

HANOVER COUNTY BOARD OF SUPERVISORS

MINUTES

**Hanover County Administration Building
Board Room**

June 10, 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 10th day of June, 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. Davis
- B. The Pledge of Allegiance was led by Mr. Via.
- C. Approval of Minutes
 - April 15, 2015
 - April 22, 2015
 - May 13, 2015

It was noted that there is a typographical error on page 33 of the April 22 minutes. This will be corrected. Mr. Peterson made a motion to approve the meeting minutes of April 15, 2015, April 22, 2015, and May 13, 2015, seconded by Mr. Stanley.

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	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.

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. Wade requested that item IV.-E. be pulled from the consent agenda for a separate vote.

Mrs. Kelly-Wiecek made a motion to approve the consent agenda with Item IV.-E. removed, 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.

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IV. A. – Committee Appointments

COMMITTEE NAME	DISTRICT	FIRST NAME	LAST NAME	TERM LENGTH	CURRENT TERM ENDS	ACTION
Board of Zoning Appeals	Beaverdam	Lewis	Hester	5 years	06/30/15	Reappoint to 06/30/20
Board of Zoning Appeals	Chickahominy	Norman	Bowles	5 years	06/30/15	Reappoint to 06/30/20
Cannery Advisory Committee	Cold Harbor	Allison	Coleman	1 year	04/30/15	Reappoint to 04/30/16
Cannery Advisory Committee	Mechanicsville	Janice	Henicheck	1 year	04/30/15	Reappoint to 04/30/16
Community Criminal Justice Board	Staff HC-Gov. Body	Jim	Taylor	4 years	06/30/15	Reappoint to 06/30/19
Economic Development Authority-Hanover County	Beaverdam	Willis	Stephenson, Jr.	4 years	06/30/15	Reappoint to 06/30/19
Economic Development Authority-Hanover County	Mechanicsville	Pusey	Ronald	4 years	07/31/15	Reappoint to 8/1/2019
Hanover County Council on Aging	Chickahominy	Miriam	Chambliss	1 year	06/30/15	Reappoint to 06/30/16
Hanover County Council on Aging	South Anna	Ester	Davis	1 year	06/30/15	Reappoint to 06/30/16
Historic Courthouse Area Advisory Committee	At-Large	John	Frawner	1 year	06/30/15	Reappoint to 06/30/16
Historic Courthouse Area Advisory Committee	Hanover Tavern	James	Rice	1 year	06/30/15	Reappoint to 06/30/16
Historic Courthouse Area Advisory Committee	Historical Commission	Judy	Lowry	1 year	06/30/15	Reappoint to 06/30/16
Historic Courthouse Area Advisory Committee	Historical Commission	Brenda	Pennington	1 year	06/30/15	Reappoint to 06/30/16
Roads Committee	Chickahominy	Portia	Bagby	1 Year	06/30/15	Reappoint to 06/30/16
Roads Committee	Henry Planning Commission	David	Breedlove	1 year	06/30/15	Reappoint to 06/30/16
Roads Committee	Rep.	Edmonia	Iverson	1 year	06/30/15	Reappoint to 06/30/16
Roads Committee	South Anna	Calvin	Stanley	1 year	07/31/15	Reappoint to 07/31/16

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IV. B. - Budget Transfer and Appropriation – State Asset Forfeiture Funds for Commonwealth’s Attorney - \$6,007

Board Sheet Background:

The Hanover County Commonwealth’s Attorney’s office has received funding through the state asset forfeiture equitable sharing program.

These Asset Forfeiture funds will be used to purchase essential peripherals for the Commonwealth Attorney’s Office new software program SunGuard IJS. These funds will also be used to pay the vendor to prepare additional documents not included in the original contract. The money seized is required to be kept in escrow. This action is an accounting entry that will appropriate these funds collected in prior years into the General Fund to support approved Asset Forfeiture purchases by the Commonwealth’s Attorney.

If this request is approved, the Commonwealth’s Attorney’s Office will have \$59,058.11 remaining in State Forfeiture Funds. These funds cannot be appropriated in anticipation of future collections per the following state and federal regulations: US DOJ Forfeiture Guide, Section X. *Uses of Equitable Shared Property*, A.4.b and VA DCJS Forfeited Asset Sharing Manual, Appendix H *Uses of Equitable Shared Money*. This request meets the requirements for the use of forfeiture funds.

The Finance and Management Services Department concurs with this request.

Recommended Action:

Motion to approve the budget transfer and appropriation for Asset Forfeiture Funds in the amount of \$6,007.

IV. C. - Adoption of the 2015 Update to the Hanover County Emergency Operations Plan

Board Sheet Background:

The Emergency Operations Plan (EOP) for 2015 has been revised and updated per State Code § 44-146.19. The last update was adopted by the Hanover Board of Supervisors in 2011. Per the code, the plan is to be adopted every four years by the County’s governing body and a resolution of the adoption is to be on file with an electronic copy of the EOP with the Virginia Department of Emergency Management (VDEM). Here are the highlights of the changes:

- Added coordination efforts to include Randolph Macon College
- Added definitions for Area of Refuge, Comfort Station, Reception center

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- Changed the authority in line of succession for Sheriff's Office, Fire-EMS, and Deputy County Administrators to current position titles
- Added Citizen alert notification system for Communications and External Affairs to include the use of AM 1700 and *211
- Added the use of community or civic organizations and/or buildings to potentially provide temporary services
- Added Ashland Police to EOP in areas of Law Enforcement needs within jurisdiction of the Town

Added General Services to EOP for Logistics and External Affairs to assist with support of phone services for call centers.

Recommended Action:

Adoption of the 2015 update to the Hanover County Emergency Operation Plan in accordance with State Code § 44-146.19.

IV. D. - Acceptance of Deed – 40.145 Acres Near Ellyson's Garage from the Hanover County School Board

Board Sheet Background:

On August 27, 1999 the Hanover County School Board acquired 40.145 acres of property for future school planning and expansion needs. The School Board has recently evaluated their future planning needs and have identified this unimproved parcel as real estate for which it has no use and, therefore, has determined it to be surplus property pursuant to the provisions of Virginia Code § 22.1-129.

At their regular meeting on May 12, 2015 the Hanover County School Board has adopted a resolution declaring as surplus a parcel of unimproved real estate consisting of 40.145 acres located along Cold Harbor Road approximately 3½ miles east of Cold Harbor Elementary School in Hanover County, Virginia, and further identified in the County's property records as GPIN 8743-09-4401. The resolution further directs that the 40.145 acre parcel of unimproved real estate be conveyed to the County upon recordation of the resolution and a deed of conveyance.

A deed conveying the 40.145 acre parcel of real estate to the County has been executed by the School Board. A copy of the deed is attached. Acceptance of the deed by the County is required to convey this property to the county.

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Hanover County currently maintains an emergency communications tower supporting the public safety communications network on the identified parcel.

Recommended Action:

Motion to authorize the County Administrator to accept and execute the deed of conveyance for 40.145 acres identified as GPIN 8743-09-4401 from the Hanover County School Board.

IV. F. – Request for Conditional Use Permit Extension- CUP-1-14, Elmont First Baptist Church (South Anna Magisterial District)

Board Sheet Background:

The Hanover County Board of Supervisors approved CUP-1-14 on May 28, 2014, to permit a church on the subject property (GPINs 7778-04-0789 and 7778-04-2757). The Church is requesting an additional one (1) year extension to allow additional time to obtain funding to commence project.

A site inspection as conducted by the Code Compliance Section on May 8, 2015, and no violations were found. Based on consistency with prior Board actions on similar requests, the Planning Department recommends approval of a one (1) year extension subject to the original conditions of approval.

Recommended Action:

Motion to approve extension request for CUP-1-14, Elmont First Baptist Church for one (1) year, or until May 31, 2016, subject to the original conditions of approval.

IV. E. – Adoption of Proclamation – Frank Leslie Family, Cold Harbor Magisterial District (pulled from consent agenda)

Board Sheet Background:

It is requested that the Board of Supervisors adopt the attached proclamation expressing sincere sympathy for the loss of Frank Leslie and recognizing his over forty (40) years of service with Hanover County.

Recommended Action:

Motion to adopt proclamation.

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PROCLAMATION

WHEREAS Frank Leslie was a resident of the Cold Harbor Magisterial District in the County of Hanover, Virginia; and

WHEREAS Frank Leslie joined the Hanover County staff as a Mechanic in the County Garage on August 1, 1974, and was promoted to Mechanic Supervisor on April 16, 1987; and

WHEREAS Frank Leslie served as Acting Garage Director/Fleet Management Superintendent from December 2, 1988, to June 16, 1989; and

WHEREAS on July 15, 1998, Frank Leslie received a position title change to Vehicle Maintenance Supervisor and an additional position title change on July 15, 1999, becoming the Vehicle Maintenance Superintendent; and

WHEREAS Frank Leslie's position with the County of Hanover, Virginia, was reclassified to Assistant Director of Fleet Services on July 1, 2002, and to Fleet Management Division Director on July 1, 2011; and

WHEREAS during his tenure Frank Leslie played an instrumental role in the consolidation of the School vehicle maintenance function with the County's Fleet Services Department and the move into the current Fleet Facility on North Lakeridge Parkway; and

WHEREAS Frank Leslie was a well-respected and dedicated public servant who committed his time, knowledge and energy in serving the citizens of Hanover County and who will be missed by all who knew him.

NOW, THEREFORE, BE IT RESOLVED that the Hanover County Board of Supervisors does hereby express its sincere sympathy at the loss of Frank Leslie and further wishes to express its sincere sympathy to his family.

Upon motion of Mr. Wade, seconded by Mr. Via, members of the Board of Supervisors voted to adopt this Proclamation 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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V. Overview of Recent Activities – Capital Region Airport Commission

The Capital Region Airport Commission representative was not able to attend the meeting. The overview presentation was not given.

VI. Proclamation and Presentation – Central Virginia Waste Management Authority

Ms. Kim Hynes, Executive Director, CVWMA, came forward to give this presentation to the Board. Ms. Hynes provided details on what the CVWMA is: a regional Public Service Authority comprised of 13 member localities, covering 2,400 square miles. There is a 20 member Board of Directors and there are 13 employees. Ms. Hynes described the benefits of having this as a regional agency and provided background as well as information on the update to the authority's Solid Waste Management Plan. Recycling rates and volumes were explained along with the menu of services provided.

Ms. Hynes announced there is an event scheduled for September 3rd in recognition of the 25th anniversary of the CVWMA and extended an invitation to the Board members to attend.

Following the presentation, Ms. Hynes answered questions from Board members and offered clarification on electronic recycling events and landfill capacity to serve the projected future increase in population in the area.

Mr. Hazzard presented Ms. Hynes with the proclamation from the Board commending and congratulating CVWMA on the occasion of its 25th anniversary.

VII. Adoption of Resolution Authorizing the Issuance of Appropriation Bonds to the Virginia Resources Authority in a Principal Amount Not To Exceed \$24,050,000 and the appropriation of applicable debt issuance costs to be paid from bond proceeds, not to exceed \$420,000

Mrs. Kathy Seay, Director, Finance and Management Services, came forward to give this presentation to the Board. This issuance of up to \$24,050,000 in bond proceeds will complete the debt funding of the \$44,000,000 Courthouse capital project approved by the Board in 2013. Construction of the Courthouse project began March 2015 with a timeline for final completion by the end of calendar year 2016.

The Virginia Resources Authority ("VRA") sale of its Bonds Series 2015, is tentatively scheduled to sell in August 2015. The Bonds shall have a true interest cost not to exceed 5.50% per

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annum and shall mature no later than June 30, 2046. Debt service for this issuance will begin in FY16 and is included in the County's FY16 Budget.

Applicable cost of issuance not to exceed \$350,000 and the related bond proceeds for the VRA 2015 issue will be appropriated in the Debt Service Fund in FY16. \$70,000 will be appropriated to the Debt Service Fund in FY15 for current year issuance costs. Finance and Management Services concurs with the issuance of the bonds to the VRA and the associated appropriation.

**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF A
COURTHOUSE PROJECT SPECIAL FUND REVENUE BOND, SERIES 2015
OF THE COUNTY OF HANOVER, VIRGINIA, AND PROVIDING FOR THE
FORMS, DETAILS AND PAYMENT THEREOF**

The Board of Supervisors of the County of Hanover, Virginia (the "Board") has determined that the County of Hanover, Virginia (the "County") has an immediate need to finance (i) a portion of the costs of (a) the construction of a courthouse facility, (b) site work related thereto including landscaping, utilities, parking lots and stormwater management, (c) certain road improvements including improvements to U.S. Route 301 and (d) renovations to the existing court buildings and (ii) expenses related thereto and issuance costs in connection therewith (clauses (i) and (ii) being collectively referred to herein as the "Project").

There has been presented to the Board a plan for the financing of the Project which would not create debt of the County for purposes of the Virginia Constitution.

Pursuant to such financing plan, the Virginia Resources Authority (the "VRA") would use a portion of the proceeds of its Infrastructure and State Moral Obligation Revenue Bonds (Virginia Pooled Financing Program), Series 2015B (as more particularly defined in the below defined Financing Agreement, the "VRA Bonds") to purchase the County's Courthouse Project Special Fund Revenue Bond, Series 2015 (the "Local Bond"). The VRA is agreeing to purchase the Local Bond pursuant to the terms of a Local Bond Sale and Financing Agreement, dated as of June 25, 2015 (the "Financing Agreement"), between the County and VRA.

The County has indicated that the amount of proceeds being requested from VRA for the Project is \$22,869,368 (the "Proceeds Requested"), or such other amount requested by the County in

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writing and approved by VRA prior to the pricing of the VRA Bonds, provided such amount does not exceed the maximum principal amount of the Local Bond authorized pursuant to this Resolution.

VRA has advised the County that VRA's objective is to pay the County as the purchase price for the Local Bond an amount which, in VRA's judgment, reflects the market value of the Local Bond (the "VRA Purchase Price Objective"), taking into consideration such factors as the maximum authorized par amount of the Local Bond, the Proceeds Requested, the purchase price to be received by VRA for the VRA Bonds, the issuance costs of the VRA Bonds (consisting of the underwriters' discount and other costs incurred by VRA (collectively, the "VRA Costs")) and other market conditions relating to the sale of the VRA Bonds.

Such factors may result in the County receiving an amount other than the Proceeds Requested and consequently (i) the aggregate principal amount of the Local Bond may be greater 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 aggregate amount of the Local Bond set forth in paragraph 2 of this Resolution does not exceed the Proceeds Requested by at least the amount of the VRA Costs and any original issue discount, the amount to be paid to the County, given the VRA Purchase Price Objective and market conditions, will be less than the Proceeds Requested.

There have been made available to the members of the Board at this meeting preliminary drafts of the forms of the Local Bond and the Financing Agreement.

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

1. The Board hereby finds and determines that it is in the best interests of the County to proceed with the financing of the Project. After consideration of the methods of financing the Project, it is hereby determined that it is in the best interests of the County to accept, and the County does hereby accept, the offer from VRA for the financing of the Project as contemplated by the Financing Agreement.

2. The Local Bond shall be issued as a single, registered bond, shall be designated "Courthouse Project Special Fund Revenue Bond, Series 2015," shall be numbered R-1 and shall be dated the date of its delivery. The aggregate principal amount of the Local Bond shall not exceed \$24,050,000, the "true" interest cost of the Local Bond shall not exceed 5.50% per annum (exclusive of "supplemental interest" as provided in the Financing Agreement) and the Local Bond shall mature

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no later than November 30, 2045. Interest and principal on the Local Bond shall be payable on the dates set forth in the Local Bond. Given the VRA Purchase Price Objective and market conditions, it may become necessary to issue the Local Bond in an amount greater than the Proceeds Requested. If the limitation on the maximum aggregate principal amount of Local Bond set forth in this paragraph 2 restricts VRA's ability to generate the Proceeds Requested, taking into account the VRA Costs, the VRA Purchase Price Objective and market conditions, the purchase price of the Local Bond will result in an amount less than the Proceeds Requested. Subject to the foregoing limitations, the County authorizes VRA to establish the final principal amount of the Local Bond, the final interest rates on the Local Bond and the final principal amortization schedule (including principal installment dates and amounts) for the Local Bond. No further action or approval of such financing terms shall be necessary on the part of the County. The County may, at its option, redeem or refund the Local Bond upon the terms set forth therein and in the Financing Agreement.

As set forth in the Financing Agreement, the County agrees to pay, solely from the source provided therein, the "supplemental interest" and other charges as provided therein, including such amounts as may be necessary to maintain or replenish the VRA Reserve (as defined in the Financing Agreement) and, on the demand of VRA, a late payment penalty if any payment due on the Local Bond is not paid within ten days after its due date.

The principal of, premium, if any, and interest on the Local Bond and amounts payable under the Financing Agreement shall be payable in lawful money of the United States of America.

3. The Local Bond is a limited obligation of the County payable solely from payments made by the County under the Financing Agreement. The obligation of the County to make the payments under the Financing Agreement in amounts sufficient to pay the principal of and interest on the Local Bond is subject to, and contingent upon, the annual appropriation of funds by the Board for such purpose for each fiscal year.

4. The Local Bond shall be signed by the County Administrator or Deputy County Administrator of the County and the County's seal shall be affixed thereon and attested by the Clerk or Deputy Clerk of the Board. The County shall issue the Local Bond as a typewritten bond in substantially the form made available at this meeting, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the County Administrator or

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Deputy County Administrator, whose approval shall be evidenced conclusively by the execution and delivery of the Local Bond.

5. The Financing Agreement shall be in substantially the form submitted to this meeting, which is hereby approved, with such completions, omissions, insertions and changes (including changes of dates of the Financing Agreement) as may be subsequently approved by the County Administrator, Deputy County Administrator or Director of Finance, any of whom may act, which approval shall be evidenced conclusively by the execution and delivery of the Financing Agreement by such County Administrator, Deputy County Administrator or Director of Finance.

6. The County Administrator, Deputy County Administrator and Director of Finance, any of whom may act, are each hereby authorized and directed to execute and deliver the Financing Agreement. The Clerk and Deputy Clerk of the Board, either of whom may act, are each hereby authorized and directed to affix the County seal to the Financing Agreement, if requested, and to attest the same.

7. The County Administrator, Deputy County Administrator and Director of Finance and other appropriate officials of the County, including the Clerk and Deputy Clerk of the Board, are each hereby authorized to execute and deliver all other certificates, instruments and documents, including without limitation the Non-Arbitrage Certificate and Tax Compliance Agreement, dated the date of its execution and delivery, between VRA and the County, in the name and on behalf of the County and to take all such further action (a) as they may consider necessary or desirable to carry out the intent and purpose of this Resolution, the issuance of the Local Bond, the financing of the Project or the execution, delivery and performance of the Financing Agreement or (b) as may be reasonably requested by VRA in connection with any of the foregoing.

8. Upon request of the registered owner and upon presentation of the Local Bond at the office of the Registrar (as hereinafter defined), the County shall arrange to have prepared, executed and delivered in exchange as soon as practicable the Local Bond in printed form in an aggregate principal amount equal to the unpaid principal of the Local Bond in typewritten form, of the same form and maturity and registered in such names as requested by the registered owners or their duly authorized attorneys or legal representatives. The printed Local Bond may be executed by manual or facsimile signature of the County Administrator or Deputy County Administrator, the County's seal affixed thereto and attested by the Clerk or the Deputy Clerk of the Board. The typewritten Local Bond

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surrendered in any such exchange shall be canceled.

9. The County appoints the County's Director of Finance as paying agent and registrar (the "Registrar") for the Local Bond. If deemed to be in its best interest, the County may at any time appoint a qualified bank or trust company or any other person or entity as successor Registrar. Upon surrender of a Local Bond at the office of the Registrar, together with an assignment duly executed by the registered owner or its duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the County shall execute, and the Registrar shall authenticate and deliver in exchange, a new Local Bond or Local Bonds having an equal aggregate principal amount, of the same form and maturity, bearing interest at the same rates and registered in such name as requested by the then registered owner or its duly authorized attorney or legal representative. Any such exchange shall be at the expense of the County, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner as the person or entity exclusively entitled to payment of principal, premium, if any, and interest, and the exercise of all other rights and powers of the owner.

10. If a Local Bond has been mutilated, lost or destroyed, the County shall execute and deliver a new Local Bond of like form, date and tenor in exchange and substitution for, and upon cancellation of, such mutilated Local Bond or in lieu of and in substitution for such lost or destroyed Local Bond; provided, however, that the County shall so execute and deliver a new Local Bond only if the registered owner has paid the reasonable expenses and charges of the County in connection therewith and, in the case of a lost or destroyed Local Bond, (a) has filed with the County evidence satisfactory to the County that such Local Bond was lost or destroyed and (b) has furnished to the County satisfactory indemnity.

11. The County authorizes and consents to the inclusion of information with respect to the County in VRA's Preliminary Official Statement and VRA's Official Statement in final form, both prepared in connection with the sale of the VRA Bonds. The County Administrator, Deputy County Administrator and Director of Finance, any of whom may act, are each authorized and directed to take whatever actions are necessary and/or appropriate to aid VRA in ensuring compliance with Securities and Exchange Commission Rule 15c2-12.

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12. The Board hereby selects and designates Troutman Sanders LLP as Bond Counsel with respect to the issuance of the Local Bond.

13. The County has heretofore received and reviewed the Information Statement describing the State Non-Arbitrage Program of the Commonwealth of Virginia (“SNAP”) and the Contract Creating the State Non-Arbitrage Program Pool I (the “Contract”), and the County hereby authorizes the use of SNAP in connection with the investment of the proceeds for the Project received by the County under the Financing Agreement, if the County Administrator, the Deputy County Administrator or Director of Finance, any of whom may act, determine that the utilization of SNAP is in the best interest of the County. The County acknowledges that the Treasury Board of the Commonwealth of Virginia is not, and shall not be, in any way liable to the County in connection with SNAP, except as otherwise provided in the Contract.

14. No covenant, condition, agreement or obligation contained herein shall be deemed to be a covenant, condition, agreement or obligation of any officer, employee or agent of the County in his or her individual capacity, and no officer of the County executing the Local Bond shall be liable personally on the Local Bond or be subject to any personal liability or accountability by reason of the issuance thereof. No officer, employee or agent of the County shall incur any personal liability with respect to any other action taken by him or her pursuant to this Resolution, provided he or she acts in good faith.

15. All acts of the County Administrator, Deputy County Administrator and Director of Finance and other officers of the County, regardless of whether such acts occurred prior to or occur after the adoption of this Resolution, that are in conformity with the purposes and intent of this Resolution and in furtherance of the plan of financing, the issuance of the Local Bond, the execution and delivery of the Financing Agreement and the undertaking of the Project are hereby approved and ratified.

16. The Project is hereby declared to be essential to the efficient operation of the County, and the Board anticipates that the Project will continue to be essential to the operation of the County during the term of the Local Bond and of the Financing Agreement. The Board, while recognizing that it is not empowered to make any binding commitment to make appropriations beyond the current fiscal year, hereby states its intent to make annual appropriations in future fiscal years pursuant to the provisions of the Financing Agreement in amounts sufficient to make all payments under the Local

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Bond and hereby recommends that future Boards of Supervisors do likewise during the term of the Local Bond and of the Financing Agreement.

17. The County acknowledges that VRA is treating the Local Bond as a “local obligation” within the meaning of Section 62.1-199 of the Code of Virginia of 1950, as amended (the “Virginia Code”), including amendments thereto taking effect as of July 1, 2011, which in the event of a nonpayment thereunder authorizes VRA or VRA’s trustee to file an affidavit with the Governor of Virginia (the “Governor”) that such nonpayment has occurred pursuant to Section 62.1-216.1 of the Virginia Code. In purchasing the Local Bond, VRA is further relying on Section 62.1-216.1 of the Virginia Code, providing that if the Governor is satisfied that such nonpayment has occurred, the Governor will immediately make an order directing the Comptroller of Virginia (the “Comptroller”) to withhold all further payment to the County of all funds, or of any part of them, appropriated and payable by the Commonwealth of Virginia to the County for any and all purposes, and the Governor will, while the nonpayment continues, direct in writing the payment of all sums withheld by the Comptroller, or as much of them as is necessary, to VRA, so as to cure, or cure insofar as possible, such nonpayment.

18. All resolutions, ordinances or parts thereof in conflict herewith are repealed.

19. This Resolution shall take effect immediately.

Mr. Hazzard made a motion to approve the Resolution authorizing the issuance and sale of the bonds to the VRA, the appropriation of costs of issuance 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., seconded by Mr. Via.

	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.

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VIII. Budget Supplement and Appropriation – Virginia Public Schools Authority Local School Bonds, Series 2015 - \$284,170

Mrs. Seay provided the details of this request to the Board. On March 11, 2015, the Board approved a resolution authorizing the issuance of General Obligation Bonds to the Virginia Public School Authority (VPSA) up to \$5,250,000 to fund various School capital improvement projects. Total proceeds of the April 28, 2015 VPSA bond closing were \$5,014,370.

This budget supplement and appropriation of \$284,170 will utilize bond proceeds to fund \$249,795 of School Facility Improvements (HVAC at Chickahominy Middle School) to the School Capital Improvements Fund and to fund debt service costs (\$34,375) to the Debt Service Fund.

The HVAC upgrade is part of a list of projects that the Schools have been working on in an effort to continue to keep our existing facilities functional and well maintained.

Mr. Hazzard made a motion to approve the budget supplement and appropriation of bond proceeds from the General Obligation Bonds, Virginia Public Schools Authority Local School Bonds, Series 2015 in the amount of \$284,170, 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.

The Chairman announced that Item X. will be heard next to allow more time for the Community Services Board staff to arrive for the presentation of Item IX.

X. Reclassification of Division Chief to Lieutenant and Authorization of Additional Full-Time Firefighter Medic Position

Chief Jethro Piland came forward to explain this request to the Board. The Fire-EMS department intends to streamline management positions within the organization by splitting the existing Division Chief position assigned to the Fire Marshal's office into a Lieutenant position, and creating an additional Firefighter Medic position to be assigned to Operations. This additional

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FF/Medic position will reduce OT costs, provide additional EMS resources, and assist volunteer fire staffing shortages when available. The Division Chief position is currently a Grade 38, and reclassifying the position to a Lieutenant position, Grade 32, will result in a six-grade change, which requires approval by the Board of Supervisors. The total FY16 Personnel cost for the two positions will be \$134,627.00 and will not exceed the Fire-EMS personnel amount budgeted for FY16.

The Human Resources Department and the Finance and Management Services Department concur with this request.

Mr. Peterson made a motion to approve reclassification of Division Chief to Lieutenant and authorization of additional full-time Firefighter Medic position, seconded by Mr. Davis.

	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.

IX. Appropriation – Community Services Board - \$68,425 and Approval of New Position (Clinician)

Ms. Ivy Sager, Executive Director, Community Services Board, came forward to explain this request to the Board. The Pamunkey Regional Jail (PRJ) has agreed to enter into a partnership with the Hanover Community Services Board to expand mental health services in the jail. PRJ will fully fund the salary and benefits for a full-time clinician. This staff will be a CSB employee, with all administrative and supervisory oversight as well as back-up support, as necessary, provided by the CSB. The staff will be located at PRJ and will serve inmates who are identified as in need of crisis intervention, counseling and support. The clinician will assist with assessment of risk and discharge planning back into the community, both of which have been identified as critical needs by PRJ leadership.

The funding is provided for the period is July 1, 2015 to June 30, 2016. This Board action addresses the first year of funding; ongoing funding will be included in the annual budget process.

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This request has been developed in conjunction with the Pamunkey Regional Jail and the Hanover Finance Department; both concur with the requested action.

Following the presentation, Ms. Sager answered questions from Board members and offered clarification on future funding for the position.

Mr. Davis, the Board's representative on the CSB, explained the history of the request and thanked Mr. Jim Taylor, Deputy County Administrator for his help with the matter.

Mr. Davis made a motion to approve the appropriation of \$68,425 to the Community Services Board and approval of new clinician position, seconded by Mr. Via.

	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.

XI. Closed Session – Va. Code Section 2.2-3711(A)(1) of the Code of Virginia - Performance Review of County Administrator

Mr. Stanley moved that the Board of Supervisors go into Closed Session pursuant to the following: Section 2.2-3711(A)(1) of the Code of Virginia - Performance Review of County Administrator. The motion was seconded by Mr. Via.

	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.

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Board members entered Closed Session at 2:51 p.m. At the conclusion of the Closed Session, all Board members returned to the Board room, and the Chairman called the regular meeting back to order at 3:54 p.m.

Certification of Closed Session

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

	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.

XII. Recess

The meeting was recessed at 3:55 p.m.

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

The Chairman asked Mr. Davis to share comments regarding the recent loss of Sheriff Deputy Mark Alexander Moore. Mr. Davis read Deputy Moore's biography and a moment of silence was observed.

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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XIII. Presentation of Proclamations –

- **Eagle Scout Patrick Daniel Elliott, Ashland Magisterial District, Troop 521**

Mr. Via called Eagle Scout Elliott and his family forward and presented him with the proclamation in recognition of his achievement.

- **Eagle Scout Stephen Ryan Hurd, Chickahominy Magisterial District, Troop 521**

Mrs. Kelly-Wiecek called Eagle Scout Hurd and his family forward and presented him with the proclamation in recognition of his achievement.

XIV. Presentations - American Legion Post 175 First Responder Awards

Mr. Raymond McCoy, District 13 Commander, American Legion Post 175, came forward to present the First Responder Awards. Each recipient was presented with a letter of appreciation and a plaque.

- Investigator Kevin LaPlaga was recognized as Law Enforcement Officer Of The Year
- Firefighter Scott W. Moore was recognized as Firefighter Of The Year
- S. Taylor Carson was recognized as Emergency Medical Technician (EMT) Of The Year

XV. Public Hearing – To Receive Nominations for Hanover County School Board Members - Beaverdam and Henry Magisterial Districts.

The Chairman opened the public hearing and asked that anyone who wished to speak on the matters come forward.

Beaverdam Magisterial District:

Name:	Mr. Johnny Axselle	District:	Beaverdam
Spoke on behalf of his father, current School Board Representative John Axselle . He noted that his father was unable to attend. He conveyed his fathers' wish to continue serving on the School Board.			
Name:	Mrs. Hilda Kelly	District:	Beaverdam
Spoke in favor of John Axselle's reappointment. She noted Mr. Axselle's record of strong leadership and the many School Board accomplishments that have taken place during Mr. Axselle's service.			

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Name:	Mr. Denny Waldrop	District:	Beaverdam
Spoke in favor of John Axselle's reappointment. He noted Mr. Axselle's honesty and understanding of the appropriate role of a School Board member. He described the positive experience he had over the years working with Mr. Axselle.			

Name:	Mr. Buddy Sipple	District:	South Anna
Spoke in favor of John Axselle's reappointment. He noted Mr. Axselle's seriousness and passion concerning his role on the School Board.			

Name:	Mr. William Stanley	District:	South Anna
Spoke in favor of John Axselle's reappointment. He read comments from his son, Will, commending Mr. Axselle for his service and dedication to the School Board.			

Name:	Mr. Pedro Arruza	District:	Ashland
Came forward to nominate Mr. Michael C. "Mike" Carter for School Board Representative for the Beaverdam Magisterial District. He noted Mr. Carter's qualifications, such as experience as a teacher, good character and the amount of time he will devote.			

Name:	Mr. Michael C. "Mike" Carter	District:	Beaverdam
Came forward and presented the Board with his resume and letters of reference supporting his nomination. He detailed his experience, qualifications and the areas where he would like to see changes and improvements in the schools.			

Name:	Mr. Edward Gooding, Sr.	District:	Beaverdam
Came forward to nominate himself for School Board Representative for the Beaverdam Magisterial District. He described his experience in the area of education. He detailed his skills in the areas of budget and recruitment. He noted deficiencies in certain areas that he feels need improvement.			

Name:	Mr. Hamilton Holloway	District:	Beaverdam
Came forward to nominate himself for School Board Representative for the Beaverdam Magisterial District. He described his knowledge and years of service to the community. He explained his ability to recognize areas where improvements can be made.			

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Name:	Ms. Dale Taylor	District:	Beaverdam
<p>Came forward to nominate herself for School Board Representative for the Beaverdam Magisterial District. She noted the reasons she has decided to seek the position and explained that her two main initiatives: academic and technology. She provided the details of areas of improvement needed in these two areas.</p>			

Name:	Ms. Jane Williams	District:	South Anna
<p>Came forward to speak on behalf of Ms. Dale Taylor’s nomination for School Board Representative for the Beaverdam Magisterial District. She noted Ms. Taylor’s community involvement.</p>			

Mr. Stanley announced that he has set aside June 17th, at the County Administration Building, to speak individually with the nominees and encouraged them to contact him to arrange a time to meet.

Henry Magisterial District:

Name:	Ms. Marla Coleman	District:	Henry
<p>Came forward to nominate herself for School Board Representative for the Henry Magisterial District. She detailed her education history, professional resume and community service activities. She noted she recognizes the challenges ahead and looks forward to serving.</p>			

Name:	Mr. Aubrey Hopson	District:	Chickahominy
<p>Came forward to speak on behalf of current School Board Representative Mr. Earl Hunter’s reappointment for School Board Representative for the Henry Magisterial District. He detailed Mr. Hunter’s dedication and expertise in his service on the School Board. He noted that he and the others in attendance in support of Mr. Hunter’s reappointment, care for Mr. Hunter and the school system.</p>			

Name:	Mr. Eddie Nelson	District:	Henry
<p>Came forward to speak on behalf of Mr. Earl Hunter’s reappointment. He explained that the schools are at a critical point and stated that experience and continuity is required. He noted that he, along with the others in attendance in support of Mr. Hunter’s reappointment, feel strongly that he is the right person for the position.</p>			

Name:	Mr. Earl Joseph Hunter, Jr.	District:	Henry
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Came forward to speak in support of his reappointment to the School Board as the Henry Magisterial District representative. He detailed his history of service on the School Board and noted accomplishment that have been made. He also noted some of the initiatives he feels are important going forward. He described his experience and the expertise he has gained.

Name:	Mr. Hal Dalton	District:	Chickahominy
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Came forward to speak on behalf of Mr. Earl Hunter's reappointment. He described his knowledge of Mr. Hunter's qualifications and military service. He stated that experience is needed on the School Board, particularly with the upcoming process of recruiting a new School Superintendent.

Name:	Mr. Don Hayes	District:	Henry
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Came forward to speak on behalf of Mr. Earl Hunter's reappointment. He noted Mr. Hunter's long and positive track record and dedication. He emphasized the importance of Mr. Hunter's presence on the School Board as a new School Superintendent is recruited.

Name:	Mrs. Carole Pryor Starcher	District:	Mechanicsville
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Came forward to speak on behalf of Mr. Earl Hunter's reappointment. She described Mr. Hunter's record of being community oriented, his strong values and his consistent, dedicated service on the School Board.

Name:	Ms. Mary Waddy	District:	Henry
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Came forward to speak on behalf of Mr. Earl Hunter's reappointment. She noted Mr. Hunter's dedication, commitment and love for Hanover County, its schools and its students.

Name:	Mr. Earl Hall	District:	Henry
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Came forward to speak on behalf of Mr. Earl Hunter's reappointment. He stated consistency and continuity is important on the School Board. He noted Mr. Hunter's compassion and commitment.

Name:	Mr. Edwin Kidder	District:	Henry
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Came forward to nominate himself for School Board Representative for the Henry Magisterial District. He detailed his educational history as well as his work experience. He explained his community service as well as the other qualifications he feels make him the most appropriate candidate. He described many of the education programs he has been a part of during his career.

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Name:	Ms. Pam Mentz	District:	Henry
Came forward to nominate herself for School Board Representative for the Henry Magisterial District. She detailed her experience and qualifications. She stated that she will utilize her experience, education, knowledge, common sense, skills, creativity, talents, time and energy in conjunction with others on the Board with those same qualities. Letters in support of her nomination and her resume were provided to the Board members.			

Mr. Davis announced he is available to meet with each nominee and expressed his appreciation for the current School Board Representative's service along with his appreciation to all those seeking appointment and those who came out to speak.

Mr. Hazzard noted that the Board will vote on the School Board nominations at the next meeting (June 24, 2015). He reminded everyone that the upcoming meeting will not be a public hearing and encouraged them to submit any comments or contact their representatives prior to that date.

Seeing no others come forward, the Chairman closed the public hearing and announced a brief recess at 8:46 p.m.

The meeting was reconvened at 8:53 p.m.

XVI. Public Hearing – Conveyance by Quitclaim of a Portion of an Existing Drainage Easement from Hanover County to D&R Property Development, Inc.– Department of Public Works (Chickahominy Magisterial District)

Mr. Mike Flagg, Director of Public Works, came forward to give this presentation to the Board. He explained that the Department of Public Works (DPW) received a request to quitclaim a 0.155 acre portion of a drainage easement across the property of D&R Property Development, Inc. The easement was acquired by Hanover County from D&R Property Development, Inc. by a deed of easement in November 2009, but DPW staff has determined the easement is no longer necessary for County purposes because drainage is provided in alternative systems in easements elsewhere on the property. The quitclaim of this easement will enable the owner to develop planned lots in the subdivision.

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

On motion of Mrs. Kelly-Wiecek, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve conveyance by quitclaim deed of a 0.155 acre portion of a drainage easement to D&R Property Development, Inc., and to authorize the County Administrator to take all actions necessary to convey the property interest, 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

XVII. Planning Public Hearing - SE-12-15 – Winding Brook Hotel, L.L.C., Requests a Special Exception Permit in accordance with Section 26-336 of the Hanover County Zoning Ordinance to permit a structure taller than permitted on GPINs 7788-56-6691 and 7788-56-6638(part), consisting of approximately 2.38 acres, zoned B-3(c), General Business District with conditions, and M-2(c), Light Industrial District with conditions, and located on the west line of Lakeridge Parkway (State Route 782) approximately 850 feet south of its intersection with Lewistown Road (State Route 802) in the South Anna Magisterial District

Planning Analysis:

- Proposed new hotel structure is larger than permitted

	<u>Permitted</u>	<u>Proposed</u>	<u>Difference</u>
# of stories	3	4	1
Height	45'	52' 11"	7' 11"

- The FAA has determined the proposed structure will not create a hazard to air navigation related to Hanover Airport

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Recommendations:

Approval subject to the conditions outlined in the staff report.

Mr. David Maloney, Director of Planning, came forward to give this presentation to 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 10th day of June, 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 Winding Brook Hotel, L.L.C., is granted a Special Exception Permit to permit a structure taller than permitted on GPINs 7788-56-6691 and 7788-56-6638(part), consisting of 2.38 acres, zoned B-3(c), General Business District with conditions and M-2(c), Light Industrial District with conditions, subject to the following conditions:

1. The Special Exception shall be limited to GPINs 7788-56-6691 and 7788-56-6638(part). The building height shall not exceed 53 feet, including appurtenances.
2. The applicant shall submit evidence that all necessary FAA and other applicable Federal, state and local permits have been obtained.
3. All requirements of the Building Inspector's Office shall be met.
4. All development and use of the property which is the subject of this Special Exception request shall comply with all Federal, state and local laws.

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. Hazzard, seconded by Mr. Via, the members of the Board of Supervisors voted to approve SE-12-15 – Winding Brook Hotel, L.L.C., as follows:

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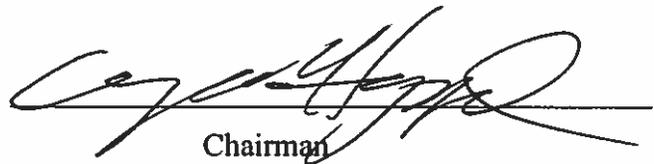
	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

XVIII. Announcements

There were no announcements.

XIX. Adjournment

At 9:00 p.m. the Chairman adjourned the meeting to June 24, 2015 – Hanover County Administration Building – 2:00 p.m.


Chairman