

*Shown below is a preliminary summary of the actions taken by the Hanover County Board of Supervisors on February 11, 2015. 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**

**February 11, 2015**

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 February, 2015, at 2:00 p.m.

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

#### **I. Call to Order**

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

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

#### **II. Consideration of Agenda Amendments**

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

**III. Citizens' Time**

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

Seeing none, citizens' time was closed.

**IV. Consent Agenda**

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

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

Motion approved.

**IV. A. - Request for Authorization to Advertise: Ordinance Amendment 15-02, Bed and Breakfast as a Special Exception in the AR-1 and AR-2 Zoning Districts**

Board Sheet Background:

The South Anna District Board of Supervisor was recently approached by an individual inquiring about the feasibility of using an existing AR-2 parcel for a bed and breakfast business. The current AR-1 and AR-2 district regulations do not permit bed and breakfast establishments. It should also be noted that although the AR-1 and AR-2 district regulations remain in effect for existing properties, there is no opportunity for a property owner to seek AR-1 or AR-2 zoning. Both districts were replaced by the AR-6 district in 1996.

Bed and Breakfast establishments are permitted with a Special Exception Permit in the A-1 and AR-6 districts, and such establishments are required to comply with the special regulations found in Section 26-300 of the Hanover County Zoning Ordinance (copy attached). Per 26-300 the minimum lot size for a bed and breakfast business is two acres. The proposed Ordinance also requires compliance with 26-300. The minimum lot size in the AR-1 district is 30,000 square feet while the minimum lot size in AR-2 is 1.5 acres; therefore, it is likely very few AR-1 lots will qualify. For purposes of comparison, the minimum lots size in the AR-6 district ranges from two to five acres,

while the minimum lot size in the A-1 district is 10 acres.

Recommended Action:

Motion to advertise for Public Hearing – Ordinance Amendment 15-02, Bed and Breakfast as a Special Exception in the AR-1 and AR-2 Zoning Districts.

**IV. B. - Approval of Resolution to Refund County General Obligation Bonds (Series 2006, Series 2009 and Series 2011) not to exceed \$30 million**

Board Sheet Background:

Based on current market interest rates, the County's financial advisor has identified a possible refunding opportunity for up to \$30 million of the Series 2006, 2009 and 2011 bonds maturing between 2017 and 2031. The Board of Supervisors approved resolutions authorizing the original issuance of the applicable General Obligation Bonds in the principal amount of \$57.8 million with interest rates of 4%-5%. A minimum 2% net present value savings is required in accordance with the County financial regulations. Current market conditions indicate the opportunity for total net present value savings of 4% - 8.5% and annual debt service savings of up to \$100,000. This is an estimate until the final pricing. The tentative bond sale is March 4-5, 2015. The resolution outlines the parameters for issuance of the refunding bonds, including a maximum true interest cost of 4%.

Recommended Action:

Motion to approve the Resolution to refund County General Obligation Bonds (Series 2006, Series 2009 and Series 2011) not to exceed \$30 million, and authorize the County Administrator to take all actions necessary to proceed with the issue of the refunding bonds and administration of all matters related to the bonds, including execution of all necessary documents.

**IV. C. Request for Adoption of Proclamation – Dana Nelson, Operation Hope; Mechanicsville Magisterial District**

Board Sheet Background:

Upon the request of the Parks and Recreation Advisory Commission, a proclamation for Board of Supervisors consideration has been created expressing appreciation to Mr. Dana Nelson, Founder of Operation Hope, for his generous contributions to the youth of Hanover County.

Mr. Nelson, along with Ms. Katie Stillwell, established Operation Hope in 2004 with the mission to raise funds for the purchase and installation of all-inclusive, accessible playgrounds to be located in various Hanover County parks. These playgrounds were designed to accommodate all

children, regardless of physical limitations. Mr. Nelson's work has resulted in the donation and installation of three all-inclusive, accessible playgrounds at Pole Green Park, Poor Farm Park and, most recently, Courthouse Park. The estimated value of all playground equipment donated and installed is approximately \$500,000.

Mr. Nelson's vision, generosity and caring of the youth of Hanover County will have a positive impact for future generations of children.

The Hanover County Parks and Recreation Advisory Commission endorsed approval of this proclamation at their January 26, 2015 meeting.

Recommended Action:

A motion to adopt proclamation.

**IV.-D. Request for Authorization to Advertise for a Public Hearing – Lease of County Property – Cellco Partnership d/b/a/ Verizon Wireless for use of Courthouse Park – GPIN 8810-41-8712 (Beaverdam Magisterial District)**

Board Sheet Background:

The requested public hearing to be held on March 11, 2015, concerns a proposed agreement between the County and Cellco Partnership d/b/a/ Verizon Wireless to lease a 6' X 6' area, an adjacent light tower, and a 5,270 SF access easement at Courthouse Park, located at 7252 Courtland Farm Road, Hanover, Virginia, 23069, for the purpose of data communication enhancement. Through the proposed lease Cellco Partnership d/b/a/ Verizon Wireless hopes to expand data access to all portions of Courthouse Park, which would provide its customers increased service.

Key components of the proposed lease include:

- An initial term of five (5) years, at the yearly rental rate of \$2,500
- Automatic renewal thereafter for 4 additional five (5) year terms unless terminated by either party, with the rental rate increasing 15% with each renewal period
- At Verizon's expense, Verizon will maintain all equipment necessary for its operation at the leased Site
- The County will provide electrical service within the leased Site sufficient for Verizon to operate its communications facility
- Verizon will indemnify and hold harmless the County, its officials, employees and agents from loss or injury from activities or conditions on the Site

- Either party can terminate the lease for any reason after 90 days written notice to the other party, or immediately for noncompliance with the lease

The County Attorney's Office has approved it as to form and the Parks and Recreation Department as to content.

Recommended Action:

A motion to authorize a Public Hearing on March 11, 2015, regarding the proposed Lease Agreement with Cellco Partnership d/b/a/ Verizon Wireless for the use of designated County property located at Courthouse Park. A

**V. Presentation to Sheriff's Office - DMV Highway Safety Award**

Mr. Michael Nash, Law Enforcement Liaison, Virginia Department of Motor Vehicles, came forward to present two awards to the Sheriff's Office.

Click It or Ticket Mobilization

- Click It or Ticket: annual enforcement, media campaign
- Hanover Sheriff's Office's continued effort, year after year, sustains the annual Click It mobilization
- Awards remind us of hard work Hanover SO's deputies do on the front lines during the Click It campaigns and every day

Click It or Ticket Seat Belt Awards

- Based on reported seat belt rates for May 2014 Click It or Ticket Campaign
- Most Improved – largest increase in rate when compare pre- and post-surveys
- Highest Use – highest post-survey rate
- Agencies grouped by the number of sworn officers
- Compared to agencies of a similar size

Hanover SO's CIOT Results

- Pre-survey: 90% seat belt use rate
- Post-survey: 92% seat belt use rate
- 2-point increase = Most Improved Award
- 92% post belt rate = Highest Use Award

Mr. Nash called Sheriff Hines and Sergeant Darby forward and presented the awards for Most Improved and Highest Use.

Sheriff Hines came forward and expressed his appreciation.

## **VI. Presentation on Video Streaming and Budget Transfer of Reserve for Contingencies – Board Room System Replacement and Video Services \$76,500**

Mr. John A. Budesky, Deputy County Administrator, provided a summary of the research conducted on video services throughout the region and presented the efforts of the Rules Committee and its recommendations. On January 20, 2015 the Rules Committee met and recommended unanimously to bring the issue of streaming to the full Board with a recommendation to implement streaming and to approve Phase 2 (lighting, displays, and installation) of the Board Room improvements and the associated costs of video services.

Phase 1 of the Board Room System Replacement, which included replacing controllers (primary operational devices to manage the system) and the audio system (microphones and sound system), was approved on December 10, 2014 by the Board of Supervisors through a mid-year transfer from Reserve for Contingencies.

The budget transfer is being requested to cover the one-time costs of Phase 2 of the Board Room System Replacement, which includes the lighting system and display monitors (on dais and in lobby), and the one-time costs associated with video services for live streaming of Board meetings (cameras and associated expenses). The costs are:

### Board Room Equipment

1. Lighting - \$27,500
2. Displays - \$12,500
3. Installation - \$14,000

### Video Services

1. Cameras (3) - \$17,500
2. Hardware & Installation - \$5,000

Total: \$76,500

### **Next Steps**

- Action by Board of Supervisors
- Complete Board Room equipment update and replacement (Phase I Approved)
- Complete Installation of the Granicus Meeting Management Software (Funding Approved)

- Purchase and Install Phase 2 & Video Cameras
- Provide a phased in approach to assure consistent quality – Start with BOS in year one
- Stream Live and Rebroadcast – target early fall 2016
- Provide consideration for other options for streaming of meetings (Planning Commission, etc.)

Videos from other localities currently using Granicus were shown to the Board.

Following the presentation, Mr. Budesky and Mr. Kevin R. Nelson, Director of Information Technology, answered questions from Board members and offered clarification on quality, browser compatibility and ongoing operational expenses. It was noted that citizens who live in areas of the county without high speed internet access will be able to listen to audio recordings of the meetings. There was a discussion on the other options that were explored by the Rules Committee, the importance of having the streaming be reliable and the high level of citizen interest.

Mr. Via made a motion to implement Streaming Video for Hanover County and approve the Budget Transfer of Reserve for Contingencies for System Replacement and Video Services in the amount of \$76,500, seconded by Mr. Peterson.

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

Motion approved.

## **VII. Presentation of Quarterly Financial Reports**

Mrs. Kathy Seay, Director of Finance and Management Services, came forward and presented the operating results for the County’s General Fund, the Department of Public Utilities, and the School Division for the six months ending December 31, 2014 and a projection for the fiscal year ending June 30, 2015. The detailed statement of revenues, expenditures and changes in fund balance was explained.

- Total year revenues are projected to be approximately \$208.4 million or approximately \$1.1 million higher than the appropriated budget.

- Total year expenditures and transfers are projected to be \$210.4 million or approximately \$6.1 million lower than the appropriated budget.
- The total projected operating balance is approximately \$7.2 million which is primarily planned for use in the FY16 County and School budgets.
- YTD revenues and YTD expenses are consistent with the results that we expect for this period and are consistent with the prior year. YTD operating revenues through December 31<sup>st</sup> totaled \$91.9 million. Approximately 44% of the total year expected revenues have been collected.
- YTD expenditures and transfers totaled \$103.4 million, or 47.8% of the appropriated budget.
- General property taxes increased from the prior year by approximately \$1.1 million as well as other revenue sources such as other local taxes (\$496,000), charges for services (\$161,000) and miscellaneous revenues (\$184,000). Revenue from the Commonwealth decreased by approximately \$300,000 due to the County's State Aid Reversion payment and net decreases in reimbursements for human services activities (CSA and CSB).

Mrs. Seay reported that FY15 revenues are projected to be approximately \$1.1 million or .6% higher than the appropriated budget.

- General property taxes are projected to be favorable to budget by approximately \$1.5 million. This includes an increase of approximately \$230,000 for machinery and tools tax, \$200,000 for merchant's capital, and \$1.0 million for personal property taxes.
- Other local taxes are projected to be approximately \$469,000 lower than budget due to a decrease in recordation tax of approximately \$400,000 and a decrease in communication sales tax of \$150,000, offset by an increase in lodging tax of \$90,000.

FY15 expenditures are projected to be approximately \$6.1 million or 2.8% less than the appropriated budget. The positive variance reflects estimated personnel savings of approximately \$1.4 million, operating expenditure savings of approximately \$1.2 million and estimated expenditure savings from the School Board of \$3.5 million.

Mrs. Seay detailed the statement of revenues, expenses and changes in net position for Public Utilities.

The total balance in net position, excluding depreciation, is projected to increase by \$11.6 million which is \$3.7 million above budget.

- Projected revenues are expected to be \$29.9 million or approximately \$2.8 million higher than the appropriated of \$804,000 and an increase of \$1.5 million in donated assets. Donated assets, although not part of the appropriated budget, are included in total revenue. YTD revenues total \$13.7 million, approximately 50.6% of projected revenues.
- Total expenses for the year are projected to be \$18.3 million or approximately \$1 million lower than the appropriated budget. Other charges are projected to be \$650,000 below budget, half of which is attributed to lower power costs. Public Utilities also anticipates savings in Personnel costs and Contract services. Year to date expenses total \$8.4 million, approximately 43.8% of appropriated budget.

The detailed statement of revenues, expenditures and changes in fund balance for the School Division Operating Fund was explained.

- At this point in the year the School Division anticipates a positive variance to the local appropriation of approximately \$3.5 million that will be returned to the County's General Fund.
- FY15 expenditures, net of year-end encumbrances and reappropriations, are anticipated to be \$5 million less than the approved budget. The variance reflects savings in pupil transportation, operations and maintenance primarily in fuel and utilities. The instruction variance to budget reflects vacancy savings of salaries and benefits.

Following the quarterly report presentation, Mrs. Seay made note that the resolution adopted under the consent agenda will allow the County to go back to the market to improve the interest rates on up to \$30 million of existing debt. This is similar to refinancing personal debt but is categorized as a debt refunding. The bonds are part of the issues previously approved by the Board in 2006, 2009 and 2011. The current market conditions indicate the opportunity for the County to realize annual debt service savings of up to \$100,000. The potential net present value savings of 4%-8.5%. A minimum of 2% net present value savings is required in accordance with the County financial regulations. The bond sale is tentatively Mar. 4-5.

## **VIII. Board of Supervisors Proposed Fiscal Year 2016 Initiatives**

Mr. Rhu Harris, County Administrator, came forward and explained that every year at this time the Board discusses what initiatives it might have for the upcoming fiscal year. Mr. Harris made several proposals for FY16 and noted that all proposed initiatives will be supported in the County budget to be presented at the next meeting. The initiatives described were:

**Begin construction of the new Courthouse facility**

- The contract was awarded on January 30.
- The contractor is scheduled to mobilize on March 2, so the project is about two months ahead of schedule.
- If construction takes 18 months as expected, the building should be completed by the fall of 2016.

**Conduct space needs study to determine the best uses for the old courts buildings**

- Attention will be turned to a space needs study of the old courts buildings, which were built in the mid-1970s.
- Funding for this space study is available by the winning bid for the new courthouse coming in around \$2 million less than budgeted.
- Mosley Architects will be doing this study, similar to that done in 2006 when the new Courthouse was being planned.
- Similar to what was done in 2006 when the new Courthouse was being planned, Mosely will analyze the future space needs of departments in the Wickham Building, Wickham Annex, Old Clerk's Office and the Taylor Complex.
- The process is expected to start in the early spring.

**Provide additional resources to meet Public Safety needs**

- This initiative will be a major focus of the FY16 budget and five-year plan that will be presented to the Board at the next meeting.

**Video streaming of Board meetings**

- This will be another way that citizens in the County can stay informed of the Board's activities from the convenience of their own homes.

**Support UCI Road World Championships bike race in September**

- This event is the “World Series of competitive bicycling’ and a major race will be held in Hanover on September 23.
- There will be Individual Time Trials for Elite Men.
- The bicyclists will begin at Kings Dominion and follow Rt. 301 south through Hanover except for a segment from Georgetown Road to Rural Point Road back to 301.
- Rt. 301, Georgetown and Rural Point will have to be closed for several hours that day, which will impact residents and businesses as well as travelers.
- UCI anticipates that thousands of spectators will line the roads that day – people all over the world will see Hanover County on their TV screens.
- The County Administrator’s proposed budget will include \$180,000 in support for the race.

Following a video on the upcoming bike event, Mr. Harris answered questions from Board members. He detailed efforts being made by the County to involve area businesses as well as the efforts being made by the Sheriff’s Office with regard to public safety and traffic management.

**IX. Legislative Agenda Update**

Mr. Dennis Walter, Senior Assistant County Attorney, came forward to present the Hanover County Legislative Agenda update. He provided an update on the bills relating to industrial wastes, local fiscal impacts, elections, Capital Region Airport Commission charges as well as bills regarding public safety.

Mr. Walter updated the Board on the request for a State Budget Amendment to add reimbursement for one-half of the cost of proposed construction of additional bed space at Pamunkey Regional Jail.

Updates were also provided on the following: House Appropriations subcommittee on General Government and Capital Outlay, bills related to Schools, bills related to Conflicts and a number of other bills.

Remaining schedule – 2015 Session

- Thursday, February 12 – House of Delegates and Senate to complete work on House and Senate budget bills
- Wednesday, February 18 – work done on budget bills and conferees appointed
- Monday, February 23 – last day for committees to take action on non-budget bills

- Saturday, February 28 – last day of 2015 Session

There was discussion and Mr. Walter offered clarification about the specifics and/or potential impacts of several of the bills. Mr. Rives addressed the Board and provided an update on the bills relating to Voting Primary Dates.

#### **X. Recess**

The Chairman recessed the meeting at 3:34 p.m.

The meeting was reconvened at 7:00 p.m.

#### **XI. 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.

Dr. Michelle Schmitt, Chickahominy Magisterial District, came forward and spoke on behalf of Friends of Hanover Schools on the matter of the budget submitted by the Schools. Dr. Schmitt cited figures supporting increases in the school budget.

Seeing no others come forward, citizens' time was closed.

#### **XII. Presentation of Proclamation – Kay Beazley**

Mr. Davis called Ms. Kay Beazley forward and presented her with a Proclamation recognizing her thirty-four (34) years of service to the Hanover community and surrounding area as Postmaster of the Studley Post Office in the Henry Magisterial District.

### **PUBLIC HEARINGS**

#### **XIII. Public Hearing –Ordinance 14-05, Amending Hanover County Animal Code**

Mr. Sterling Rives, County Attorney, presented this Ordinance to the Board. He explained that over the past six years the Virginia General Assembly has enacted significant changes to Virginia's animal laws and the County's animal code needs updating to remain current with those changes. The proposed revisions to Chapter 4 reflect the changes needed to bring Chapter 4 into compliance with state law. In addition, the proposed revisions include changes that are based on Animal Control's experience with enforcing the 3-year-old Nuisance Animal ordinance (Section 4-78) and with permitting of wild, exotic or vicious animals (Section 4-80). The proposed changes also include a new

section that addresses dogs that kill, injure or chase livestock or poultry (Section 4-73) and revisions that reflect recommendations from the Health Department for the confinement of biting animals (Section 4-19).

Mr. Rives noted that the title of Section 4-19 needs to be changed to read: “Confinement of animals which bite a person or are bitten by a wild animal”.

Following the presentation, Board members discussed and Mr. Rives offered clarification on the specifics and/or potential impacts of several of the provisions in the Ordinance, including, surety bonds, ten day confinement periods and liability insurance requirement amounts.

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. Via, seconded by Mr. Wade, the members of the Board of Supervisors voted to adopt Ordinance No. 14-05, Amendment to Hanover County Code, Chapter 4, Animals, to Bring into Compliance with State Law and to Reflect Current or Recommended Practices with the amended title to Section 4-19.

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

#### **XIV. Public Hearing – Ordinance 14-13, Amending Hanover County Code, Chapter 15, Article III, Regulation of Parking**

Mr. Scott Miller, Treasurer, came forward to present this Ordinance to the Board. Mr. Miller detailed the reason for the requested increase in the time for payment of parking tickets from five (5) to thirty (30) days. Additional amendments are also proposed to clarify the procedure for billing and issuing a summons for parking violations, and to reorganize Article III into a more logical format.

Following the presentation, there was discussion and Mr. Miller offered clarification regarding the content and wording of letters sent from the Treasurer’s Office to citizens.

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 Mrs. Kelly-Wiecek, seconded by Mr. Wade, the members of the Board of Supervisors voted to adopt Ordinance 14-13, Amending Hanover County Code, Chapter 15, Article III, Regulation of Parking.

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

**XV. Announcements**

Mr. Peterson offered an invitation to visit the new lodge at Covenant Woods and attend the Community Forum that will be held there on February 17, 2015.

Mr. Wade announced that he will not be seeking reelection for another term on the Board of Supervisors.

**XVI. Adjournment**

At 7:37 p.m. the Chairman adjourned the meeting to February 25, 2015 – Hanover County Administration Building – 2:00 p.m.