

Shown below is a preliminary summary of the actions taken by the Hanover County Board of Supervisors on April 23, 2014. Minutes in final form will be presented to the Board for approval at a future date.

HANOVER COUNTY BOARD OF SUPERVISORS

SUMMARY MINUTES

Hanover County Administration Building Board Room

April 23, 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 23rd day of April, 2014, at 6:00 p.m.

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

I. Call to Order

The Chairman called the meeting to order at 6:00 p.m. All Board members were present.

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

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

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

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

II. Consideration of Agenda Amendments

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

III. Citizens' Time

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

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

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

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

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

IV. Consent Agenda

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

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

Motion approved.

A. Adoption of Proclamations

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

District

Mr. Hazzard made a motion to adopt the proclamation for Eagle Scout Elliot Michael Sobel, 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.

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

Board Sheet Background:

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

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

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

Finance & Management Services concurs with this request.

Recommended Action:

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

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

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

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

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

Completed FY 2014 Initiatives:

- Developed capital plans to meet general government and school renovation needs, utilizing the debt service saving plan as a primary funding source.
- Completed the Comprehensive Plan 2012-13 update.
- Developed a County plan to meet Chesapeake Bay and stormwater management updates.
- Developed strategies for increasing the inventory of Tier 3 (prime) commercial property by at least 100 acres.
- Petitioned the U.S. Department of Justice for termination of coverage of the preclearance requirements under Section 5 of the Voting Rights Act.

FY14 Initiatives nearing completion:

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

FY15 Proposed Initiatives:

- Conduct 2014 Citizens Survey. This is done on a three year cycle to receive input from the citizens on a broad range of topics. Three questions specific to Hanover County will be included in the survey. These questions will be determined by the Board.
- Update Economic Development Strategic Plan. The Economic Development Department will be working with a vendor to survey Hanover businesses

- Begin implementation of the Chesapeake Bay and stormwater management mandates. The goal is to undertake the Church of the Creator stream restoration and begin the Laurel Meadows stormwater basin project within the next year.
- Enter into construction of the new Courthouse facility. We are currently in the construction document phase.
- Provide merit pay increases to County and School employees.

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

	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 passed.

VII. Employee Compensation Performance Management Criteria

Board Sheet Background:

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

Recommended Action:

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

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

Each year national compensation trends are tracked, even when the County is unable to provide compensation increases. This year reports from valued HR resources have indicated an

expected incremental increase over the previous year’s increases, with an average 3.0% increase nationally. These rates cover all industries.

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

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

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

Motion approved.

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

Board Sheet Background:

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

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

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

Recommended Action:

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

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

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

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

Motion approved.

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

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

IX. Citizens' Time

The Chairman opened citizens' time and offered to anyone who wanted to address the Board of Supervisors for up to five minutes on any matter within the scope of the Board's authority that is not on the agenda for that meeting to come forward. Seeing no one come forward, the Chairman closed citizens' time.

X. Planning Public Hearings

C-37-98(c) AM. 1-14 Blue Ridge Custom Homes, L.L.C., Requests an amendment to the proffers approved with rezoning request C-37-98(c), Annie L. Johnson, on GPIN 7728-74-6317, zoned AR-6(c), Agricultural Residential District with conditions, and located on the west line of Annie Laura Lane (private road) approximately 800 feet south of its intersection with Mile

Branch Road (State Route 703) in the South Anna Magisterial District. The proposed zoning amendment would amend the cash proffer.

Planning Analysis:

- The request is to amend the following:
 - Reduce Proffer No. 1 from \$5,185.00 (capital & road improvements) to \$1,275.00 (road improvements)

Recommended Action:

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

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

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

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

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

The subject property is designated on the General Land Use Plan Map as Limited Industrial and Commercial.

Planning Analysis:

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

Recommended Action:

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

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

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

On a motion by Mr. Peterson, seconded by Mr. Wade, the Board of Supervisors voted to approve the Conditional Use Permit.

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

CUP-9-02 AM. 1-14 Shalom Baptist Church Trustees, Request an amendment to a Conditional Use Permit (CUP) in accordance with Section 26-20.21 of the Hanover County Zoning Ordinance to amend the sketch plan to adjust a CUP boundary line and show proposed

additions to the church facilities, on GPINs 8724-39-5325 and 8724-38-4994, consisting of approximately 8.02 acres, zoned A-1, Agricultural District, located on the southeast quadrant of the intersection of Mechanicsville Turnpike (U.S. Route 360) and Adams Farm Road (State Route 830) in the Mechanicsville Magisterial District. The subject property is designated on the General Land Use Plan Map as Commercial and Suburban General (1-4 dwelling units per acre).

Planning Analysis:

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

Recommended Action:

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

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

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

On a motion by Mr. Peterson, seconded by Mrs. Kelly-Wiecek, the Board of Supervisors voted to approve the Conditional Use Permit.

	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.

CUP 9-13 – Althea Turner Brooks and Elwin W. Brooks, Jr., Request a Conditional Use Permit in accordance with Sections 26-20.25 and 26-20.31 of the Hanover County Zoning

Ordinance to permit a commercial landscaping operation and mulch processing facility on GPIN 8746-93-2823, consisting of approximately 11.21 acres, zoned A-1, Agricultural District, and located on the north line of Mechanicsville Turnpike (U.S. Route 360) approximately 0.35 mile west of its intersection with Spring Run Road (State Route 628) in the Henry Magisterial District. The subject property is designated on the General Land Use Plan Map as Agricultural.

Planning Analysis:

- The applicants currently operate as Ed's Landscaping, located on Cold Harbor Road near I-295, and propose using the subject site as a second business location.
- The proposed uses for this site include:
 - Commercial landscaping business
 - On-site nursery
 - Mulch processing facility
 - Retail use in association with those businesses
- The submitted site layout and parking complies with district requirements.
- The zoning ordinance limits, the hours of operation of the mulch processing from 7:00 a.m. to 7:00 p.m.
 - Staff is recommending that mulch processing not occur on Sundays.

Sketch Plan:

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

Recommended Action:

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

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

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

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

On a motion by Mr. Davis, seconded by Mr. Wade, the Board of Supervisors voted to approve the Conditional Use Permit.

	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.

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

Planning Analysis :

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

Recommended Action:

Approval subject to the conditions outlined in the staff report.

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

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

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

On a motion by Mr. Hazzard, seconded by Mr. Stanley, the Board of Supervisors voted to approve the Special Exception

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

Motion approved.

XI. Announcements

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

XII. Adjournment

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