

Shown below is a preliminary summary of the actions taken by the Hanover County Board of Supervisors on November 12, 2014. Minutes in final form will be presented to the Board for approval at a future date.

HANOVER COUNTY BOARD OF SUPERVISORS

DRAFT SUMMARY MINUTES

Hanover County Administration Building Board Room

November 12, 2014

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

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

I. Call to Order

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

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

II. Consideration of Agenda Amendments

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

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

Motion Approved.

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

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

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

III. Citizens' Time

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

Seeing none, the Chairman closed citizens' time.

IV. Consent Agenda

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

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

Motion Approved.

IV.-A. Adoption of Proclamations:

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

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

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

Motion Approved.

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

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

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

Motion Approved.

IV.-B. Committee Appointments

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

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

Board Sheet Background:

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

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

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

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

Recommended Action:

Approve the vote allocations for the Hanover County appointees to the Richmond Regional Transportation Planning Organization in accordance with the attached memorandum

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

Board Sheet Background:

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

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

Recommended Action:

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

IV.-E. Financial Policy Amendments

Board Sheet Background:

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

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

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

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

Recommended Action:

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

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

Board Sheet Background:

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

Recommended Action:

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

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

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

Motion Approved.

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

Board Sheet Background:

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

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

Recommended Action:

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

Mr. Peterson made a motion to adopt “Resolution to Direct the Clerk of the Board to Post and Publish Notice of Board’s Intent to Abandon a Section of Adams Farm Road”, seconded by Mr. Hazzard.

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

Motion Approved.

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

Board Sheet Background:

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

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

Board Sheet Background:

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

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

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

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

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

VI. Presentation - Human Services Annual Report

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

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

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

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

*most recent data available

Mr. Taylor noted that progress has been made on the Human Services Strategic Plan for 2014-19. The focus for the near future will be early intervention and prevention programs with the hope of

reinstating home visiting. Mr. Mike Smith, Chairman, Hanover Early Childhood Council, was recognized.

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

Board Sheet Background:

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

In accordance with the application procedure adopted by the Board of Supervisors in 2007, staff met with the residents of Rutland Subdivision on August 7, 2014 to discuss their application for inclusion in the District. Rutland Subdivision residents have presented the Department of Public Works with petitions with signatures from over eighty percent of the parcel owners (signatures from 83 percent of 420 parcel owners) in accordance with the County's policy.

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

Recommended Action:

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

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

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

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

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

Motion Approved.

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

Board Sheet Background:

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

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

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

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

Recommended Action:

Adopt Revised Code Compliance Policies as presented

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

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

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

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

Motion Approved.

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

Board Sheet Background:

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

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

If the Board approves a motion to reconsider, the effect would be to bring the motion to approve the rezoning case back to the floor. At that point, the Board could vote on the motion to approve again or defer action on the motion until a later date. If the Board desires to conduct an additional public hearing prior to voting on the motion to approve, the matter should be deferred to a future meeting so that the public hearing can be advertised in accordance with the Code of Virginia and the Hanover County Zoning Ordinance. Staff would recommend that a public hearing, should one be scheduled by the Board, take place at the meeting on December 10, 2014, or at a subsequent Board meeting.

Recommended Action:

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

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

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

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

Motion Approved.

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

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

Motion Approved.

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

Mr. Hazzard moved that the Board of Supervisors go into Closed Session pursuant to the following: Section 2.2-3711(A)(7) of the Code of Virginia – Consultation with legal counsel and staff regarding Claim against the County by EMAC, LLC (“McGeorge Rolling Hills RV SuperCenter”), Section 2.2-3711(A)(3) of the Code of Virginia – Acquisition of right of way on GPIN 7796-85-9481, Atlee Road Extended Roadway Improvement Project, and Section 2.2-3711(A)(7) of the Code of

Virginia – Acquisition of right of way, permanent utility easement, temporary construction easement on GPINs 8735-08-9799, 8735-18-1831, 8735-19-1438, 8735-18-4862, Pole Green Road / Walnut Grove Road Intersection Improvement Project. The motion was seconded by Mr. Stanley.

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

Motion Approved.

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

Certification of Closed Session

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

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

Motion Approved.

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

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

Motion Approved.

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

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

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

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

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

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

XII. Citizens’ Time

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

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

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

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

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

Seeing no others, the Chairman closed citizens' time.

XIII. Presentations:

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

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

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

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

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

Board Sheet Background:

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

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

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

Recommended Action:

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

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

Summary of Changes: Ordinance 14-10

- Amended section 10-38 of Article II of Chapter 10 of the Hanover County Code (Chesapeake Bay Preservation Ordinance) to conform to changes in state regulation relating to qualification of persons performing inspections of on-site sewage systems.
- Amended sections 10-78, 10-79, 10-80, 10-82, and 10-87 of Article V of Chapter 10 of the Hanover County Code (Stormwater Management Ordinance) to change provisions relating to the permitting of single-family homes. A provision authorizing an agreement is added as an option to simplify permitting "*Agreement in lieu of a stormwater management plan*" of single family homes. In addition, single family residences separately built and disturbing less than one acre of land are now exempt from the stormwater VSMP and water quality requirements when they are not part of a common plan of development.

Summary of Changes: Ordinance 14-11

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

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

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

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

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

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

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

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

Board Sheet Background:

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

Based on the study, Public Utilities recommends changes to capacity fees. For a residential customer, Public Utilities recommends decreasing the sewer capacity fee from \$8,034 to \$6,149 and

increasing the water capacity fee from \$5,290 to \$5,982. This proposal would result in a decrease of the combined water and sewer capacity fees for a residential customer from \$13,324 to \$12,131, a total decrease of \$1,193.

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

Recommended Action:

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

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

History

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

Purpose of Capacity Fees

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

Combined "Methodology"

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

System Value

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

Existing and Future ERU's

- Planning horizon 30 years to 2044

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

Calculation of cost per ERU

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

Major Changes:

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

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

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

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

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

Mr. Peterson made a motion to approve Ordinance 14-08 amending Chapters 20 and 23 of the Hanover County Code to revise the County’s water and sewer capacity fees as presented, except that water capacity fees for meter sizes for above 5/8” will remain at the current rate, seconded by Mr. Hazzard.

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

Motion Approved.

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

Board Sheet Background:

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

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

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

Recommended Action:

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

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

Overview:

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

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

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

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

XVII. Planning Public Hearings

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

Planning Analysis:

- Private garage for more than 4 vehicles
 - 2nd garage on the property
 - 24' X 40' in size to allow for additional storage space
 - 2nd driveway entrance proposed off Pole Green Road for access to the garage

- Today, the applicant made the staff aware that he was interested in constructing a 2-story garage
 - Condition #1 limits the garage to 1,000 sq. ft.
 - Staff recommends this condition be amended as follows:
 - The garage, which is subject to this SE, shall be limited to 2,000 sq. ft. and constructed as generally shown on “Exhibit A”

Recommendation:

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

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

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

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

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

SE-18-14 – Dominion Land & Development Corp., Requests a Special Exception Permit in accordance with Section 26-275(d)(5) of the Hanover County Zoning Ordinance to allow an off-site general advertising sign on GPIN 7788-49-6820, consisting of approximately 1.88 acres, zoned B-3(c), General Business District with conditions, and located on the northeast quadrant of the intersection of North Lakeridge Parkway (State Route 782) and Northlake Park Drive (State Route 2028) in the **Ashland Magisterial District.**

Planning Analysis:

- The owners’ association desires a signage program to direct incoming traffic to the desired destination

- The applicant is proposing the 1st of these signs with this request
- The proposed sign is:
 - 9.5 feet tall and 3.5 feet wide
 - The face of the sign is approx. 22 sq. ft.

Recommendation:

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

Mr. Maloney gave this presentation to the Board.

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

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

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

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

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

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

XVIII. Announcements/Adjournment

There were no announcements made.

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