

Shown below is a preliminary summary of the actions taken by the Hanover County Board of Supervisors on August 26, 2015. Minutes in final form will be presented to the Board for approval at a future date.

HANOVER COUNTY BOARD OF SUPERVISORS

DRAFT SUMMARY MINUTES

Hanover County Administration Building Board Room

August 26, 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 26th day of August, 2015, at 2:00 p.m.

Present: Mr. Wayne T. Hazzard, Chairman
Mr. Aubrey M. Stanley, Vice-Chairman
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

Absent: Mr. Sean M. Davis
Mrs. Angela Kelly-Wiecek

I. Call to Order

Mr. Hazzard called the meeting to order at 2:00 p.m. All Board members were present except for Mr. Davis and Mrs. Kelly-Wiecek.

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

II. Consideration of Agenda Amendments

Mr. Stanley made a motion that the agenda be amended as follows: A: delete Item XII., Closed Session, B: add additional appointments to item IV.-A. of the Consent Agenda, and C: add new item IV.-G. to the Consent Agenda. The motion was seconded by Mr. Peterson.

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

Motion approved.

The Chairman asked if there were any other 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. Stanley made a motion to approve the consent agenda as amended, seconded by Mr. Via.

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

Motion approved.

IV. A. – Committee Appointments

COMMITTEE NAME	DISTRICT	FIRST NAME	LAST NAME	TERM LENGTH	CURRENT TERM ENDS	ACTION
Historic Courthouse Area Advisory Committee	Historical Commission	David	Deal	1 year	N/A	Appoint to 8/31/16
Historical Commission	Hanover Tavern Foundation	David	Deal	2 years	N/A	Appoint to 8/31/17
Historical Commission	Chickahominy	Vanessa	Marenco	2 years	N/A	Appoint to 8/31/17
Cannery Advisory Committee	South Anna	Connie	Alexander	1 year	08/31/15	Reappoint to 08/31/16
Central Virginia Waste Management Authority-Board	Staff CVWMA Board	Steve	Chidsey	4 years	08/31/15	Reappoint to 08/31/19
Richmond Regional Transportation Planning Organization-Citizens Transportation Advisory Committee	Citizen Representative	Robert	Morris	2 years	08/31/15	Reappoint to 08/31/17
ADDITIONAL APPOINTMENTS:						
Local Board of Building Code Appeals	N/A	Robert	Lampkin, Jr.	1 year	09/30/15	Reappoint to 09/30/16
Local Board of Building Code Appeals	N/A	Joe	Lawson	1 year	09/30/15	Reappoint to 09/30/16
Local Board of Building Code Appeals	N/A	Arthur	McKinney	5 years	09/30/15	Reappoint to 09/30/20
Social Services Advisory Board	Chickahominy	E. Page	Sening	4 years	N/A	Appoint to 8/31/19

IV. B. – Request for Authorization to Advertise Public Hearing – Request to Restrict Through Truck Traffic on Taylorsville Road (Route 689) from Route 1 (Washington Highway) to Route 738 (Old Ridge Road) and on Binns Road (Route 725) from Taylorsville Road to Route 30 - Magisterial District: Beaverdam

Board Sheet Background:

Concerns have been raised that the new bridge on Taylorsville Road will make it more attractive for through truck traffic. Concerns over the size and speed of these vehicles on a road not specifically designed for the larger trucks suggest that a through truck restriction should be considered. Large trucks are presumed to be using Route 738 (Old Ridge Road) to Washington Hwy and on to Route 30 currently as a preferred route. It is staff's opinion that prohibiting through truck traffic on Taylorsville Road and Binns Road will enhance safety and not impose an unreasonable inconvenience. The restriction would apply to any through truck or truck and trailer or semi-trailer combination except pickup or panel trucks. The restriction would not apply to trucks with origins and/or destinations along the road. Following a public hearing, the Board can request VDOT to prohibit through trucks on any part of a primary or secondary highway if a reasonable alternative route is available. VDOT has completed a preliminary assessment of the corridor and found it acceptable for a through truck restriction. The final decision with respect to through truck restrictions on secondary highways rests with the VDOT Commissioner. The Commonwealth Transportation Board is charged with the authority to restrict through truck traffic on primary highways.

Recommended Action:

Authorize advertisement of a public hearing on September 23, 2015 to consider a request to restrict through truck traffic on Taylorsville Road and Binns Road.

IV. C. – Authorization to Execute a VDOT Project Administration Agreement / Amendment – Public Works – Ellett's Crossing - Magisterial Districts: Ashland and Beaverdam

Board Sheet Background:

This past June, the Commonwealth Transportation Board approved \$400,000 in FY15 Revenue Sharing Program funds to begin the design and construction of a relocated intersection and turn lanes at Route 1 and Ellett's Crossing Road, on the northern boundary of Ashland. The local revenue sharing match is composed of \$400,000 in general funding (\$224,822 FY14 and \$175,178 FY15 Roadway

Improvements), bringing the total funding available for the project to \$800,000. The funding is already appropriated in the Capital Improvements Plan for road projects and is available to begin this project. Design activities can commence upon execution of the VDOT (Virginia Department of Transportation) project administration agreement and the selection of a design consultant. Public Works staff anticipate an additional revenue sharing application this fall to establish the balance of the construction funding for this project.

Recommended Action:

Motion to authorize the County Administrator to execute a VDOT Project Administration Agreement and take all other necessary actions to allow for the County's administration of the project.

IV. D. – Request for Adoption of Resolution – Acceptance of Streets into the Secondary System of Highways – Honey Meadows, Section 4 - Magisterial District: Chickahominy

Board Sheet Background:

Honey Meadows Subdivision, Section 4 is a 24 lot residential subdivision recorded on August 20, 2013. The Virginia Department of Transportation – Ashland and the Departments of Planning and Public Works recommend processing for acceptance of streets in the resolution into the State Secondary System.

Recommended Action:

Adopt the Resolution requesting the Virginia Department of Transportation to accept Pollen Drive and Pistil Place in the Honey Meadows, Section 4 Subdivision into the Secondary System of State Highways.

IV. E. – Request for Adoption of Resolution – Acceptance of Streets into the Secondary System of Highways – Cool Well Subdivision - Magisterial District: Chickahominy

Board Sheet Background:

Cool Well is a 140 lot residential subdivision recorded on March 4, 2005. The townhome development roads were originally built for private maintenance. The Board of Supervisors, at their May 8, 2013 meeting, authorized a resolution in order to convert the private roads to public. The resubdivision plat was recorded on May 14, 2014. The Virginia Department of Transportation – Ashland and the Departments of Planning and Public Works recommend processing for acceptance of streets in the resolution into the State Secondary System.

Recommended Action:

Adopt the Resolution requesting the Virginia Department of Transportation to accept Wheelwright Way; Tippling House Drive; Tavern Keepers Way; Ordinary Keepers Way; Cool Summer Drive; and Travelers Rest Drive into the Secondary System of State Highways.

IV. F. – Lease of County Tower Space and Land - Emergency Communications – Leasing of Land at Tower Site and of Space on Existing County Communications Tower at the Georgetown Site. - Magisterial District: Henry

Board Sheet Background:

The Emergency Communications Department is requesting authorization to enter into a lease agreement with CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS to lease land and tower space on the Georgetown Tower located at 11375 Georgetown Road, Mechanicsville, Hanover County, Virginia, 23116, GPINs: 8718-16-0091; 8718-15-1828.

The initial term of the proposed lease is five years, with four additional five year extensions if approved by the County Administrator. The initial lease fee will be \$27,500 per year for the first five years with an annual escalator of 3% applied at the first year of each subsequent five year extension. County Attorney's Office has approved as to form and Emergency Communications as to content.

Recommended Action:

Motion to authorize the County Administrator to enter into a Lease Agreement consistent with CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS for the lease of land and tower space on the Georgetown Tower and authorize the County Administrator to take all other actions necessary to implement the Lease Agreement.

IV. G. – Budget Appropriation - \$2,791,498 - Reappropriation of the Fiscal Year 2015 Budget

Note: This item was added at the beginning of the meeting.

Board Sheet Background:

The County's operating budget appropriations lapse each year on June 30. At the end of FY15, as in past years, there were purchases and projects in progress that were not completed prior to June 30. This request is for the consideration of a budget appropriation of \$2,791,498 of unspent funding from the FY15 operating budget. These funds were appropriated in FY15 and included in quarterly report forecasts made during the year. There is no new or additional funding required for this

reappropriation as the funding sources for this reappropriation were recognized during FY15 as part of a balanced budget. As part of the Finance Department's review of reappropriation requests, efforts are made to ensure that the reappropriation balances recommended by the County Administrator represent those projects that need to continue and/or were in progress to honor commitments.

During the FY16 budget process, a resolution was adopted by the Board of Supervisors providing for all outstanding operating encumbrances (purchase orders) and continuing capital projects to be reappropriated at year-end after thorough review by Finance and Administration. As a part of that review, some projects have been closed or reduced in funding due to updated project information. Capital projects and operating encumbrances are not included in this request.

On August 24, 2015, the Finance Committee was presented with the County's recommended reappropriations which had been reviewed by the Finance Department and County Administrator's Office. Finance and Management Services concurs with the budget appropriation request.

Recommended Action:

Approve the budget appropriation of \$2,791,498 to FY16 for various funds and departments.

V. Presentation of Proclamations

A. Frank Leslie Family - Magisterial District: Cold Harbor

The Chairman called Mr. Leslie's family, including Mr. Wade, forward to receive the proclamation. Mr. Via read the proclamation and presented it to the family members. Mr. Wade thanked those in attendance.

B. Earl J. Hunter, Jr. - Magisterial District: Henry

The Chairman called Mr. Earl J Hunter, Jr. forward to receive the proclamation. Mr. Peterson read the proclamation and presented it to Mr. Hunter.

C. Jamelle Wilson - Magisterial District: South Anna

The Chairman called Dr. Jamelle Wilson, forward to receive the proclamation. He read the proclamation and presented it to Dr. Wilson.

VI. Presentation - Overview of Recent Activities – Capital Region Airport Commission

Mr. Troy M. Bell, Director – Marketing & Air Service Development, came forward to give this presentation to the Board. He provided updates on airport statistics, current and future airport projects as well as airline consolidation.

Air Service News - Consistent Growth, Retained and Expanded Offerings

- RIC has reported passenger growth for 17 consecutive months due to increased economic activity, service retention, new offerings, and competitive fares.
- Boston has become Richmond's #1 destination, bypassing Atlanta, as JetBlue and Delta have added flights and offered very competitive pricing.
- The transition from AirTran to Southwest is complete, at RIC and system wide.
- Allegiant Air "pleased" with initial results, schedule extended into 2016.

Changes & Challenges in the Airline Industry - Consolidation, Capacity Discipline, Revenue Focus, and Fleet Changes

- Industry consolidation: Four airlines carry > 80% of all domestic passengers.
- Since 2007, U.S. system wide departures have decreased by more than 14% due to industry consolidation and unprecedented capacity discipline.
- Forget market share, revenue is king. Airlines cannot control energy costs and labor costs are locked in and rising, but they continuously analyze performance, route by route, to create the highest possible returns.
- Fleet changes are underway. Small regional jets (≤ 50 seats) are rapidly being retired, replaced by 65-90 seat aircraft (E170, E190, CRJ700, CRJ900). Not every domestic route has sufficient demand to support larger aircraft.

Following the presentation, Mr. Bell offered clarification on CNG vehicle savings and Department of Justice regulations on mergers.

VII. Presentation - Richmond Regional Tourism Update

Mr. Jack Berry, Executive Director, came forward to give this presentation to the Board. Mr. Berry began with video on area tourism. He reported that recent tourism in the region has brought in seven million visitors and \$2.1 billion was spent. Mr. Berry then introduced Ms. Katherine O'Donnell, Vice-President of Community Relations, who came forward to provide further details on

RRT. She shared detailed statistics on the types of tourism that the area has, what efforts are being made to increase tourism and noted many accolades that RRT has received.

VIII. Presentation – Richmond 2015; UCI Road World Championship Update

Mr. Tim Miller, Chief Operating Officer, Richmond 2015, came forward to give this presentation to the Board. He detailed the Fan Zone areas and activities that are planned and provided statistics on the number of visitors the event is expected to bring to the area.

Hanover County Race Day - Wednesday, September 23, 2015:

- The route will be closed during the Hanover event, beginning at 12:00 p.m. through 3:30 p.m.
- Race begins at King's Dominion
- Racers head south along Route 301
- Past the Hanover County Courthouse
- Past Hanover Tavern
- Travel along Georgetown Road
- Turn on Rural Point Road and head back to Route 301
- Pass Rutland Commons and enter into Henrico County

Following the presentation, Mr. Frank Harksen, Deputy County Administrator, updated Board members on the steps that have been taken to notify residents of potential impacts.

- Half page articles in Winter 2014 and Spring 2015 Hanover Reviews.
- Full page feature article in Fall 2015 Hanover Review including cover picture and Fan Zone information in County Administrator's Column.
- Social Media (Hanover General Government, Economic Development and Parks and Recreations).
- Over 1,300 direct mailings (letter from Mr. Hazzard and two-page flyer) to 'landlocked' properties – mailed 7/20/2015.
- 675 door hangers (two-page flyer) – mainly to 'landlocked' subdivisions – completed 7/24/2015.
- Business visits by Chris Ingram & Economic Development team, 72 along Rt. 301 completed, will be visiting Old Mechanicsville as well.

- One-page utility bill insert
- ‘Road to be Closed’ signs posted along route – posted 8/24/2015
- Community meetings 8/03/2015 and 8/10/2015
- Recorded informational message 365-1700 and AM 1700
- Hanover website homepage
- Media, local news segments on Hanover event and local paper
- Code Red (Reverse 911) first week in September and week before the race
- Richmond 2015 press & marketing
- Notifications around County offices about road closures affecting the Government Complex – to be posted 9/08/2015

IX. Presentation - Dominion Power Update

Mrs. Jennifer Kostyniuk, Manager, Regional State and Local Affairs, came forward and introduced Mr. Alan Bradshaw, Director of Electric Distribution Underground, to give a presentation to the Board on Dominion’s Strategic Underground Program. Mr. Bradshaw provided a history of the program and provided details on the status of past, current and planned projects in Hanover County.

Hanover County Projects

- Over 175 miles of candidate overhead lines
- 11 miles (39 projects) completed to date
- Active projects in Avondale and Robin Ridge subdivisions

Mr. Bradshaw noted that Dominion’s website (www.dom.com) has more detailed information about the underground program.

X. Presentation – Hanover Early Childhood Council

Mr. Jim Taylor, Deputy County Administrator, came forward to give this presentation to the Board. He began by showing a short video on the importance of early childhood investment.

He described a Town Hall that the council participated in this past May on the Commonwealth Council on Childhood Success. He updated the Board on the Hanover Preschool Initiative Program, including the Hanover Infant and Toddler Connection Program (Part C). Mr. Taylor also reported that

the fiscal responsibility the Smart Beginnings of Greater Richmond has transitioned from the United Way to the Greater Richmond Chamber.

Mr. Taylor introduced Mr. Mike Smith, Chair of the Council, and asked him to come forward to address the Board. Mr. Smith offered some history of the Smart Beginnings program and the Hanover Early Childhood Council (HECC). Their purpose is to promote the early childhood goal to ensure that all children, prenatal to five years old are healthy, well cared for and have a good start on life. Mr. Smith described the numerous departments and organizations that represent the HECC.

The program to bring Home Visiting back to Hanover was detailed and a video was shown on the benefits of home visitation. He reported on the School Ready Hanover Program and the council's communication plan.

XI. Presentation – Year-End June 30, 2015 Financial Report

Mr. Jacob Sumner, Accounting Division Director, came forward to give this presentation to the Board.

The operating results for the County's General Fund, Public Utilities and the School Division Operating Fund for the fiscal year ending June 30, 2015 were detailed.

The detailed statement of revenues, expenditures and changes in fund balance for the County's General Fund was provided. The detailed financial report was reviewed with the Finance Committee at their August 24th meeting.

As reported in May, operating revenues continued to have a positive variance to budget. Preliminary year end revenues totaled \$209.6 million, 101% of the appropriated budget. Actual expenditures and transfers including encumbrances and re-appropriations totaled \$207.8 million, 95.5% of the appropriated budget.

FY 2015 General Fund Operating Balance

- The total projected operating balance for the General Fund is derived from revenues collected beyond the budget and maintaining expenditures below appropriations.
- General property taxes are favorable to the budget by approximately \$2.3 million. This includes an increase of approximately \$750,000 for real property taxes and \$1.2 million for personal property taxes.

- Charges for services are also favorable to the budget by approximately \$410,000. This is primarily due to CSB service fees (\$200,000), EMS cost recovery (\$100,000) and radio system access charges (\$117,000).
- Revenue from the Commonwealth was \$1.0M below budget which is offset by a corresponding operating expenditure savings in the Department of Social Services.
- Total year expenditures and transfers were also favorable to budget. Personnel savings are estimated to be approximately \$1.5 million and operating savings are estimated to be approximately \$4.2 million. The return from the School Division totals approximately \$4.0 million.
- The total projected favorable variance to budget is approximately \$12.1 million which is primarily planned for use in the FY16 County and School budgets and the subsequent five year plan.

FY 2015 General Fund Fund Balance

- The General Fund's fund balance increased approximately \$1.8 million due to actual revenues coming in greater than expenditures.
- At this time, the General Fund's Unassigned Fund Balance is projected to increase approximately \$764,000 and remain at 12.6% of operating revenues, consistent with the prior year. By Board policy, the County's General Fund maintains a minimum unassigned fund balance of at least 10% of revenues to protect against unanticipated expenditures or revenue shortfalls, with a higher targeted percentage to maintain its triple AAA rating and lowest possible interest on capital projects.
- Changes to fund balance classifications include decreases to nonspendable and restricted balances. These balances represent resources that are not in a spendable form such as inventories and amounts constrained to specific purposes by providers such as grantors, bondholders, and higher levels of government.
- Committed fund balance for Economic Development remains at \$500,000.
- The estimated change to assignment balances net of encumbrances and re-appropriations is approximately \$1.5M. Details of preliminary assignment balances will be discussed on the following slide.

FY 2015 General Fund Assignments Summary

- Based on available operating results, the Preliminary County Administrator Assignment balances including encumbrances and re-appropriations as of June 30, 2015 are estimated to be approximately \$24.8 million. These funds are assigned for various purposes including economic development, education, public works projects, the subsequent year budget and five year financial plan and capital improvements.
- The audited financial statements will be presented with the County's CAFR in November at the conclusion of our annual audit.

FY 2015 Public Utilities

- Operating revenues were \$23.6 million or approximately \$1.4 million higher than the appropriated budget. This favorable variance is primarily due to increases in water and sewer user fees, plan review and inspection fees, and miscellaneous revenues. User fees for water service were \$637,000 above budget and sewer fees were \$354,000 above budget.
- Non-operating revenues were 121% ahead of budget primarily due to an increase in revenue from water and sewer capacity fees. Donated assets in the amount of \$3 million were received throughout the year and are not projected as part of the annual budget process.
- Expenses for the year were \$17.5 million or 91% of the appropriated budget. Personnel costs were \$218,000 below budget, long-term water and sewer contracts with Henrico County and the City of Richmond were \$432,000 below budget and power costs were \$102,000 below budget.

FY 2015 School Division Operating Fund

- Revenues for the School Division totaled \$165.6M which is \$6.3M below their appropriated budget. The \$6.3M includes returning approximately \$4.0M to the County's General Fund.
- Expenditures totaled \$166.9M which is \$6.6M below budget. The majority of the savings is due to salary and benefit savings in the Instructional category.

XII. Closed Session

Note: this items was previously removed. No closed session was held.

XIII. Recess

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

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

XIV. 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.

XV. Presentation of Proclamation – Eagle Scout Alfred P. (Tripp) Cappelli – Boy Scout Troop 502 - Magisterial District: Mechanicsville

Mr. Peterson called Eagle Scout Cappelli and his family forward and presented him with the proclamation recognizing his achievement.

PUBLIC HEARINGS

XVI. Public Hearing—Ordinance 15-09 – Town of Ashland - Running at Large Ordinance Amendment

Ms. Katherine Collins, Assistant County Attorney, came forward to give this presentation to the Board. She reported that under subsection (b) of the County's Running at Large ordinance, running at large is currently prohibited year-round in the urban service area, in areas zoned R-1, R-2, R-3, R-4, R-5 and R-6, in county parks and on the grounds of any schools operated by the county school board. On June 24, 2015, the Board of Supervisors voted to approve an Agreement with the Town of Ashland providing for the enforcement of the County's animal control laws in the Town of Ashland. There are parts of the Town of Ashland that do not fall within these prescribed areas, preventing the County from enforcing this animal control law throughout the entire Town. Until the Town repealed its ordinance to follow the County's, dogs running at large in the Town was prohibited. The Town of Ashland has requested that the County amend Section 4-74(b) of the Hanover County Code to prohibit the running at large of any canines or canine crossbreeds anywhere in the Town of Ashland, which will assist in the County's complete enforcement of its animal control laws, as provided for in the Agreement.

Ms. Collins called Ashland Police Chief, Doug Goodman, forward. Chief Goodman thanked the Board for its consideration of the Ordinance and explained the importance of the proposed changes.

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

On motion of Mr. Via, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve Ordinance No. 15-09, as follows:

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

XVII. Public Hearing – Ordinance 15-08 – Proposed relocation of polling place for the Farrington Precinct in the South Anna District from the Jessica Beath Clinic to the Abner Baptist Church - Magisterial District: South Anna

Mrs. Teresa Smithson, Registrar, came forward and explained that the proposed relocation of the Farrington Precinct polling place from the Jessica Beath Clinic, which is located at 12300 Farrington Road, to the Abner Baptist Church, which is located at 15143 Abner Church Road, is intended to provide better access and additional parking.

The Chairman opened the public hearing and asked that anyone who wished to speak for or against the matter come forward.

Ms. Jean James, South Anna Magisterial District, came forward to speak in favor of the proposed ordinance and cited the benefits of the new location.

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

On motion of Mr. Hazzard, seconded by Mr. Stanley, the members of the Board of Supervisors voted to approve Ordinance No. 15-08, as follows:

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

XVIII. Public Hearing – Consideration of a Resolution Authorizing the Acquisition by Condemnation, if Necessary, of Certain Specified Temporary and Permanent Property Interests on GPIN 7796-85-3983 for the Purpose of Constructing a Roadway and Other Related Improvements – Magisterial District: Chickahominy

Mr. Mike Flagg, Director of Public Works, came forward and explained the proposed acquisition resolution authorizing the acquisition by condemnation, if necessary, of certain specified temporary and permanent property interests on portions of GPIN 7796-85-3983, for the purpose of constructing a roadway and other related improvements, and entry upon the property for the purpose of beginning construction before the conclusion of condemnation proceedings.

The proposed acquisition is necessary in order to begin construction of the Atlee Road Extended Project in order to improve traffic flow in the Atlee Road/Atlee Station Road corridors. Atlee Road will be extended to connect with Atlee Station Road, and a bridge will be constructed over the CSX rail line, allowing the existing at-grade crossing on Cool Spring Road to be closed. The proposed project is part of the Virginia Department of Transportation's Secondary Six-Year Plan and Six-Year Improvement Program and Hanover County's Capital Improvement Plan and Major Thoroughfare Plan. Public Works began negotiating with the landowner over seven months ago, but has been unsuccessful in its efforts to negotiate the purchase of the property interests.

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.

Following the presentation, Mr. Sterling Rives, County Attorney, made note that adoption of this resolution does not mean there will not be continued discussion with the property owner. It is hopeful that a resolution without litigation can be reached. He offered clarification on the guidelines to determine the monetary amount that will be paid to the property owner.

On motion of Mr. Hazzard, seconded by Mr. Peterson, the members of the Board of Supervisors voted to adopt the proposed resolution to authorize the acquisition by condemnation, if necessary, of certain specified temporary and permanent property interests on portions of GPIN 7796-85-3983 for the purpose of constructing a roadway and other related improvements.

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

PLANNING PUBLIC HEARINGS

A. C-27-97(c), AM. 1-15, RCI Builders, L.L.C. (Massey’s Addition, Section 1) - Requests an amendment to the proffers approved with rezoning request C-27-97(c), Historic Pole Green Church, on GPINs 8726-01-0196, 8726-01-0036 and 8716-90-9938, zoned R-2(c), Single-Family Residential District with conditions, and located on the east line of Strawbank Drive (State Route 1765) approximately 750 feet south of its intersection with Birchbark Lane (State Route 1767). The proposed zoning amendment would amend the cash proffer.

Magisterial District: Henry

Planning Analysis:

- The request is to amend the following:
 - Amend Proffer No. 11 from \$4,542.00 (capital & road improvements) to \$1,302.00 (road improvements)
 - The amended proffer is in accordance with the Business and Residential Development Road Improvements Transportation Policy

Recommendations:

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

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.

On motion of Mr. Peterson, seconded by Mr. Stanley, the members of the Board of Supervisors voted to approve Ordinance C-27-97(c), Am. 1-15, RCI Builders, L.L.C., as follows:

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

B. C-11-15(c), Charles G. Willis - Requests to rezone from A-1, Agricultural District, to AR-6(c), Agricultural Residential District with conditions, on GPIN 7822-34-2016, consisting of approximately 10.0 acres, and located at the terminus of a 50' access easement that connects to Brown Pleasants Road (State Route 791) approximately 1,600 feet north of its intersection with Mountain Road (U.S. Route 33). The subject property is designated on the General Land Use Plan Map as Agricultural. The proposed zoning amendment would permit the creation of one additional building lot for a family member for a gross density of one (1) dwelling unit per five (5) acres.

Magisterial District: Beaverdam

Planning Analysis:

- Rezone 10 acres to create 2 lots for family
 - 2 acres
 - 8 acres
- Both lots will use existing 50' access easement

Proffers:

- Conceptual Plan
- Tree Preservation
- Wetlands Certification
- Perenniality Study
- Family Division Provision and Residency Period

Recommendations:

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

Mr. David Maloney presented this request 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.

On motion of Mr. Stanley, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve Ordinance C-11-15(c), Charles G. Willis, as follows:

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

C. C-13-15(c), Tanya P. Melton et al. - Request to rezone from A-1, Agricultural District, to AR-6(c), Agricultural Residential District with conditions, on GPIN 8765-19-6891, consisting of approximately 4.2 acres, and located on the south line of Piping Tree Ferry Road (State Route 629) approximately 850 feet east of its intersection with Old Church Road (State Route 606). The subject property is designated on the General Land Use Plan Map as Agricultural. The proposed zoning amendment would permit the creation of one additional building lot for a family member for a gross density of one (1) dwelling unit per 2.1 acres.

Magisterial District: Henry

Planning Analysis:

- Rezone 4.2 acres to create 2 lots for family
 - 2.0 acres
 - 2.2 acres
- Both lots would use a 20' access easement

Proffers:

- Conceptual Plan
- Tree Preservation
- Wetlands Certification
- Perenniality Study
- Family Division Provision and Residency Period
- Reservation of Right-of-Way
- Common Access

Recommendations:

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

Mr. David Maloney presented this request 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.

On motion of Mr. Peterson, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve Ordinance C-13-15(c), Tanya P. Melton, et al., as follows:

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

Motion approved.

D. C-14-15(c), Teresa A. and Carl D. Loew - Request to rezone from R-1, Single-Family Residential District and B-3, General Business District, to B-1(c), Neighborhood Business District with conditions, on GPINs 8704-95-3772, 8704-95-3851, 8704-95-3699 and 8704-95-2795, consisting of approximately 0.55 acres, and located in the southwest quadrant of the intersection of Lee Avenue (State Route 1114) and Atlee Road (State Route 638). The subject property is designated on the General Land Use Plan Map as Mixed Use (Low Commercial/High Residential). The proposed zoning amendment would permit various neighborhood business uses.

Magisterial District: Mechanicsville

Planning Analysis:

- The applicant is requesting to rezone two R-1 parcels and two B-3 parcels so that all parcels are zoned B-1(c)
- The property is currently used for a catering business; future use is speculative

Proffers:

- Conceptual Plan

- Architectural Style and Scale
- Reservation of Right-of-Way
- Screening - 6' fence adjoining residential uses

Recommendations:

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

Mr. David Maloney presented this request 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.

On motion of Mr. Peterson, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve Ordinance C-14-15(c), Teresa A. and Carl D. Loew, as follows:

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

E. SE-29-97, AM. 1-15, Covenant Woods - Requests an amendment to a Special Exception Permit in accordance with Section 26-21.28 of the Hanover County Zoning Ordinance to permit the expansion of an assisted living facility on GPINs 8715-72-5953, 8715-73-8350, 8715-73-2386, 8715-73-2563, 8715-73-0579, 8715-63-8544 and 8715-73-4922, consisting of approximately 55.23 acres, zoned A-1, Agricultural District, and located on the west line of Lee-Davis Road (State Route 643) at its intersection with Covenant Woods Drive (private road).

Magisterial District: Mechanicsville

Planning Analysis:

- This is a request to amend the approved sketch plan showing an expansion of the Covenant Woods assisted living facility and skilled care areas
- The expansion will add 19 assisted living units and 33 skilled care units
- Elevations show the building materials and colors will match existing facility

Recommendations:

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

F. SE-31-97, AM. 1-15, Covenant Woods -Requests an amendment to a Special Exception

Permit in accordance with Section 26-336 of the Hanover County Zoning Ordinance to permit buildings taller than permitted on GPINs 8715-72-5953, 8715-73-8350, 8715-73-2386, 8715-73-2563, 8715-73-0579, 8715-63-8544 and 8715-73-4922, consisting of approximately 55.23 acres, zoned A-1, Agricultural District, and located on the west line of Lee-Davis Road (State Route 643) at its intersection with Covenant Woods Drive (private road).

Magisterial District: Mechanicsville

Planning Analysis:

- A-1 zoning district has a maximum building height of 35'
- The proposed Phase IV expansion is 39' 7"
 - SE granted in January 2010 only applied to Phase III
 - Staff recommends that the Board approve a 48' height limit for the entire property

Recommendations:

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

Note: Prior to the presentation of these requests, Mr. Peterson disclosed that he is a member of the Board for Covenant Woods. He has spoken with Mr. Rives who confirmed that since there is no monetary interest involved, there is no conflict of interest and Mr. Peterson does not need to recuse himself from the cases.

Mr. David Maloney presented both requests from Covenant Woods to the Board. It was clarified that Fire/EMS has reviewed the request.

The Chairman opened the combined public hearing and asked that anyone who wished to speak for or against the matters come forward.

Mr. Rogers Bowers came forward on behalf of Covenant Woods and described the project. Seeing no others come forward, the Chairman closed the public hearing.

On motion of Mr. Peterson, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve SE-29-97, AM. 1-15 and SE-31-97, AM. 1-15, Covenant Woods as follows:

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

G. SE-13-15, Robin and Daniel Shepperd - Request a Special Exception Permit in accordance with Section 26-21.25 of the Hanover County Zoning Ordinance to permit an accessory family housing unit on GPIN 8746-57-4655, consisting of approximately 4.93 acres, zoned A-1, Agricultural District, and located on west line of Holly Bluffs Drive (private road) approximately 800 feet north of its intersection with Spring Run Road (State Route 628).

Magisterial District: Henry

Planning Analysis:

- This request is for an accessory family housing unit for the applicant's parent
- The accessory unit is primarily on the 2nd floor of a proposed 3-bay detached garage structure
- The sketch plan and floor plan show the proposed unit is in compliance with the requirements of Section 26-280

Recommendations:

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

Mr. David Maloney presented this request 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.

On motion of Mr. Peterson, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve SE-13-15, Robin and Daniel Shepperd, as follows:

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

H. SE-17-15, Walter P Johnson, Sr. - Requests a Special Exception Permit in accordance with Section 26-21.17(b) of the Hanover County Zoning Ordinance to permit a manufactured home in the case of a medical hardship on GPINs 7799-59-7395 and 7799-59-6494, consisting of approximately 1.48 acres, zoned A-1, Agricultural District, and located on the south line of E. Patrick Henry Road (State Route 54) at its intersection with Leonard Lane (private road).

Magisterial District: Beaverdam

Planning Analysis:

- This request is for a temporary manufactured home to allow the applicant to care for a family member
- The sketch plan shows the home will be placed 200' from E. Patrick Henry Road in front of the existing house
- A physician's statement has been provided to verify the need for continuous care in accordance with the Zoning Ordinance

Recommendations:

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

Mr. David Maloney presented this to the Board.

The Chairman opened the combined public hearing and asked that anyone who wished to speak for or against the matters come forward.

Ms. Mary Anna Sylvia, Beaverdam Magisterial District, came forward to speak in opposition of this request. Ms. Sylvia had questions about the hardship and who will have to pay for the well and sewer. She cited concerns with existing trailers in the area and the possibility that the temporary structure will be allowed to stay indefinitely.

Ms. Holly Jackson-Conrad, Beaverdam Magisterial District, came forward to speak in opposition of this request, citing concerns with property values, the possibility of time period extensions for the Special Exception and the cost to taxpayers.

Ms. Cathy Renner, Beaverdam Magisterial District, came forward to speak in opposition of this request, citing concerns with potential negative impact on the resale value of her property and the length of time that the dwelling might need to remain on the property.

Mr. Maloney provided clarification on the medical hardship, property value effects and how the requirements for extensions for Special Exceptions.

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

Mr. Stanley noted that he had not been made aware of any opposition from neighboring property owners until this evening and feels some time should be given to speak with the applicant and these citizens to determine if an agreement can be reached.

Mr. Maloney provided further clarification on how this will be handled if the medical hardship is a permanent condition.

On motion of Mr. Stanley, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve defer SE-17-15, Walter P Johnson, Sr. for sixty (60) days, as follows:

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

- I. SE-18-15, Nancy A. Ferrell and Joseph P. Depaola** - Requests a Special Exception Permit in accordance with Section 4.6.2(a) (repealed R-2 District) of the Hanover County Zoning Ordinance to permit a private garage for more than four automobiles on GPIN 8706-74-2718, consisting of approximately 0.565 acres, zoned R-2(c), Single Family Residential District with conditions, and located near the terminus of Wyattwood Road (State Route 1773), in Berkeley Forest Subdivision.

Magisterial District: Chickahominy

Planning Analysis:

- The proposed 1,950 sq. ft. garage will be attached to rear of an existing garage
 - The size and appearance is consistent with the existing garage

Recommendations:

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

On motion of Mr. Hazzard, seconded by Mr. Stanley, the members of the Board of Supervisors voted to approve SE-18-15, Nancy A. Ferrell and Joseph P. Depaola, as follows:

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

J. C-6-15, Hanover County Board of Supervisors (Public Works) - Requests to rezone from A-1, Agricultural District, to M-2, Light Industrial District, on GPINs 7798-12-9494 and 7798-30-1875, consisting of approximately 27.11 acres, and located on the east side of the runway of the Hanover County Airport, which can be accessed from Air Park Road (State Route 813). The subject property is designated on the General Land Use Plan Map as Industrial. The proposed zoning amendment would allow the addition of the subject parcels to the area of the Hanover County Airport.

Magisterial District: Ashland

Planning Analysis:

- The Hanover County Airport has acquired property to provide clear airspace for air traffic and for additional facilities in accordance with the 2002 Airport Master Plan
- Subject parcels will be added to the area of CUP-16-91, Am. 1-15, which is being considered concurrently with this request
- The additional property will be used for future airport improvements which may include:
 - Tie-Down Areas
 - Storage Hangars
 - Automobile Parking
 - Office Space
 - Terminal Buildings
- No expansion of the runway is being proposed

Proffers:

- No proffers were submitted with this request because the conditions of the CUP will govern the operations and development of the Airport

Recommendations:

- The Planning Commission and staff recommend approval of the request.

K. CUP-16-91, AM. 1-15, Hanover County Board of Supervisors (Public Works) - Requests an amendment to a Conditional Use Permit in accordance with Sections 26-20.1, 26-174.1 and 26.183.1 of the Hanover County Zoning Ordinance to add GPINs 7798-12-9494 and 7798-30-1875 to the area of the Hanover County Airport, which includes GPINs 7788-86-9211, 7788-86-6503, 7788-85-9796, 7788-86-4960, 7788-85-8251, 7798-21-6554, 7798-20-5952, 7788-86-0490, 7788-86-9089, 7788-86-8654, 7788-85-7399, 7798-03-7002, 7798-20-2363 and 7798-13-4239. The total area of the Airport Conditional Use Permit will be approximately 242.07 acres. The parcels are zoned A-1, Agricultural District, M-2(c), Light Industrial District with conditions, and M-3, Heavy Industrial District, and are located on the east line of Air Park Road (State Route 813) approximately 4,000 feet north of Sliding Hill Road (State Route 656). The subject property is designated on the General Land Use Plan Map as Industrial.

Magisterial District: Ashland

Planning Analysis:

- The subject property will accommodate the following future improvements:
 - Tie-Down Areas
 - Storage Hangars
 - Automobile Parking
 - Office Space
 - Terminal Buildings
- The sketch plan shows phases for development with this amendment
- Access would be from Sliding Hill Road
 - Future access may be relocated to New Ashcake Road Extended, once construction

Recommendations:

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

L. SE-48-04, AM. 1-15, Hanover County Board of Supervisors (Public Works) - Requests an amendment to a Special Exception Permit in accordance with Sections 26-175.3 and 26-184.3 of the Hanover County Zoning Ordinance to allow a fence taller than permitted in the front yard for security purposes on GPINs 7798-12-9494, 7798-30-1875, 7788-86-9211, 7788-86-6503, 7788-85-9796, 7788-86-4960, 7788-85-8251, 7798-21-6554, 7798-20-5952, 7788-86-0490, 7788-86-9089, 7788-86-8654, 7788-85-7399, 7798-03-7002, 7798-20-2363 and 7798-13-4239, zoned A-1, Agricultural District (rezoning to M-2, Light Industrial District pending), M-2(c), Light Industrial District with conditions, and M-3, Heavy Industrial District; the subject parcels consist of approximately 242.07 acres, and are located generally on the east line of Air Park Road (State Route 813) approximately 4,000 feet north of Sliding Hill Road (State Route 656).

Magisterial District: Ashland

Planning Analysis:

- The request is to extend the existing Airport security fence to parcels added for future Airport improvements
- The proposed fence will match the existing security fence which is 9'6" and black polycoated vinyl chain-link

Recommendations:

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

Mr. David Maloney presented C-6-15, CUP-16-91, AM. 1-15, and SE-48-04, AM. 1-15 to the Board together.

The Chairman opened the combined public hearing and asked that anyone who wished to speak for or against the matters come forward.

Mr. Charlie Holstein, Ashland Magisterial District, came forward to express his concerns with the lack of information that has been provided to area residents on these proposals.

Mr. Hank Rempe, Manager, Hanover Airport, came forward to offer clarification on the proposals. He explained that the proposals will allow additional hangar space to accommodate existing business. Mr. Maloney clarified that this project does not have any connection to the road construction that is being done near Lewistown Road and I-95.

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

On motion of Mr. Via, seconded by Mr. Peterson, the members of the Board of Supervisors voted to approve C-6-15, CUP-16-91, AM. 1-15, and SE-48-04, AM. 1-15, Hanover County Board of Supervisors (Public Works), as follows:

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

Mr. Wade made a motion that the start time for the Board of Supervisors meetings held on the second Wednesday of each month be changed from 2:00 p.m. to 3:00 p.m. The motion was seconded by Mr. Via.

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

Motion approved.

Mr. Rhu Harris, County Administrator, noted that this change in meeting times will be advertised so that the public will be aware of the new start time.

Mr. Rives noted that the Board's Standing Rules and Procedures will be amended to reflect the change as well.

Announcements

Mr. Harris announced that there is a groundbreaking ceremony scheduled for a Fairfield Inn on Friday, August 28th at 10:00 a.m. and there is an upcoming celebration for the CVWMA 25th Anniversary on September 3rd at 4:00 p.m.

Adjournment

At 8:10 p.m. the Chairman adjourned the meeting to September 9, 2015 – Hanover County Administration Building – 3:00 p.m.