

*Shown below is a preliminary summary of the actions taken by the Hanover County Board of Supervisors on February 13, 2013. Detailed minutes in final form will be presented to the Board for approval at a future date.*

# **HANOVER COUNTY BOARD OF SUPERVISORS**

## **DRAFT SUMMARY MINUTES**

### **Hanover County Administration Building Board Room**

**February 13, 2013**

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

The Chairman called the meeting to order at 2:00 p.m. All Board Members were present.

#### **Invocation**

Mr. Stanley asked those present to keep Mr. Jack Ward, former Board of Supervisor for the Mechanicsville District, in their prayers as he readies to undergo surgery. Mr. Stanley then gave the invocation.

#### **Pledge of Allegiance**

Mrs. Kelly-Wiecek led the Pledge of Allegiance.

#### **Approval of Board of Supervisors' Minutes – November 28, 2012; November 29, 2012 and December 12, 2012**

The Chairman asked if there were any additions or corrections to the minutes from November 28, 2012; November 29, 2012 and December 12, 2012

Hearing none, the Chairman entertained a motion for approval of the minutes.

Mr. Via made a motion to approve the minutes from November 28, 2012; November 29, 2012 and December 12, 2012, seconded by Mr. Hazzard.

Vote:

W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye

Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

Minutes Approved.

**II. Consideration of Amendments to the Agenda**

None

**III. Citizens' Time**

The Chairman opened Citizens' Time and Offered to anyone who wished 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.

Walter Rawls, Cold Harbor MD, commended the board on eliminating cash proffers. Mr. Rawls has some lots in Tallwood Estates and applied in late December to have proffers removed from 14 lots. Was advised they were on hold. Please move forward with the process.

Kathy Abbott, Ashland MD, Friends of Hanover Schools, came forward and read a prepared statement to clarify data that was published about the County's funding of public schools. The concern expressed in the data has to do with the steady leakage of real dollars or disinvestment for education from the County's general fund. (Exhibit 1 of 1, Item III, Handout)

Patti Davis, Beaverdam MD, concerned about level of funding for safety and mutual benefit – education of children, emergency response people, sheriff, fire/ems.

Rick Ryan, Cold Harbor MD, Education Results and teachers overworked. 10-11 hour days are the norm for most do not have sympathy for teacher work hours. Funding for education does not equal test score results. Parents have a responsibility in the education process to take the burden and handle this by assigning more homework and grading homework harder than tests. Make lots of it 1 hour per night, per subject. Flunking students might get parents attention and back in the game.

Seeing no one else come forward, the Chairman closed Citizens Time.

**IV. Consent Agenda**

On a motion by Mr. Via, seconded by Mr. Davis, the Board approved the consent agenda with the exception of the items to be considered removed.

Vote:

W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye

Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

**Consent Agenda Approved as follows:**

**A. Agreement Execution and Appropriation - Amendment to Frequency Reconfiguration Agreement (FRA) with Sprint/Nextel and appropriation of additional funds related to the amendment -Emergency Communications Department**

*Board Sheet Background: As a result of the execution of the Frequency Reconfiguration Agreement (FRA) with Sprint/Nextel, which was approved by the Board at its June 13, 2007 meeting, Hanover County has received two payments (first payment of \$1,396,887 and second payment of \$387,539) totaling \$1,784,426. The final payment has been pending second touch programming of 88 radios which has now been completed. Sprint Nextel has proposed execution of the first amendment to the Frequency Reconfiguration Agreement (FRA) which will allow final project closing and allow our final payment to be received 30 days after project closing. Further, the first amendment to the Frequency Reconfiguration Agreement (FRA) increases the final payment of \$351,120 to \$364,995. This additional project appropriation will be in the Capital Improvement Fund.*

*This amendment has been reviewed by the County Attorney's Office.*

*Finance and Management Services concurs with this request.*

*Authorize the County Administrator to execute the first amendment to the Frequency Reconfiguration Agreement (FRA) with Sprint/Nextel and approve the appropriation of \$13,875 and to take all other actions necessary to finalize this matter.*

**COUNTY OF HANOVER, VIRGINIA**

Budget Appropriation Detail

Department: Emergency Communications

**Capital Improvements Fund:**

Expenditures

Addition to expenditures:

Communications Capital Improvements

Communications System Re-banding	\$	13,875
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Total additions to expenditures	\$	13,875
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Revenues

Addition to revenues:

Communications Capital Improvements

Recovered Costs	\$	13,875
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Total additions to revenues	\$ 13,875
<b>Net Change to Fund</b>	<b>\$ 13,875</b>

**B. Adoption of Resolution – Acceptance of Streets into the Secondary System of State Highways – Bell Creek Park Subdivision (Henry Magisterial District)**

*Board Sheet Background: Bell Creek Park is a commercial subdivision recorded on July 10, 2002. The subdivision was amended on November 29, 2011, to dedicate the right-of-way for Autumn Park Way. The Virginia Department of Transportation- Ashland and the Departments of Planning and Public Works recommend processing for acceptance of streets in the attached resolution into the State Secondary System.*

*Adopt the attached resolution requesting the Virginia Department of Transportation to accept Autumn Park Way in Bell Creek Park Subdivision into the Secondary System of State Highways*

**C. Active Zoning Case Extension Request – Proposed Lakeridge Commons: C-56-05(c), Am. 1-12, Mt. Air Partners, L.C. (South Anna Magisterial District)**

*Board Sheet Background: It is the general rule of the Board of Supervisors to hold public hearings on requests for zoning action within one year of the date of the application unless the applicant waives their right to proceed. The Board's policy is to review each case individually one year after the case was submitted to determine whether a case should be continued or recommended for immediate advertising for public hearing.*

*The property that is subject to the above-referenced request is located on west line of Lakeridge Parkway directly across from the townhouse community known as Lakeridge Green, and was rezoned to R-5 in June, 2006 for 160 condominium units. In August, 2011, a zoning amendment was approved to modify the conceptual plan and proffers for a builder who wanted to use a different layout to accommodate different building elevations.*

*The request for rezoning was submitted on February 6, 2012, but has not yet been before the Planning Commission because the application has been amended twice since the request was initiated in February, but also because the applicant wanted to wait for the Board's decision on its cash proffer policy. The most recent application amendment, received December 3, 2012, included significant changes to the proposal, including conversion of the 160 condominium units to apartments, the addition of 7.37 acres to the site that will contain 70 additional townhouse units, and elimination of the cash proffer. Based on the community's interest in the original zoning and the 2010 amendment, it was determined that this new proposal be presented at a community meeting. The applicant is in the process of scheduling that community meeting. Once the meeting occurs, this request should move forward to the Planning Commission and Board of Supervisors.*

*Because the subject rezoning request should move forward in the near future, the Planning Department recommends a six month extension.*

*Motion to continue C-56-05(c), Am. 1-12 for six (6) months to August 2013, unless withdrawn by the applicant.*

**D. Approval of Agreement – Memorandum of Understanding with FAA regarding operation and maintenance of air navigation and related equipment – Department of Public Works – Ashland Magisterial District**

*Board Sheet Background: In support of Air Traffic Operations at the Hanover County Airport and for air navigation generally in the area, the Federal Aviation Administration (FAA) constructs, operates and maintains navigation, communications and weather aids on Airport property. The attached agreement is necessary to update and replace existing agreements and or leases between Hanover County and the FAA for the purposes of this continued relationship. In summary the agreement establishes the terms of the installation and operation of the navigation equipment and provides FAA ingress and egress to the equipment at the Airport.*

*The form of the agreement has been reviewed and approved by the County Attorney’s office. There are no funding commitments made by the County not otherwise covered by existing airport operations or lease arrangements with the Fixed Based Operator (FBO) of the Airport.*

*Motion to authorize the County Administrator to execute the attached “No Cost Land on Airport Memorandum of Agreement MOA No. DTFAEN-12-L-00101” between Hanover County and the FAA and take all actions necessary to implement the agreement.*

**E. Transfer from Reserve for Contingencies– Registrar’s Office - \$32,900**

*Board Sheet Background: The Registrar’s Office FY13 budget is anticipated to have a shortfall of \$32,900. Additional overtime was incurred as a result of exceptionally high numbers of absentee voter requests and increased numbers of voter registration requests. Based on the voter registration volume, it was anticipated that voter turnout would be high, and the Registrar’s Office decided to increase the number of Officers of Elections at each polling place. This incurred a part-time cost that was not requested in the adopted budget. Printing was the other area impacted by recent trends at the state and national level. Due to criticism surrounding other jurisdictions that ran out of ballots, the new best practice is to print ballots equal to 110% of the number of registered voters. Following this standard caused a deficit in the printing line item that was also not requested in the adopted budget.*

*Subsequent to this transfer, the remaining Reserve for Contingencies would be \$1,058,186.*

*Finance & Management Services concurs with this request.*

*Motion to transfer \$32,900 from Reserve for Contingencies to the Registrar’s budget to cover salary and operational deficits.*

**COUNTY OF HANOVER, VIRGINIA**  
**Budget Transfer Detail**

Department: Registrar

**General Fund**

Expenditures:

Additions to Expenditures

Registrar

Salaries and Benefits Expenditures	21,547
Operating Expenditures	11,353
Total additions to expenditures	\$ 32,900

Deductions to Expenditures

Nondepartmental

Reserve for  
Contingencies

Total deductions to expenditures	\$ (32,900)
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Net change to fund	\$ -
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**F. Budget Transfer of Reserve for Contingencies – Technology and Circuit Court Improvements - \$125,200**

*Board Sheet Background: This budget transfer is being requested to fund technology investments county-wide. The projects to be funded are:*

- Computer Replacement Program - \$50,000*
- Unified Wireless Access Control - \$35,000*
- LaserFiche Implementation - \$26,000*
- Password Vault - \$7,700*
- Basement Courtroom Evidence Display System - \$3,200*
- Basement Lockup Security Camera - \$2,300*
- Wireless Access to Historic Courthouse - \$1,000*

*Approximately 350 County PCs are over 5 years old and their poor performance is having significant impact on productivity. The Information Technology Department has expended its current fiscal year PC replacement allocation to replace PCs. The additional \$50,000 has been identified to improve PC performance.*

*The County is seeking to enhance the existing LaserFiche enterprise content management system software solution to expand the electronic file storage capability. The County already has LaserFiche operating in the Commissioner of the Revenue and County Administration*

departments, but this project would bring this technology to Planning and the Treasurer's Office. These enhancements will reduce the County's reliance on paper files and storage space, and will allow for more efficient records searches.

The Unified Wireless Access Control will reduce the amount of time the IT staff is currently spending on the individual management and on-site troubleshooting of every wireless router in the County facilities. The Password Vault provides the secure storage of critical infrastructure passwords and protects the organization by providing a centrally secured vault for major system passwords that have to be restricted due to the very sensitive and powerful capabilities that they unlock. For audit and data systems protection, the password vault secures vital passwords and restricts access to only when and where the passwords need to be accessed.

The next three items are investments that are necessary given that the current courthouse is likely to be the facility in use for at least the next 8 to 10 years. The Basement Courtroom Evidence Display System significantly reduces the time in Court spent introducing each piece of evidence. The evidence can be placed on a table and its real-time image is displayed on monitors for the judge, jury and parties. This technology is currently successfully utilized in the upstairs courtroom. The Basement Lockup Security Camera is a security measure that the Judge feels is desperately needed. Finally, in order to address courtroom scheduling issues, wireless access to the Historic Courthouse is needed. The Judge believes that access to this facility opens up a number of options for managing their case load for certain types of cases.

After approval of this transfer, there will be \$1,091,086 remaining in the Reserve for Contingencies.

Finance & Management Services concurs with this transfer request.

Motion to approve the Budget Transfer for Technology Improvements in the amount of \$125,200.

**COUNTY OF HANOVER, VIRGINIA**  
**Budget Transfer Detail**

Information Technology, CIP, Circuit  
Department: Court Judge

**General Fund**

Expenditures:

Additions to Expenditures

Information Technology

Operating

68,700

Total additions to expenditures

\$ 68,700

Additions to Expenditures

Non-

Departmental

Transfer to Capital Project Fund	50,000
Total additions to expenditures	<u>\$ 50,000</u>
Additions to Expenditures	
Circuit Court Judge	
Operating	6,500
Total deductions to expenditures	<u>\$ 6,500</u>
Deductions to Expenditures	
Nondepartmental	
Reserve for	
Contingencies	125,200
Total deductions to expenditures	<u>\$ 125,200</u>
Net Change to fund	<u>\$ -</u>

**County Improvements Fund**

Expenditures:

Additions to Expenditures	
Capital Improvements	
Program	
Computer	
Replacement	50,000
Total additions to expenditures	<u>\$ 50,000</u>

Revenues

Additions to revenues	
County CIP Fund	
Transfers from General Fund	50,000
Total additions to revenues	<u>\$ 50,000</u>

Net Change to fund	<u>\$ 50,000</u>
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**Adoption of Proclamation – Eagle Scout Conrad Joseph Roos, Boy Scout Troop 503, Ashland Magisterial District**

On a motion by Mr. Via, seconded by Mr. Davis, the Board adopted the proclamation.

Vote:

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

Proclamation Adopted.

**Adoption of Proclamation – Eagle Scout Holden Coad Maldoven, Boy Scout Troop 503, Ashland Magisterial District**

On a motion by Mr. Via, seconded by Mr. Davis, the Board adopted the proclamation.

Vote:

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

Proclamation Adopted.

**Adoption of Proclamation – Eagle Scout Garrett Larkin Maldoven, Boy Scout Troop 503, Ashland Magisterial District**

On a motion by Mr. Via, seconded by Mr. Davis, the Board adopted the proclamation.

Vote:

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

Proclamation Adopted.

**Adoption of Proclamation – Eagle Scout Thomas Lee Bevan, Boy Scout Troop 503, Chickahominy Magisterial District**

On a motion by Mrs. Kelly-Wiecek, seconded by Mr. Davis, the Board adopted the proclamation.

Vote:

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

Proclamation Adopted.

**Adoption of Proclamation – Eagle Scout Michael John McGuckin, Boy Scout 503, Henry Magisterial District**

On a motion by Mr. Davis, seconded by Mr. Via, the Board adopted the proclamation.

Vote:

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

Proclamation Adopted.

**Adoption of Proclamation – Eagle Scout Trevor Michael Bullock, Boy Scout 503, Henry Magisterial District**

On a motion by Mr. Davis, seconded by Mr. Via, the Board adopted the proclamation.

Vote:

W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye

Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

Proclamation Adopted.

**Adoption of Proclamation – Eagle Scout James Andrew Brodie, Boy Scout Troop 534, Mechanicsville Magisterial District**

On a motion by Mr. Peterson, seconded by Mr. Davis, the Board adopted the proclamation.

Vote:

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

Proclamation Adopted.

**Adoption of Proclamation – Eagle Scout Kyle Thomas Wilkerson, Boy Scout Troop 534, Cold Harbor Magisterial District**

On a motion by Mr. Wade, seconded by Mr. Davis, the Board adopted the proclamation.

Vote:

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

Proclamation Adopted.

**Adoption of Proclamation – Eagle Scout Nicolas Andrade, Boy Scout Troop 534, Henry Magisterial District**

On a motion by Mr. Davis, seconded by Mr. Via, the Board adopted the proclamation.

Vote:

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

Proclamation Adopted.

**H. Appointments**

COMMITTEE NAME	NON-DISTRICT APPT	DISTRICT	FIRST NAME	LAST NAME	TERM BEGINS	TERM LENGTH	EXPIRATION	Willing to Serve Another Term	Recommendation By APPLICABLE BD MEMBER
Hanover County Council on Aging		Ashland	Jean	Folly	05/23/12	1 year	05/31/13	YES	Mr. Via recommends reappointment effective 06/01/13
Historical Commission	*	Courthouse Committee Representative	Mary	Leffler	04/28/10	2 years	04/30/12	NO - At the 1/31/13 meeting, the Historic Courthouse Committee Recommended Mr. James Kastelberg.	Mr. Peterson recommends appointment of Mr. Kastelberg

Vote:

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

Board Appointments Approved as Recommended

## V. **Presentation of Financial Report** - Mrs. Seay

*Board Sheet Background: The attached Financial Report for the six months ended December 31, 2012 is presented in accordance with the County's Accounting Policy, and is intended to provide the Board of Supervisors and citizens with a financial report of the County's General Fund and a projection of its year-end operating balance.*

Mrs. Kathy Seay, Director Finance and Management Services, advised the presentation would be for the operating results for the County's General Fund for the six months ending December 31, 2012 and a projection for the year ending June 30, 2013.

The detailed statement of revenues, expenditures and changes in fund balance were displayed. Results compared to the prior year and details of the projected operating balance were discussed as follows:

### **General Fund – Six Months Ended December 31, 2013**

YTD operating revenues through December 31<sup>st</sup> totaled \$89.2 million. Approximately 45% of the total year appropriated budget has been collected which is consistent with the prior year. General property tax revenues have declined approximately (\$400K) from the same period last year but this is offset by increases in other revenue sources such as other local taxes (\$291K), permits and fees (\$193K) and fines and forfeitures (\$79K).

YTD expenditures totaled \$105.4 million or approximately 50.7% of the appropriated budget. In the prior year, December YTD expenditures accounted for 49.2% of the appropriated budget. As such, YTD expenditures are also in-line with the prior year.

### **FY 2013 General Fund Projection**

Revenues are projected to come in approximately \$700,000 or 0.4% higher than the appropriated budget. The positive variance is primarily due to an increase in the projections for general property taxes of approximately \$984,000 and recovered costs of approximately \$185,000 which is offset by decreases in estimates for sales taxes of approximately \$184,000, and other revenues such as fines and forfeitures (\$100K), charges for services (\$146K) and investment income (\$98K).

Expenditures are projected to be approximately \$5.6 million or 2.6% less than the appropriated budget. The positive variance reflects estimated vacancy savings of approximately \$2.3 million, operating savings of approximately \$1.5 million and estimated return from the School Board of \$1.7 million.

The total projected operating balance is approximately \$6.2 million which is planned for use in the FY14 County and School budgets which will be discussed in the next month.

Mrs. Kelly-Wiecek asked to clarify returns and vacancy savings so that when we see carry overs or returns how does that money come to be there. Why are there funds returned. Mrs. Seay advised the majority of our budget is personnel expenses and when we have attrition that is the savings related to that category - \$2.3M and from operating side we have dedicated departments and employees who are working very hard to spend within their budgets or less and the use of that is the \$1.5M and the use of that is planned every year as a funding source for our subsequent

years budget. We had planned to spend this amount FY14 and is in light of the fact that we have declining revenue so we are trying like any household to save towards the opportunity to help ourselves during the next year's budget when revenues may not come in as we had hoped.

Mr. Peterson thanked Ms. Seay and Finance and all departments and their staffs who have worked so hard to be as efficient as possible in serving the citizens of this County.

## **VI. FY 14 Proposed Board Initiatives – Mr. Harris**

*Board Sheet Background: The County Administrator will present the proposed FY14 Board Initiatives*

### **Proposed FY 14 Board of Supervisors Initiatives**

*Develop capital plans to meet general government and school renovation and improvement needs utilizing the debt service saving plan as a primary funding source.*

*Complete Comprehensive Plan Update.*

*Develop County Plan to meet Chesapeake Bay & stormwater management mandates.*

*Further explore efficiency of collaboration between general government and schools on related functions.*

*Strategic plan update for human services.*

*Develop strategies for increasing inventory of Tier 3 (prime) commercial by at least 100 acres.*

*Petition for termination of coverage of the preclearance requirements under Section 5 of the Voting Rights Act.*

### *Adopt FY14 Board Initiatives*

Mr. Cecil R. Harris, Jr., County Administrator, came forward and presented the proposed FY 14 Board Initiatives as stated above. Mr. Harris noted that at the request of Mrs. Kelly-Wiecek, an addition initiative will be added for board consideration related to – Update IT Strategic Plan.

Update IT Strategic Plan – addition by Mrs. Kelly-Wiecek.

Mr. Davis proposed changes to stormwater what are the other region colleagues sharing as concerns. What is the largest concern fiscal impact? Mr. Harris – fiscal impact and this is a mandate and we are being told what to do and leaving the locality to figure out how to do it and pay for it. Everybody is at the same place. City of Richmond might be ahead, Henrico, Chesterfield, Hanover is working collaboratively to see if we have an angle to accomplish and

help each other. Hanover taxpayers will be paying the bill based on Hanover. A lot of this is retrofitting what is already there. Mr. Harris we are in talks with other City/County Managers and will be addressed by all at the same time.

Mrs. Kelly-Wiecek asked about the Capital Plans and use of reserve fund. Is our initiative to determine a process or determine over next five years what it would cover specifically? Mr. Harris – hope to do both. What we need to build and reasonable time table to do so. Joint Education has committed to do touring of Schools/County Facilities and look at capital needs and formulate a realistic process and procedure and identify projects that would be the first opportunity to use these types of resources and build. Mrs. Kelly-Wiecek – County Administrator’s Office will lead the effort with recommendations. Mr. Harris – facilities committee and joint education committee and collaborative process. The board has asked for a recommendation and this will be a springboard for FY 15 and gives 12 months to review, tour facilities and see if a referendum is needed. Cash can only do so much; cash for debt service can do more. Capital projects timetable will be reviewed what is needed, what is not and next Feb. at this time would be the capital plan presented for FY15 budget.

Mrs. Kelly-Wiecek Comp Plan website. Has it been promoted yet? Mrs. Kelly-Wiecek do we have redirects for it? Facebook? Maloney web page and Facebook has been promoted. Mr. Baumbach will handle the redirect on the web.

Mr. Stanley – proposed initiatives there are always other things to address however eight is enough for now and some of these we have to do. There are good things coming out of schools and county working together. Mr. Stanley then made a motion to Adopt FY14 Board Initiatives, seconded by Mr. Wade.

Mr. Davis – include IT piece. –Mr. Stanley – yes

Mr. Peterson collaboration between schools and county ties into the collaboration on facilities.

Vote:

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

Initiatives Approved as follows:

**FY 14 Board of Supervisors Initiatives**

- Develop capital plans to meet general government and school renovation and improvement needs utilizing the debt service saving plan as a primary funding source.

- Complete Comprehensive Plan Update.
- Develop County Plan to meet Chesapeake Bay & stormwater management mandates.
- Further explore efficiency of collaboration between general government and schools on related functions.
- Strategic plan update for human services.
- Develop strategies for increasing inventory of Tier 3 (prime) commercial by at least 100 acres.
- Petition for termination of coverage of the preclearance requirements under Section 5 of the Voting Rights Act.
- Update IT Strategic Plan

## VII. **Legislative Update** – Mr. Rives

*Board Sheet Background: The County Attorney will discuss the status of bills that may be of special interest to Hanover County.*

Mr. Sterling Rives, County Attorney, came forward and discussed the status of the following bills:

SB865; HB 2196; HB 1697; SB 1223; HB 1467; HB 2337; SB 805; SB 806; SB 906; HB 2265; HB 2239 Mr. Davis – cash proffers removed capacity issue from maintenance side where you can only use – can’t use if expansion related for capacity and no maintenance for capacity. Mr. Rives not to that level of detail. Cash proffers can’t be used for maintenance only for capacity of roads, parks schools and is how we have always interpreted the law and applied it.

SB 1073; HB 1401; SB 811 – Mrs. Kelly-Wiecek when someone files a lien falsely do they have to identify themselves. Mr. Rives –yes, but you have to hope their contact information provided is correct in order to file a charge for falsely filing the lien. SB 1155; HB 2072; HB 2049; Mr. Peterson concerns CTB seats. Mrs. Kelly-Wiecek concerns it would have allowed Hampton roads and northern VA to control. Mrs. Kelly-Wiecek as bill amended it would add seats to other jurisdictions and then that would have given more to other localities. It was unfortunate that this did not get through and was wrapped up in politics. Mr. Rives it was the Governor’s Transportation. Mr. Davis commendable efforts to intervene and importance of regional collaborative efforts. HB 1430 – right to farm act - Mr. Davis comments in support of farmers. HB 1373; SB960; HB 1488; HB 2190; HB 2313. Transportation funding - Mr. Hazzard – would you have to be a producer in Hanover to get wholesale. Mr. Rives – from summaries read go to locality where gas was sold at retail level. Mr. Peterson- matching funds? Mr. Rives not sure how will play out yet. Mrs. Kelly-Wiecek does it increase registration fee by \$15.00 and Mr.

Rives responded yes. Mr. Harris status of bill –Senate passed just reported by times dispatch. Mr. Rives will find out who was on conference committee and pass along to Mrs. Kelly-Wiecek. Mr. Rives – legislative agenda - line of duty act funding not successful to get any of the delegation to introduce an amendment to the budget to provide for the state to take back funding for line of duty. The Virginia Professional Firefighters has been actively lobbying for the State to pick up the funding. Mr. Hazzard DCR/DEQ consolidation – what is the status. Mr. Rives will send board members an email tomorrow with the status. Mrs. Kelly-Wiecek asked about the line of duty act cost to Hanover personnel or operating. Mr. Harris advised personnel expense and form of insurance basically.

Mr. Peterson thanked Mr. Rives. Mr. Rives mentioned two other matters – RMA Composition of the Board of Directors matter Hanover is not part of solution they will equalize membership between Richmond/Henrico/Chesterfield and parking decks will revert to the city as will the ball field and the ball field will be leased back for \$1.00 per year as long as ball played.

**VIII. Closed Session –**

- A. Section 2.2-3711(A)(1) of the Code of Virginia – Personnel Discussion – Fire Chief
- B. Section 2.2-3711(A)(3) of the Code of Virginia – Consultation with Legal Counsel Regarding Acquisition of Real Property on GPIN 8725-18-6334 - Right of Way – Rural Point Road / Pole Green Road Intersection

Mr. Davis moved that the Board of Supervisors go into Closed Session pursuant to the following:

- A. Section 2.2-3711(A)(1) of the Code of Virginia – Personnel Discussion – Fire Chief
- B. Section 2.2-3711(A)(3) of the Code of Virginia – Consultation with Legal Counsel Regarding Acquisition of Real Property on GPIN 8725-18-6334 - Right of Way – Rural Point Road / Pole Green Road Intersection

Seconded by Mr. Stanley.

Vote:

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

Motion approved.

Board Members entered Closed Session at 3:33 p.m. At the conclusion of the Closed Session, all Board Members returned to the Boardroom, and the Chairman called the regular meeting back to order at 4:15 P.M.

**Certification of Closed Session**

Mr. Davis 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.

Mr. Stanley seconded the motion.

Vote:

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

Motion approved.

No Closed Session Action

**IX. Recess**

At 4:15 p.m., the Board went into recess.

**Reconvene**

At 7:00 p.m., the Board reconvened. All Board Members were present.

**X. Citizens' Time**

The Chairman opened Citizens' Time and offered to anyone who wants 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

Cathy Easter, Henry MD, came forward and asked Mr. Callahan to go first.

Bill Callahan, Chickahominy MD, Patrick Henry HS Teacher, Proffers and funding for county services and suggested looking at meals tax.

Cathy Easter, Henry MD, returned to the podium and addressed the board related to schools and asked the board to consider raising taxes and looking at other forms of revenue. Charging fees is another concern as to how it will affect low income families. Sheriff response times and lack of staff was mentioned as a concern. If we are going to use Henrico as an example for not having a

proffer we need to look at their taxes which are five cents higher and look to increase Hanover taxes. Willing to pay more money for schools, police and fire.

George Herring, Chickahominy MD, School Budget and the Board of Supervisors have willfully cut things over the years. Questioned why Hanover did not get in on the Meals Tax legislation and willfully choosing things that could give us tools to help the county out. Class size is a concern and asked the Board to not be a weak link.

Randy Sherrod, Chickahominy MD, Hanover Schools – advised that he spoke recently about school security and that much has been done at the school his children attend and is grateful for the Board, the Superintendent's and school leadership. Please consider revenue increase 86 cents to 100. Fill the gap temporarily until the outlet mall comes to assist. Consider the meals tax.

Dale Taylor, Beaverdam MD, Budget – represent conservative block of voters in the western end of the County. Applauded the board for being forthright, accepting the challenge of their job to balance the budget fairly, equitably as tough as those decisions might be and feels the board is doing a great job of managing the county and its finances. Hope you will continue to watch the budget line and make it work for all the taxpayers.

Catherine McCrimmon, Ashland MD, Public School Funding, asked the Board to restore real estate tax to 86 on 100 to allow for digital textbooks. Consider a meals tax for Hanover. Overcrowding in classrooms, fees and lack of technology is a concern. Reconsider proffers to fund school buses or technology.

Randy Wright, Beaverdam MD, Schools & Taxes, Teacher at Liberty MD, taxes need to be raised for schools. The success of every student is affected by class size, less funding for schools, reducing teachers and is on the shoulders of the board.

Daniel McGraw, Ashland MD, came forward to address the Board. Advised he works for a County that celebrates and proudly proclaims we do more with less. He is the less that you do more with. There was a time when the order of respect went like this, lawyers, doctors, and teachers. Today teachers are a necessary evil like death and taxes. When we speak we are only whining and complaining. He is doing neither. He is asking that his fellow citizens take care of their children with the same love and concern that his colleagues and he have. If our community believes that efficiency reviews and balancing the budget are more important than human interaction he will make no qualms. Mr. McGraw did not enter education to help his pocketbook he entered to help our children. In 2007 our county had actual revenues of \$199.3 M of which \$116.8M came from general property taxes. In that same year the county allocated \$92.7M of the available funds to the school budget. In FY2014 the county is projecting total revenue of \$204.8M of which \$123.8M is generated from general property taxes. In that same year the county is planning to allocate \$89.8M to our schools. In 2007 the county spent \$49.4M on county administration salaries and \$29.6M on operating expenditures. In the upcoming budget the County is expecting to spend \$72.1M on administration salaries and \$27.3M on its operating budget. This equates to more than 50% growth in government from 2007 to 2014. Therefore we are in a conundrum our board of supervisors appears to be supporting the growth of government at the expense of social services. Our board has sound ways to cut operating costs by \$2.3M but it has increased county salaries by \$22.7M. While grossly unjust it has taken \$2.9M from education. This equates to a 3% reduction in education

services from 2007 to 2014. All these figures come directly from the county budget found on the board of supervisors' site. The money is already there it is a matter of how you allocate it. How about this lets do more for the children.

Rachel Levy, Ashland MD, School Funding – concerns with cuts over the past 10 years that have affected schools technology, facilities, teacher stress level and there has been no plea for raises rather to have the County recognize the impact of increases in class size, under funding of technology and the added instructional periods in the high schools and middle schools. Ask the School Division what do you need to keep Hanover County Schools the best in the Commonwealth. This is a request to re-evaluate the funding for the schools.

Pat Pace, Beaverdam MD, not all residents are conservative in the western end of the County. Urged the Board to raise income levels we have been cut as far as we can go and are in grave danger of hurting our students and the safety of the County. Raise my taxes and reconsider the meals tax. Getting rid of the proffers without finding income to replace that has not been a very wise decision.

Charmaine Monds, Chickahominy MD, Schools – The school board is working on a list of priority needs. We have a responsibility to repair, rebuild and develop by first protecting our students, athletes and scholars by refusing to see one more program on the chopping block whether or not if we have lost funding from this source or that source as we are now cutting into the core layers of our system and we cannot come out unscathed. When a teacher after 15 years of service and knowledge gives their professional opinion you should heed the warning. There is a difference between being fiscally conservative and fiscally suffocating. Please breathe life back into the schools.

Anthony G. Smith, Henry MD, high school student related to school / tech management. Presented a summary of Student Initiative Survey – School Needs Evaluation Form. Copies of the results of the survey he and a fellow student Daniel Chen, from Hanover HS conducted were handed out to the board. One idea was looking at a grant system for different departments of the school. Give them what money you do have and have them compete. Each teacher would say I have this lesson plan and this is how this technology would fit. Give out the technology as you can to the best teachers. It will also make it more competitive among teachers and enhance classroom activities. The data shows that the math departments needs smart boards, the English department wants reading materials, science is wide spread as they need various things for each classroom. Purchase one thing at a time for each classroom not 50,000 computers and you can go classroom to classroom and more efficient in terms of how we buy things and how technology is used. If we buy computers/ipads for everyone some teachers may/may not use based on their skill level. Mr. Smith mentioned he has other data and noted his contact information is included if Board Members wish that information.

The Chairman thanked Mr. Smith for his engagement and his fine example of what young people should be like in this county.

The Chairman thanked all those who spoke at Citizens' Time and the entire Board is listening and hearing what has been said and have a lot of hard decisions to make as they go forward and appreciate those present bringing concerns forward.

The Chairman closed citizens' time.

Mrs. Kelly-Wiecek, Mr. Peterson and Mr. Rives generally discussed a response to comments made on the meals tax.

Mrs. Kelly-Wiecek presented some clarification points on the meals tax. Virginia is a Dillon Rule State this means that the Hanover County Board of Supervisors does not have the authority to institute a meals tax unless it is done so by citizen referendum. We had a citizen referendum on the meals tax and it was defeated several years ago. The issue of what was happening at the General Assembly. Two of our neighboring localities were asking permission from the General Assembly to institute meals tax without citizen input. Mrs. Kelly-Wiecek stated a number of the board members would not want to take that step without the appropriate citizen voice or input on that issue. Hopefully that provides some clarification for those of you who are curious about a meals tax.

**XI. Public Hearing – Department of Public Works, Virginia Stormwater Management Program – General Permit Registration Statement for Small Municipal Separate Storm Sewer Systems (MS-4) – Mr. Flagg**

*Board Sheet Background: In accordance with applicable state and federal rules, Hanover County must comply with the Virginia Stormwater Management Program (VSMP) for Small Municipal Separate Storm Sewer Systems (MS-4). To meet these requirements, Hanover County is eligible to file a registration statement for coverage under a general permit by April 2013. The general permit registration statement will include State stormwater management requirements mandated by Section 402 of the Federal Clean Water Act (without state or federal funding). This requirement is intended to reduce to the "maximum extent practical" sources of pollution runoff from land use such as residential and commercial developments, vehicles, equipment and urban nonpoint sources of pollution. Since Hanover owns and operates a number of stormwater systems throughout the county we are required to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the storm system to the maximum extent practicable, to protect water quality, and to satisfy the water quality requirement of the Clean Water Act and associated State Law. The VSMP regulations require Hanover to develop programs and fully implement the measures covering 6 primary areas. These six areas pertain to minimum control measures for: (1) Public education and outreach on stormwater impacts; (2) Public notice requirements; (3) Illicit discharge detection and elimination; (4) Construction site stormwater runoff control; (5) Post-construction stormwater management in new development and redevelopment; (6) Pollution prevention / good housekeeping for municipal operations. As drafted, the new regulation governing this permit has new and substantial requirements which include increased cost, record keeping and planning requirements. The mandates to address Total Maximum Daily Loads (TMDLs) will impose cost that cannot be clearly defined at this time and are expected to be beyond the scope of existing revenue sources or general fund taxes. The Staff will present a general permit*

*registration statement that covers the MS-4 Area and addresses the 6 major areas. A summary of the major new requirements is attached. The hearing allows the public to comment on the County's proposed general permit registration statement.*

*Motion to authorize the County Administrator to take all actions necessary to file the Virginia Stormwater Management Program renewal registration statement regarding MS-4 Phase II General Permit.*

Mr. Mike Flagg, Director of Public Works, presented this item for public hearing.

Summary:

- ❖ Federally mandated stormwater program administered by DCR:
  - ◆ 6 MCMS in SWMP, continue existing program + updates
  - ◆ New Program Updates will occur according to phased schedule
  - ◆ Registration due April, 2013
  - ◆ New General Permit to be adopted July 2013 – Mr. Flagg disclosed that EPA has commented on the contents of that permit however nothing has been released that would modify our recommendations at this point.
- ❖ Hanover proposed plan:
  - ◆ Meets DCR minimum requirements
  - ◆ Combined with existing County programs (stormwater, E&S, CBPA, EAP) to reduce cost
  - ◆ Sustainable funding mechanism will be necessary to cover costs and in particular TMDLs. To be developed during required adoption schedule.

The Chairman asked if Board Members had any questions. Hearing none, opened the public hearing and asked all those in favor or in opposition to come forward.

Ms. Dale Taylor, Beaverdam MD, asked if the recent General Assembly action with the merger of DEQ/DCR impact this program at all.

Mr. Rives advised that we do not believe that the merger of DCR/DEQ oversight over stormwater functions if approved will change the requirements for Hanover to have MS-4 permit. There is nothing proposed that would change those requirements. It would change who oversees the County's implementation of the requirements. Ms. Taylor asked if Hanover is positive there are no new elements in the merger that were not there before. Mr. Rives advised he has not been able to find any additional new requirements that will be imposed as a result of this legislation.

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

Mr. Davis made a motion to authorize the County Administrator to take all actions necessary to file the Virginia Stormwater Management Program renewal registration statement regarding MS-4 Phase II General Permit, seconded by Mr. Hazzard.

Vote:

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

Motion Approved.

XII. **Planning Public Hearing**– Mr. Maloney

**ORDINANCE AMENDMENT**

**ORDINANCE 12-12  
COMMERCIAL SLAUGHTER PROCESSING FACILITIES**

**AN ORDINANCE** to amend the Hanover County Code, Zoning Ordinance, Section 26-20 (formerly Title I, Article 5, Section 1.5), conditional uses in the A-1, Agricultural District, to provide that federally inspected or state-commercial animal (other than poultry) slaughter and processing facilities may be permitted as a conditional use within the A-1, Agricultural District under certain specified standards.

A copy of the Staff Report dated February 13, 2013 is on file with the Board’s records (exhibit 1 of 1).

Mr. David Maloney, Director of Planning, came forward to present this request for public hearing.

**Executive Summary:**

- To amend the Hanover County Code, Zoning Ordinance, Section 26-20 (formerly Title I, Article 5, Section 1.5), conditional uses in the A-1, Agricultural District, to provide that federally inspected or state-commercial animal (other than poultry) slaughter and processing facilities may be permitted as a conditional use within the A-1, Agricultural District under certain specified standards

**Planning Analysis:**

- The draft ordinance includes the following minimum standards:
  - Compliance with Federal or State regulations for processing meat
  - Minimum lot size of 20 acres
  - Facilities located at least 200’ from any property line
  - Facilities limited to a 15,000 sq. ft. structure (excluding stock pens)
  - Facilities located outside Suburban Service Areas
  - All slaughtering/processing to occur in an enclosed building

- The 20 acre minimum lot size minimizes the likelihood of placing a facility within a recorded subdivision in an A-1 District

Recommendations:

The Planning Commission and staff recommend **APPROVAL** of the draft Ordinance Amendment 12-12, Federal or State Inspected Commercial Slaughter/Processing Facilities as a Conditional Use Permit within the A-1, Agricultural District

The Chairman asked if Board Members had any questions. Hearing no question, the Chairman opened the public hearing and asked anyone who wished to address the Board in favor or in opposition to come forward. Seeing no one come forward, the Chairman closed the public hearing.

Mr. Stanley made a motion for approval of Ordinance 12-12. Mr. Stanley advised that he has had several individuals in the Beaverdam District that came forward wishing to do this and with all the restrictions it is pretty tough and the CUP does raise questions but the general public would accept this with the CUP, seconded by Mr. Wade.

Mr. Davis thanked Mr. Maloney for his work on this and made comments in support as this will let people do things in Hanover that they were allowed to do 100 years ago before the law stepped in to prevent farmers from doing so. Mr. Davis received a lot of calls on this and they worked through it in the Community Development Committee and this was done quickly assisted by Mr. Stanley, Mr. Hazzard and appreciated the staff expediting this as well as the citizen input.

Vote:

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

Motion Approved.

**XIII. Announcements**

Mr. Harris mentioned that we just received an update that former board member, Mr. Jack Ward, is scheduled for surgery on February 14, 2013 and to keep he and his family in your prayers.

Mr. Stanley reminded everyone that tomorrow is Valentine's Day.

**XIV. Adjournment**

At 7:55 p.m., the Chairman adjourned the meeting to February 27, 2013 – Hanover County Administration Building, 6:00 p.m.