

**HANOVER COUNTY BOARD OF SUPERVISORS
MINUTES**

**Hanover County Administration Building
Board Room**

March 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 11th day of March, 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. Hazzard.
- B. The Pledge of Allegiance was led by Mr. Via.

II. Consideration of Agenda Amendments

The Chairman announced that the presentation of a proclamation recognizing March as Multiple Myeloma Awareness Month in Hanover County would be presented during the evening session. Hearing no other changes to the agenda, moved to citizens’ time.

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III. Citizens' Time

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

Mr. Oscar Walker, Ashland Magisterial District, came forward to speak on illegal immigration. Seeing no others come forward, 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. – Local Workforce Development Area Designation

Board Sheet Background:

As a result of Congressional action, the Workforce Investment Act (WIA) will be replaced on July 1, 2015, with the Workforce Innovation and Opportunity Act (WIOA). In order for our region to continue to receive funding, a local workforce area designation must be approved by the Governor prior to this implementation date. Under provisions of the law, any local area that existed under the WIA with sound performance and fiscal integrity may continue with an initial two-year designation as a local area for WIOA purposes upon request to the Governor. The Capital Area Workforce Partnership currently includes the counties of Hanover, Henrico, Chesterfield, Goochland, Powhatan, New Kent, and Charles City, and the City of Richmond.

Local area designation is the first step of implementation, which would be followed by execution of a written agreement among the participating jurisdictions, the designation of a grant recipient and fiscal agent, and the appointment of a workforce development board.

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It has been requested that Hanover County return the attached with a signature communicating our jurisdiction's decision by April 1, 2015 to allow sufficient time to complete the other necessary steps.

Recommended Action:

Authorize County Administrator to sign and submit documentation requesting Hanover County be designated as part of the local workforce development area to be known as the Capital Region Workforce Partnership, under the provisions of Section 106 (b)(2) of the Workforce Innovation and Opportunity Act of 2014.

IV. B. - Budget Transfer – Hanover County Public Schools - \$153,218

Board Sheet Background:

Hanover County Public Schools has been awarded two grants from the Virginia Department of Education: 1) Governor's School and 2) School Security Equipment Grant.

- 1) Governor's School - \$100,000 has been awarded "to develop a model proposal that establishes a Governor's School that focuses on Career and Technical Education," and
- 2) School Security Equipment Grant - \$53,218 has been awarded for the purchase and installation of school security equipment

The Hanover County Public School Board has approved the grant awards. After this action, there will be \$366,691 remaining in the Reserve for Revenue transfers account.

Finance & Management Services concurs with this request.

Recommended Action:

Approve the budget transfer of \$153,218 from the Reserve for Revenue account for Hanover County Public Schools for the Governor's School and Security Equipment grants.

V. Presentation of Proclamation – Dana Nelson, Operation Hope (Mechanicsville Magisterial District)

Mr. Peterson called Mr. Dana Peterson forward to receive the proclamation. He also asked that Mr. David Fuller come forward during the presentation. Mr. Peterson and Mrs. Kelly-Wiecek presented the proclamation to Mr. Nelson. Mr. Nelson addressed the Board and explained how he has enjoyed the work he has done and thanked his wife and others who have helped with the projects over the years.

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VI. Presentation – Update of Pamunkey Regional Library Long Range Planning Process

Mr. Tom Shepley, Library Director, came forward to give this presentation. He explained that the Pamunkey Regional Library has been working to update the Library Long Range Plan, which guides the development and management of library service.

Planning Background

Previous plans (1999-2004, 2005-2009, 2010-2014) objectives included:

- Enlarge library buildings
- Expand hours open
- Make our computer system more user friendly
- Better inform library customers about services
- Improve partnerships with educators
- Review changes in market share, leadership, players, market shifts, costs, pricing, and competition
- Assess current facilities and space needs and plan and prioritize ways to fill these needs.
- Identify ways to serve customers while reducing hours open due to ongoing funding difficulties.

Research

Also reinforced:

- Collections—control costs, maintain/improve collection velocity, to keep strength of relationship
- Facilities—leaves an impression on customers and is still the foundation for how we deliver services
- Family relationship services—popular, appreciated, and critical to sustaining our customer base
- Technology—public access Internet connectivity, public access computers critical; technology is an efficient format to deliver information

Product and service development

Product and service development is the process of determining what to emphasize and what to deemphasize in order to deliver more of the services that are needed.

This is an ongoing process that the library will practicing in the coming years.

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Implementation/Measurement

- Implementation of strategies that result in the product and service development phase.
- Measure results of the decisions made.

Summary

Pathways were identified for the realization of the brand promise. These included:

- Expand destination usage to deepen and strengthen customer relationships
- Emphasize utilization by the Family Relations cluster to develop new library users
- Encourage digital usage by increasing the items available and promoting their utilization

Library aligns with Hanover Human Services Strategic Plan:

- Data Driven
- With Caring Hanover: Library helps people be more self sufficient
- With School Ready Hanover: increase family and preschooler use of the public library-measure family and preschooler program participation
- With Accessible Hanover: information for customers for the world beyond the county

Following the presentation, Mr. Shepley answered questions from Board members. There was clarification offered and discussion regarding school library visits, the library partnering with the Youth Services Council, the elimination of the bookmobile and the vast variety of historical publications available. There was also discussion concerning a potential new library facility and the possible benefits of having more facilities that may be smaller as opposed to new, larger libraries.

VII. Presentation – Public Safety Annual Report

Mr. Jim Taylor, Deputy County Administrator, came forward to give this presentation. Mr. Taylor acknowledged members of the project team, including Chief Jeff Parker from Animal Control, Maranda Tyler from Community Corrections, Curt Shaffer and Charlie Udriet from Emergency Communications, Chief Piland and Battalion Chief Jason Williams from Fire EMS, Col. James Willett, Lt. Col. Nathan Webel and Major Kim Hopkins from Pamunkey Regional Jail, and Col. Dave Hines, Major Tom Woody and Sergeant Terry Sullivan with the Sheriff's Office.

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Animal Control

Mr. Taylor reported that Animal Control's calls for service have remained steady the past five years. The busiest months are usually April through August when there is more daylight and more people are outside.

The number of rabid animals in Hanover spiked a few years ago, but is down to the lowest number in 10 years at 9. Raccoons, foxes, and skunks represent the most cases.

Response times for animal control officers has been ranging in the 40 to 50 minutes range. Sometimes there are only two officers covering the entire County, which is a large area to cover.

Community Corrections

The Community Corrections Program provides the judicial system with sentencing alternatives for those who may require less than institutional custody. It allows offenders who are charged with and/or convicted of offenses in our court system to remain in the community under supervision. The courts can impose conditions and sanctions for the offenders; the probation officer assigned then supervises the offender's compliance with these conditions. Offenders may also be referred to special programs to meet substance abuse, mental health, or domestic violence needs. There are typically around 40 to 60 clients each month.

This program is designed to effectively supervise those ordered from General District, Juvenile and Domestic Relations and Circuit Courts. Court ordered obligations may include drug and alcohol testing, community service work, collection of restitution, substance abuse screening, treatment, and education, Batterer's Intervention Counseling, Anger Management Counseling, Mental Health Evaluations, Shoplifter's Prevention Courses, Parenting Skills Courses, Home Incarceration and/or Electronic Monitoring. Any offender not complying with the court's order or failing to keep the peace and be of good behavior will be returned to the court for violation procedures. Here you can see the number of successful and unsuccessful cases for 2014.

The Pretrial Services Program provides assistants to judicial officers to improve public safety by providing investigation reports on defendants to determine their risk to the community and the assurance of appearance for trial or other hearings. All defendants who are committed to the Pamunkey Regional Jail will be interviewed by a pretrial service investigator prior to their court arraignment, at which time a criminal history interview will be conducted. A report is then provided to the Judge and

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the Commonwealth Attorney's Office. The defendant's financial status is verified in order to assist the court in appointing attorney.

The Judge or Magistrate may release a defendant from incarceration to the supervision of the Pretrial Services Program pending the defendant's trial. They may order special bond conditions for the defendant to comply with while released on bond. Court ordered conditions may include drug and alcohol testing, substance abuse screening, treatment or education; maintain employment, curfew, home incarceration, electronic or SCRAM monitoring, and/or no contact orders.

Emergency Communications

A new Tier 1 Board indicator, Emergency Communications has been working with Information Technology to generate reports and analyze response times. The 2014 average time to dispatch by priority statistics were provided for Law Enforcement, Fire and Medical. On average, among the priority 1 calls, fire calls are taking the longest to complete and this is due to the number of units and apparatus as well as the more complicated running assignments. The national standard is to dispatch within 90 seconds.

More than half of the calls to the 911 center are not emergency calls. Emergency 911 calls represent only 4% of the calls and wireless emergency calls represent 12%.

Fire/EMS

Fire/EMS Incidents by type figures were reported as follows: 71% EMS related and 18% Fire. When the motor vehicle incidents are added, it shows about 81% of the calls being medically related.

The number of incidents and responses remained about the same in 2014, up to 12,257 from 12,042 the prior year.

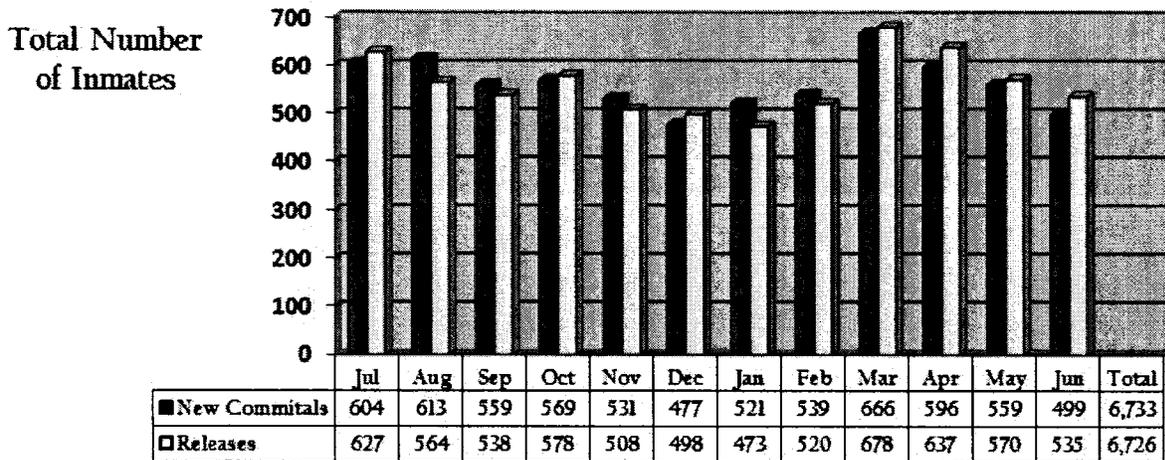
Hanover has a goal for Fire response to be on scene in less than 9 minutes in the SSA and less than 15 minutes outside the SSA, at least 80% of the time. For 2014, we met these goals.

EMS response targets inside the SSA are being met. Outside the SSA, we are not meeting the targets due to geographic challenges, but overall we are very close to our 80% goal in priority one calls and priority 2 and priority 3 calls exceed 80%.

Measure	Target	Status
Emergency Plans	Regulatory/Local Compliance	Complete
Patient Condition at Hospital	90% Improved or Unchanged	99%
Structure Fire Injuries/Deaths	Lower than Va. Rate of 11.65/100,000 residents	3.95
Structure Fires Confined to Building of Origin	90% Confined	100%
Public Safety Fleet Availability (all public safety vehicles)	95% or More Availability	97.8%

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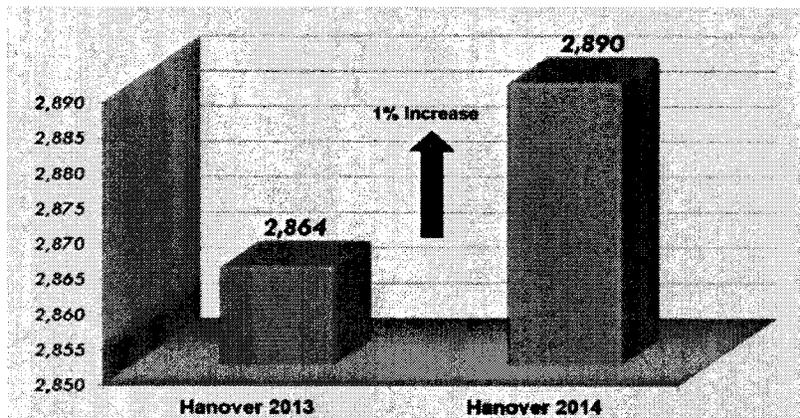
Pamunkey Regional Jail



The Pamunkey Regional Jail continues to be a busy place, averaging between 500 and 700 inmates each month. Hanover County inmates represent on average between 60% and 70% of the population with the rest coming from Caroline County or other placements.

Sheriff's Office

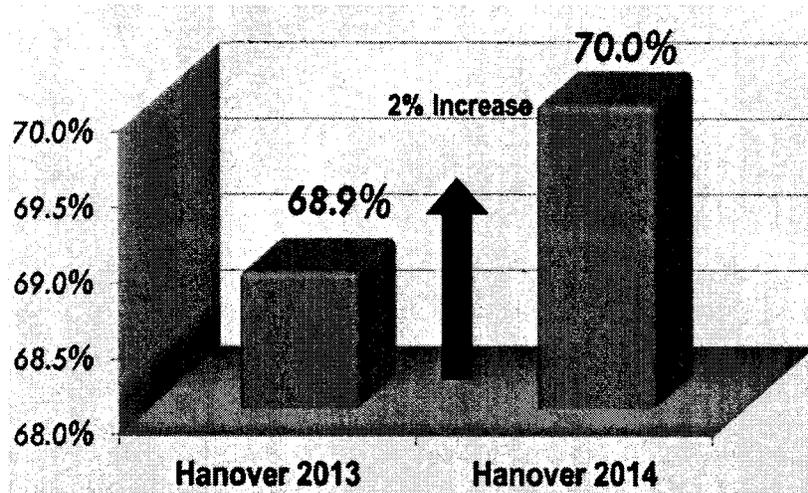
Incident Based Reporting:



The number of incident based reports is up slightly from the prior year as is the overall clearance rate.

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Overall Clearance Rate:



In 2014 the Sheriff's Office cleared 70% of all reported crime, which is a historical high.

Board Tier 1 Indicators:

Measure	Goal	Status
North Anna After Action Report	Compliance	2014 event completed
Timely response priority 1 calls	Less than 5 year avg.	2014 8.- 48 slightly higher than 5 year avg. 8.20
Part 1 Crime rate	Less than 5 year avg.	2014 - 1049 lower than 5 year avg. 1060
Overall Crime Clearance Rate	More than 5 year avg.	2014 - 70% higher than 5 year avg. 67.7%

The Board has established these measures as Tier 1 Key Indicators. We are “green” in our North Anna action requirements, Part 1 crime rate, and Overall clearance rate. For timely response on priority 1 calls, we’re slightly off the five year avg. of 8.20 minutes. This is up one second from 2013. Response time results can be associated with increased calls for service over a 5-year time span and population density within the 96 square miles suburban service area in comparison to the 372 square miles outside in more rural areas where staffing levels differ.

Public Safety Accomplishments

Last year, Animal Control participated in the Maddie’s Fund adoption campaign and was able to adopt many animals while also bringing in \$5,000 to the department. Animal Control has continued to have a partnership with the RSPCA for 6 years to reduce euthanasia for adoptable animals in the care of Hanover County. Animal Control has established a working relationship with more rescue organizations such as Richmond Animal League, Hanover Humane, Fetch-A-Cure, and many other

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breed-specific organizations to help to reduce euthanasia. Hanover County Animal Control has completed 6 years of not euthanizing any healthy animal because of space.

Community Corrections completed the first phase of evidence based practices, and also opened a computer lab to assist offenders with court ordered classes.

Emergency Communications began the accreditation process with the Commission on Accreditation for Law Enforcement Agencies (CALEA) and selected a new Computer-Aided Dispatch (CAD) system replacing a system which is 18 years old. This has involved countless hours of work to get the new system ready to be rolled out in a few months.

Fire EMS was recently selected to receive the Governor's Award for Excellence in Virginia's Fire Service for our state and national leadership related to tactical fire suppression. We also added two new courses to the Public Safety program at Hanover High School.

Pamunkey Regional Jail successfully completed its ACA re-accreditation, and also completed a planning study to allow the conversion of an indoor recreation yard into dormitory space. If funding is approved by the General Assembly, and this looks likely, this will allow for needed growth in the years to come.

The Sheriff's office coordinated a community drug forum in 2014. Partners included students, prevention and treatment specialists, law enforcement, school officials, members of the business community, and parents and citizens. As you know, we installed an innovative alarm system designed to alert our officers over their radios of trouble in our schools. This technology was provided through Sheriff's Office asset forfeiture funds and serves to save time when seconds count in responding to a threat at our schools.

Looking Forward

Having just broken ground on the new courthouse, we are excited about the efficiencies and security improvements it will bring. Jail expansion is also on the horizon.

Hopefully, through the budget process we'll be able to augment staff in public safety, including new positions in Fire EMS, the Sheriff's Office, and Community Corrections.

The Sheriff's Office is deploying staffing best practices and a complex predictive policing model as our deployment plan no longer revolves around the traditional day, evening and midnight shifts. Instead the model deploys our people in a manner as to provide coverage consistent with peak service times. This maximizes officer safety while increasing staffing efficiencies.

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The technology layer that delivers public safety is critical and many initiatives are underway. The CAD system will be upgraded during 2015. Other projects include upgraded SCBA or breathing equipment, body cameras, and Text to 911.

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

VIII. Presentation – Hanover Alert System Presentation – Hanover Alert System

Colonel Dave Hines came forward and introduced Deputy Jim McLaughlin, Crime Prevention Specialist, and gave a brief description of Hanover's emergency alert history.

Deputy McLaughlin came forward and gave the presentation to the Board.

Transition to CodeRED

- ECN (Emergency Communications Network) purchased CityWatch (which we were already utilizing since 2001) in 2012 at which time they notified all of their customers that we would have to upgrade to their new and improved web based platform.
- The CodeRED system provides Hanover County Public Safety the ability to quickly deliver messages to targeted areas or the entire county.
- This system gives individuals and businesses the ability to add their own phone numbers directly into the system's database allowing everyone the ability to control how they receive emergency notifications.
- The CodeRED system has provided us with a substantial increase in software development and support staff to service our system.
- CodeRED offers a higher call capacity (lines per minute), enhanced weather alerting capabilities, and additional mass alerting features along with an app that will allow Hanover County residents, as well as those traveling through the area, to receive community and emergency alerts via notifications to their smartphones.

CodeRED Data

- CNE (Community Notification Enrollment) Data is the best possible data provided because the resident is submitting it themselves, as well as adding in multiple numbers (home, cell phones, work, text addresses, email addresses)
- 911 Data: Verizon data, AT&T data that you have and provide to ECN
- Customer Supplied Data: Utility, business license info etc.: Data that you provide to ECN

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- ECN Supplied Data: A compilation of data that is commercially available

Deputy McLaughlin reported that the ALL CALL that was done in February enabled CodeRED to evaluate our local telephone infrastructure so they could match its capacity with the amount of lines used during call outs. They also ran a process called Validata where all of the telephone numbers that were deemed Operator Intercepts each time they were called, were placed on a slow dialer which means that during the course of three days they are called several times to verify they were in fact a non-working number. Non-working numbers were then taken out of the database to keep it robust. By doing this it will show higher connection percentages on future calls and increase efficiency. The All Call was successful. After All CALL there were 5,000+ signups.

Notification options, launch options, external alerts, internal alerts were described along with information on resident signup and the CodeRED mobile app.

Integrated Public Alert and Warning System (IPAWS)

During an emergency, alert and warning officials need to provide the public with life-saving information quickly. IPAWS is a modernization and integration of the nation's alert and warning infrastructure and will save time when time matters most, protecting life and property.

Federal, State, local, tribal and territorial alerting authorities can use IPAWS and integrate local systems that use Common Alerting Protocol standards with the IPAWS infrastructure. IPAWS provides public safety officials with an effective way to alert and warn the public about serious emergencies using the Emergency Alert System (EAS), Wireless Emergency Alerts (WEA), the National Oceanic and Atmospheric Administration (NOAA) Weather Radio, and other public alerting systems from a single interface.

Following the presentation, Deputy McLaughlin answered questions from Board members.

The Chairman announced a brief break at 3:50 p.m.

The meeting was reconvened at 3:56 p.m.

IX. Legislative 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 and Schools.

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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.

Resolutions Related to Hanover Residents

- HJ768 (Del. Fowler) – Celebrating the life of Betty Ostergren
- HJ769 (Del. Fowler) – Commending the Atlee High School girls' indoor track and field team
- HJ816 (Del. Fowler) - Commending the Hanover High School baseball team
- HJ911 (Del. Fowler) and SR93 (Sen. McDougle) - Commending the Hanover Concert Band.
- HR197 (Del. Peace) – Commending Kay Beazley
- SR103 (Sen. McDougle) - Commending G. E. Via III

Updates were also provided on the budget bill and a summary of ethics legislation.

Remaining schedule – 2015 Session

- Friday, February 27th – last day of 2015 Session
- For most legislation, Governor has until March 29th to sign bill, veto bill, or suggest amendments (which is 30 days from the end of the session)
- General Assembly considers vetoes and proposed amendments on Wednesday, April 15th

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

X. Recess

The meeting was recessed at 4:38 p.m.

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

Mr. Via and Mrs. Kelly-Wiecek called Mr. A. Satterfield forward for the presentation of a proclamation recognizing March as Multiple Myeloma Awareness Month in Hanover County. It was noted that many Hanover citizens have been affected by this.

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.

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

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Prior to the public hearings, Mr. Davis announced that the applicant for SE - 4-15 - James Burton and Ruth Gullettee has requested a deferral in order to make substantial changes and modifications to the proposal. He explained the information that has been received by the applicant and the reasons for the requested deferral.

On motion of Mr. Davis, seconded by Mrs. Kelly-Wiecek, the Board voted to defer SE - 4-15 - James Burton and Ruth Gullettee for 90 days.

	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

XII. Public Hearing on and Adoption of Resolution Authorizing the Issuance of General Obligation Bonds to the Virginia Public School Authority in a Principal Amount Not to Exceed \$5,250,000

Mrs. Kathy Seay, Director of Finance and Management Services, came forward to present the Board with the information regarding the resolution.

Summary of Proposed Resolution

To approve the issuance and sale of general obligation bonds to the VPSA in a principal amount not to exceed \$5,250,000.

- **VPSA:** State program to enable localities to access low cost financing in a timely manner. Used when projects are routine and not large in nature (e.g., roofs, HVAC, parking lots, renovations, technology).
- **Purpose:** To finance School capital improvements authorized in the adopted School Improvements Fund budget for FY2015, in accordance with County's Five-Year Capital Improvements Plan.
- **Budget:** Debt service in FY16 will be less than FY15, and will be within budget and policy guidelines.

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- **School Board Approval:** The School Board has requested the Board to issue these bonds to the VPSA for this purpose.

Following the presentation, Mrs. Seay answered questions from Board members.

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED
\$5,250,000 GENERAL OBLIGATION SCHOOL BOND OF THE
COUNTY OF HANOVER, VIRGINIA, TO BE SOLD TO THE
VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING
FOR THE FORM AND DETAILS THEREOF.**

WHEREAS, the Board of Supervisors (the "Board") of the County of Hanover, Virginia (the "County"), has determined that it is necessary and expedient to borrow an amount not to exceed \$5,250,000 and to issue its general obligation school bond (as more specifically defined below, the "Local School Bond") for the purpose of financing (i) various facility and mechanical infrastructure improvements and equipment and school safety enhancements, (a) the specific facility and mechanical improvements to include, without limitation, new roofs, HVAC systems, electrical services, improvements needed for Americans with Disabilities Act compliance, bathroom and kitchen renovations including cafeteria equipment, athletic complex improvements and playground equipment, drainage improvements and window replacements and (b) the school safety enhancements to include intruder locks and (ii) costs of issuance (collectively, the "Project");

WHEREAS, the County held a public hearing, duly noticed, on March 11, 2015, on the issuance of the Local School Bond in accordance with the requirements of Section 15.2-2606, Code of Virginia 1950, as amended (the "Virginia Code");

WHEREAS, the School Board of the County has, by resolution, requested the Board to authorize the issuance of the Local School Bond and consented to the issuance of the Local School Bond;

WHEREAS, Virginia Public School Authority ("VPSA") has offered to purchase the Local School Bond along with the local school bonds of certain other localities with a portion of the proceeds of certain bonds to be issued by VPSA in the spring of 2015 (the "VPSA Bonds");

WHEREAS, the Bond Sale Agreement (as defined below) shall indicate that \$5,000,000 is the amount of proceeds requested (the "Proceeds Requested") from VPSA in connection with the sale of the Local School Bond;

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WHEREAS, VPSA's objective is to pay the County a purchase price for the Local School Bond which, in VPSA's judgment, reflects the Local School Bond's market value (the "VPSA Purchase Price Objective"), taking into consideration of such factors as the amortization schedule the County has requested for the Local School Bond relative to the amortization schedules requested by other localities, the purchase price to be received by VPSA from the sale of the VPSA Bonds and other market conditions relating to the sale of the VPSA Bonds; and

WHEREAS, such factors may result in the Local School Bond having a purchase price other than par and consequently (i) the County may have to issue the Local School Bond in a principal amount that is greater than or less than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested, or (ii) if the maximum authorized principal amount of the Local School Bond set forth in section 1 below does not exceed the Proceeds Requested by at least the amount of any discount, the purchase price to be paid to the County, given the VPSA Purchase Price Objective and market conditions, will be less than the Proceeds Requested.

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

1. **Authorization of Local School Bond and Use of Proceeds.** The Board hereby determines that it is advisable to contract a debt and issue and sell its general obligation school bond in an aggregate principal amount not to exceed \$5,250,000 (the "Local School Bond") for the purpose of financing the Project. The Board hereby authorizes the issuance and sale of the Local School Bond in the form and upon the terms established pursuant to this Resolution.

2. **Sale of the Local School Bond.** The sale of the Local School Bond, within the parameters set forth in paragraph 4 of this Resolution, to VPSA is authorized. Given the VPSA Purchase Price Objective and market conditions, the County acknowledges that the limitation on the maximum principal amount on the Local School Bond set forth in paragraph 1 of this Resolution restricts VPSA's ability to generate the Proceeds Requested, however, the Local School Bond may be sold for a purchase price not lower than 100% of the Proceeds Requested. The County Administrator, the Deputy County Administrator and the Director of Finance and Management Services, any of whom may act (each a "Delegate") and such other officer or officers of the County as a Delegate may designate are hereby authorized and directed to enter into an agreement with VPSA providing for the sale of the Local School Bond to VPSA (the "Bond Sale Agreement"). The Bond Sale Agreement

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shall be in substantially the form submitted to the Board at this meeting, which form is hereby approved.

3. **Details of the Local School Bond.** The Local School Bond shall be dated 16 days prior to the date of its issuance and delivery or such other date designated by VPSA; shall be designated "General Obligation School Bond, Series 2015A"; shall bear interest from its dated date payable semi-annually on each January 15 and July 15 beginning January 15, 2016 (each an "Interest Payment Date"), at the rates established in accordance with paragraph 4 of this Resolution; and shall mature on July 15 in the years (each a "Principal Payment Date") and in the amounts acceptable to a Delegate (the "Principal Installments"), subject to the provisions of paragraph 4 of this Resolution.

4. **Interest Rates and Principal Installments.** Each Delegate is hereby authorized and directed to accept the interest rates on the Local School Bond established by VPSA, provided that each interest rate shall be five one-hundredths of one percent (0.05%) over the interest rate to be paid by VPSA for the corresponding principal payment date of the VPSA Bonds, a portion of the proceeds of which will be used to purchase the Local School Bond, and provided further that the true interest cost of the Local School Bond does not exceed five and fifty one-hundredths percent (5.50%) per annum. The Interest Payment Dates and the Principal Installments are subject to change at the request of VPSA. Each Delegate is hereby authorized and directed to accept changes in the Interest Payment Dates and the Principal Installments at the request of VPSA based on the final term to maturity of the VPSA Bonds, requirements imposed on VPSA by the nationally-recognized rating agencies and the final principal amount of the Local School Bond; provided, however, that the principal amount of the Local School Bond shall not exceed the amount authorized by this Resolution and the final maturity of the Local School Bond shall not exceed twenty-one (21) years from the date of the issuance and delivery of the Local School Bond. The execution and delivery of the Local School Bond as described in paragraph 8 hereof shall conclusively evidence the approval and acceptance of all of the details of the Local School Bond by the Delegate as authorized by this Resolution.

5. **Form of the Local School Bond.** The Local School Bond shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A.

6. **Payment; Paying Agent and Bond Registrar.** The following provisions shall apply to the Local School Bond:

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(a) For as long as VPSA is the registered owner of the Local School Bond, all payments of principal, premium, if any, and interest on the Local School Bond shall be made in immediately available funds to VPSA at, or before 11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next succeeding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption.

(b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Local School Bond.

(c) U.S. Bank National Association, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Local School Bond.

7. **Prepayment or Redemption**. The Principal Installments of the Local School Bond held by VPSA coming due on or before July 15, 2025, and the definitive bond for which the Local School Bond held by VPSA may be exchanged that mature on or before July 15, 2025, are not subject to prepayment or redemption prior to their stated maturities. The Principal Installments of the Local School Bond held by VPSA coming due on or after July 15, 2026, and the definitive bond(s) for which the Local School Bond held by VPSA may be exchanged that mature on or after July 15, 2026, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2025, upon payment of the prepayment or redemption prices (expressed as percentages of Principal Installments to be prepaid or the principal amount of the Local School Bond to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2025 through July 14, 2026	101%
July 15, 2026 through July 14, 2027	100½
July 15, 2027 and thereafter	100

Provided, however, that the Local School Bond shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of VPSA or other registered owner of the Local School Bond. Notice of any such prepayment or redemption shall be

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given by the Bond Registrar to VPSA or other registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

If VPSA refunds the VPSA Bonds in the future and such refunding causes the Local School Bond to be deemed refunded, the prepayment or redemption of the Local School Bond will be subject to VPSA approval and subject to similar prepayment or redemption provisions as set forth above that correspond to the call period of the VPSA bonds issued in part to refund the Local School Bond.

8. Execution of the Local School Bond. The County Administrator or Deputy County Administrator and the Clerk or any Deputy Clerk of the Board are each authorized and directed to execute and deliver the Local School Bond and to affix the seal of the County thereto.

9. Pledge of Full Faith and Credit. For the prompt payment of the principal of, premium, if any, and the interest on the Local School Bond as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any portion of the Local School Bond shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on the Local School Bond as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

10. Use of Proceeds Certificate and Tax Compliance Agreement. Each Delegate and such other officer or officers of the County or the School Board as a Delegate may designate are hereby authorized and directed to execute and deliver on behalf of the County a Use of Proceeds Certificate and Tax Compliance Agreement (the "Tax Compliance Agreement") setting forth the expected use and investment of the proceeds of the Local School Bond and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Local School Bond will be invested and expended as set forth in such Tax Compliance Agreement and that the County shall comply with the other covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the VPSA Bonds will remain excludable from gross income for federal income tax purposes.

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11. **State Non-Arbitrage Program; Proceeds Agreement.** The Board hereby determines that it is in the best interests of the County to authorize and direct each Delegate and the County Treasurer to participate in the State Non-Arbitrage Program in connection with the Local School Bond. Each Delegate, the County Treasurer and such officer or officers of the County as a Delegate or the County Treasurer may designate are each hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Local School Bond by and among the County, the other participants in the sale of the VPSA Bonds, VPSA, the investment manager and the depository.

12. **Continuing Disclosure Agreement.** Each Delegate and such other officer or officers of the County as a Delegate may designate are each hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix D to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12, under the Securities Exchange Act of 1934, as amended, and directed to make all filings required by Section 3 of the Bond Sale Agreement should the County be determined by VPSA to be a MOP (as defined in the Bond Sale Agreement).

13. **Refunding.** The Board hereby acknowledges that VPSA may issue refunding bonds to refund any bonds previously issued by VPSA, including the VPSA Bonds issued to purchase the Local School Bond, and that the purpose of such refunding bonds would be to enable VPSA to pass on annual debt service savings to the local issuers, including the County. Each Delegate is authorized to execute and deliver to VPSA such allonge to the Local School Bond, revised debt service schedule, IRS Form 8038-G or such other documents reasonably deemed necessary by VPSA and VPSA's bond counsel to be necessary to reflect and facilitate the refunding of the Local School Bond and the allocation of the annual debt service savings to the County by VPSA. The Clerk to the Board of Supervisors is authorized to affix the County's seal on any such documents and attest or countersign the same.

14. **Filing of Resolution.** The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

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15. **Election to Proceed under Public Finance Act.** In accordance with Section 15.2-2601 of the Virginia Code, the Board elects to issue the Local School Bond pursuant to the provisions of the Public Finance Act of 1991, Chapter 26 of Title 15.2 of the Virginia Code.

16. **Further Actions.** The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Local School Bond and otherwise in furtherance of this Resolution and any such action previously taken is hereby ratified and confirmed.

17. **Effective Date.** This Resolution shall take effect immediately.

Mr. Peterson made a motion to approve the Resolution authorizing the issuance and sale of the bonds to the VPSA, and authorize the County Administrator to take all actions necessary to proceed with the issuance of the bonds and administration of all matters related to the bonds, including execution of all necessary documents. The motion was seconded by Mrs. Kelly-Wiecek.

	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.

XIII. 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)

Mr. Greg Sager, Director of Parks and Recreation, came forward and presented the Board with the information about this 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 7232 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.

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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.

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

Mr. Via made a motion to grant approval for the proposed Lease Agreement with Cellco Partnership d/b/a/ Verizon Wireless for the use of designated County property located at Courthouse Park. The motion was seconded by Mrs. Kelly-Wiecek.

	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.

XIV. PLANNING PUBLIC HEARINGS

SE-20-03 - AM. 1-15 – Jamestown Light, L.L.C., Requests an amendment to a Special Exception Permit in accordance with Section 26-142.2 of the Hanover County Zoning Ordinance to allow an expansion of a child daycare center on GPINs 7797-18-3876 and 7797-28-1100(part), consisting of

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approximately 1.8 acres, zoned OS(c), Office/Service District with conditions, and located in the southwest quadrant of Sliding Hill Road (State Route 656) and Atlee Commerce Center Boulevard (State Route 1383) in the Ashland Magisterial District.

Planning Analysis:

The proposed addition to the daycare center will include the following: two classrooms, a multi-purpose room, restrooms and staff area.

	<u>Existing</u>	<u>Total</u>
Square Feet	10,114	13,323
Parking Spaces	19	31

Recommendation:

- Approval subject to the conditions outlined in the staff report

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

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.

RESOLUTION

WHEREAS after a public hearing held on this 11th day of March, 2015, as advertised in the Herald-Progress once a week for two successive weeks as required by Virginia Code, Section 15.2-2204 and the Hanover County Code.

NOW, THEREFORE, BE IT RESOLVED that Jamestown Light, L.L.C. is granted a Special Exception Permit in accordance with Section 26-142.2 of the Hanover County Zoning Ordinance to allow an expansion of a child daycare center on GPINs 7797-18-3876 and 7797-28-1100(part), consisting of 1.8 acres, zoned OS(c), Office/Service District with conditions, subject to the following conditions, which incorporate all of the applicable conditions from previous amendments:

1. The number of children shall be limited to the capacity established by the Virginia State Department of Social Services for the existing structure on site. A copy of the correspondence from the Department of Social Services specifying the limit shall be provided to the County Planning Office and shall contain the method of calculation used to determine the limit.
2. All necessary State permits shall be obtained, and copies shall be provided to the Planning Office.

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3. Daycare activities shall be limited to the hours of 7:00 a.m. to 6:30 p.m. with the exception of special events, which may operate after 6:30 p.m. or on weekends. These special events shall be limited to no more than twelve (12) per calendar year.
4. The applicant shall maintain a six (6) foot high fence around the required play area.
5. Any expansion of the square footage of the building for daycare use will require an amendment to this Special Exception Permit.
6. All development and use of the Property shall comply with all federal, State, and local statutes, ordinances, and regulations.

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

On motion of Mr. Via, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve SE-20-03 - AM. 1-15 – Jamestown Light, L.L.C., as follows:

	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

SE-1-15 - Mallory M. and Ryan M. Hudson, Request a Special Exception Permit in accordance with Section 26-280 of the Hanover County Zoning Ordinance to permit an accessory family housing unit on GPIN 8704-27-1236, consisting of approximately 4.1 acres, zoned R-1, Single-Family Residential District, and located at the terminus of Tavenor Court (State Route 2020) approximately 450 feet west of its intersection with Timberlake Green Drive (State Route 2021) in the Mechanicsville Magisterial District.

Planning Analysis:

- The accessory family unit will be on the 2nd floor of a garage in rear yard of primary residence
 - Approx. 576 sq. ft. (13% of area of primary residence), including 1 bedroom
 - 2 Additional Parking Spaces Provided

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- Access from Interior Stairs

Recommendations:

- Approval subject to the conditions outlined in the staff report

Mr. Maloney came forward to give this presentation to the the Board.

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.

RESOLUTION

WHEREAS after a public hearing held on this 11th day of March, 2015, as advertised in the Herald-Progress once a week for two successive weeks as required by Virginia Code, Section 15.2-2204 and the Hanover County Code.

NOW, THEREFORE, BE IT RESOLVED that Mallory M. and Ryan M. Hudson is granted a Special Exception Permit in accordance with Section 26-280 of the Hanover County Zoning Ordinance to permit an accessory family housing unit on GPIN 8704-27-1236, consisting of 4.1 acres, zoned R-1, Single Family Residential District, subject to the following conditions:

1. The accessory housing unit shall be developed on the property in conformity with the sketch plan titled "Sketch Plan of Garage/Apt (Hudson)," prepared by Ryan Hudson, and dated February 3, 2015. The accessory housing unit shall have a layout generally as shown on the floor plan submitted with the application, showing that the unit shall have no more than 576 square feet, which is 13% of the area of the 4,426 square foot primary residence.
2. This Special Exception Permit shall be valid for three (3) years following the date of approval, or until the family member no longer resides within the accessory housing unit, whichever occurs first. The permit shall then be void unless the Director of Planning approves an extension beyond that time pursuant to written application. If approved, all original conditions of approval shall continue in effect, unless modified by the Director. If disapproved, or when the family member is no longer a resident of the accessory housing unit, the stove shall be removed from the kitchen and use of the garage as an accessory housing unit shall cease. The applicants shall notify the Hanover County Planning Office if this occurs, and, upon request of the County, shall provide evidence of continued compliance.
3. All requirements of the Building Inspector's Office shall be met.

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4. All development and use of the Property shall comply with all federal, State, and local statutes, ordinances, and regulations.

On motion of Mr. Peterson, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve SE-1-15 - Mallory M. and Ryan M. Hudson, as follows:

	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

Ordinance of Vacation – Drinkard Subdivision (Charles E. Drinkard), Requests an Ordinance of Vacation in accordance with Section 15.2-2272, Code of Virginia, 1950, as amended, in order to vacate the common property line (537.77 feet in length) between Lot 1 and Lot 2 in Drinkard Subdivision on GPINs 8745-89-7644 and 8745-88-4900, located on the south line of Old Church Road (State Route 606) at its intersection with Oak Hill Camp Road (private), as shown on the plat titled "Drinkard Subdivision," prepared by Goodfellow, Jalbert, Beard and Associates, recorded February 13, 1989, in Subdivision Plat Book 6, Page 233, in the Office of the Clerk of the Hanover County Circuit Court. (Cold Harbor Magisterial District)

Background:

- The purpose of this vacation is to create a lot which will allow for a family division
 - The 2 existing lots are both 10 acres and cannot be further divided
- The applicant indicates that a maximum of 3 total family divisions would be created, with the existing home and outbuilding remaining on a 10 acre parcel

Staff Recommendation:

- Adoption of Drinkard Subdivision (Charles E. Drinkard) Ordinance of Vacation to remove the common property line between Lot 1 and Lot 2, as shown on the plat, titled "Drinkard Subdivision", dated October 11, 1988, and recorded February 13, 1989, subject to future divisions being only to "immediate family members."

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Mr. Maloney came forward to give this presentation to the 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.

ORDINANCE OF VACATION

An Ordinance of Vacation to vacate the common property line between Lot 1 and Lot 2, as shown on the plat titled “Drinkard Subdivision,” prepared by Goodfellow, Jalbert, Beard and Associates, recorded on February 13, 1989, in Subdivision Plat Book 6, Page 233, in the Office of the Hanover County Circuit Court at the Hanover County Courthouse:

BE IT ORDAINED by the Hanover County Board of Supervisors that the following Ordinance is enacted:

1. The common property line (537.77 feet) between Lot 1 and Lot 2, as shown on the plat titled, “Drinkard Subdivision,” prepared by Goodfellow, Jalbert, Beard and Associates, recorded on February 13, 1989, in Subdivision Plat Book 6, Page 233, in the Office of the Hanover County Circuit Court at the Hanover County Courthouse is vacated.
2. The provisions of this Ordinance shall be effective upon adoption, and a copy of the Ordinance shall be recorded simultaneously in the Clerk’s Office of the Hanover County Circuit Court with the Resubdivision Plat for Drinkard Subdivision by the Planning staff. All required costs and fees shall be provided by the applicant.

On motion of Mr. Wade, seconded by Mr. Via, the members of the Board of Supervisors voted to approve the Ordinance of Vacation, as follows:

	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

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Ordinance 14-09 – Preliminary Subdivision plats – an ordinance to amend the Hanover County Code, Subdivision Ordinance, Sections 25-23 and 25-28 to provide that preliminary subdivision plats are required for subdivisions containing more than 50 lots and that owners of properties being subdivided into 50 or fewer lots may voluntarily submit a preliminary subdivision plat for review and approval.

Background:

- During the 2014 Session, the General Assembly passed House Bill 209 which provides that localities can continue to require preliminary subdivision plats for subdivisions with 50 or fewer lots only if the Subdivision Ordinance contains a provision for the submittal of such a plat at the landowner's option
 - Ordinance 14-09 is intended to comply with the provisions of HB 209
- Proposed Ordinance 14-09 would amend Section 25-23 of the Hanover County Subdivision Ordinance to:
 - Require the submission of preliminary subdivision plats for subdivisions containing more than 50 lots
 - Allow property owners the option of submitting a preliminary subdivision plat when the subdivision contains 50 or fewer lots
- The ordinance amendment would also amend Section 25-28 of the Subdivision Ordinance, which provides for the submission of final subdivision plats, so that section is consistent with the changes to the preliminary plat requirements

Recommendations:

- The Planning Commission and staff recommend approval of the draft Ordinance Amendment 14-09, Preliminary Subdivision Plats

Mr. Maloney came forward to give this presentation to the 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.

ORDINANCE 14-09

AN ORDINANCE TO AMEND THE HANOVER COUNTY CODE, SUBDIVISION ORDINANCE, SECTIONS 25-23 AND 25-28 TO PROVIDE THAT PRELIMINARY SUBDIVISION PLATS ARE REQUIRED FOR SUBDIVISIONS CONTAINING MORE THAN 50 LOTS AND THAT OWNERS OF PROPERTIES BEING SUBDIVIDED INTO 50 OR FEWER LOTS MAY VOLUNTARILY SUBMIT A PRELIMINARY SUBDIVISION PLAT FOR REVIEW AND APPROVAL.

WHEREAS the Hanover County Board of Supervisors conducted a comprehensive review of Hanover County’s subdivision regulations and adopted Ordinance 11-09 to provide for the orderly division of property within the County; and

WHEREAS during the General Assembly during its 2014 Session adopted changes to the regulations set forth in the Code of Virginia related to the submission of preliminary subdivision plats; and

WHEREAS the changes adopted by the General Assembly, which are effective as of July 1, 2014, provide that localities may require the submission of preliminary subdivision plats “for plats involving more than 50 lots, provided that any such ordinance provides for the submission of a preliminary subdivision plat for tentative approval at the option of the landowner for plats involving 50 or fewer lots”; and

WHEREAS the Board has determined that the Subdivision Ordinance must be amended to come into compliance with changes in state law and

WHEREAS the Board of Supervisors finds that the public necessity, convenience, general welfare and good subdivision practice require that the Subdivision Ordinance be amended to provide for such regulations;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County:

1. That the Hanover County Code, Subdivision Ordinance, Section 25-23, regarding preliminary subdivision plats, shall be amended to read in its entirety as follows:

Section 25-23. When required.

(a) A preliminary plat shall be required for subdivisions containing more than fifty (50) lots, regardless of zoning district.

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(b) For subdivisions containing fifty (50) or fewer lots, the subdivider may submit a preliminary subdivision plat for review and approval.

2. That the Hanover County Code, Subdivision Ordinance, Section 25-28, regarding final subdivision plats, shall be amended to read in its entirety as follows:

Section 25-28. When required.

A final plat, along with supporting documentation, shall be required for any subdivision of property, whether or not the subdivision has received preliminary plat approval.

3. This ordinance shall be effective on the date of adoption.

On motion of Mrs. Kelly-Wiecek, seconded by Mr. Davis, the members of the Board of Supervisors voted to approve Ordinance No. 14-09, as follows:

	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

Ordinance 15-01 - M-1, Limited Industrial District Setback Requirements – an ordinance to amend the Hanover County Code, Zoning Ordinance, by amending Sections 26-162 and 26-169 to modify the setback requirements applicable to the M-1, Limited Industrial District so that the setback requirements are the same as in the M-2, Light Industrial District; and by amending Section 26-266 to provide that the buffer requirements between properties in the M-1 and properties zoned residential shall be the same as the buffer requirements between properties zoned M-2 or M-3, Heavy Industrial District and properties zoned residential.

Background:

- The Community Development Committee recommended that the process to review the setback provisions of the Zoning Ordinance be conducted in two phases
 - Phase I includes revisions to the M-1 setback requirements (Ordinance 15-01)
 - Phase II will involve the residential provisions
- Staff will continue to develop revisions to the residential setback definitions and requirements

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- Those recommendations will be reviewed by the Community Development Committee prior to seeking authorization to advertise

Recommendations:

- The Planning Commission and staff recommend approval of the draft Ordinance Amendment 15-01, M-1, Limited Industrial District Setback Requirements

Mr. Maloney came forward to give this presentation to the the Board.

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.

ORDINANCE 15-01

AN ORDINANCE TO AMEND THE HANOVER COUNTY CODE, ZONING ORDINANCE, BY AMENDING SECTIONS 26-162 AND 26-169 TO MODIFY THE SETBACK REQUIREMENTS APPLICABLE TO THE M-1 LIMITED INDUSTRIAL DISTRICT SO THAT THE SETBACK REQUIREMENTS ARE THE SAME AS IN THE M-2 LIGHT INDUSTRIAL DISTRICT; AND BY AMENDING SECTION 26-266 TO PROVIDE THAT THE BUFFER REQUIREMENTS BETWEEN PROPERTIES IN THE M-1 AND PROPERTIES ZONED RESIDENTIAL SHALL BE THE SAME AS THE BUFFER REQUIREMENTS BETWEEN PROPERTIES ZONED M-2 OR M-3 HEAVY INDUSTRIAL DISTRICT AND PROPERTIES ZONED RESIDENTIAL.

WHEREAS the Hanover County Zoning Ordinance contains provisions regulating the required setbacks for properties throughout the County; and

WHEREAS a number of questions have arisen regarding the setback requirements applicable to properties zoned industrial; and

WHEREAS the Hanover County Planning Commission has requested that the Board of Supervisors direct staff to review the setback requirements set forth in the Zoning Ordinance; and

WHEREAS the Director of Planning has determined that certain changes could be made to the setback regulations applicable to properties zoned M-1 Limited Industrial District to make those regulations more consistent with properties zoned M-2 Light Industrial District and M-3 Heavy Industrial District; and

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WHEREAS the Board of Supervisors has considered the Director's recommendations and has concluded that amendments to the Zoning Ordinance could be made to provide for greater clarity and consistency; and

WHEREAS the Board of Supervisors finds that the public necessity, convenience, general welfare and good zoning practice require that the Zoning Ordinance be amended in accordance with these findings;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County:

1. That the Hanover County Code, Zoning Ordinance, Section 26-162, regarding special conditions in the M-1 Limited Industrial District, shall be amended to read in its entirety as follows:

Section 26-162. Special conditions.

The uses permitted in this district shall be subject to the following special conditions:

1. All uses shall be conducted within a completely enclosed building with no open storage of raw, in process, or finish material and supplies or waste material, except as specifically provided for in the district regulations or as may be permitted outside of the SDO Suburban Development Overlay as special exceptions by the Board. Finished or semi-finished products manufactured on the premises may be stored in the open if screened from the street by landscaping, fences, walls, or berms.
2. All main plant buildings shall be of permanent and durable construction and limited to thirty-five (35) feet in height, unless otherwise approved by the Board.
3. Adequate parking and loading space shall be provided off-street for all employees and traffic to the building; if necessary, in excess of the minimum requirements set forth in division 4 of article 5.
4. Loading operations shall be conducted at the side or rear of buildings. Service drives or other areas shall be provided for off-street loading, and in such a way that in the process of loading or unloading, no truck will block the passage of other vehicles on the service drive or extend into any other public or private drive or street used for traffic circulation.
5. The front yard shall include a landscaped buffer at least twenty-five (25) feet in depth measured from the front property line or the future right-of-way line shown on the adopted major thoroughfare plan, whichever is greater. The buffer shall be landscaped with at least one (1) deciduous tree, two (2) inches in caliper measured two (2) feet from the ground when

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planted, and one (1) evergreen tree, at least six (6) feet in height when planted, for each fifty (50) feet of lineal frontage; at least one (1) shrub, at least eighteen (18) inches in spread when planted, for each thirty (30) feet of lineal frontage; and other ground cover reasonably dispersed throughout the yard. The landscaping shall be maintained in a neat and attractive condition.

6. No parking shall be permitted within the required landscaped buffer. No storage of material or products shall be permitted in the required front yard.
7. All fencing shall be of uniform and durable character, shall be of masonry, wood, wrought iron, chain link, or similar material, and shall be properly maintained. No fences of wire, plastic, or vinyl shall be permitted.

2. That the Hanover County Code, Zoning Ordinance, Section 26-169, regarding yard requirements in the M-1 Limited Industrial District, shall be amended to read in its entirety as follows:

Sec. 26-169. Yard requirements.

	Minimum in Feet			
	Front Yard	Side Yard Minimum	Side Yard Aggregate	Rear Yard
All uses—Street 50 feet or greater in width	35	10	--	25

Notes:

1. Side and rear yards required only adjacent to a residential district.
 2. The front yard setback shall be measured from the future right-of-way line as shown on the major thoroughfare plan.
 3. Loading platforms for rail service may extend into a required side or rear yard.
3. That the Hanover County Code, Zoning Ordinance, Section 26-266, regarding buffers for industrial uses, shall be amended to read in its entirety as follows:

Section 26-266. Buffers for industrial uses.

When an M-1, M-2, or M-3 district adjoins an AR- or R-zoned district, or when an M-1, M-2, or M-3 district adjoins an A-1-zoned property on which there is a residence within two hundred (200) feet of the common property line, a buffer shall be provided in accordance with the standards set forth in Table I or Table II below:

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1. Table I: Standards for buffers utilizing all newly planted vegetation

Minimum depth of buffer (measured from property line)	40 foot wide buffer (minimum)	30 foot minimum width buffer (berm required)	20 foot minimum width buffer (no berm)
Minimum number of required trees and shrubs:	One tree for every five linear feet of buffer length and One shrub for every four linear feet of buffer length <i>Note:</i> No less than 30% and no more than 50% of the trees are to be evergreen	One evergreen tree per fifteen linear feet of buffer and One evergreen shrub per four linear feet of buffer <i>Note:</i> Trees and shrubs are to be planted on the berm	One evergreen tree per seven linear feet of buffer; One evergreen shrub per three linear feet of buffer; One small deciduous tree per twenty-five linear feet of buffer; and One large deciduous tree per fifty linear feet of buffer
Berm (if applicable)	n/a	<i>Design:</i> Undulating and serpentine <i>Height:</i> At least four (4) feet for a minimum of sixty percent (60%) of the length of the buffer* <i>Slope:</i> Maximum three to one ratio (3:1), unless otherwise approved by the Planning Department and the Department of Public Works.	n/a

* When a berm is used in an area that naturally contains a slope steeper than a ratio of 12:1 (8%), the Planning Department may require that the height of the berm be modified and other design features adjusted so that the same screening effect is created as is intended by the Table I standards.

2. Table II: Standards for buffers utilizing some or all existing vegetation

Minimum depth of buffer (measured from property line)	40 foot wide buffer (minimum)	20 foot minimum width buffer (no berm)
Minimum number of required trees and shrubs:	Same as listed for 40' wide buffer in Table I	Same as listed for 20' wide buffer in Table I, provided that at least thirty three percent (33%) of the existing plant material to be used toward buffer requirements shall be trees
Supplementation requirements for buffers using existing vegetation	Where the Table II buffers are denuded or void of existing vegetation ("gaps") for ten (10) or more linear feet or the existing stand of trees have no branches or understory growth lower than six feet from the ground, supplementation is required in the form of evergreen trees and shrubs planted as follows:	

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	<ol style="list-style-type: none">1. Placement can be a straight line staggered,2. Trees shall be seven feet on center or less3. Shrubs shall be three feet on center or less
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3. The following additional requirements shall apply to the buffers provided for in Tables I and II:
 - a. Existing vegetation used to satisfy buffer requirements shall comply with the minimum standards for trees and shrubs in Section 26-265
 - b. The Planning Department shall determine the suitability of existing vegetation for buffers and the necessity for supplemental plantings as established in Section 26-264
 - c. Prior to Certificate of Occupancy, all planted and preserved trees and shrubs shall be inspected to verify that the trees and shrubs are healthy and meet the minimum requirements set forth in this section.
4. This ordinance shall be effective on the date of adoption.

On motion of Mr. Peterson, seconded by Mr. Via, the members of the Board of Supervisors voted to approve Ordinance No. 15-01, as follows:

	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

Mrs. Kelly-Wiecek announced the Annual Budget Town Hall meeting, previously postponed due to inclement weather, will be held March 12, 2015 at Chickahominy Middle School at 7:00 p.m.

Mr. Davis announced there will be a Town Hall meeting for budget and other matters on March 23, 2015. Further details on the meeting will be published.

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XVI. Adjournment

At 7:33 p.m. the Chairman adjourned the meeting to March 25, 2015 – Hanover County Administration Building – 6:00 p.m.



Chairman