

# Board of Supervisors Minutes – January 8, 2014

**VIRGINIA:** At a regular meeting of the Hanover County Board of Supervisors held in the Board Room of the Hanover County Administration Building, Hanover County, Virginia, on Wednesday, January 8, 2014 at 2:00 P.M.

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

## I. Call to Order

The Chairman called the meeting to order at 2:00 P.M. All Board Members were present.

### A. Invocation

The invocation was given by Mr. Via.

### B. Pledge of Allegiance

The Pledge of Allegiance was led by Mr. Davis.

## II. Consideration of Amendments to the Agenda

Mr. Peterson asked if there were any amendments to the Agenda.

Mr. Davis asked that the Board of Supervisors note that staff had placed an amendment to Item IV.D – Appointments to recommend that the Circuit Court Judge reappointment to the Board of Equalization Mr. Rino (Rick) Balducci. With that revision Mr. Davis **MOVED** to make that amendment.

Mrs. Kelly-Wiecek **SECONDED.**

	<u>Vote:</u>
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye

# Board of Supervisors Minutes – January 8, 2014

Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion approved.

### III. Citizens' Time

*Offered to anyone who wants 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. If you have issues or questions for any agenda items, you are encouraged to contact, prior to the Board Meeting, applicable County staff and/or your Board representative.*

Mr. Peterson asked if anyone wished to speak during citizens' time. Seeing no one come forward, he closed Citizens' Time.

### IV. Consent Agenda

Mr. Peterson asked if anyone wished to have anything pulled from the Agenda. He advised that there was a revised appointment sheet.

Mr. Stanley made a **MOTION** to approve the following Consent Agenda.

Mr. Davis **SECONDED**.

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

Motion approved.

### A. Budget Supplement and Authorization of Public Safety Training and Response Equipment with Asset Forfeiture Funds – Sheriff's Office - \$7,949.

*Board Sheet Background:*

## Board of Supervisors Minutes – January 8, 2014

The Hanover County Sheriff's Office has received grant funding through the Virginia Attorney General's Asset Forfeiture Sharing Program.

Hanover County's Crisis Intervention Team (CIT) is designed to assist law enforcement and other first responders to effectively communicate to those who are in a psychiatric crisis. 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, mental health consumers and their families. This funding would be utilized in continuing community outreach and education.

The Sheriff's Office is requesting approval to spend \$7,949 in current year forfeiture funds to purchase public safety training and response equipment.

Training	\$450
Equipment	\$2,250
Supplies	\$5,249
Total	\$7,949

As of December 2013, the Sheriff's Office has \$277,488.02 remaining in Federal Forfeiture Funds. This amount is roughly equivalent to the last three years of funds received (FY11-13). 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 Department concurs with this request.

On motion of Mr. Stanley, seconded by Mr. Davis, the Hanover County Board of Supervisors approved the budget supplement and purchase of public safety training and response equipment with Asset Forfeiture Funds in the amount of \$7,949. (A copy of the Budget Supplement is filed with the Board's papers.)

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

Motion approved.

### **B. Budget Transfer of Reserve for Contingencies – Technology Improvements \$205,000.**

# Board of Supervisors Minutes – January 8, 2014

## *Board Sheet Background:*

This budget transfer is being requested to fund technology investments county-wide. The projects to be funded are:

1. Computer Replacement Program - \$50,000
2. LaserFiche - \$80,000
3. VCAIS System - \$75,000

The County currently has a number of desktop and laptop computers that are more than five years old, which is the point at which issues typically, arise. As new enterprise applications are deployed using full feature client side applications the need to keep the client systems current becomes more apparent. Computers are only replaced when the equipment is no longer functional.

The County has implemented LaserFiche document management software in several Departments. Departments are acquiring full licenses and adding documents to the system. The requested funds are to purchase a site license to provide read/search access for all County employees. These funds will cover a site read-only license (\$60,000) and provide for training (\$20,000).

VCAIS (Virginia Commonwealth's Attorney's Information System) is the Commonwealth's Attorney's case reporting system that the State is no longer supporting. The software master copy has been eliminated so now only the jurisdictional copies exist; meaning changes must be made on each system at the local level.

After approval of this transfer, there will be \$781,742 remaining in the Reserve for Contingencies. Finance & Management Services concurs with this transfer request.

On motion of Mr. Stanley, seconded by Mr. Davis, the Hanover County Board of Supervisors approved the Budget Transfer of Reserve for Contingencies for technology improvements in the amount of \$205,000 as follows:

Department: Information Technology, CIP  
General Fund

### Expenditures:

Additions to Expenditures

Non-Departmental

Transfer to Capital Project Fund

205,000

Total additions to expenditures

\$ 205,000

Deductions to Expenditures

Nondepartmental

Reserve for Contingencies

205,000

Total deductions to expenditures

\$ 205,000

Net Change to fund

\$

# Board of Supervisors Minutes – January 8, 2014

## County Improvements Fund

### Expenditures:

#### Additions to Expenditures

##### Capital Improvements Program

Computer Replacement	50,000
IT Laserfiche	80,000
Commonwealth's Attorney's VCAIS System	<u>75,000</u>
Total additions to expenditures	\$ <u>205,000</u>

### Revenues:

#### Additions to Revenues

##### County CIP Fund

Transfers from General Fund	<u>205,000</u>
Total additions to revenues	\$ <u>205,000</u>

Net Change to fund \$ 205,000

### Vote:

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

Motion approved.

### **C. Budget Appropriation - \$66,807 – Hanover County Sheriff's Office – 2013 State Homeland Security Program (SHSP) Managed by Virginia Department of Emergency Management.**

#### *Board Sheet Background:*

The Hanover County Sheriff's Office has received grant funding allocated to the 2013 State Homeland Security Program (SHSP).

These funds will be used for purchasing gas masks, mask accessories and protective clothing. The overall project proposed is the purchase of equipment to aid in the protection of law enforcement personnel as they respond to potentially hazardous material situations. Equipment identified is the purchase of Personal Protective Equipment (PPE) in the form of upgraded or replaced gas masks and protective clothing.

The Gas Masks and Protective Clothing requested directly connect with National Preparedness Goals and are a component of Homeland Security Presidential Directive 8.

## Board of Supervisors Minutes – January 8, 2014

The Sheriff's Office also needs to replace its aging inventory of assigned gas masks that have deteriorated since they were purchased almost 10 years ago. The purchase of the masks will enhance officer ability to operate in an environment not conducive to public health where potential airborne threats are identified.

Essentially 177 gas masks will be purchased and the remaining funding used to begin updating and expanding our current personal protective equipment resources.

The Finance and Management Services Department concurs with this request.

On motion of Mr. Stanley, seconded by Mr. Davis, the Hanover County Board of Supervisors approved the appropriation of the 2013 State Homeland Security Program in the amount of \$66,807 to the Sheriff's Office Budget as follows:

Department: Sheriff's Office

General Fund

Expenditures:

Additions to Expenditures		
Sheriff's Office		
Operating	\$	<u>66,807</u>

Total additions to expenditures	\$	<u>66,807</u>
---------------------------------	----	---------------

Net change to expenditures:	\$	<u>66,807</u>
-----------------------------	----	---------------

Revenues:

Additions to Revenues		
Sheriff's Office		
Federal: Sheriff – Homeland Security		66,807

Total additions to revenues	\$	<u>66,807</u>
-----------------------------	----	---------------

Net change to revenues:	\$	<u>66,807</u>
-------------------------	----	---------------

<b>Net change to fund</b>	\$	<b><u>66,807</u></b>
---------------------------	----	----------------------

Vote:

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

## Board of Supervisors Minutes – January 8, 2014

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

Motion approved.

### D. Appointments

Approved as recommended.

Committee Name	District	First Name	Last Name	Term Begins	Term Length	Expiration	Board Member Recommendation
Hanover Airport Advisory Committee	At-Large	Mark A.	McCauley	1-08-14	4 years	12-31-17	Mr. Peterson
Board of Equalization	N/A	Rino (Rick)	Balducci	3-01-14	3 years	2-28-17	Mr. Davis recommends the reappointment of Mr. Rino (Rick) Balducci moving forward to the Circuit Court Judge for Reappointment

On motion of Mr. Stanley, seconded by Mr. Davis, the Hanover County Board of Supervisors approved the nomination of Mr. Rick Balducci (Rino E. Balducci, Jr.) to go forward to the Circuit Court for consideration of reappointment to the Board of Equalization for a (third) three-year term. Mr. Balducci's current term ends February 28, 2014.

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

Motion approved.

### V. Annual Reorganization Session

## Board of Supervisors Minutes – January 8, 2014

Mr. Peterson explained that this is their annual reorganizational meeting. He thanked each member on this Board for their hard work, persistent efforts that made 2013 a very good year for Hanover County. He said it has been his honor and privilege to serve as Chairman and he hoped he met their expectations. He acknowledged that this year has definitely been an adventure, starting off considering two major issues at once; implementing the cash proffer policy that was eliminated in 2012 and reinstating a small cash proffer for roads only; they initiated the review of the Comprehensive Plan; it was amended to reflect public comments and a Plan was passed promoting “smart growth” and “protection of our rural character.” This Board also “tackled” the County budget that required great fiscal restraint and innovative cost control measures. The final budget that they approved did not require any reductions in services for our citizens and it did not require an increase in the tax rate. Something they are very proud of. The schools received a lot of their attention this year. With completion of the consolidation of the school and County Finance Departments, they worked with the School Board to provide additional funding for well over 100 projects, long neglected maintenance projects at all of the schools during the summer break. The schools were relieved of direct responsibility for their Capital Debt Requirements and they now have initiated a comprehensive study to asset existing facilities and to identify future capital improvement requirements. Our Legislative Committee successfully spearheaded a joint jurisdictional effort to ensure that no tolls would be collected on Interstate-95 and we are still traveling free up and down the interstate. They initiated a process with the Department of Justice to have Hanover County exempted from oversight under the Civil Rights Act. This was approved and places us in the position of being grandfathered if new rules are implemented. Economic Development has picked up. There was an opening of the Vitamin Shop Distribution Center; the ground breaking of the Republic National Wine Distributors; and

## Board of Supervisors Minutes – January 8, 2014

the resurgent of the Outlet Mall. The new Courthouse project which was initiated in 2006 but was “put on the shelf” until such time as economic conditions improved has begun. And he believed they all enjoyed their last meeting in December when they had a chance to honor Mr. Frank Hargrove, Sr. by naming the airfield at Hanover County Airport Hargrove Field. He said there are many more things but he would stop right there. “I simply want to thank you, my fellow Board Members and my fellow citizens for the privilege that you have allowed me to have to serve. It has been and is the greatest of honors.”

### A. Election of Chairman

Mr. Peterson opened the floor for nominations for the next Chairman for the Hanover County Board of Supervisors.

Mr. Stanley said this is an important time for all of us in government “no matter what level we are.” He said he was riding by a church this morning in the South Anna District and the words on the marquee said “when times are trying keep on trying.” He said the person he was going to speak about he believed will do that “keep on trying.” Sean Davis has served on our Board as Vice-Chairman for the past year and he has watched him grow into a true representative not only of his district but of Hanover County and he was honored to nominate Mr. Davis for Chairman for the year 2014.

Mr. Peterson asked if there were any other nominations. Hearing none, he closed nominations.

**The Hanover County Board of Supervisors elected Mr. Sean M. Davis as Chairman for the 2014 term.**

W. Canova Peterson

Vote:  
Aye

## Board of Supervisors Minutes – January 8, 2014

Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion approved.

Mr. Davis asked Mr. Peterson to join him down front to present him with a plaque for his outstanding service as Chairman this past year.

### **B. Remarks from Incoming Chairman**

Mr. Davis thanked all of his fellow Board members. He stated that he did not know that Mr. Stanley was going to say the kind words that he said and that meant a great deal to him. Giving a little bit of history of his life he said: When Lisa and he moved back to Virginia after being in the Marine Corp, one of the first pieces of mail he got was from his County Supervisor, Mr. Wade and it said “Welcome Home.” And he ventured to say that does not happen in Henrico County or Chesterfield, so Hanover is a special place. He thanked his fellow Board Members for their vote of confidence. Knowing each of them personally he was aware that they believe their vote is in the best interest of their district as well as the County, and “I’m humbled by your support.” It has been said that in the past two years the environment in Hanover County can be compared to no other time in recent memory, and he agreed with that. The long recession and uncertain outcome for many Hanoverians has created circumstances that no one could ever have expected. There are many of our friends and neighbors that are very much in the mix of tremendous personal storms. However, he believed their brightest days are ahead. Hanover has a spirit unmatched by any. Our people are our strongest resource. And Hanover epitomizes American exceptionalism. “We are better and we know we’re better,” and therefore, they are duty bound to service a beacon of all that is true and right. “As we move into the coming years,

## Board of Supervisors Minutes – January 8, 2014

we shall do so with confidence with a steadfast result to seek solutions to our challenges.” Simply identifying problems is not going to be their course. Their convictions will be in sound policy and not politics. They will work to build up and not to tear down. Their course is chartered not to a destination but to a journey for what is best for Hanover.

Mr. Davis said regarding education our School Board is one of the finest in the nation. Our Superintendent is one that all should strive to emulate. This past year brought many challenges their way. Through calm, steadfast leadership and a commitment to accurate communication effects they once again prove that focusing on the children’s education will always prove to be the right goal. With that just this morning, Dr. Wilson was awarded from the YWCA for women and education, the top award and that serves to the spirit of Hanover. On public safety, “I’ve said before there can be no good in a community if a community is not safe.”

Mr. Davis thanked Col. Hines for his leadership during these difficult economic times. This Board knows the value that the Hanover County Sheriff’s Office has to all of our citizens. We’re committed to identifying solutions to all needs pertaining to the essential services of government and Sheriff Hines’ department certainly falls within that arena.

Mr. Davis said thank you to the men and women of the Hanover Fire and EMS both career and volunteer. Thank you for your dedication during these tough times. Chief Piland has demonstrated remarkable leadership ability and it is evident in the performance of his department’s duties over this last year.

Mr. Davis said all County employees are an asset. They are our friends; they are our neighbors, and should be treated as such. It is the Board’s goal to work on looking at compensation initiatives for those who serve our citizens and have weathered this storm. “And

## Board of Supervisors Minutes – January 8, 2014

we thank you for that.” He said in 2011 the Board passed a resolution that gave a 2% pay increase to Board of Supervisor Members.

Mr. Davis advised that as his first official act as Chairman he would move to freeze the pay for the Board of Supervisors for this year.

Mr. Davis said we realize that great things in 2014 cannot always be assured but they will actively and aggressively seek sound economic development in appropriate areas within our borders. “For our current businesses we are here to partner and we want and need your input and we are open to your ideas.”

Mr. Davis said in closing many folks know that he was raised by a single mom who worked to raise two young boys and has been a blessed man in many areas of his life. With that he felt an obligation to do all that he can to help others. “If I can be in any position to use my position or any influence that I may have to better another’s life then I feel it is my duty to do so. I call on all of us to seek out our neighbor, those who are in need and display the true Hanover Spirit. Let us be one community all for one and one for all. May God Bless you, may God Bless your family and my God continue to bless Hanover County.”

### **C. Election of Vice Chairman**

Mr. Davis said he would entertain a motion for nominations of Vice-Chairman.

Mr. Via said it would be his pleasure to nominate Mr. Hazzard as the Vice-Chairman of the Board of Supervisors for the year 2014.

Mr. Davis said there is a nomination on the floor, which requires no seconded, is there any discussion. There was none.

## Board of Supervisors Minutes – January 8, 2014

The Hanover County Board of Supervisors elected Mr. Wayne T. Hazzard as the Vice Chairman for the 2014 term.

	<u>Vote:</u>
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Abstained
Angela Kelly-Wiecek	Nay
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion approved.

Mr. Davis made a **MOTION** to accept the following Resolution:

**WHEREAS** the prior Board of Supervisors approved on April 13, 2011, a 2 percent salary increase for the Chairman and other Board of Supervisors' members effective January 1, 2012, and on January 1 of each succeeding year during the four (4) year term; and

**WHEREAS** the Board of Supervisors recognizes the current economic situation;

**NOW, THEREFORE, BE IT RESOLVED** by the Hanover County Board of Supervisors that the prior approved 2 percent salary increase for the Hanover County Board of Supervisors effective January 1, 2014, shall be suspended until further action of the Board.

Mrs. Kelly-Wiecek advised that she and Mr. Davis have discussed this on a number of occasions and she knew how important it is to both of them, so it was her pleasure and honor to **SECOND** this motion. She thanked him for his leadership and bringing this to them.

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

Motion approved.

## Board of Supervisors Minutes – January 8, 2014

### D. Adoption of Proposed Board of Supervisors' Meeting Schedule; January – December 2014

Mrs. Kelly-Wiecek made a **MOTION** to accept the proposed meeting schedule.

Mr. Via **SECONDED**.

Mr. Harris advised that the scheduled date of March 26, 2014, which according to the Board's Rules the meeting would typically start at 6:00 p.m. However; because of the Budget Schedule this year they would recommend that this be the Budget Public Hearing. It has been tradition that on the Budget Public Hearing as with all public hearings, they start at 7:00 p.m. He said at this time they do not see the need to have any administrative items prior to the budget public hearing and so he would recommend that the March 26, 2014 start at 7:00 p.m. rather than 6:00 p.m.

Mr. Davis asked if any Board Members had questions regarding this change. There were none.

The Board of Supervisors voted to accept the proposed meeting schedule with the time change for March 26, 2014 from 6:00 p.m. to 7:00 p.m.

#### **January – December 2014**

<u>Date</u>	<u>Day</u>	<u>Time</u>	<u>Type of Meeting</u>
January 8, 2014	Wednesday	2:00 p.m.	Regular Board Meeting
January 22, 2014	Wednesday	6:00 p.m.	Regular Board Meeting
February 12, 2014	Wednesday	2:00 p.m.	Regular Board Meeting
February 26, 2014	Wednesday	6:00 p.m.	Regular Board Meeting
March 5, 2014	Wednesday	2:00 p.m.	Budget Work Session
March 12, 2014	Wednesday	2:00 p.m.	Regular Board Meeting
<b>March 26, 2014</b>	<b>Wednesday</b>	<b>7:00 p.m.</b>	<b>Budget Public Hearing</b>
April 9, 2014	Wednesday	2:00 p.m.	Regular Board Meeting
April 23, 2014	Wednesday	6:00 p.m.	Regular Board Meeting
May 14, 2014	Wednesday	2:00 p.m.	Regular Board Meeting

## Board of Supervisors Minutes – January 8, 2014

May 28, 2014	Wednesday	6:00 p.m.	Regular Board Meeting
June 11, 2014	Wednesday	2:00 p.m.	Regular Board Meeting
June 25, 2014	Wednesday	6:00 p.m.	Regular Board Meeting
July 23, 2014	Wednesday	2:00 p.m.	Regular Board Meeting
August 27, 2014	Wednesday	2:00 p.m.	Regular Board Meeting
September 10, 2014	Wednesday	2:00 p.m.	Regular Board Meeting
September 24, 2014	Wednesday	6:00 p.m.	Regular Board Meeting
October 8, 2014	Wednesday	2:00 p.m.	Regular Board Meeting
October 22, 2014	Wednesday	6:00 p.m.	Regular Board Meeting
November 12, 2014	Wednesday	2:00 p.m.	Regular Board Meeting
November 25, 2014	Tuesday	6:00 p.m.	Regular Board Meeting
November * *, 2014 <u>Date to be</u> <u>determined</u>	Pending	8:00 a.m.	Special Board of Supervisors Meeting - <i>the primary purpose of the meeting will be to discuss the Hanover County Legislative Agenda for the 2015 Session of the Virginia General Assembly with members of the delegation representing Hanover County</i>
December 10, 2014	Wednesday	2:00 p.m.	Regular Board Meeting

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

Motion approved.

### E. Appointments of Board Members to Committees

Upon a motion by Mr. Hazzard, seconded by Mr. Via, the Hanover County Board of Supervisors voted unanimously to approve the appointments of Board Members to Committees.

## Board of Supervisors Minutes – January 8, 2014

COMMITTEE NAME	DISTRICT	FIRST NAME	LAST NAME	TERM BEGINS	TERM LENGTH	EXPIRATION	2014 RECOMMENDATIONS
Agricultural & Forestal Districts Advisory Committee	Board	Aubrey	Stanley	01/25/12	6 years	12/31/18	Stanley
Bench Marking Task Force	Board	Aubrey	Stanley	12/11/13	1 year	12/31/14	Stanley
Bench Marking Task Force	Board	Angela	Kelly-Wiecek	12/11/13	1 year	12/31/14	Kelly-Wiecek
Bench Marking Task Force	Board	G. E. "Ed"	Via	12/11/13	1 Year	12/31/14	Via
Cannery Advisory Committee	Board	Aubrey	Stanley	01/09/13	1 year	12/31/13	Stanley
Capital Area WIA Policy Board	Board	Angela	Kelly-Wiecek	01/09/13	1 year	12/31/13	Kelly-Wiecek
Capital Region Airport Commission	Board	Aubrey	Stanley	01/25/12	4 years	12/31/15	Stanley
Capital Region Airport Commission	Board	G. E. "Ed"	Via	01/25/12	4 years	12/31/15	Via
Capital Region Collaborative	Board	Angela	Kelly-Wiecek	01/25/12	2 years	12/31/13	Kelly-Wiecek
Capital Regional Taxicab Advisory Board	Board Rep	Aubrey	Stanley	01/25/12	2 years	12/31/13	Stanley
Capital Regional Taxicab Advisory Board	Board Alternate	G. E. "Ed"	Via	01/25/12	2 years	12/31/13	Via
Central Virginia Waste Management Authority-Board	Board Member	Wayne	Hazzard	01/25/12	4 years	12/31/15	Hazzard
Chickahominy District Health Advisory Board	Board	Elton	Wade	01/25/12	4 years	12/31/15	Wade
Community Development Committee	Board Committee Chair	Sean	Davis	01/09/13	1 year	12/31/13	Davis
Community Development Committee	Board	Wayne	Hazzard	01/09/13	1 year	12/31/13	Hazzard
Community Development Committee	Board	Canova	Peterson	01/09/13	1 year	12/31/13	Peterson
Community Services Board (Chapter 10)	Board	Sean	Davis	01/01/12	3 years	12/31/14	Davis
Facility Space Needs Committee	Board	Wayne	Hazzard	01/09/13	1 year	12/31/13	Hazzard
Facility Space Needs Committee	Board	Canova	Peterson	01/09/13	1 year	12/31/13	Peterson
Facility Space Needs Committee	Board (Committee Chair)	Aubrey	Stanley	01/09/13	1 year	12/31/13	Stanley

## Board of Supervisors Minutes – January 8, 2014

Finance Committee	Board Committee Alternate	Sean	Davis	01/09/13	1 year	12/31/13	Davis
Finance Committee	Board Committee Chair	Wayne	Hazzard	01/09/13	1 year	12/31/13	Hazzard
Finance Committee	Board	Angela	Kelly-Wiecek	01/09/13	1 year	12/31/13	Kelly-Wiecek
Finance Committee	Board	Canova	Peterson	01/09/13	1 year	12/31/13	Peterson
Greater Richmond Partnership, Inc.	Board	Angela	Kelly-Wiecek	01/09/13	1 year	12/31/13	Kelly-Wiecek
Hanover Airport Advisory Committee	Board	G. E. "Ed"	Via	01/09/13	1 year	12/31/13	Via
Hanover/Ashland Liaison Committee	Board	Wayne	Hazzard	01/09/13	1 year	12/31/13	Hazzard
Hanover/Ashland Liaison Committee	Board	G. E. "Ed"	Via	01/09/13	1 year	12/31/13	Via
Hanover's Promise	Board	Sean	Davis	01/25/12	2 years	12/31/13	Davis
Hanover's Promise	Board	Angela	Kelly-Wiecek	01/25/12	2 years	12/31/13	Kelly-Wiecek
Historical Commission	Board	Sean	Davis	01/25/12	2 years	12/31/13	Davis
James River Advisory Council	Board	Sean	Davis	01/25/12	4 years	12/31/15	Davis
Joint Education Committee	Board Rep.	Wayne	Hazzard	01/09/13	1 year	12/31/13	Hazzard
Joint Education Committee	Board Rep	Canova	Peterson	01/09/13	1 year	12/31/13	Peterson
Joint Education Committee	Board Rep-Alternate	Ed	Via	01/09/13	1 year	12/31/13	Via
Legislative Committee	Board Alternate	Sean	Davis	01/09/13	1 year	12/31/13	Davis
Legislative Committee	Board	Wayne	Hazzard	01/09/13	1 year	12/31/13	Hazzard
Legislative Committee	Board - Committee Chair	Angela	Kelly-Wiecek	01/09/13	1 year	12/31/13	Kelly-Wiecek
Legislative Committee	Board	G. E. "Ed"	Via	01/09/13	1 year	12/31/13	Via
Metropolitan Richmond Air Quality Committee	Board Elec Off	Elton	Wade	01/09/13	1 year	12/31/13	Wade
Parks and Recreation Advisory Commission	Board	Sean	Davis	01/25/12	4 years	12/31/15	Davis
Parks and Recreation Advisory Commission	Board	Elton	Wade	01/25/12	4 years	12/31/15	Via
Richmond Area Metropolitan Planning Organization Board	Board	Sean	Davis	01/25/12	2 years	12/31/13	Davis
Richmond Area Metropolitan Planning Organization Board	Board-Alternate	Angela	Kelly-Wiecek	01/25/12	2 years	12/31/13	Kelly-Wiecek

## Board of Supervisors Minutes – January 8, 2014

Richmond Area Metropolitan Planning Organization Board	Board	Canova	Peterson	01/25/12	2 years	12/31/13	Peterson
Richmond Metro Convention and Visitors Bureau	Board	G. E. "Ed"	Via	01/25/12	2 years	12/31/13	Via
Richmond Regional Planning District Commission	Board	Sean	Davis	01/25/12	4 years	12/31/15	Davis
Richmond Regional Planning District Commission	Board (Exec Committee Rep)	Angela	Kelly-Wiecek	01/25/12	4 Years	12/31/15	Kelly-Wiecek
Richmond Regional Planning District Commission	Board	Canova	Peterson	01/25/12	4 Years	12/31/15	Peterson
Roads Committee	Board	Wayne	Hazzard	01/25/12	4 years	12/31/15	Hazzard
Roads Committee	Board	Canova	Peterson	01/25/12	4 years	12/31/15	Peterson
Rules Committee	Board	Sean	Davis	01/09/13	1 year	12/31/13	Davis
Rules Committee	Board	Canova	Peterson	01/09/13	1 year	12/31/13	Peterson
Rules Committee	Board Committee Chair	G. E. 'Ed'	Via	01/09/13	1 year	12/31/13	Via
Safety and Security Committee	Board	Sean	Davis	01/09/13	1 year	12/31/13	Davis
Safety and Security Committee	Board	Angela	Kelly-Wiecek	01/09/13	1 year	12/31/13	Kelly-Wiecek
Safety and Security Committee	Board Committee Chair	Aubrey	Stanley	01/09/13	1 year	12/31/13	Stanley
Safety and Security Committee	Board Alternate	Elton	Wade	01/09/13	1 year	12/31/13	Wade
Social Services Advisory Board	Board	G. E. "Ed"	Via	01/25/12	4 years	12/31/15	Via
Sports Backers	Board	Angela	Kelly-Wiecek	01/08/14	1 year	12/31/14	Kelly-Wiecek

Vote:

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

Aye  
 Aye  
 Aye  
 Aye  
 Aye  
 Aye  
 Aye

Motion approved.

## Board of Supervisors Minutes – January 8, 2014

### F. Consideration of Re-adoption of Board of Supervisors' Standing Rules and Procedures (with amendments)

Mr. Davis explained that the Board has a standing rules committee seeking input from the public by the Board members. There were a few amendments on those and they have been published.

Mr. Via made a **MOTION** that the Hanover County Board of Supervisors approve the re-adoption of the Board's standing rules and procedures (with amendments). (A copy is filed with the Board's papers.)

Mr. Hazzard **SECONDED**.

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

Motion approved.

### VI. Presentation – Comprehensive Services Act (CSA) – Mr. Taylor

#### *Board Sheet Background:*

As a follow up to the presentation of the Human Services annual report, additional information will be provided on the Comprehensive Services Act (CSA). CSA is a Virginia law enacted in 1993 designed to help at-risk youth and their families. It represents a single state pool of funds (State and local) managed by interagency teams which plan and oversee services.

In FY13, 105 youth were served through this program in Hanover County. The youth fall into two main categories: Private Day services (Autism, severe developmental delays, and serious behavior problems) and Foster Care services.

The presentation will provide more background information and describe goals of the program.

Mr. James Taylor, Deputy County Administrator, congratulated Mr. Davis, Mr. Hazzard as the newly elected Chairman and Vice Chairman and Mr. Peterson for his service as Chairman

## Board of Supervisors Minutes – January 8, 2014

last year. In December he provided an update on the Human Services Annual Report and there were some questions at that time about the Comprehensive Services Act (CSA); therefore, this presentation is to provide additional information on CSA. CSA is a law that was enacted in Virginia in 1993 designed to help at-risk youth and their families through the collaboration of the community, parents, youth, state and local agencies, and public and private sector providers.

He was not employed by the County in 1993 but it is his impression that there were kids being served by many different groups and the idea behind this law is that it would pull together one comprehensive team to look at the services that were needed for those kids and to manage that kind of in a central pool of funds. The Code Reference is Section 2.2 - 5211 State Pool of Funds; *The General Assembly and the governing body of each county and city shall annually appropriate such sums of money as shall be sufficient to (i) provide special education services and foster care services for children and youth...and (ii) meet relevant federal mandates for the provision of these services.*

Mr. Taylor stated that CSA has a State Executive Council (SEC) which is a supervisory body responsible for programmatic and fiscal policies that support CSA.

Leaders on this Council include folks from State Government, General Assembly, Local Government and the private sector with parent representatives.

William Hazel, Sec of Health & Human Resources	Jim Stewart, Behavioral Health & Dev. Services
Karin Addison, Dep. Secretary Education	Cynthia Jones, Dept. of Medical Assistance Svc.
Richard Bell, House of Delegates	Martin Nohe, Prince William Board of Supervisor
Mary Bunting, City Manager Hampton	Pat O'Bannon, Henrico Board of Supervisors
John Edwards, Virginia Senate	Joseph Paxton, Rockingham Co. Administrator
John Eisenberg, VA. Dept. of Education	Greg Peters, UMFS
Michael Farley, Elk Hill	Cynthia Romero, State Health Commissioner

## Board of Supervisors Minutes – January 8, 2014

Mark Gooch, Dept. of Juvenile Justice	Margaret Schultze, VA. Dept. Social Services
Lelia Hopper, Court Improvement Program	Parent Representative

There are two categories where the youth are served through CSA:

Mandated includes Foster Care; Foster Care Prevention; Special Education – Private Day Care; Special Education – Other.

Non-Mandated includes Court involvement.

The Goals of CSA:

- Keep kids at home with their families.
- If a child must be removed, then the goal would be to place them in the least restrictive environment in the community.
  - Keep family engaged
  - Ensure permanent connections in community
  - Return home
- Protect welfare of kids and safety of the public
- Increase interagency collaboration
- Provide community flexibility in the use of funds and to make them accountable

**Interagency Teams:** Made up of representatives from the Health Department, Schools, Social Services, Community Services Board, Courts, Private Providers, and Parent Representatives.

How the process works: There is FAPT (Family Assessment & Planning Team) and CPMT (Community Policy & Management Team). FAPT meets once a week and reviews these cases and makes recommendations in terms of what services are needed for the child. It is facilitated by CSA Coordinator, Hope Hodgson. CPMT deals with policy issues and authorizes the funding for those requests. This group meets two times a month. It is chaired by him [Mr. Taylor] and it involves the directors from all the different interagency teams mentioned earlier.

## Board of Supervisors Minutes – January 8, 2014

### **Mandated verses Non-Mandated Types of Services:**

Mandated services deals with eligibility within the category; all other funding sources must be exhausted; the FY13 Budget = \$5,275,734; there are State and Local matching funds; and Sum Sufficient Funding which means the County has to provide whatever funding is necessary in order to provide the services.

Mr. Hazzard asked for examples of mandated services.

Mr. Taylor replied that mandated services would apply if a youth is no longer eligible to be served in the public school setting and has been removed from school and placed in a private day school, or where a child has been removed from their family by Social Services and has to be placed in a foster family.

Non-Mandated are mostly Court Services children that has eligibility within a category; other funding options may be available but limited; FY13 Budget= \$84,600; there is State and Local matching funds; and Limited funding; additional funds would be local only. The bulk of what Hanover does is mandated services.

### Comparison of Expenses:

	State Funds	Local Funds	Recoveries	Total Funds
FY 13	\$2.5 million	\$2.1 million	\$0.1 million	\$4.7 million
FY 12	\$3.1 million	\$2.4 million	\$0.1 million	\$5.6 million

Mr. Taylor said every request for funding is reviewed by the team and has to be approved and they take reviewing these requests very seriously. As Chairman of the CPMT he liked to place himself in the position of an average citizen to think what they would think about the request for this service and would they think that would be necessary.

## Board of Supervisors Minutes – January 8, 2014

### Expenses by Category:

	% of Expenses FY11	% of Expenses FY12	% of Expenses FY13
Congregate Care	15%	16%	31%
TFC/Family FC	20%	17%	11%
Community-Based Services	11%	14%	15%
Private Day Education	42%	42%	41%
Wrap-around w/disabilities	0%	2%	1%
Non-Mandated	2%	1%	1%

Mr. Taylor – this is a break-down by category of expenses. The bulk of the expenses are Private Day Education in FY13, 41% and Congregate Care (i.e. group homes or residential services) in FY13 is 31%; TFC/Family Foster Care is 11%; Community-Based Services (Counseling or mentors) is 15%.

	Hanover	Spotsylvania	Stafford
Residential Care Includes Education	17%	29%	20%
Group Home	13%	3.5%	0%
Independent Living (IL) Arrangement	.4%	.03%	0%
IL Stipend	0%	.4%	.2%
TFC	11%	24%	0%
Family FC	1.5%	3.3%	7%
Community-Based Services	15%	4.4%	5%
Private Day Education Services	41%	35%	65%
Wrap-around w/disabilities	1.5%	.5%	1.5%

Mr. Taylor in comparing Hanover to some of our peers they are all different. Spotsylvania and Stafford are similar in size to Hanover; however, for instance Spotsylvania has a high component for Residential Care compared to Hanover's 17%, and Hanover has a high component in Group Homes at 13% and the other localities do not have much of their expenses there.

## Board of Supervisors Minutes – January 8, 2014

Mrs. Kelly-Wiecek questioned the difference between residential care and group home is institutional verses small community based; literally homes and neighborhoods.

Mr. Taylor replied correct.

Mrs. Hodgson from the audience, said an example of a residential care would be places that are a locked residential facility, with a larger staff, and more supervision.

Mr. Taylor said a more institutional treatment type of center. A group home also has some of those components to it but it is not an institution it is a home.

### Peer Comparison:

FY13	Expenses
Hanover	\$4,411,108
Spotsylvania	\$6,834,680
Stafford	\$4,671,183

(Based on end of year reports to Office of Comprehensive Services and do not account for any payments made after June 30).

Mr. Taylor said this is a comparison slide. This is all the expenses that were compared to Spotsylvania and Stafford. Those counties are also spending a lot of money on these services.

Mr. Taylor said in gender comparison most of the children that are served are boys. He introduced Hope Hodgson to give some examples, case studies, and success stories.

Mrs. Hodgson, CSA Coordinator advised that she would like to share a couple of cases that have occurred within the past. She said the particular cases she would be talking about are recent and involve young girls. A 16 year old young lady, who had been in detention at Marimac and on probation, came through FAPT for CSA funding and received in home services. First she went into foster care prevention and got in-home and mentoring services after she came through the court system to us. While she was in our care, the only parent she had was her dad and he passed away. She had no real solid extended family so with the lack of support from her family the services that we put in place really helped her to be stable. She had been using drugs and

## Board of Supervisors Minutes – January 8, 2014

alcohol, not attending school and now she is with some relatives that were found and connected with her and she is drug and alcohol free, attending school every day, she is coming off probation and doing really well. It is very clear that the services she had through FAPT got her to where she needed to be.

Another young lady who was served through FDNS, FAPT determined the need of services that is served through case management with the CSB. This young lady is now 17 and the day we got the call she had jumped out of a car on the highway. Her mom was frantic and they really needed help. She had been injuring herself and made suicide attempts. After a multi-mental health diagnosis and hospitalizations, she had residential treatment then group home treatment with private day school. She went back to her family who was in an upheaval at the time. The parents got divorced and the dad ended up taking custody of all the children and with the services in place she is much healthier, she holds her head up, has left private day school and is now in public school and services are decreasing. So, she is doing really well. It was approximately a four year period from the time that she came into care. So, a lot of things happened in her life, but it is clearly a success for her.

Another young lady also served through the FDNS program. She was also cutting herself and had suicide attempts. She came into care in the spring of 2012. She spent some time in a locked residential and also in private day school. Now, she is back in public school doing really well, has amazing coping skills and is actually working with a group where she is helping kids who have other mental health issues.

Another young lady who is currently in care is 15 years old and has a lot of mental health issues. She is in foster care. She was hospitalized and brought back from locked residential to her home with very intensive “wrap-around” services in the home. Started out at 120 hours a

## Board of Supervisors Minutes – January 8, 2014

week, which really only lasted about a week, and within approximately 1.5 months was decreased to 10 hours of home based services and mentoring. She is doing really well and her family has developed some really strong parenting skills. Before she was in the hospital she was sneaking out at night doing a lot of dangerous behaviors.

Another young lady who entered foster care in 2010 had a history of suicide attempts, hospitalizations, lots of mental health issues and now she is completing college courses. She goes to individual counseling weekly. She has a full time job that she has held for over a year and is a supervisor at her job. She is leaving on a mission trip to Africa and the only service we are providing for her right now is what they call an independent living site where she is living in her own apartment.

Mrs. Hodgson said in the past three years that she has been here they have had quite a few children adopted. Two little boys that had quite a few services and a lot was tried to really get their mom to engage in parenting. Everything they did failed and the foster family, an older couple, ended up adopting both boys and has done amazing work with them.

Another young child who got some really intense therapy and he was adopted. She said there have been quite a few younger children adopted since she has been here.

Mrs. Hodgson said those are some of the success stories that really stood out to her in the past year or so.

Mrs. Kelly-Wiecek replied that when Mrs. Hodgson talked about suicide attempts and a history of cutting themselves, it sounds like a number of these individuals are suffering and their families have been dealing with this for a while prior to this type of intervention. She asked if there is some sort of referral process after the first attempt. She did not understand the process of how individuals get that bad prior to some intervention.

## Board of Supervisors Minutes – January 8, 2014

Mrs. Hodgson advised that in a number of case crises, calls are made or when a child goes into a hospital they may only stay for a short period of time. The hospital does an assessment and if after 3 days or 30 days their time might be maximized so the child is released because the hospital believes the child is safe to go home and there isn't really a lot of solid follow-up with services in place because a lot of insurances do not cover things like the home based counseling and in a lot of cases the parents may not know who to turn to. So, after multiple reaching out to hospitals or calling CSB for help the parents are finally connected with services and end up coming to see us.

Mrs. Kelly-Wiecek said certainly we could be more effective if intervention could happen earlier and perhaps before they get to the point where they have to be put into a private day school. If there is something that could have been done with some of the other services that we have Georgetown School or something along to those lines, prior to getting to this crisis point and the intervention is so intense.

Mrs. Hodgson advised that quite a few of our children do attend Georgetown and one of the things that connect with the schools is that we have started doing something that we have termed as Multi-Disciplinary Case Assessment Team (MDCAT). So, even if a youth is not clearly eligible for CSA anybody in the County who is concerned about the child or the family can bring the child's scenario and the issues to the FAPT team as a networking/brainstorming meeting and we will look at resources and the schools have started to really be able to look at what is happening in the classroom and maybe identify some things a little earlier before they end up being connected with other agencies.

Mr. Taylor added that a lot of the children are identified in the schools. Schools are a very important part of this process. The CSB to where they might be seen and referred through

## Board of Supervisors Minutes – January 8, 2014

CSA. Also the parents are basically the ones who bring the situation to us and tell us they cannot deal with it anymore and they need help. He hoped that sharing some of these examples with them might shed a little more light about the types of situations that they have and the children that they are dealing with. He said a lot of these cases will “break your heart.” There are very sad situations. A lot of these children have developmental disabilities and a lot of them have a lot of trauma in their life whether it’s the death of a parent or what have you. So, they are trying to give these children what they need so they can get back on their feet. Some children come to them for only one service and we are done with them. Other children we will carry for years until they are 18 years old or in some cases even 21.

Mr. Davis thanked Mr. Taylor. He said they certainly appreciate Mrs. Hodgson, Ms. Crossen-Powell and Mrs. Sager for their service not only to Hanover but to those that they serve. He said they have always said “you serve those and help those who need service and help the most.” He said they are grateful for that and the families in Hanover are grateful as well.

### **VII. Transportation Update**

Mr. Davis asked for the Transportation Update

Mr. Vidunas advised that VDOT is on the agenda first but they were running a little late, so he asked if it was okay he would present first.

Mr. Davis agreed that would be fine to have Road Projects Status first.

### **VII.B. Road Project Status Report – Mr. Vidunas**

#### *Board Sheet Background:*

Joe Vidunas, Transportation Engineer, Department of Public Works, has updated the Road Project Status Report (filed with the Board’s packet) for the past quarter and will be prepared to address the Board regarding the status of all County road projects.

## Board of Supervisors Minutes – January 8, 2014

Mr. Vidunas said it was a pleasure to provide this quarterly update on many varied road projects throughout the County.

1. U.S. Rt. 33/Rt. 54 Intersection (Realign intersection) – Completed. Final Inspection December 4, 2013.

Mr. Stanley thought the speed limit is a little fast and he had talked to Mr. Flagg about the area turning into the former Southern States that maybe there should be a bit of a turning lane.

Mr. Hazzard said it is overall a much improved area and there are not backups at 5:00 p.m.

Mr. Davis said this area has been one of the longest on-going and most polarizing of road projects in Hanover and he often travels that roadway. He said it seemed that both representatives who are served by that intersection have said their “peace” and he just wondered if that was one of Mr. Stanley’s first campaign promises when he first ran for Supervisor.

Mr. Stanley said yes, either to get it fixed or not fixed. It has been on-going for some time now but the conclusion is very good.

2. U.S. Rt. 360 (Bridge replacement over Chickahominy river) – Construction phase. VDOT has undertaken to replace the four bridges on U.S. Rt. 360. VDOT is beginning work on the foundation on the center portion of the bridge. Work started in June and will be going on for some time.
3. Georgetown Rd. Bridge & Approaches (Replace bridge over Crump Creek) – Pre-Construction phase. During his last update he indicated that this project had been “dead” and awarded to English Construction Contractors. Work is scheduled to begin approximately mid-February.

Mr. Davis said he had spoken with the Sheriff’s Office about this project because we want to make sure they are familiar with the on-going progress especially the number days prior to construction so they will be aware that there will be some traffic diversion. He asked Mr. Vidunas to make sure the Sheriff’s Office is fully aware of when it begins.

## Board of Supervisors Minutes – January 8, 2014

Mr. Vidunas said yes sir.

4. Sliding Hill Rd. / Air Park Run Intersection Improvements (add left-turn lane) – Advertisement phase for bids, which are due by January 24, 2014; if they get acceptable bids breaking ground is anticipated in early March, with construction extending through August.
5. Pole Green Rd. / Rural Point Rd Intersection Improvements (Add turn lane & safety improvements) Project set to go to bid January 19, 2014; look to begin construction latter part of March and extending through August.
6. U.S. Rt. 360 & Elm Drive (Safety improvement) VDOT should be wrapping up right-of-way acquisition phase and have established a May 2014 advertisement date.
7. Pole Green Rd. / Walnut Grove Road Intersection (Add turn lanes & safety improvements) – Preliminary Right-of-way acquisition phase; anticipate extending offers to property owners soon.
8. Atlee Rd. / U.S. Rt. 301 intersection (add dual left & right turn lanes on Atlee Road) – Close to concluding right-of-way acquisitions. There are eleven different property owners they have been working with. Have come to an agreement with nine, an attentive agreement with another, and this evening there is a public hearing to address the remaining parcel. They are optimistic that they will soon be able to clear the right-of-way, which will allow them to move to the next stage of the project which will be the utility adjustments and once that is taken care of, they will advertise the project for construction.

Mr. Peterson said while they are talking about the Atlee Road interchange he wished to bring up something he has not brought up before even in the Roads Committee. Starting on Atlee Road from U.S. Route 301 south all the way to the Lee-Davis and Walnut Grove Intersection there is a constant change in speed limits. He asked if they would look into the speed limits along this stretch and get a consistency of perhaps 40 MPH throughout that entire stretch because it is quite confusing right now.

Mr. Vidunas said that is certainly something they can address with VDOT. Ultimately the speed limits are determined by the VDOT traffic engineers after they review the corridor or whatever area is being considered. But he would bring this to their attention and let the Board know of their findings.

## Board of Supervisors Minutes – January 8, 2014

Mr. Peterson said he would appreciate that because he has had several people mention to him that this is a very confusing stretch regarding the speed limit.

9. Taylorsville Rd. Bridge & Approaches (Bridge over Little River) – Right-of-way acquisition phase. VDOT has targeted an August advertisement date.
10. Atlee Rd. Extension (Extend Atlee Rd. 0.4 miles to Atlee Station Road) – Preliminary Right-of-way acquisition phase; approximately 28 parcels needed to be acquired for the project. They are wrapping up appraisals. They have not presented offers to property owners yet, but anticipate doing that soon. The design is being revised to provide access to the Keeton and Hayes parcels via a bridge underpass on Atlee Road extended. State law requires that the existing crossing on Cool Spring Road be removed, necessitating this change.

(Looking at the map during the presentation – filed in Board’s packets)

Mrs. Kelly-Wiecek asked if he was saying that “hatched area” that goes under Atlee Road Extended from the original Cool Spring Road is going to go under the flyover.

Mr. Vidunas replied that it is going to go under the Extended Atlee Road section.

Mrs. Kelly-Wiecek asked what the “red hatched” area was.

Mr. Vidunas replied that the “red hatched” area is going to eliminate the existing pavement and the existing crossing.

Mrs. Kelly-Wiecek asked if that has been communicated to the storage business owners to the left.

Mr. Vidunas replied that it has not been discussed with any of the adjacent property owners at this point. They recently conferred with VDOT, the bridge section, traffic engineers, VDOT’s Location and Design section and the consensus among the group was that this was the best practical approach to providing access to those properties given the guidance that they had to eliminate that existing crossing.

Mrs. Kelly-Wiecek said so Cool Spring Road will be moved northeast.

Mr. Vidunas replied correct.

## Board of Supervisors Minutes – January 8, 2014

There was general discussion between Mrs. Kelly-Wiecek and Mr. Vidunas regarding some roads on the map for New Cool Spring Road.

Mrs. Kelly-Wiecek said as a reminder before they start issuing offers, she wanted to have another conversation with him so she will be able to answer questions the citizens will have.

11. U.S. Rt. 360 (I-295 to Wynbrook Ln.) (Widen to 8 & 6 lanes) Right-of-way acquisition complete; utility relocation phase. Holding a September advertisement date.
12. U.S. Rt. 360 (Bell Creek Rd. Intersection) (Realign intersection & add turn lanes) Working towards right-of-way plans phase; phase 3 is a historic project that has been on hold indefinitely and will remain so until any funding is ever found for that \$30M project.
13. Lewistown Rd. Bridge & Approaches (Replace & widen bridge over I-95) – VDOT is actively engaged in the right-of-acquisition on this particular project. The County is working very closely with VDOT on an exchange agreement that will exchange some County owned property that is needed for the roadway improvements in exchange some property to be acquired by VDOT as a result of the project. We would anticipate in coming to you very soon with an exchange agreement for your consideration that will allow that to happen.

Mr. Vidunas said the next two projects (Cedar Ln. and Ashland Rd. shoulder wedge) have now been combined. Not certain that they will be advertised as two separate projects but VDOT is developing them simultaneously to be advertised in December of this year.

14. Cedar Ln. Shoulder Wedge (Rt. 1 to Ashland Rd)
15. Ashland Rd. Shoulder Wedge (Ashcake Rd. to Pouncy Tract Rd)
16. Greenwood Rd. Bridge & Approaches (Replace bridge over Chickahominy River) – Early design stages. Looking at a January 2015 advertisement date.
17. Cedar Ln. / U.S. Rt. 1 intersection (realign Cedar Ln. & add turn lanes).

Mr. Vidunas explained that last month they wrapped up meetings with various adjacent property owners. They sent invitations to all property owners to sit down with them to discuss the concepts for the improvement that they planned. He reviewed a map of the concept that they

## Board of Supervisors Minutes – January 8, 2014

would like to go forward with. He noted that they will be maintaining the current access on Cedar Lane to U.S. Route 1 but will be eliminating left turns because of the new raised median. The red lines (on the map) are symbolic of traffic signal which they have received VDOT approval for. The conversations they had with property owners were very helpful and they got some very good input. He believed that by in-large the owners were appreciative of having the opportunity to comment on the project at such an early stage.

18. U.S. Rt. 33 / Ashland Rd. Intersection (Widen intersection – add turn lanes) – at this point VDOT does not believe any of the businesses will be adversely impacted in the sense of being taken as a result of this. In terms of the lane on the south leg we are proposing a left, a through and a right and then on the other three legs you will notice a combined through and right and a separate left turn lane. We have asked VDOT to possibly shift Ashland Rd. a little to the south to provide more spacing between Stanley Store and the roadway.

Mr. Hazzard said looks like you are talking about going north that has all three lanes in it.

Mr. Vidunas replied yes, north is correct, not south.

19. Creighton Rd. / Cold Harbor Rd. Intersection (Widen intersection – add turn lanes) – Preliminary right-of-way acquisition phase.
20. U.S. Rt. 360 (Lee-Davis Rd. Intersection (Widen intersection-add turn lanes) In Design phase. On-hold pending execution of project administration agreements.
21. Rt. 301 Bridge & Approaches (Replace Bridge over Mechumps Creek) Pre-Design phase. On-hold – insufficient funding.
22. Cool Spring Rd. Shoulder Wedge (New Ashcake Rd. to 1.0 Mi. S. of New Ashcake Road) Pre-Design phase. On-hold – insufficient funding.
23. E. Patrick Henry Rd. / Woodside Ln. Intersection (Add turn lanes) Pre-Design phase. Design to begin upon execution of project administration agreements.

Mr. Vidunas said the next three are basically the same report. They are in the process of finalizing County / State agreements with VDOT. There were submitted agreements on each project.

## Board of Supervisors Minutes – January 8, 2014

24. Studley Rd. / Rural Point Rd. Intersection (Roundabout) – Pre-Design phase. Design to begin upon execution of project administration agreements.
25. Sliding Hill Rd. (Widen to 4 lanes) – Pre-Design. Design to begin upon execution of project administration agreements.
26. Beaver Dam Rd. Bridge & Approaches (Replace bridge over Newfound River) – Pre-Design phase. On-hold – insufficient funding.
27. Spring Rd. Bridge & Approaches (Replace bridge over South Anna River) – Pre-Design phase. On-hold – insufficient funding.
28. U. S. Rt. 360 (Lee-Davis Rd. to Walnut Grove Rd.) (Widen to 6 lanes) – Design phase – On-hold – insufficient funding.

Mr. Davis opened the floor for questions or comments from the Board Members.

Mr. Via asked where they are with the Airpark Road intersection project.

Mr. Vidunas advised that the Sliding Hill / Airpark Road are currently out to advertisement for bids. Bids will be received later this month and they anticipate beginning construction in early March.

Mr. Via said he had received several telephone calls from citizens regarding turning right out of the Airpark, with the stone washing away from the shoulder of the road. He realized this will be a project that is imminent. VDOT came by and put some stone in that ditch line but when people take a right out of there the stones wash right down into the ditch. He did not know if there is anything they can do about that but he is continually getting calls about it especially now that they have a new trucking company coming in and out of the Fed Ex.

Mr. Vidunas said yes, and they will pass that on to VDOT.

Mrs. Kelly-Wiecek said she would like to take this opportunity to confirm that she has had a number of people ask her when the new apartments are going up there at that intersection because there is an area being cleared and she would simply like to go on record as saying there are no apartment buildings approved for that land. The land is just being timbered.

## Board of Supervisors Minutes – January 8, 2014

Mr. Davis asked if anybody was there from VDOT.

Mr. Vidunas answered yes, Marshall Winn is present.

### **VII. A. Highway Matters – Mr. Winn**

#### *Board Sheet Background:*

A representative of the Virginia Department of Transportation's (VDOT) Ashland Residency will be available to address the Board concerning highway related matters. The attached report (filed in Board's packet) summarizes maintenance and other activities recently performed by VDOT throughout the County.

Mr. Marshall Winn, from VDOT, said in the western part of Hanover, in the Montpelier area they had cleaned up a lot of tree debris and intersection cut back at Tyler Station (Rt. 738) for Mr. Stanley and they will try to keep that an on-going thing. There is pavement and pothole repair on Ashland Road, Mountain Road and Stone Horse Creek Road. In the Mechanicsville area, pothole repair on Pole Green Road, Lee Avenue, Bell Creek Road, Shady Grove Road, Lee-Davis Road, Richfood Road and several others; shoulder repairs in S. Mayfield Road, Ellerson road, Old Richfood Road, Meadow Bridge Road, Westhaven Road and Silkwood Road; Tree Removal/Vegetation Control: Lee Avenue, Atlee Road, Chamberlayne Road. Shoulder Repairs: Atlee Road, Shady Grove Road, Pole Green Road, Mayfield Drive, Ellerson Road, Old Richfood Road and Meadow Bridge Road. Surface Treatment: Service Road off of Old Business on U.S. Route 360, where they replaced a pipe this past summer. Elko Maintenance Area (basically Old Church and eastern part of Hanover): They had to do erosion control on the slopes where they replaced the pipe on both slops there, which has been completed and the road is open. Removed leaves from ditches: basically in subdivisions throughout the eastern part of

## Board of Supervisors Minutes – January 8, 2014

Hanover. Have done litter pickup and continue to do litter control and so forth throughout the County.

Mr. Winn stated that at the last Board meeting they talked about some of the pavement items they were going to do, fortunately they got some of that done: County Complex paved, the road going into the dump at Courtland Farm, Beechwood Farms, Blue Star Estates and then due to temperature constraints they had to stop paving, which unfortunately that left quite a few roads out that were initially to be paved. They will complete the rest of those routes in the month of April. One being Pole Green right at Pole Green Elementary School, and Brandy Creek the main road coming off U.S. Route 360 and Brookingway, paving from Cold Harbor Road to the end of the road. The other road is on Crown Hill at the subdivision road.

U.S. Route 33 and U.S. Route 54 Intersection Relocation completed; continuing work on U.S. Route 360 bridges at the Hanover-Henrico line. Route 634, Beatties Mill Road replaced pipe culverts-completed. Route 620, replaced drainage structure - completed.

Unfortunately, there are two roads closed right now: Route 605 – River Road and Route 615 - Williamsville Road. That contractor has the pipe installed and the head wall installed on River Road but with all the bad weather water is still being pumped, as well as with Williamsville Road which is scheduled to be open at the end of January – weather permitting. River Road – if they can get everything pumped down and the back fill done they can probably do it in a couple of weeks if weather permits and hopefully that road will be open in a couple of weeks. Traffic Engineering Studies: began speed limit study on Bell Creek Road from U.S. Route 360 to Alpen Road – anticipation completion - end of January 2014. Safety Review done at U.S. Route 54 and Route 671 (Scotchtown Road) anticipate completion - end of January 2014. Completed evaluation and recommended installation of “Do Not Stop on Tracks” sign along

## Board of Supervisors Minutes – January 8, 2014

Cedar Road at the Railroad Crossing. Began a speed study for 45 mph zone on Verdi Lane - Anticipate completion - February 2014; Evaluation done at Verdon Road and Teman Road it is being completed and stop signs have been installed at the Railroad tracks and installed a “Be Alert New Traffic Pattern” sign up.

Permits: reviewed 21 plans; Issued 13 permits and most of those permits were basically cable TV, Verizon type stuff and Virginia Natural Gas.

Mrs. Kelly-Wiecek asked if they had responded to a constituent concern about some equipment being parked in their subdivision while they were repaving Beechwood Farms and the heavy equipment was crumbling the shoulders and creating a disturbance in that neighborhood. She asked what eventually happened with that and also what is the policy regarding the parking of heavy equipment when a neighborhood is being paved.

Mr. Winn said he did not get involved with this situation until they were really far into the paving of that subdivision. He believed that the neighborhood was a convenient spot for the contractor to park and there is a VDOT inspector with them. He told that person from now on they need to look at a better place to park their equipment. They will be repairing the shoulder and any damages they did to the shoulder or entrances of that neighborhood.

Mr. Hazzard advised that he wanted to make everyone aware of the cooperation they get from Mr. Winn. He explained that he called him one day when he was leaving the industrial park and there was a pothole at the end of the road and he asked Mr. Winn the next time he had an asphalt truck available would he get them to patch those potholes. He said he went out for about an hour and when he came back that pothole was fixed. He thanked Mr. Winn for his prompt response in all of these things.

## Board of Supervisors Minutes – January 8, 2014

Mr. Peterson echoed Mr. Hazzard's comments. They have had some problems with a box culvert under Bell Creek Road where Home Depot and Martin's is located, and every time he has called Mr. Winn he has been right there "Johnny on the spot" even when it was the beavers that was causing the problems he was there immediately to discover what the problem was. He really appreciated that. He spoke to Mr. Vidunas earlier about questions he had on Atlee Road regarding the speed limits and he asked Mr. Winn to take a look at that. Regarding the road paving he has gotten quite a few calls from folks in Spring Meadows Subdivision and those roads have not had any attention in a quite a while. He asked if he had any idea when that will be coming up within his scheduled maintenance for paving.

Mr. Winn said he believed that project is coming this summer but he would have to verify that. He asked if he was talking about both sides of the roads in Spring Meadows.

Mr. Peterson answered yes.

Mr. Winn reiterated that he was reasonably sure it is on this coming year's schedule. The remainder of Battlefield Green is on the schedule as well. But he would verify it and get back with him.

Mr. Peterson appreciated that.

Mr. Stanley agreed said he was glad the other Board members talked about how responsive Marshall is when you call him because he is very cooperative with him as well. On Scotchtown Road (671) and U.S. Route 54 a citizen requested a look into the safety issue there.

Mr. Winn said he believed they went out there and cut back a little bit more looking west coming from Scotchtown way. Because there is a utility easement there and grass has grown up there and in the right-of-way they did a lot of trimming in there.

## Board of Supervisors Minutes – January 8, 2014

Mr. Stanley appreciated that. Also, at Verdon and Teman Road, he was there yesterday and VDOT was putting up signs. He believed that will address some of the issues coming up from Verdon because it is a blind spot there. “If we all would do things we are supposed to and drive slow it would never happen anyway” but some people do drive through there pretty fast. He said VDOT has done some very good things. He again thanked Mr. Winn for the work done at Teman and Tyler Station. He said citizens have responded to him and said they did a good job.

Mr. Winn advised they want to trim a little more of the sweet gum trees back to the fence line where that pond is if they can find out who the owner is of the pond.

Mr. Stanley said Mr. Mills owns that pond.

Mr. Winn believed cutting those trees back would eliminate all the sight distance problems.

Mr. Stanley agreed that sight distance is a real issue.

Mr. Davis stated he has been very pleased with VDOT, and their spirit of cooperation and actually getting things done. He said he had asked Mr. Vidunas about River Road and Williamsville Road and they know there have been some delays. He asked if the contractor is being charged with delays due to the weather issues and their inability to complete the job.

Mr. Winn explained that with this contract the contractor was supposed to do Pouncy Tract, Beatties Mill, 605 and 615 and have it all done by December 12<sup>th</sup>. From that point on they are getting liquidated damages of \$690 a day. No matter how long it takes.

Mr. Davis said for the record we certainly care about normal traffic, school buses and those types of things but that area as you well know is an economic area for our farmers and everything else and they are moving constantly down there so it provides some exasperated

## Board of Supervisors Minutes – January 8, 2014

situations. He said the last thing he wanted to say was that he and Mr. Peterson needed an update on the pedestrian cross-walk at Lee-Davis High School and asked to have it within a week or two.

Mr. Winn stated they added some curb cuts and everything.

Mr. Davis answered that looks good but there were some citizen concerns that he had shared with Mr. Vidunas on how some things were going to be done and there were some additional things coming up and he thought they needed get that update so he could send out some type of correspondence to the folks that are asking.

Mr. Winn agreed.

Mr. Davis thanked him.

### **VIII. Authorization to Advertise Public Hearing – Department of Public Works – Ordinance No. 13-16, Amendments to the Hanover County Drainage Design Handbook – Mr. Flagg**

#### *Board Sheet Background:*

The Drainage Design Handbook was first adopted in 1988 and minor revisions were approved in 2008. In January 2011, the manual was revised significantly to adapt to changes in regulatory standards, design standards, County ordinances, and County policies concerning drainage improvements. The Handbook was originally drafted by a citizen committee and has served Hanover County well for over 25 years.

Virginia Stormwater Regulations require Virginia Stormwater Management Program authorities such as Hanover County to adopt either the methodology set forth in the regulations for stream channel protection (“Energy Balance”), or an alternative methodology that is demonstrated to achieve equivalent results to the Energy Balance methodology. The Department of Public Works (DPW) retained Williamsburg Environmental Group, Inc. to perform a study comparing the Energy Balance methodology with the County’s proposed alternative methodology (“Permissible Velocity”) (Study Attached). The study demonstrated that the Permissible Velocity approach achieves equivalent results to the Energy Balance methodology, and in some cases is even more protective of stream channels encountered in Hanover County. DPW proposes the revisions to the Drainage Design Handbook to establish the Permissible Velocity methodology as the stream protection criteria for Hanover County’s Stormwater Program. The criteria must be approved by the Virginia Water Control Board upon adoption. A black-lined edit of the changes to the Handbook is attached. (Filed in Board’s Packet).

## Board of Supervisors Minutes – January 8, 2014

The development community has been informed of the Department's plans to update the Handbook through the County's Quarterly Development Community meetings.

The Public Works Department recommends authorization of a public hearing on the Ordinance adopting the revised Handbook.

Drainage Design Handbook Establishes Standards for Design:

- **Erosion & Sediment Control**
- **Chesapeake Bay Preservation**
- **Virginia Stormwater Management Program (VSMP)**
- **Construction General Permit VSMP Implementation**
- **Municipal Separate Storm Sewer System (MS4) General Permit (MCMs 4 & 5)**

Mr. Flagg, Director of Public Works, said he would be discussing authorization for a public hearing for our Hanover County Drainage Design Manual. He has spoken about this when they advertised a number of ordinances related to their stormwater program in the fall as pending. This particular action deals with their standards that they employ. This Drainage Handbook has been a special handbook for the County since 1988. A citizens' Committee helped draft it and it dealt with things that they have used for years about lot drainage, subdivisions, and special conditions that were important to Hanover and they have used it in that regard. He said they propose to use some of the practices they have employed for years to meet some of these new State Stormwater requirements as alternatives to the State Requirements. There are some "carve-outs" in those regulations that provide them with an opportunity and this is that purpose here, trying to use things they have done for years successfully as an alternative to criteria they have established in the State Regulations. It will help them comply with all these rules but in particular the states do not want a management program and that is why they are proceeding in this regard.

Mr. Davis left at 3:32:42 p.m.

Mr. Davis returned at 3:33:26 p.m.

## Board of Supervisors Minutes – January 8, 2014

Mr. Flagg: Summary of Changes

- Updates references to ordinances
- Updates references to applicable design standards
- Clarify design requirements relating to permissible velocity for open man-made and natural channels
- Updates ‘Stormwater Management’ section IX to reference the “permissible velocity” approach as the local alternative to “energy balance” approach in the state regulation.

The summary in the changes in the Handbook are in the Board’s packet but some administrative things like updating references, and applicable design standards change with time. The focus here is dealing with a concept but it is permissible velocity. In looking at stream and design channels one of the things that have been important to them is will those channels erode and they use the term “permissible velocity.” “If you start running the water too fast, that channel will erode and that’s what this concept is about.” It is about establishing how much water it can take based on geomorphology of that stream channel. They have used this approach for many years in this particular handbook, in the back of the book is a table that lists permissible velocities for different soil types. It has worked successfully and they hope to continue using it.

The State has come out with an approach they refer to as “energy balance” but it really does not have anything to do with energy. When they deal with the regulations and channels, they have manmade channels, restored channels and natural channels. This particular criterion applies to an alternative for the natural channels and how we evaluate those. They are trying to avoid these types of infractions. These are examples of where they have had channels “blow-out” over time. Sometimes, they are exasperated by water moving too fast leaving developments. And then something like the hurricane Gastone comes along and “blows the world out.” But these are also a subject of this renowned TMDL, and where they have to go in and fix problems after the fact. So, they want to be very careful not to start the problems to

## Board of Supervisors Minutes – January 8, 2014

begin with as developments are approved. That is the focus of this criterion - preventing problems before they occur.

Mr. Flagg reviewed the State's criterion for this energy balance formula in his presentation (filed in the Board's papers). It is really a relationship between post development, quantity of runoff, times of ratio of volume, pre-developed over volume developed, and he said he really did not know exactly what that means. It's a relationship that they have proposed but it's kind of non-intuitive. So, they took the time to study this in more detail to propose their criteria's alternative, because they have an option to put an equivalent or more protective standard forward if they deem appropriate. So, they used from their tables this permissible velocity approach and intuitively it's a little simpler to apply. They establish the soil types in a particular channel and pick a velocity that it should be able to withstand and then design against common sense and error approach. He said it is not always easy to comply with but it works.

Mr. Flagg advised that in this particular analysis and in the Board's packets there is a very comprehensive analysis, they procured Williamsburg Environmental Group to do an analysis to meet the State requirements. He said they suspected many of the things but this helped them confirm it in writing. In that analysis they used two storms: 1 and 2-year storms are different:

**Table 5 23-Hour Precipitation for Hanover County, Virginia**  
(Virginia NRCS, 210-VI-EFH, Part 650, January 2008)

Return Event	Precipitation (Inches)	Distribution
1-year	2.71	Type II
2-year	3.28	Type II

Example channels – different types:

## Board of Supervisors Minutes – January 8, 2014

**Table 4 Receiving Channel Summary**

Channel ID	Fortier and Scobey Description	AASHTO Classification	USCS Classification	Permissible Velocity (fps)
I	Sandy loam, non-colloidal	A2	SM	2.00
II	Graded loam to cobbles, non-colloidal	A1-b	SM	4.00

One-year storm 2.7” and a two-year storm 3.2”. These tend to be the storms they look at because these occur relatively frequently for things like stream channel erosion. They then analyzed two channels. One is a very sandy channel which tends to be very prevalent in Hanover; then a channel that is a little more graded or clay which can withstand a higher velocity. That is what is represented on the second channel. In Hanover they are very concerned with “sandy channels” and what the effects might be.

**Table 6 Pre-Developed Hydrologic Input Summary:**

Condition ID	Land Cover	% Impervious	Area (acres)	Soil HSG	GN	Tc (hours)
A	Woods good	0	30	C	70	0.6
B	Row crops good (SR+CR)	0	30	C	84	0.5
C	Residential district (2 acres)	12	30	C	77	0.5
D	Residential district (1 acres)	20	30	C	79	0.5
E	Residential district (1/4 acres)	38	30	C	83	0.4
F	Townhouses (1/8 acres)	65	30	C	90	0.3
G	Commercial and business	85	30	C	94	0.2

Mr. Flagg said the tables above represent two things: one the pre-development condition verses the post-development because in the State’s methodology they use this relationship between runoff volumes, pre-impost to “ratchet” down the post development flow in a prescriptive way. So, these were sort of the beginning conditions. A lot of their projects start

## Board of Supervisors Minutes – January 8, 2014

out as woods, but there also are situations where it is an agricultural setting like row crops or it is already developed to some level, maybe one house to every 2 acres but that is a post development condition and it is higher than “woods.” And then move on to design towards a particular outcome post development.

### **Permissible Velocity verses Energy Balance**

**Table 13 Routed Detention Basin Summary –  
Receiving Stream I (permissible velocity = 2.00 fps)**

**Table 14 Routed Detention Basin Summary –  
Receiving Stream II (permissible velocity = 4.00 fps)**

Mr. Flagg explained that he has used table 13 & 14 (filed in the Board’s Packet) to represent the difference between the two methodologies. The “Permissible Velocity” for the two-year storm with that sandy channel in the Hanover setting is good for two-feet per second. Q is for quantity of runoff and if the channel size is the sand the velocity goes up when the quantity goes up. So, where there is higher quantity numbers that velocity can be expected to be higher with the same channel. We are just looking at quantity but there is a relationship to the lots.

Mr. Flagg said in the case of “permissible velocity” they would be allowed to release 8.5 cubic feet per second, to sustain that channel and not erode it. Under “Energy Balance” is a range of permissible quantities of water that can be released and it varies with each of those development conditions because again the State is computing a runoff volume pre-impost and modifying the flow based on that. So, what starts to happen is some really strange things that concerned us (chart filed in Board’s Packet): 1) looking at woods in the first couple scenarios A-1 and A-2 they are essentially the same and we are going to end up at the same spot from a development standpoint. But in A-3 and A-4 with regard to Woods we are really overdesigning

## Board of Supervisors Minutes – January 8, 2014

significantly to a tune of about double. So, the developer is being asked to do more than they need to do which is a direct relationship to expense. By the time we get to these other post-development scenarios like converting a crop deal, they are not doing nearly enough. In fact, scenario B-1, 2, 3, and 4 jump up significantly. So, we would expect to see discharge velocities that significantly exceed the permissible velocity. This will be a bad thing for Hanover because it will release water at a rate that will erode our channels. Therefore, we go in one setting from doing way more than is needed to another setting where not enough is being done. That does not make sense to us. We are looking towards a policy where we can focus on exactly what the channel situation is.

Mr. Davis said he understood if going to the Energy Balance approach in Q2 from A-4 to B-1 the significant jump and then obviously B-3 comes back down to a little more equalization, but he was not sure he understood from A-4 to B-1 what causes that significant jump there in Q2 cfs.

Mr. Flagg replied that it really comes back to the formula. Looking at that formula the change in scenario perimeter is the pre-development conditions. So, you go from woods in the A scenarios to the B scenarios are farm fields. Because that pre-development condition allowed more runoff you do a different level of adjustment with that fraction of runoff volume pre and runoff volume developed, and the difference in post development is smaller so the adjustment is smaller.

Mr. Hazzard said to help clarify the field already puts out more sustainable water because of its ability to drain than the woods. So, it does not require as much remediation for those as they do for the woods which by their standards already is not putting out a lot.

Mr. Flagg said that was correct.

## Board of Supervisors Minutes – January 8, 2014

Mr. Hazzard said so then because you do not have to do as much you end up with more water coming off of the field once it is developed because the existing standards were higher than the woods when you started.

Mr. Flagg said correct, but the net result is a problem with that channel post development.

Mr. Hazzard said he understood but that is if they use their standard, but the way he is going about it is at the end of the day both will be developed very similarly so that the runoff will remain consistent from both sites.

Mr. Flagg replied yes. They are going to “ratchet down” and care about what that channel is.

Mr. Davis advised he recognized that there will be a difference but using the energy balance approach just seemed like things would go “through the roof.”

Mr. Flagg explained that is the root of their concern with the methodology and when looking at our conditions here in Hanover. He expected they will see changes statewide over time because folks are going to figure this out. For instance folks in Amherst County being required to go back to these extreme levels but they will be discharging into a rock channel, it will take all the water in the world and people are going to question why they are being with such an oppressive level of reduction. Counter to that you will see areas start to erode that we did not think should erode. Therefore, they will see two sides of the coin emerge and they are trying to avoid that with these particular criteria.

Mr. Flagg in Summary:

- Permissible Velocity approach focuses more on the channel characteristics and does not require over design or under design.
- Permissible Velocity approach should generally result in overall less cost but will be site and condition specific. (*forested sites*)

## Board of Supervisors Minutes – January 8, 2014

- Permissible Velocity approach is more protective for the “community” and lowers the chance of problems that will have to be addressed through other mandates such as MS4, maintenance and other related problems.

Mr. Flagg advised they believe the permissible velocity approach focuses on the channel and that is what is important, they want to preserve that channel. In general he would submit it should result in overall less cost but you have to look at that across the whole spectrum. You will have sites that start out as woods and it will be cheaper for those, but sites that start out as row crops, it is going to be more expensive for them. Overall in the community they will be preserving the community to a higher level and not have those “sins of the past” to fix as readily either. He suggested that the Board will have to consider where we are more restrictive we are actually preventing problems that will end up costing us. And that is a point he would make in the adoption of the criteria.

Mr. Flagg said since they are talking about the drainage manual, he would note, it is not changing in the manual but it is also an alternate criteria they have used for flooding. There is an alternate criterion for flooding. The State automatically requires that post development not exceed the pre-development level for the 10-year storm. What has been important for years is that things that matter do not get flooded, like a house. Their goal is to make sure when subdivisions and homes are built the homes and crawl spaces are safe from flooding. And they work hard to do that and that is what this criterion has been about. They focus very intently when reviewing subdivision and plot plans on this 100-year storm for flooding. The yards can be flooded but it is important that the water does not go into the new homes and this is another criterion where they vary from the State rule. It has been in place for years so, they are grandfathered to continue with that approach and it is being submitted as part of their program application to have alternate criteria to the State’s base criteria.

## Board of Supervisors Minutes – January 8, 2014

- Will continue to maintain existing alternate criteria for flooding as defined by the Handbook (Grandfathered).
- No automatic 10 year peak attenuation.
- Evaluate flooding for 100 year storm.

Mr. Peterson said the main amendments here are the permissible velocity verses the energy balance.

Mr. Flagg stated yes.

Mr. Peterson noted it was his understanding is that this has been vented with people in the engineering and development community.

Mr. Flagg said that was correct, and they have used these criteria for years, so the County is used to using it. The “tweaks” in the Manual are to conform to the Code Requirements and show it as an alternate; secondarily this was discussed at the quarterly developers meeting last fall. They did not disclose the specifics but they discussed the concepts so the Development Community would be aware that it was coming. He has personally sent it to a number of local engineering firms asked them if they had any concerns. And then the Board is aware they had discussed it on and off at the Community Development Committee level. All of this was done to make sure the Development Community was informed.

Mr. Peterson asked to look again at photographs Mr. Flagg had shown earlier, of the washed out stream channels. He said there are situations like this in a number of places in the County. And he knew they have the new regulations that the DPA is looking to put into effect this summer. He asked if there was anything they could fix now or do they have to wait until all this stuff comes in, or will this stuff count towards meeting our criteria.

Mr. Flagg answered they are working to make sure it counts. There is always an evolving set of rules changing but they try to stay on top of it and some of the Board Members

## Board of Supervisors Minutes – January 8, 2014

are aware that they just applied for some grants to fix problems like these. It is their goal and intent to make sure they get credit for those repairs and he believed they will.

Mr. Peterson made a **MOTION** to advertise for public hearing Department of Public Works Ordinance 13-16, Amendments to the Hanover County Drainage Design Handbook,

Mr. Hazzard **SECONDED**.

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

Motion approved.

Mr. Davis asked for Mr. Rives' report. He noted that this is the first day that the General Assembly goes into session and how much they appreciate Mr. Rives work prior to this. He said it is important to note that the legislative committee led by Mrs. Kelly-Wiecek and Mr. Rives and those that work diligently on this and they appreciate all that they do.

### **IX. Legislative Committee Report and Overview of Proposed Legislative – Mr. Rives**

Mr. Rives, County Attorney, advised that Mr. Walter, Assistant County Attorney is doing a great job of previewing all of bills that are being filed. As of this morning he reported that 1,100 House Bills and Resolutions have been filed, and 400 Senate Bills and Resolutions have been filed. Out of those Mr. Walter has identified 250 that are of particular interest to Hanover County.

Mr. Rives said the first item of business is to discuss the Legislative Committee's recommended additions to the Legislative Agenda and he requested the assistance of the Chair of the Legislative Committee and the members to discuss these items.

# Board of Supervisors Minutes – January 8, 2014

## Legislative Committee Report and Overview of Proposed Legislation

Legislative Committee of the Board of Supervisors met on December 19, 2013, and voted to recommend that the following items be added to the Board's Legislative Agenda for the 2014 Session of the General Assembly:

1. Support for a study by the Joint Legislative Audit and Review Commission (JLARC) of Medicaid-funded transportation services.

This pertains to the Department of Medical Assistance Services (DMAS) which oversees a State Contractor Transportation Services provided by Legisticare for persons with intellectual disabilities or mental illness.

There have been on-going problems with the performance of this contract in Hanover, but not just in Hanover. In Fairfax County they reported over 600 complaints in 2012 alone. As a result of those complaints Delegate Albo has introduced into the General Assembly HJ Resolution 40, calling for a JLARC study.

### **HJ 040 Study; JLARC; Medicaid-funded transportation services in the Commonwealth; report.**

*Patron: David B. Albo*

Directs the Joint Legislative Audit and Review Commission (JLARC) to review the Commonwealth's contract with Logisticare for Medicaid-funded transportation services, identify remedies and alternatives available to the Commonwealth to resolve the issues surrounding Logisticare's questionable performance, and review the Department of Medical Assistance Service's oversight of the Commonwealth's contract with Logisticare. The resolution provides that the Commonwealth's contract with Logisticare not be renewed or extended prior to the completion of this study.

Mr. Rives noted that Mr. Davis serves on the Community Services Board and has been particularly interested in this topic and he invited him to add any comments.

Mr. Davis stated that it was certainly something that came up and they recognized it here in Hanover, not just from an efficiency standpoint but those who are served and last year through some interesting turn of events realized that CSB was in dire need of some assistance and he asked the CSB to commission a transportation study because of some things that had happened, without any knowledge that this was taking place in any other areas. Our transportation study revealed what was also happening in other localities so they brought it before the Legislative Committee. He thanked Mrs. Kelly-Wiecek, her committee and Mr. Rives for taking this on.

## Board of Supervisors Minutes – January 8, 2014

This resolution provides that the Commonwealth's contract with Legisticare not be renewed or extended prior to the completion of this study. These are transportation needs for folks who are going to and from Medicaid funded services.

2. Opposition to any measures to create a regional transportation authority, whether that be an expanded or renamed Richmond Metropolitan Authority or other entity, which does not include all localities in the region having proportional representation.

Mr. Rives said the second item being reported from the Legislative Committee is one that Mrs. Kelly-Wiecek the Chair of the Committee, and also given her position on the RRPDC is particularly interested in. Delegate Loupassi has for several years now tried to restructure representation on the RMA, which included only representatives from Henrico, Richmond and Chesterfield. This year Delegate Loupassi introduced a bill that not only changes the representation on the RMA but changes the name to the Richmond Regional Transportation Authority. It still includes only those three jurisdictions; however, and the concern is when and if the Richmond Region reaches the population and vehicle registration thresholds set forth in State Law to become a Regional Taxing Authority that it may be the RMA that is designated to do that.

Mrs. Kelly-Wiecek emphasized that the reason they are talking about an additional three items here is because there is a great deal of activity at this time of year with bills that are being filed and they are keeping a "keen eye" out for those items that are going to have a greater impact to the citizens of Hanover County. This one came to us partially through the MPO and we are concerned because the transportation bill that was passed last year sets in place certain benchmarks that would indeed add to a sales tax rate once our Metropolitan area reaches a certain level of population. All of the nine jurisdictions that are defined as the Richmond region including Hanover would then be subject to additional sales tax and if any organization is

## Board of Supervisors Minutes – January 8, 2014

designated as a transportation authority they must have representation from all nine jurisdictions; otherwise, we are clearly looking at taxation without representation, and that is not something we are interested in for Hanover County. For that reason they will be active in monitoring this and opposing anything that does not include propositional representation. She encouraged all of her fellow Board members to use whatever contacts they have to assist in this regard.

Mr. Peterson stated that the PDC has not taken a position on this at all and that is largely because the PDC has taken the positions only on things that everybody agreed on and for that reason it is his understanding that most of the jurisdictions are considering a similar legislative addition within the district we have here.

Mrs. Kelly-Wiecek asked Mr. Peterson as one of our members on the MPO, to speak to any of the discussions going on at the MPO. This organization that is represented by all nine localities.

Mr. Peterson explained that the MPO is basically a “sister” organization with the PDC with many of the same members. He sits on both Boards and their discussions in the MPO simultaneously have been looking at making the MPO more of a planning issue because it does have representation of all nine jurisdictions. There has been discussions in the MPO where they have had RMA come in and make presentations and what they have really seen is the MPO has more expertise in planning and RMA has more expertise in operational issues. But he felt the most important thing our legislative committee has come up with is not what the name or how the group is designated but that every jurisdiction in the region have their appropriate level of voice within the decisions.

Mr. Rives continued - the third item pertains to stormwater.

3. Support for the position by the Virginia Association of Counties (VACo) regarding the implementation of local stormwater programs.

## Board of Supervisors Minutes – January 8, 2014

This year VACo added an item to its legislative agenda which reads *VACo supports legislation that would delay from July 1, 2014 to July 1, 2015 the date by which stormwater programs must be put into effect by local governments.* There are three primary components to the stormwater regulations that will become effective this summer in Hanover. The first is the State Delegation of the State Permitting Authority and Responsibility from the State to Localities. That will become effective on July 1, 2014. That is a program that Mr. Flagg believes his staff is well prepared to undertake and that there are in fact advantages to Hanover residents and property owners to having that permitting being done by Hanover authorities as opposed to State authorities. The staff does not believe it is necessary for that portion of the program to be postponed in Hanover; however, there are many rural localities that do not have full time engineering staff as we are fortunate to have, for whom this mandate and this delegation will be an extraordinary burden and that is the provision that the VACo legislative item was added to address and the Legislative Committee thought that it would be appropriate for Hanover to join its fellow counties and support them by supporting this VACo provision.

Mr. Hazzard said if nothing else by delaying it, it gives time for the discussion to go on so that maybe we will get more meaning and value of what they intend to implement. The smaller counties have a cost burden that they did not recognize until now. So, I know that there is going to be legislation coming out to mimic VACo's request so, he thought they should support it.

Mr. Rives said if there were no further questions or comments on these three items, he believed it was an appropriate time for the Board to take action on whether to add these items to the Legislative Agenda.

## Board of Supervisors Minutes – January 8, 2014

Mrs. Kelly-Wiecek made a **MOTION** to add these three items to our Legislative Agenda for the 2014 session.

Mr. Hazzard **SECONDED**.

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

Motion approved.

Mr. Rives advised that he had sent out to the Board a summary of some of the bills of interest from last week. So, his intention was not to discuss them all. Delegate Ware has introduced a couple of bills calling for the State to pick up the cost of local electoral boards and in particular the costs of primaries held by the Federal Government and the State. There have been multiple bills submitted on Ethics Reform this year. It has been interesting to follow some of those, there is apparently a by-partisan bill in the House that Delegate Toscano and Delegate Howell both support that proposes a cap of \$250 per item on gifts that legislatives may receive. It does not include intangible items like entertainment or travel; although there is an enhanced reporting requirement for those items.

There are several school calendar bills as there have been for the last several years that would eliminate the current post Labor Day opening provision and they will continue to work on those bills as they have done in the past.

### **HB 0066 School resource officers; local school board to place officer in each public school.**

*Patron: David I. Ramadan*

Requires each local school board to place a school resource officer in each public elementary and secondary school.

## Board of Supervisors Minutes – January 8, 2014

Mr. Rives said there are 27 schools in Hanover. Currently there are resource officers assigned to each of the middle and high schools for a total of eight, plus one at the Technical schools making a total of nine. So, we would have to add a number of additional officers. We do have some DARE officers that go from elementary school to elementary school but Sheriff Hines advises they would have to add an additional 13 officers to meet this requirement. The first year cost for an additional law enforcement officer is about \$138,000 because of the cost of the equipment and the training and all of the other requirements necessary to put a trained law enforcement officer on the job. The annual cost thereafter is substantially less. He believed that both the superintendent of schools and the Sheriff would certainly confirm if there is going to be armed personal in each public school they will be a well-armed, equipped, trained and supervised Law Enforcement Officer. And not a private contractor or a librarian who is required to carry a fire arm in the course of their duties which are some of the proposals that have been out there.

### **HB 0071 Agricultural operations; local regulation of certain activities.**

*Patron: Brenda L. Pogge*

Protects customary agritourism activities at agricultural operations from local bans in the absence of substantial impacts on the public welfare.

Mr. Rives - this bill is another attempt to address concerns about local government regulations of agricultural operations and particularly agricultural operations that involve some form of retail or entertainment component. There was a bill last year that was defeated. There are legitimate concerns about agri-business and dealing with local regulations. He believes VACo would say that zoning control should be left in the hands of local government. This bill purports to protect “customary agritourism activities” in the absence of “substantial impacts.” These terms are not well defined. In reading the specific bill it states *no local government may require a special exception or conditional use permit for agritourism activities including the sale of agriculture or silvicultural products and the processing preparation or sale of food products*

## Board of Supervisors Minutes – January 8, 2014

*on any property that is zoned agricultural.* The processing and sale of food products presumably includes what we would consider to be a restaurant and agritourism activities can be wineries and the activities associated with those. Most people think there are some activities that can be held in certain places on lands zoned agricultural particularly if there are some safeguards for the residents in the area. For example most people think that Ashland Berry Farm is a great asset for Hanover County in its current location but there might be some other places zoned agricultural where those types of activities would generate more problems. This is an area where our zoning ordinances would have to be changed substantially if this bill were passed and it will eliminate the CUPs that we currently require for business like the Ashland Berry Farm or the SEs that we require for roadside stands selling agricultural products. We will monitor this bill.

### **HB 0178 Virginia Retirement System; assumed rate of return on investments.**

*Patron: Peter F. Farrell*

Provides that if the General Assembly adopts an assumed rate of return on investments that is different from the rate used by the Board of the Virginia Retirement System (VRS), the Board shall recalculate the employer contribution rate for each employer to incorporate the assumed rate of return adopted by the General Assembly.

Mr. Rives - if the General Assembly decides to adopt a different presumed rate of return, then that's adopted by the VRS Board, then the VRS Board shall recalculate the contribution rate for all employers not just the State, and that would be the rate that would be applicable.

### **HB 0182 Retirement benefits for local employees.**

*Patron: Peter F. Farrell*

Provides that any locality may establish and maintain a defined contribution retirement plan for its employees in lieu of any other retirement plans for employees hired on or after July 1, 2014.

Mr. Rives - this bill would provide that any locality could establish a defined contribution retirement plan for new employees that are hired after July 1, 2014, instead the defined benefit plan that VRS currently provides.

## Board of Supervisors Minutes – January 8, 2014

### **HB 0199 Legislation affecting local government expenditures or reductions.**

*Patron: R. Steven Landes*

Requires the Division of Legislative Services to identify and forward to the Commission on Local Government (Commission) joint resolutions introduced calling for a study of local government expenditures or revenues.

Mr. Rives – this bill requires that any resolutions calling for studies of local government expenditures or revenues be sent to the Commission on Local Government to evaluate the impact.

### **SB 048 Prohibition on oil and gas drilling.**

*Patron: Richard H. Stuart*

Prohibits the drilling for oil and gas in the Eastern Virginia Groundwater Management Area.

Mr. Rives – this bill would prohibit any drilling for oil or gas in the eastern Virginia Groundwater Management Area, which is Hanover County east of Interstate 95. So, this would be a blanket prohibition on oil and gas drilling east of I-95 in Hanover. The bill does a number of other things in combination of existing law calling for studies and the development of regulations to assure the drilling that might take place in the future, can be done safely in with regard to the potential impact on ground water.

### **SB 053 Regulation of stormwater; waiver of charges for places of worship.**

*Patron: Richard H. Stuart*

Requires a locality that adopts a system of stormwater management service charges to provide for a waiver of at least 50 percent of such charge to any church, synagogue, or other place of worship.

Mr. Rives – this bill provides local governments that adopt stormwater management service charges provide a waiver of at least 50 percent for churches, synagogues and other places of worship. Currently those places are not subject to real estate taxation, but do pay service fees for water and sewer and other utilities.

### **HB 0204 Secretary of the Commonwealth; centralized filing of disclosure forms.**

*Patron: K. Rob Krupicka*

Centralizes the filing of economic interest disclosure forms in the Office of the Secretary of the Commonwealth.

## Board of Supervisors Minutes – January 8, 2014

Mr. Rives – this bill would require that all economic interest disclosure forms be kept by the Office of the Secretary of the Commonwealth in Richmond and not here locally.

### **HJ 040 Study; JLARC; Medicaid-funded transportation services in the Commonwealth; report.**

*Patron: David B. Albo*

Directs the Joint Legislative Audit and Review Commission (JLARC) to review the Commonwealth's contract with Logisticare for Medicaid-funded transportation services, identify remedies and alternatives available to the Commonwealth to resolve the issues surrounding Logisticare's questionable performance, and review the Department of Medical Assistance Service's oversight of the Commonwealth's contract with Logisticare. The resolution provides that the Commonwealth's contract with Logisticare not be renewed or extended prior to the completion of this study.

Mr. Rives said this bill was discussed earlier.

### **HB 0169; Commonwealth Transportation Board; membership**

*Patron: Michael J. Webert*

Mrs. Kelly-Wiecek asked about HB 0169; Commonwealth Transportation Board; the membership increase.

Mr. Rives advised there are actually three bills that he has seen and there may be more that would change the membership for the CTB.

### **HB 0146; Commonwealth Transportation Board; composition**

*Patron: Timothy D. Hugo*

Mrs. Kelly-Wiecek regarding HB 0146 noted that none of these is looking to add from the Richmond Region other than the one that is looking to add Delegates and Senators to that. She stated her point was they, at the PDC, chose not to address that particular issue this year. She asked Mr. Rives to watch out for this bill because obviously if they add four new members none of which are from the Richmond area, that further dilutes our representation, which will be a concern.

## Board of Supervisors Minutes – January 8, 2014

Mr. Rives said she was correct. There is one bill that would double the representation for the Richmond, Tidewater, and the Northern Virginia areas but keep it the same for the other areas which would obviously dilute the rural representation on the CTB. We have not had the opportunity to evaluate all of these bills. In the past the RRPDC has done a good job of evaluating the alternatives and how that might benefit or work to the detriment of the Richmond area. They will monitor these bills and talk with the RRPDC staff to see if there is one that they think is more advantageous to the Richmond Region than others.

Mrs. Kelly-Wiecek said as a reminder at their last meeting the Board added to the legislative agenda a resolution that would require any bill with local financial impacts to be submitted with an impact study, no later than the first day of session and she was curious as to whether they got any information on whether or not there is support for that.

Mr. Rives replied he did not have an answer to that question but would give them a report back as soon as he does.

Mrs. Kelly-Wiecek said thank you.

Mr. Davis asked if anyone one else had a question. There was none. He thanked Mr. Rives for his report.

### **X. Proposed Revisions to the Human Resources Policy Manual – Mrs. Lawson**

*Board Sheet Background: The attached proposed policy changes are designed to represent best practices and to provide clarification of the policies. These proposed changes have been reviewed by the County Attorney's Office and are listed on the attached summary and in more depth in the attached policy (filed with Board's papers).*

Mrs. Lawson, Director of Human Resources, presented several proposed revisions to the HR Policy Manual. Each year the HR Team reviews the policy manual to determine if revisions are warranted. Primary reasons for making revisions include changes in practices, implementing best practices, or to clarify based on questions or calls that they receive from staff. In addition,

## Board of Supervisors Minutes – January 8, 2014

anytime there are changes to laws or regulations they also make changes to the policy to ensure compliance. These proposed revisions are all based on clarifying existing policies and have been reviewed by County Administration, Department Heads and the County Attorney's Office.

1. **1.6 Definitions:** Revised "Transfer" as a move to another position in the same pay grade, with optional Conditional Status

Currently the transfer policy states that an employees' movement from one position to another of the same position title or class and same pay grade. Following in a transfer for the employee is not required to serve a probationary or conditional period of employment status.

Proposed revision – a definition of a transfer is just a change from one position to another in the same pay grade. Also, making the conditional status an option verses a requirement.

2. **3.7 Intern Program:** Provided guidelines to determine if an intern should be paid vs. non-paid.

Each year many departments utilize interns throughout the year there is always some confusion whether the intern should be paid or unpaid. Several years ago the Department of Labor established six factors that are required for the private sector to determine if an intern is paid or unpaid. Although not required to follow these factors we do see them as a means to provide consistency and they have been used as guidelines in the past. So, they added them to the policy to help our department heads in making that decision.

3. **5.7.A Probation and Conditional Status:** Clarified Conditional Status option relative to a transfer

With the proposed change to our transfer policy they also made a revision to the probation and conditional status indicating that an employee who transfers may be placed in a conditional status.

4. **5.8 Re-employment and Reinstatement:** clarifies service date and benefits

## Board of Supervisors Minutes – January 8, 2014

This is where an employee separates from the County employment but returns and there are two different definitions here. So, they added language to better clarify what happens under both scenarios to the employee's service and State benefits. A re-employment is where a former employee returns to employment with Hanover County and if they are re-employed after 90 days of separation, they are treated as a new hire. However, those rehired within one year of separation receive credit for prior service which is applied to their annual leave accruals as well as any service award recognition.

Reinstated employees are those who are rehired after 90 days of separation. Their original service date is retained and their leave benefits are reinstated to their previous accrual rate. If the employee returns before their leave payout has been processed then their leave balances are retained.

5. **6.3 D Transfer:** clarifies definition of transfer as move to another position in the same pay grade

They are clarifying that a transfer is a move from one position to another in the same pay grade but not necessarily the same title. They have also added language that allows for a salary increase with a transfer only with approval by the Department Head and the Director of Human Resources.

6. **6.4.G Compensatory Leave and Overtime Pay:** change in employment status from non-exempt to exempt now requires payout of compensatory leave balance.

This requires that an employee who moves from a non-exempt position to an exempt position and has a balance in their compensatory leave has that balance paid out at the time of their re-appointment. They have found in the past that there were employees who were at high levels who were not eligible to accrue compensatory leave that had a balance. So, they are trying to make sure that does not happen going forward. Currently it is an option.

## Board of Supervisors Minutes – January 8, 2014

7. **6.12 Workers' Compensation:** clarifies payment of time off due to WC during first 90 days (at 100%) and payment after 90 days (at 66 2/3%)

From their last revision they updated our Workers' Compensation policy to be more aligned with our peers. This included changing our payment of workers comp benefits at 100% for the duration of an employee's lost time from work to 100% for the first 90 days and then reduced to 66 2/3% after 90 days. However, we again have experienced a lot of calls and questions clarifying how payments are processed and there are two different processes. What we have clarified in the policy manual is that for employees who are out the first 90 days receive 100% of their salary processed through payroll; however, employees that are out greater than 90 days receive their payment directly from the insurance carrier at the reduced rate of 66 2/3%.

8. **8.5 Extended Sick Leave:** requires minimum balance of 20 hours to qualify

This is a benefit offered to employees who are out for a long period of time and will exhaust all of their sick leave balances, they can request to "borrow" up to 75% of their available balance at the time that they go out on approved leave and they recently received a request for someone who had 17 hours available and they realized it was not worth the time to process that, so they proposed adding in a requirement that the employee must have a minimum balance of 20 hours before they are eligible to request extended sick leave.

9. **15.3.B.2 Drug Free Workplace and Substance Abuse Testing:** added preference for employees tested under reasonable suspicion to be transported in a County vehicle; and changed reporting requirement for reasonable suspicion and post-accident testing from two hours to one hour

Two changes being proposed. The first is an addition to better clarify the transportation of employee who is requested to submit to a test based on reasonable suspicion. The intent of the policy has always been that we provide transportation to the employee; however, recent

## Board of Supervisors Minutes – January 8, 2014

review reveals that we need to better clarify that we prefer that the employee be transported in a County vehicle if possible.

The second change that has been made currently an employee who is requested to submit to a test for reasonable suspicion or post-accident has two hours to submit to a test before they are found to be insubordinate and based on the location of our occupational health provider they believe that one hour is sufficient time for the employee to submit to a test. So, the recommended change is from two hours to one hour.

Mrs. Lawson stated that if the Board approves these changes then her staff recommended that they be approved to be in effect tomorrow.

Mr. Davis thanked Mrs. Lawson for her presentation. He asked if Mr. Harris wished to say anything.

Mr. Harris said they recommended approval.

Mrs. Kelly-Wiecek made a **MOTION** to recommend approval of the changes to the Human Resources Policy Manual.

Mr. Hazzard **SECONDED**.

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

Motion approved.

### **XI. Recess**

The Chairman declared recess at 4:31 P.M.

## Board of Supervisors Minutes – January 8, 2014

### Reconvened

The Chairman called the meeting back to order at 7:00 P.M. All members were present.

### XII. Citizens' Time

Mr. Davis advised that he had one card from a citizen who wished to speak. He asked if there was anyone else who wished to speak during Citizens' Time. There was no one.

Mrs. Patty Thomas, a Mechanicsville District resident, expressed concern with the proposed development at the intersection of Pole Green and Bell Creek roads. Knowing this development will have a direct impact on her property, she presented proffers she wished for the applicant to agree to which she believed would help to protect her land, home, pond, as well as the downstream waterways (she gave a handout, which is filed with the Board's papers).

Mr. Davis closed citizens' time.

### XIII. Presentation of Proclamation – Eagle Scout Hunter Prince, Chickahominy Magisterial District, Boy Scout Troop 500

Mrs. Kelly-Wiecek presented the following proclamation:

**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 11<sup>th</sup> day of December, 2013, at 2:00 p.m.

Present: Mr. W. Canova Peterson, Chairman  
Mr. Sean M. Davis, Vice-Chairman  
Mr. Wayne T. Hazzard  
Mrs. Angela Kelly-Wiecek  
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

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

## Board of Supervisors Minutes – January 8, 2014

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

**WHEREAS** Hunter Prince is a resident of the Chickahominy Magisterial District in Hanover County, Virginia, and in the eighth grade at Oak Knoll Middle School; and

**WHEREAS** on the 21<sup>st</sup> day of October, 2013, Hunter Prince attained the rank of Eagle Scout, the highest award granted by the Boy Scouts of America; and

**WHEREAS** to achieve this high honor Hunter Prince carried out a community project by constructing three (3) handicap picnic tables for the Hanover County Department of Parks and Recreation; and

**WHEREAS** Hunter Prince of Boy Scout Troop 500 which meets at Chamberlayne Heights United Methodist Church has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout; and

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

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

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

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

Motion approved.

## Board of Supervisors Minutes – January 8, 2014

### XIV. Planning Public Hearings – Mr. Maloney

#### CONDITIONAL USE PERMIT

**CUP-7-13 UNIVERSAL ENVIRONMENTAL SERVICES, L.L.C.**, Requests a Conditional Use Permit in accordance with Section 26-183.9 of the Hanover County Zoning Ordinance to permit petroleum storage on GPIN 7788-73-8048, consisting of approximately 3.324 acres, zoned M-3, Heavy Industrial District, and located on the south line of Air Park Road (State Route 809) approximately 350 feet east of its intersection with Progress Road (State Route 1259) in the **ASHLAND MAGISTERIAL DISTRICT**. The subject property is designated on the General Land Use Plan Map as Industrial. (PUBLIC HEARING)

Mr. Maloney presented this request for a conditional use permit which would permit the installation of a petroleum storage tanks for recyclable materials. Being proposed is a 20,000 gallon tank and a 6,000 gallon tank. The property is located on the south line of Air Park Road. The property is zoned M-3, Heavy Industrial District and contains 3.324 acres and is shown on the General Land Use Plan Map for Industrial. He reviewed the GPIN and zoning maps. The site will serve as storage and transfer facility for used materials such as oil, antifreeze, and petroleum and water mixtures from generators. All of the actual recycling activities will occur offsite. He reviewed the sketch plan. There will be a six foot gated fence. No other changes are proposed for the site. The applicant has provided detailed information to Hanover County Fire/EMS regarding the materials to be stored and the supplemental information was satisfactory to our Public Safety folks. Both the Planning Commission and staff recommended approval subject to the conditions. (A copy of the Staff Report and Schedule of Notification is filed with the Board's papers.)

Mr. Davis opened the public hearing and asked if anyone wished to speak in favor of or in opposition to this request. Seeing no one come forward, he closed the public hearing.

Mr. Via felt this is a good location where these used materials can be recycled, and he believed it to be a good fit for the Hanover Industrial Park.

## Board of Supervisors Minutes – January 8, 2014

Mr. Via made a **MOTION** to approve CUP-7-13, Universal Environmental Services, L.L.C. subject to conditions as outlined in the staff report.

Mr. Peterson **SECONDED**.

### RESOLUTION

WHEREAS after a public hearing held on this 8<sup>th</sup> day of January, 2014, as advertised in the Herald-Progress once a week for two successive weeks as required by Virginia Code, Section 15.1-431 and the Hanover County Code.

NOW, THEREFORE, BE IT RESOLVED that Universal Environmental Services, L.L.C., is granted a Conditional Use Permit in accordance with Section 26-183.9 of the Hanover County Zoning Ordinance to permit petroleum storage on GPIN 7788-73-8048, consisting of 3.324 acres (the area of the Conditional Use Permit will be limited to 3.324 acres), zoned M-3, Heavy Industrial District and located on the south line of the Air Park Road (State Route 809) approximately 350 feet east of its intersection with Progress Road (State Route 1259) in the Ashland Magisterial District, subject to the following conditions:

1. All requirements of the Fire/EMS Department and Building Inspectors' Office shall be met.
2. The Owner shall provide the Fire/EMS Department with a key or key code for the lockbox at the facility gate for access to the petroleum storage tank area in case of emergency.
3. All development and use of the Property shall comply with all federal, State and local statutes, ordinances and regulations.

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

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

## Board of Supervisors Minutes – January 8, 2014

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

Motion approved.

### SPECIAL EXCEPTIONS

**SE-12-13      DEBORAH S. AND CHARLES W. NUTTYCOMBE, JR.,** Request a Special Exception Permit in accordance with Section 26-36.26 of the Hanover County Zoning Ordinance to allow an accessory family housing unit on GPIN 7831-13-3431, consisting of approximately 7.5 acres, zoned AR-6(c), Agricultural Residential District with conditions, and located at the terminus of Sir Walker Drive (private road) approximately 1,700 feet northeast of its intersection with Mountain Road (U.S. Route 33) in the **SOUTH ANNA MAGISTERIAL DISTRICT. (PUBLIC HEARING)**

Mr. Maloney presented this request for a special exception which would permit an accessory family housing unit located on the second floor of an existing structure. The property is located at the terminus of Sir Walker Drive and is zoned AR-6, Agricultural Residential District and contains 7.5 acres. It is shown for agricultural use on the General Land Use Plan Map. He reviewed the GPIN and zoning maps. The family unit complies with ordinance requirements. There will be one accessory unit with one bedroom and the entrance will be located in the rear yard. The applicant has provided the additional parking spaces and the applicants will be the residents of the primary structure. Staff recommended approval subject to the conditions outlined in the staff report, and the applicant has provided a sketch plan. (A copy of the Staff Report and Schedule of Notification is filed with the Board's papers.)

Mr. Davis opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the request. Seeing no one come forward, he closed the public hearing.

## Board of Supervisors Minutes – January 8, 2014

Mr. Hazzard stated this is for a family member to move into the rear residence.

Mr. Hazzard made a **MOTION** to approve SE-12-13, Charles W. Nuttycombe, Jr.

Mr. Stanley **SECONDED**.

### 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 Deborah S. and Charles W. Nuttycombe, Jr., are granted a Special Exception Permit in accordance with Section 26-36.26 of the Hanover County Zoning Ordinance to allow an accessory family housing unit on GPIN 7831-13-3431, consisting of 7.5 acres, zoned AR-6(c), Agricultural Residential District with conditions, and located at the terminus of Sir Walker Drive (private road), approximately 1,700 feet northeast of its intersection with Mountain Road (U. S. Route 33) in the South Anna Magisterial District, subject to the following conditions:

1. The accessory housing unit shall be developed on the property in conformity with the sketch plan titled "Sketch Plan Showing Improvements on Lot 5, Waltons Tavern Estates," prepared by Charles Nuttycombe, and dated November 13, 2013. The accessory housing unit shall have a layout generally as shown on the floor plan submitted with the application, showing that the unit shall have no more than 850 square feet, which is 13.5% of the area of the 6,280 square foot primary residence.
2. This Special Exception Permit shall be valid for three (3) years following the date of approval, or until the family member no longer resides within the accessory housing unit, whichever occurs first. The permit shall then be void unless the Director of Planning approves an extension beyond that time pursuant to written application. If approved, all original conditions of approval shall continue in effect, unless modified by the Director. If disapproved, or when the family member is no longer a resident of the accessory housing unit, the stove shall be removed from the kitchen and use of the garage as an accessory housing unit shall cease. The applicants shall notify the Hanover County Planning Office if this occurs, and, upon request of the County, shall provide evidence of continued compliance.
3. All requirements of the Building Inspector's Office and the Hanover County Health Department shall be met.

## Board of Supervisors Minutes – January 8, 2014

4. 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.

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

Motion approved.

**SE-25-05, AM. 1-13** **FRENCH VENTURES, L.L.C.**, Requests an amendment to a Special Exception Permit in accordance with Section 26-111.8 of the Hanover County Zoning Ordinance to expand a child day care facility on GPIN 8715-67-4697, consisting of approximately 3.6 acres, zoned B-1(c), Neighborhood Business District with conditions, and located on the north line of Pole Green Road (State Route 627) approximately 700 feet west of its intersection with Verdi Lane (State Route 710) in the **CHICKAHOMINY MAGISTERIAL DISTRICT**. (PUBLIC HEARING)

Mr. Maloney presented this request for a special exception which would permit the expansion of an existing child care facility located on Pole Green Road. The property is zoned B-1(c), Neighborhood Business District and has 3.6 acres. It is shown on the General Land Use Plan Map for Business Park. He reviewed the GPIN and zoning maps. This request is to provide a 625 foot expansion. This will allow for a computer lab and a math and science learning center. The materials proposed with the expansion are consistent with the existing structure. He reviewed the sketch plan. The staff report had an incorrect reference to a date, and staff has distributed updated copies of the conditions correcting that date. Staff recommended approval subject to the conditions as revised and distributed this evening. (A copy of the Staff Report and Schedule of Notification is filed with the Board's papers.)

## Board of Supervisors Minutes – January 8, 2014

Mr. Davis opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the request. Seeing no one come forward, he closed the public hearing.

Mrs. Kelly-Wiecek stated that the daycare centers are a viable community resource. She made a **MOTION** to approve SE-25-05, AM. 1-13, French Ventures, L.L.C.

Mr. Via **SECONDED**.

### 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 French Ventures, L.L.C., is granted an amendment to a Special Exception Permit in accordance with Section 26-111.8 of the Hanover County Zoning Ordinance to amend the sketch plan and conditions to allow an expansion of the residential structure that is used as an after school activity facility on GPIN 8715-67-4697, consisting of 3.595 acres, zoned B-1(c), Neighborhood Business District with conditions, and located on the north line of Pole Green Road (State Route 627) approximately 700 feet west of its intersection with Verdi Lane (State Route 710) in the Chickahominy Magisterial District, subject to the following conditions, which incorporate all of the applicable conditions from previous amendments:

1. The property shall be used only for a daycare facility and shall be developed in substantial conformity to the sketch plan titled, "French Ventures, L.L.C., The Learning Connection Child Development Center, Hanover County, Virginia," prepared by Resource International, Ltd, dated November 19, 2013.
2. Any expansion of the square footage of the facility approved by this Special Exception will require an amendment of this permit.
3. Day care activities shall be limited to the hours of 6:30 a.m. to 6:00 p.m. with the exception of special events (such as children's sleepovers, or Christmas or holiday programs), which may operate after 6:00 p.m. or on weekends. These special events shall be limited to no more than twelve (12) per calendar year.

## Board of Supervisors Minutes – January 8, 2014

4. The outdoor recreation area shall be fenced to prevent children from leaving the play area. The fence shall be at least six (6) feet in height around the play area.
5. Within 30 days of the commencement of operation of the childcare center, the applicant shall report statistics to the Hanover County Director of Communications and to the Hazardous Materials Coordinator, identifying the number of children to be cared for during normal day hours for emergency planning purposes.
6. Any freestanding signage shall be the monument style.
7. All Virginia Department of Transportation requirements, including a commercial entrance permit onto Pole Green Road shall be met and shall be designed generally as shown on the sketch plan, but ultimate design shall be determined during site plan review. This entrance shall have a right turn lane with a minimum of a 150-foot taper and 200 feet of storage.
8. All requirements of the Hanover County Department of Public Works shall be met. The design of the cross access road through the property of Atlee Community Church shall be designed and located generally as shown on the sketch plan, but not obstruct drainage on this site and to the pond on this property.
9. The property shall connect to public water and sewer, and systems shall be designed in accordance with the requirements of the Public Utilities Department. In addition, should the Department determine that utility extensions are necessary to adjoining properties when this project goes to site plan review, the applicant shall provide them such easements.
10. All requirements of the Hanover County Health Department, Fire Department (Haz-Mat), and Sheriff's Department shall be met.
11. All requirements of the Building Inspector's Office shall be met, including a Certificate of Occupancy for use of the structure as a daycare facility prior to use of the structure.
12. All necessary State permits shall be obtained, and copies shall be provided to the Planning Office for the County's files.
13. 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.

## Board of Supervisors Minutes – January 8, 2014

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

Motion approved.

**XV. Public Hearing – Consideration of a Resolution Authorizing the Acquisition by Condemnation of Certain Specified Temporary and Permanent Property Interests on GPIN 8706-11-6771 for the Purpose of Constructing an Additional Turn Lane and Other Improvements (Chickahominy Magisterial District) – Mr. Flagg**

Mr. Flagg advised that Mr. Vidunas would make this presentation.

Mr. Vidunas advised that the project is the Atlee Road additional turn lane project. It is located on Atlee Road east of the intersection of U.S. Route 301. The improvements include the construction of a left turn lane, a receiving lane in the opposite direction, drainage improvements, and some improvements to utilities. There are a total of eleven properties that are impacted by the project. To date the County has settled with nine (9) of these property owners and reached a tentative agreement with another property owner. The remaining property is the subject of the hearing this evening. He gave a brief overview of the project and the subject parcel. Looking at the maps he reviewed the subject parcel, and the proposed new pavement area on the roadway. There is some widening that is taking place with this project.

The proposed improvements meet the standards for public use and public necessity. Atlee Road is part of the VDOT secondary road highway system. It is identified on the Major Thoroughfare Plan as a four lane minor arterial roadway. VDOT initiated these improvements to improve the traffic flow at the intersection of Atlee Road and U.S. Route 301.

## Board of Supervisors Minutes – January 8, 2014

In terms of public necessity, the roadway improvements are necessary to permit the efficient operation of the secondary road system and to minimize air quality impacts as a result of traffic through that intersection. This project is specifically intended to address traffic congestion during peak periods as well as projected traffic impacts in the future. Various property interests including the interests that are being described here must be obtained for the construction and future maintenance of the roadway, and they must enter onto the property to begin construction of the improvements.

The property interests that are proposed to be required, is an area of fee simple right-of-way of 863 square feet, a permanent drainage easement of 930 square feet, and a temporary construction easement of 710 square feet. In addition they will need to acquire a Virginia Power Easement in 253 square feet, and a Verizon easement totaling 1,003 square feet.

The County has made a reasonable but ineffective effort to acquire the property. The initial offer was made on April 25, 2013 in the amount of \$13,728; on July 26, 2013 the property owner made a counter offer in the amount of \$40,000, on November 15, 2013 the County responded with a settlement offer of \$21,315 and on December 3, 2013 the County's offer was rejected.

The action that the Board is being asked to take this evening is intended to protect the owner. To date they have made an effort to try to come to an agreement, unfortunately they have not been able to do that but this process should result ultimately in a determination of just compensation, while at the same time allowing the process to move forward.

Mr. Davis asked if there were any questions.

Mr. Hazzard said the Verizon right-of-way looks like it is in the same right-of-way they are going to use. He asked if it is under the area that they are using.

## Board of Supervisors Minutes – January 8, 2014

Mr. Vidunas answered that it actually overlaps almost exactly with the permanent drainage easement, but it is outside of the right-of-way.

Mr. Hazzard asked if it is an additional part of the property.

Mr. Vidunas replied yes sir.

Mr. Davis opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the request. Seeing no one come forward, he closed the public hearing.

Mrs. Kelly-Wiecek advised that this is the last parcel from which the County needs to obtain the right-of-way and easements necessary to begin the project. The staff in consultation with the Board has made a diligent and good faith effort to purchase the property interest but has not been successful. It is necessary to move forward with the construction of this project.

On motion of Mrs. Kelly-Wiecek, seconded by Mr. Hazzard, the members of the Board of Supervisors voted to approve the following Resolution:

### RESOLUTION

**A RESOLUTION TO AUTHORIZE THE ACQUISITION BY CONDEMNATION OF CERTAIN SPECIFIED TEMPORARY AND PERMANENT PROPERTY INTERESTS ON A PORTION OF GPIN 8706-11-6771, FOR THE PURPOSE OF CONSTRUCTING AN ADDITIONAL TURN LANE AND OTHER IMPROVEMENTS, IN ACCORDANCE WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION'S SIX-YEAR IMPROVEMENT PROGRAM AND HANOVER COUNTY'S CAPITAL IMPROVEMENT PLAN AND MAJOR THOROUGHFARE PLAN, AND TO ENTER UPON THE PROPERTY TO BE ACQUIRED AND INITIATE CONSTRUCTION BEFORE THE CONCLUSION OF THE CONDEMNATION PROCEEDINGS PURSUANT TO VIRGINIA CODE SECTIONS 15.2-1904 AND 15.2-1905(C) AND CHAPTER 3 OF TITLE 25.1 (SECTIONS 25.1-300 *ET SEQ.*)**

**WHEREAS** the Virginia Department of Transportation (“VDOT”), has proposed certain roadway improvements in the Chickahominy District as part of the Atlee Road Additional Turn Lane Project in order to improve traffic flow through the Atlee Road-Route 301 intersection; and

**WHEREAS** the Atlee Road Additional Turn Lane Project is a component of VDOT's Six-Year Improvement Program and Hanover County's Capital Improvement Plan, and Atlee

## Board of Supervisors Minutes – January 8, 2014

Road is shown as a 4-lane Minor Arterial Road on Hanover County's Major Thoroughfare Plan; and

**WHEREAS** the Atlee Road Additional Turn Lane Project is necessary to the public health, safety, peace, good order, comfort, convenience, and welfare of the County; and

**WHEREAS** the project design for the Atlee Road Additional Turn Lane Project requires acquisition of certain right-of-way and easement interests for the construction of an additional turn lane and other improvements and utility relocation required as a result of the proposed improvements; and

**WHEREAS** the County has reviewed the acquisition for purposes of complying with Section 1-219.1 of the Virginia Code and has certified that the acquisition is for the possession, ownership, occupation, and enjoyment of the property by the public, for the purposes of construction and maintenance of public facilities including public roads, drainage facilities, and other improvements; and

**WHEREAS** the County has made a bona fide but ineffectual effort to purchase the necessary right-of-way and easements for public road, drainage, and utility purposes at fair market value as determined by a licensed appraiser, and the County and land owner have been unable to reach an agreement because the County and land owner cannot agree on the compensation to be paid; and

**WHEREAS** it is now necessary to enter upon the property to install the facilities and improvements prior to the completion of condemnation proceedings;

### **NOW, THEREFORE, BE IT RESOLVED BY THE HANOVER COUNTY BOARD OF SUPERVISORS:**

1. That the property is to be acquired for construction and maintenance of public roadway improvements and other related improvements, including an additional turn lane for the purpose of improving traffic flow through the Atlee Road-Route 301 intersection.
2. That the Board approves the proposed public use of the property.
3. That acquisition of the right-of-way and easements, as shown on the attached plats entitled "Plat Showing Proposed R/W and Easements on the Property of David R. Dagenhart," located in the Chickahominy District, Hanover County, Virginia, dated March 25, 2013 and prepared by NXL ("Exhibit A"), "Plat to Accompany Right-of-Way Agreement," dated October 1, 2012, prepared by Dominion Virginia Power ("Exhibit B"), and "Site Plan Reference: Sheet 3 Dated March 14, 2012, Atlee Road, Route 638, Additional Turn Lanes, Mechanicsville, VA 23116, Hanover County Roadway Improvement Project," dated March 14, 2012 and prepared by Verizon Virginia, LLC ("Exhibit C"), the terms and conditions of which are described in the attached Deed Road Project form ("Exhibit D"), Dominion Right of Way Agreement form ("Exhibit E"), and Verizon Deed of Easement form ("Exhibit F"), for the public roadway and related

## Board of Supervisors Minutes – January 8, 2014

facilities is declared to be necessary for a public use and an authorized public undertaking pursuant to Virginia Code Sections 15.2-2109 and Chapter 19 of Title 15.2 (15.2-1900 *et seq.*) of the Code of Virginia (1950), as amended.

4. That it is necessary to enter upon the property to begin construction of the roadway and drainage facilities and other improvements prior to the completion of condemnation proceedings in order to adhere to the project schedule.
5. That Hanover County shall, upon the deposit of compensation in the amount of the County's appraisals and in compliance with all statutory requirements, including the recordation of a certificate of take with the Clerk of the Circuit Court of Hanover County, enter upon the property of the land owner named herein and take possession of the property prior to the conclusion of condemnation proceedings.
6. That, based upon appraisals by a licensed appraiser, Hanover County has determined that the fair value due to the land owner for the property interests to be acquired for public purposes is as follows:

Land Owner	GPIN	Property Interests to be Acquired	Appraised Value Including Damage
David G. Dagenhart	8706-11-6771	Fee simple right of way; Permanent drainage easement; Permanent Verizon easement; Permanent Dominion Virginia Power Easement; Temporary Construction Easement	\$13,728 (includes \$7,587 in damage)

7. That the ownership of the property interests to be acquired is as stated in paragraph 6 herein.
8. That the County Administrator or his designee shall deposit with the Clerk of the Circuit Court of Hanover County, to the credit of the land owner named above, the applicable appraised fair value of the property interests, as listed in paragraph 6 herein and simultaneously record a certificate of take with the Clerk of the Circuit Court of Hanover County.
9. That the County Administrator or his designee shall mail a certified copy of this resolution to the land owner.
10. That the County Attorney or his designee is authorized and directed to acquire the property interests for public use by condemnation or other means, and to institute and conduct condemnation proceedings to acquire the property interests from the land owner named herein in the manner authorized and provided by Chapter 19 of Title 15.2 (Sections 15.2-1900 *et seq.*), and Chapters 2 and 3 of Title 25.1 (Sections 25.1-200 *et seq.* and 25.1-300 *et seq.*) of the Code of Virginia (1950) as amended.

## Board of Supervisors Minutes – January 8, 2014

11. That the County Administrator or his designee may also continue to negotiate acquisition of the property interests, subject to approval by the Board of Supervisors.

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

Motion approved

### **XVI. Announcements**

None.

### **XVII. Adjournment – January 22, 2014 – Hanover County Administration Building – 6:00 p.m.**

The Chairman adjourned the meeting at 7:24 P.M. The next meeting is January 22, 2014.

  
Chairman