acres, zoned B-3, General Business District, and located on the north line of Mechanicsville Turnpike (U.S. Route 360) approximately 1,050 feet east of its intersection with New Bethesda Road (State Route 634) in the **Henry Magisterial District**.

Planning Analysis:

- The subject property is zoned B-3, which allows for living quarters for the owner/employee of the business operating at the location with a Special Exception Permit
- S&W Excavating, L.L.C. operates out of 1 of the 2 buildings on the property and the owner of that business wishes to have living quarters on-site
- The conversion of the space from commercial to residential is subject to inspection and approval by the Building Inspector’s office
 - Approval will result in no exterior changes

Recommendation:

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

Mr. Maloney presented the Board with this request.

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

Seeing none, Mr. Davis closed the public hearing.

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 Wright’s Enterprise, L.L.C. is granted a Special Exception Permit in accordance with Section 26-131.5 of the Hanover County Zoning Ordinance to allow a dwelling for use by the proprietor or employee of a business on GPIN 8745-19-6168, consisting of approximately 1.307 acres, zoned B-3, General Business District, subject to the following conditions

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1. The living quarters permitted by this Special Exception Permit shall only be occupied by the owner or employee of a business operating on GPIN 8745-19-6168.
2. All requirements of the Building Inspector’s Office shall be met.
3. All development and use of the property shall comply with all federal, State, and local laws and regulations.

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

On motion of Mr. Davis, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve SE-14-14 – Wright’s Enterprise, L.L.C.

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

SE-15-14 – Jean and Robert Brummell, Request a Special Exception Permit in accordance with Section 3.6.2(a) (repealed R-1 District) of the Hanover County Zoning Ordinance to allow a private garage for more than four (4) automobiles on GPIN 8706-77-8733, consisting of approximately 0.52 acres, zoned R-1, Single Family Residential District, and located on the west line of Braxton Way (State Route 1052) approximately 250 feet north of its intersection with Crown Colony Parkway (State Route 1050) in the **Chickahominy Magisterial District**.

Planning Analysis:

- The property is located in Crown Colony Subdivision, and has an existing 2-car garage
- The applicant is requesting to construct a 2nd garage that will provide the owners storage for more than 4 vehicles
- The sketch plan shows the existing structures and the proposed 2nd garage structure, which meets setback requirements at the proposed location

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- A drawing was submitted depicting the proposed 3-car garage, and shows frame construction with a brick foundation and vinyl siding
- The applicants submitted their plans for the 2nd garage to the Crown Colony architectural review committee (ARC) and the proposed structure was approved

Recommendation:

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

Prior to the presentation, Mrs. Kelly-Wiecek made a motion to defer SE 15-14 for 30 days. The motion was seconded by Mr. Hazzard.

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

Motion approved.

XV. Announcements/Adjournment

Mr. Rhu Harris reminded all present that school will be starting on September 2nd. He explained that the update from Dr. Wilson, School Superintendent may be moved from the September 10th meeting to the September 24th meeting due to scheduling conflicts. The Board will be notified once the presentation date is finalized.

At 8:32 p.m. the Chairman adjourned the meeting to September 10, 2014 – Hanover County Administration Building – 2:00 p.m.

**HANOVER COUNTY BOARD OF SUPERVISORS
MINUTES**

**Hanover County Administration Building
Board Room**

September 10, 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 10th day of September, 2014, at 2:00 p.m.

Present: 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

Absent: Mr. Sean M. Davis, Chairman

I. Call to Order

The Vice-Chairman called the meeting to order at 2:01 p.m. All Board members were present except for Chairman Sean Davis.

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

II. Consideration of Agenda Amendments

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

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III. Citizens’ Time

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

Seeing none, the Vice-Chairman closed citizens’ time.

IV. Consent Agenda

Mr. Via made a motion to approve the consent agenda as presented, seconded by Mr. Stanley.

| | Vote: |
|---------------------|--------|
| 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 |
| Sean M. Davis | Absent |

Motion approved.

IV-A. Consideration of Proposed Third Amendment to Development/Acquisition Agreement with Lewistown Commerce Center LLC and Lewistown Commerce Center Community Development Authority

Board Sheet Background:

The proposed Third Amendment to the Development/Acquisition Agreement with Lewistown Commerce Center LLC and Lewistown Commerce Center Community Development Authority (“CDA”) recognizes that the development of an outlet center in the Lewistown CDA, as anticipated in the First and Second Amendments to the original Development/Acquisition Agreement, is not likely in the near future. Therefore, the proposed Third Amendment provides for the use of \$1,040,000 of CDA bond proceeds to finance certain specified infrastructure improvements benefiting property within the CDA district, including County park lands, in lieu of the construction of the originally anticipated “ring road” designed to serve the outlet center. The Third Amendment also provides for the phased release of the public access easement recorded for the purpose of the “ring road”.

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Board Sheet Background:

Motion to Approve the Third Amendment to Development/Acquisition Agreement with Lewistown Commerce Center LLC and Lewistown Commerce Center Community Development Authority

IV-B. Adoption of Resolution – Acceptance of Streets into the Secondary System of Highways – Honey Meadows Subdivision, Section 3 (Chickahominy Magisterial District)

Board Sheet Background:

Honey Meadows, Section 3 is a 20 lot subdivision recorded on September 9, 2008. The Virginia Department of Transportation – Ashland and the Departments of Planning and Public Works recommend processing for acceptance of streets in the attached resolution into the State Secondary System.

Recommended Action:

Adopt the attached resolution requesting the Virginia Department of Transportation to accept Harvest Honey Road in Honey Meadows Subdivision, Section 3 into the Secondary System of State Highways.

RESOLUTION

WHEREAS, the street(s) described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Hanover County, and

WHEREAS, the representative for the Virginia Department of Transportation has advised this Board that the street(s) in **Honey Meadows – Section 3** meets the requirements established by the Virginia Department of Transportation's Subdivision Street Requirements, and

NOW, THEREFORE, BE IT RESOLVED, the Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, after receiving a copy of this resolution and all outstanding fees and documents required of the developer, whichever occurs last in time, and

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BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Area Land Use Engineer for the Virginia Department of Transportation.

On motion of Mrs. Kelly-Wiecek, seconded by Mr. Via, the members of the Board of Supervisors voted to approve the resolution as follows:

| | Vote: |
|---------------------|--------|
| 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 |
| Sean M. Davis | Absent |

V. Virginia Association of Counties (VACo) – Achievement Award – Department of Public Works

Ms. Phyllis Errico with VACo came forward to present the achievement award to Hanover County. She noted that Hanover has won seven VACo achievement awards. The criteria for selection includes determining if the program does the following:

- Offers an innovative solution to a problem, situation or delivery of services
- Promotes intergovernmental cooperation or cooperation with a private enterprise to address a problem or situation
- Provides a model that other local governments may learn from or implement in their localities
- Represents an innovative approach or customization by a local government

Mr. Mike Flagg, Director of Public Works, came forward and provided the Board with the details of the project as follows:

Solid Waste Compactor Stormwater Pollution Prevention Overview

The Hanover County Department of Public Works is committed to collecting solid waste in a manner that least impacts the environment. Hanover County manages its residential waste stream by operating six solid waste convenience centers that receive over 26,000 tons of municipal solid waste

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(MSW) per year. In addition, the solid waste convenience centers collect significant amounts of recyclables including containers, paper, yard waste and special wastes.

As is the case with many convenience centers throughout Virginia, Hanover County utilizes stationary compactors to maximize its payloads prior to transport to the central 301 Transfer Station. Hanover County recognized that the design of the stationary compactors and the standard roll-off compactor container leaked both liquids and solids during the compaction process. Hanover County was determined to design a system that eliminated both types of discharges which threatened to pollute the environment.

To solve the very difficult issues required working directly with vendors to develop new designs for the stationary compactors and roll-off containers. In addition, new technology for stormwater prevention needed to be introduced while making changes to operating standards.

The result of this undertaking is a system that provides significant protection of the environment during solid waste collection and processing. Other local jurisdictions and the Virginia Department of Environmental Quality have visited Hanover County solid waste facilities to observe and better understand the methods and their application.

Hanover County Stationary Compactor System

Hanover County has six solid waste convenience centers equipped with nine stationary compactors for MSW. Three of the stationary compactors are standard (RJ 550) and six are pre-crushing units (RJ 450 PC). The added figure of a pre-crusher is its movable steel wall that bulky material is crushed against. All of the compactors used by Hanover County are manufactured by Marathon Equipment. Various manufacturers are used to produce the roll-off compactor containers. Three major areas of concern were identified. Two were associated with the compactor and one with the container.

The snout is the portion of the stationary compactor that extends into the container. The compacted solid waste is transported across the snout into the container. The difficulty is that liquids often leak out since the snout (standard snout is five inches) may not extend far enough into the container to get beyond the container door. Hanover County redesigned the snout to extend thirteen inches into the container and in other words, the entire length of compaction ram penetration or well past the door interface.

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A standard compactor is designed to discharge both liquids and solids that build up under the compaction blade. The discharge takes place as the blade retracts during its normal return cycle. The compactor is equipped with hinged side doors that allow for the release of liquids and manual removal of solid debris. This system was of great concern. Hanover County researched compactor manufacturers throughout the nation to see if anyone had developed an alternative design. SP Industries, a mid-west company, had developed a baffle system to collect discharging material that was primarily used for wet loads (melting ice) from commercial airlines. Hanover County began working with the baffle concept to see if it could be applied to other compactor systems. There were immediate challenges associated with the compaction cylinder placement and connected hoses as well as the cylinder cross supports. Hanover County staff designed a baffle with a discharge lip for a trial on a standard and pre-crusher compactor. The lip allowed for the system to have some storage capacity.

The first unit installed was the standard stationary compactor. The baffle extended the entire width of the unit and discharged along the bottom where the opening is located. The baffle had a slight angle to promote contaminated liquid discharge into the roll-off compactor container. The lip was seven inches tall at a forty-five degree angle.

The system worked by discharging liquid and solidwaste material into a plastic clean-out tray located in the other half of the bottom low maintenance system. The first of these improvements was applied to the pre-crusher pilot design. The angle of the lip was reduced by fifty percent as well as the length of the lip. This modification allowed for an easier flow of discharge waste into the receiving tray.

Hanover County staff was now ready to work with Marathon Equipment to redesign a compactor baffle system based on what it had learned from its two pilot projects. Drawings were prepared by Hanover County Public Works staff with the new baffle concept including the shorter and lower lip. In addition the design included turning the compaction cylinder upside down to remove the hydraulic hoses from the baffle area and thus, eliminate a potential area of material bridging. A side clean-out door was also designed to provide improved access to any jams. Marathon Equipment's engineers turned the Public Works concept drawings into design specifications and the project, which consisted of two new RJ 550 compactors were ready to be bid.

Hanover County was able to purchase the two compactors for \$46,500. Public Works staff installed the compactors and placed the units into service after attaching them to the hoppers. The

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stationary compactors functioned perfectly. Liquid and solid debris were retained with the baffle system and were discharged over the lip into the clean out tray. Employees no longer had the difficult and messy job of cleaning under the compactor. Rain water mixing with the waste and requiring clean-up is no longer a challenge. The environment is protected and the employees' working conditions such as leachate exposure are greatly improved as liquid materials drain to the container and solids discharge into the holding tray for clean-out. The same technology will be applied to all future Hanover County compactor purchases including a pre-crusher in the next fiscal year.

Compactor Cover

A constant environmental concern is rain water that enters into the normal stationary compactor. A carport kit was ordered and divided into thirds. Public Works staff installed the covers over all three stationary compactors at its Mechanicsville Solid Waste Convenience Center which eliminated direct rainfall into the units.

Roll-off Compaction Container

The compaction container is the other critical component of the system. A typical container is forty cubic yards and octagon in design. The ram from the compactor pushes MSW into the container. A rear door with an opening for the compactor blade is attached and opens when waste is discharged at the 301 Transfer Station. Because the door is not water tight, liquids would leak from the door and container body interface. The solution needed to be two fold. Hanover County decided to use technology typically associated with wet waste or sludge hauling.

A design for the door included a water tight gasket and ratchet system to tighten the door seal. The compactor blade opening in the container door started at four inches above the floor to allow for a liquid holding capacity within the container of three hundred gallons. The unique containers were manufactured by Buck's Manufacturing and have solved the liquid discharge issue.

Conclusion

Hanover County has developed an aggressive program and design to significantly reduce the exposure of solid waste to rainfall. Stationary compactor designs have been modified to control the discharge of solids and liquids from both the stationary compactors and roll-off compactor containers. Off the shelf designs were not available so a collaborative effort was required with various manufacturers following pilot test installations engineered by Hanover County Public Works. Numerous government officials and nearby jurisdictions have visited the convenience centers to

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observe the design and the manufacturers now offer the Hanover County design as an option when ordering a compactor.

Mr. Flagg expressed his appreciation to his staff and noted that many complements that have been received from the Virginia Department of Environmental Quality.

Ms. Errico returned to the podium and offered her congratulations. She noted that VACo will recognize Hanover County's achievements at its annual conference on November 9, 2014 in Bath County.

Present to accept the award were: Mike Flagg, Steve Chidsey, Linda Barker, Charles Mathews, Mark Seay and John Bourret.

VI. Presentation – Richmond Region Age Wave

Thelma Bland Watson, PhD, Executive Director, Senior Connections, The Capital Area Agency on Aging and Sara A. Link, MS, Director, Greater Richmond Age Wave Readiness Coalition, VCU School of Allied Health Professions – Gerontology, came forward to give a presentation to the Board on *The Greater Richmond Age Wave: Our Regional Opportunity and Implementation*.

The Hanover Senior Rides program was detailed. It is a program that offers rides to seniors (60+) who are no longer able to drive but would like to stay in their home as long as possible. The program provides rides to those who may have a medical condition that requires frequent trips for medical treatments such as dialysis or chemotherapy. This free transportation program is for scheduled medical appointments, grocery shopping and for personal business, such as banking.

Mr. Charles Rasnick, Vice President, MCEF (Mechanicsville Churches Emergency Functions) was recognized for his work with the Hanover Senior Rides program.

The role of the managing partners, Senior Connections and VCU, was described and it was noted that the Age Wave plan for the region promotes independence and a high quality of life for seniors.

Ms. Link described the regional plan which was started in 2009. She noted the alignment with the Hanover County Human Services Strategic Plan. She described some of the programs, such as *CATCH Healthy Habits*. Ms. Link explained that there are four workgroup areas: Scorecard, Toolkit, GeroTrifecta and Age-Friendly Business Strategy.

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Ms. Watson stressed the importance of transportation through their Mobility Management Program. She also described the need for age-friendly housing.

Following the presentation, the Board members had questions and comments about:

- The increase in age expectancy
- Strategies for reducing long term unemployment for those over 50
- The need for programs to assist seniors with the use of new computer programs and equipment
- The Board's pride in the amount of volunteerism in Hanover County but the continued need for further transportation opportunities

VII. Legislative Workshop – 2015 Session of the Virginia General Assembly

Mrs. Angela Kelly-Wiecek gave a presentation on the Hanover County Legislative Agenda for the 2015 General Assembly Session. She noted that the Legislative Committee has met twice this year to take a look at what will be discussed with our legislators.

2015 Legislative Agenda Action Items:

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

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department of social services and the testimony sought is related to such employment. (Mr. Sterling Rives, County Attorney, noted that Senator did submit a bill last year for drafting that used this approach.)

- Request that the Department of Environmental Quality conduct or commission a comprehensive study to determine the potential environmental and health risks of the land application of industrial residuals and to establish regulations specifically designed for industrial residuals based on the characteristics of residuals from different sources, including testing parameters, application methods, setbacks, record keeping, inspection protocols and enforcement authority.

There was a discussion at this point on the recent application for the use of industrial residuals in Hanover County and the efforts of Mr. Stanley in contacting the land owner which resulted in the withdrawal of the plan. A letter has been drafted from the Chairman, on behalf of the Board, to the Chairman of the State Water Control Board and the Director of Virginia DEQ. This letter conveys the concerns expressed by citizens and requests that draft permit # VPA-0000584 (Synagro Central, LLC) be denied until a study is conducted by DEQ. The letter further states the Board's opposition to the issuance of any such permit until further regulations have been designed.

Mr. Stanley made a motion that the Board formally support this letter. The motion was seconded by Mr. Peterson.

| | Vote: |
|---------------------|--------|
| 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 |
| Sean M. Davis | Absent |

Motion Approved.

2015 Legislative Agenda Action Items continued:

- Request that the date of primary elections held in the month of June be changed from the second Tuesday to the third Tuesday in June and to change candidate filing deadlines to reflect that change of date. Because many localities use public school buildings for polling places, this change would minimize the number of occasions when

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primary elections held in June would take place while public schools are still in session. This change would reduce interference with school functions, enhance student safety and facilitate the conduct of primary elections.

There was a discussion at this point on the primary dates. It was noted that a number of the School Principals have expressed concerns with voting taking place during the school year, specifically with regard to student safety. This has been taken to VACo's Administrative Steering and Educational Committees. This issue is being placed on VACo's legislative agenda as well.

2015 Legislative Agenda Action Items continued:

- Request that the General Assembly amend the Code of Virginia to require that all bills that have a local fiscal impact—whether to localities or local school divisions—be filed on the first day of a Session of the General Assembly to provide time for fiscal impact analysis.

Positions on Legislation Anticipated to Come before the 2015 Session:

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

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Legislative Policy Statements:

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

It was noted that there is a proposed additional policy statement:

- Support additional legislative and regulatory requirements for public K-12 education only if they are reasonably cost effective, will result in demonstrable improvements to educational outcomes or student health and safety and are funded by the state on an ongoing basis.

Following the presentation, there was a detailed discussion on budget matters, including State budget shortfalls in the adopted budget. It was noted that the General Assembly has an upcoming special session regarding the matter. It was also noted that the budget reductions that must be made by the County in the School budget will not result in a reduction in teacher salary increases.

Mrs. Kelly-Wiecek made a motion to adopt the Proposed Legislative Agenda, including the additional policy statement. The motion was seconded by Mr. Via.

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

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| | |
|--------------------|--------|
| Elton J. Wade, Sr. | Aye |
| Sean M. Davis | Absent |

VIII. Closed Session - Section 2.2-3711(A)(7) of the Code of Virginia – Briefings by legal counsel – (A) Legislative Prayer after Greece v. Galloway and (B) Section 15.2-2208.1 (HB 1054)

Mr. Stanley moved that the Board of Supervisors go into Closed Session pursuant to the following: Section 2.2-3711(A)(7) of the Code of Virginia – Briefings by legal counsel – (A) Legislative Prayer after Greece v. Galloway and (B) Section 15.2-2208.1 (HB 1054). The motion was seconded by Mrs. Kelly-Wiecek.

| | |
|---------------------|--------|
| | Vote: |
| 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 |
| Sean M. Davis | Absent |

Motion Approved.

Board members entered Closed Session at 3:29 p.m. At the conclusion of the Closed Session, all Board members returned to the Board room, and the Vice-Chairman called the regular meeting back to order at 4:17 p.m.

Certification of Closed Session

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

| | |
|---------------------|--------|
| | Vote: |
| 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 |
| Sean M. Davis | Absent |

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Motion Approved.

IX. Announcements/Adjournment

Mr. Hazzard announced that the Woodsmen of the World held a 9/11 Memorial Ceremony today. He noted the important and patriotic work done by that organization.

Mr. Rhu Harris, County Administrator, announced that there will be a 9/11 Memorial Ceremony held tomorrow at the Harmon-Taylor Complex on Winston Road. There will also be ceremonies at the war memorial and the Beaverdam Volunteer Fire Company.

At 4:19 p.m. the Vice-Chairman adjourned the meeting to September 24, 2014 – Hanover County Administration Building – 6:00 p.m.