

Shown below is a preliminary summary of the actions taken by the Hanover County Board of Supervisors on November 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

November 13, 2013

I. Call to Order

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

- A. Invocation was given by Mr. Via.
- B. Pledge of Allegiance was led by Mrs. Kelly-Wiecek.
- C. Approval of Board of Supervisors' Minutes – September 28, 2013; October 9, 2013 & October 23, 2013

The Chairman asked if there were any additions or corrections to the minutes. Hearing none, entertained a motion.

Mr. Via made a motion to approve the Minutes of September 28, 2013; October 9, 2013 & October 3, 2013, 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. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Minutes Approved.

II. Consideration of Amendments to the Agenda

Mr. Davis moved that the agenda be amended to add Item IX. C. Closed Session - Section 2.2-3711(A)(5) of the Code of Virginia – Previously Unannounced Business Prospect, 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. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Agenda Amended.

III. 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.

Dale Taylor, Beaverdam MD, thanked the Sheriff and Sheriff Staff for assisting a Vietnam Marine veteran who was walking from North Carolina to Washington, DC. Chairman asked those present who were veterans to stand and received applause.

Stonewall Jackson Students. Showed all the thank you notes received.

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

IV. Consent Agenda

The Chairman asked board members if there were any items they wished to remove from the consent agenda.

Mr. Hazzard requested to remove IV. A. from consent and requested the Planning Department to review the property, seconded by Mrs. Kelly-Wiecek.

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

Mr. Via moved to approve the remainder of the consent agenda, 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. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Consent agenda approved as follows:

A. (Removed from consent agenda).

B. Approval of Stormwater Management Agreement – Department of Public Works – for VDOT Project 0095-042-716 (UPC 90347) Lewistown Rd Bridge, Ramps, Approaches and Air Park Rd Relocated (Ashland and South Anna Magisterial Districts)

C. Adoption of Proclamation - 9-10 Year Old 2013 Atlee All-Star Softball Team – Virginia Little League Softball Champions

Adoption of Proclamation – Eagle Scout -Luke Schuhle, Beaverdam Magisterial District (Removed from Consent Agenda)

On a motion by Mr. Stanley, 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. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Adoption of Proclamation – Eagle Scout -Matthew Craft, Chickahominy Magisterial District (Removed from Consent Agenda)

On a motion by Mrs. Kelly-Wiecek, seconded by Mr. Stanley, 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. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Active Zoning Case Extension Request– C-13-12(c), Gary Cameron (South Anna Magisterial District) (Removed from consent agenda)

Mr. Hazzard motion to defer item until report from the Planning Department regarding inspection.

Mr. Maloney – the BOS has one year to act on a zoning matter unless there is concurrence to extend. The applicant indicated they would like the case extended, length is up to the board, inspections any action may be taken as necessary. Mr. Rives this could come back in December or January. Mr. Rives clarified motion to defer until planning department makes report back to the board.

Seconded by Mrs. Kelly-Wiecek.

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

Deferral Approved.

V. Presentation – Stormwater and Related Topics – Virginia Department of Environmental Quality (DEQ) Water Division - Ms. Melanie Davenport, DEQ, Water Division Director

Board Sheet Background: Melanie Davenport, DEQ Water Division Director will provide a presentation and answer questions from the Board on current stormwater matters at the state level affecting local government. The Chesapeake Bay Total Maximum Daily Load and activities regarding adoption of local stormwater management programs are anticipated to be discussed.

Ms. Davenport, noted the VSMP Adoption timeline changes - submittal dates moved to Jan. 15, 2014. April 1st to May 15th for final adoption plans changed as well.

Mr. Peterson are all the states doing the same thing as Virginia. Ms. Davenport MS4 all states in bay region are under the same region 3 and there is constant commerce among states in EPA

about what the MS4 permits look like and what the conditions are. We are striving to make sure they are the same in the region. Construction general permit will have same conditions/requirements as federal regulation, different in how load allocated and state only programs that are developed to ensure that those reductions occur. Comparable same type of land uses that input into the Bay depending on what state you are the mix/ makeup of the land uses may differ.

Mr. Via noted he was present at Ms. Davenport's presentation at VACo and asked if all counties in VA have to be involved and all states in the country whether or not they feed into the Chesapeake bay. Ms. Davenport advised every urbanized area in united states is subject to MS4, specific TMDL implementations will depend whether and what kind of TMDLs are involved and affected by that jurisdiction. It is a common general concept that if you are an MS4 locality you have to comply with local TMDL's and comply with those TMDL's that are affected by your discharge. Will differ state to state as Mississippi is a very large TMDL, there are 1000's of TMDLs that are local in nature. The concept will be the same but practice will be what TMDL is and requires. Localities in VA every MS4 will have an obligation to comply with any applicable TMDL's. Anybody in the bay watershed is going to apply with the bay TMDL action plan. The construction general permit even if we did not have local VSMP roll out. Developers and operators who disturb more than one acre of land would have to get a permit. If they did not get it through the locality they would have to get it from the state, if the state had not developed the general permit they would have to get it from EPA. That is a federal requirement. Mr. Via – payments for the permits by the localities and by the states. Ms. Davenport a state's ability to charge a permit fee is authorized by the clean water act but it depends on what decision the state legislature has made and the authority given. DEQ was given authority by the General Assembly. to collect permit fees. The State stormwater act giving authority to localities to collect fees for processing stormwater related permits may be discussed in the GA this year. Mr. Via this will be extremely expensive to start what will happen to localities that cannot raise money to pay and will you fine those localities.

Ms. Davenport – when we talk about the requirement to get federal permits (construction or MS4 permit) the ability to enforce those permits rests with EPA, Feds, DEQ (delegated State agency) and citizen suit provision which means citizens can bring a cause of action against somebody who has a permit if they are not complying with their permit or they can bring a cause of action against somebody who should have a permit and they have never gotten a permit – goes with federal permits. The enforcement division has looked at enforcement of the permits as something they want to work with localities to get where they need to go. Reserve penalties and serious enforcement actions for folks who simply will not do what they are asked to do. At VACo a number of localities spoke to Ms. Davenport and she will bring those concerns to leadership who will review for an official DEQ opinion.

Mr. Hazzard thanked Ms. Davenport for the presentation and asked about water clarity measurements in the Bay and requested she clarify what we are trying to improve. Where is it measured? Ms. Davenport Chesapeake Bay Monitoring network large and small tributaries to collect data. Mr. Hazzard where we dump water and not above us? Ms. Davenport VA monitoring network is in VA waters. Ms. Melanie Davenport, DEQ Water Division Director will provide a presentation and answer questions from the Board on current stormwater matters at the state level affecting local government. The Chesapeake Bay Total Maximum Daily Load

and activities regarding adoption of local stormwater management programs are anticipated to be discussed.

Mr. Hazzard new construction not as concerned but concerned with facilities we have to retrofit. Urban area overlaps us into Henrico, when you send out the canoe it is not just us and everybody else. While we are environmentally sensitive want to be sensitive to the wallet too and concerned they look good on paper but how do we gauge success or failure. Example we had a lot of rainfall this this year, if we have less rainfall won't we pollute less? Ms. Davenport there will be less volume of stormwater runoff. Mr. Hazzard if we spend \$30M to retrofit existing facilities that Hanover gets praised for as we do a good job and to retrofit and not know that retrofitting other than someone said this will work when it is cumulative with others who may not do as good a job downstream and then we are in the middle of it. Ms. Davenport advised she understood the concern.

Mr. Davis – DEQ has seen the focus on how it will be paid for rather than the actual need for it. Mr. Davis submits that the grants are nominal. If you like your current stormwater regulations you should be able to keep them period. The feds said we have to do it is not a reason for retrofitting, adding employees and a massive expansion of government at all levels.

Mr. Hazzard requested that Ms. Davenport mention to DEQ leadership that Hanover does not like that we are stand alone when we get the results however not when we spend our money. Ms. Davenport will make those concerns heard.

Mrs. Kelly-Wiecek – retrofitting confirm that future development must be nutrient neutral? Ms. Davenport – yes it is the driver of the VA stormwater management act. Chesapeake Bay TMDL and the schedule that was embodied in the development of that TMDL and its actual implementation is a result of a legal settlement between the EPA and some environmental groups. There is another pending part of that settlement under which EPA has been obligated to promulgate what they call their Phase III Stormwater Rule and they have missed the date by which they were supposed to promulgate that rule about 7 times and are in dispute resolution with the environmental groups because they are in violation. EPA is telling the states that there will be a federal rule sooner rather than later that addresses new construction and reconstruction because they have figured out that if we are going through all this effort to reduce what comes off of the as built existing urban world we should not be contributing any more. Mrs. Kelly-Wiecek what that means is in the design and as designed with regards to density, impervious surfaces all of that will not come back on tax payers but coming from the development process – the cost is built into the development process. Ms. Davenport advised correct.

Mr. Via – subdivisions that are older and do not have curb gutter / holding ponds which will run off into the creek. How will we ever get the bay cleaned up? Ms. Davenport that is the opportunity for retrofitting existing development.

Mr. Harris noted that Ms. Davenport has listened to staff concerns and has done a great job of streamlining something that is incredibly complex and while the message is not something we are excited about hearing we have a great person out there trying to help us work through these difficult challenges. From the Staff standpoint we want to thank Ms. Davenport for everything

she has done. The Chairman advised we had a wonderful messenger just did not want to hear the message.

VI. Authorization for Public Hearing: Appropriation – Capital Improvement Plan - \$44 million –New Courts Building – Mr. Budesky and Mrs. Seay

Mr. John Budesky, Deputy County Administrator, came forward to review this project which has been in discussion for 10 years at different levels. Most recently this project has been discussed with the Facilities Space Needs Committee as well as the Joint Education Committee. This will introduce project scope, challenges of current facilities and the financing options.

[3:13:13 PM](#) Mr. Davis left the meeting.

[3:14:44 PM](#) Mr. Davis returned.

New Courthouse Project History

- ◆ Project has been recognized as a need in prior Capital Improvement Plans
- ◆ A 2006 Board of Supervisors initiated space study emphasized the impending need for a new Courts Building
- ◆ RFP was issued for Architectural Design Services in 2007 and awarded in 2008 to Moseley Architects
- ◆ Construction was planned to begin in 2010 however, was deferred due to financial constraints
- ◆ Project was halted in 2009 after completion of Design/ Development stage

Investment in New Courthouse Project To Date

- ◆ \$1,022,900 Invested to Date for Project Design with Moseley Architects for the Development thru the Design / Development

Existing County Complex Map was displayed

Circuit Court Building

- ◆ Constructed 1976
- ◆ 37,000 square feet
- ◆ Replaced elevator shaft 2012
- ◆ No main renovations but ongoing upgrades to areas
- ◆ Supply & Return Air Handler Units are at end of their useful life cycle and replacement needed

Circuit Court Space Limitations & Concerns

- ◆ Limited area for felony jury assembly
- ◆ Male & female holding cells in close proximity
- ◆ Inadequate storage space for election records
- ◆ Space needs for Judicial Support Criminal Division
- ◆ Overall shortage for record storage
- ◆ Courtrooms need ADA renovation for jurors, witnesses and litigants

- ◆ Extensive Renovation and Investment Required

District Court Building

- ◆ Constructed 1976
- ◆ 37,000 square feet
- ◆ 2005 renovation to main courtroom
- ◆ 2012 renovation to J&D courtroom
- ◆ Space constraints exist for Commonwealth Attorney professional staff and guests, files and Bailiffs
- ◆ Replaced original boiler with redundant LPG boilers & pumps in 2010 as part of Stimulus grant
- ◆ Supply & Return Air Handler Units are at the end of their useful life cycle and replacement needed

District Courts Space Concerns

- ◆ Commonwealth Attorney's workforce has grown to approximately 20 employees
- ◆ Basement courtroom added in 1996 occupies approximately 1,800 square feet of usable space.
- ◆ Single M/F restrooms also shared with public
- ◆ Only one conference room for any collaborations
- ◆ HVAC challenges
- ◆ File area will be outgrown in two years
- ◆ Clerk's file area renovated to accompany 2 additional employees, limited public counter space.

Why is the New Courthouse Back on the Agenda?

- ◆ Current Construction Climate
- ◆ Current Low Interest Rates for Financing Options
- ◆ The currently space constrained facilities became further stressed with the unplanned addition of two additional courts in July of 2013
- ◆ The Current Court Facilities are confronting substantial capital investment to address major operating systems, roofs, windows, etc...
- ◆ Operational Space Needs of Non-Court Related County Departments

Scope of New Courthouse

- ◆ The proposed Facility is approximately 108,400 sq. ft.
- ◆ 9,200 sq. ft. to be constructed as "shell space" for temporary storage and future court growth
- ◆ The Facility will house the Commonwealth's Attorney and Court Clerk's offices
- ◆ Six full time and independent Courtrooms consisting of two each for Circuit, District and Juvenile/Domestic Relations Court
- ◆ Secured parking for judges
- ◆ State of the art security system
- ◆ Enclosed vehicle sally port for prisoner transport

Layout Plan was displayed and a photo of the Conceptual Design.

Mrs. Kathy Seay, Director of Finance and Management Services, came forward to review the financing strategy for the project:

Based on the County Debt Savings Plan

- Board Action in FY13:
 - Total Debt Payments in FY13 for Schools and FY14 for the County were established as the maximum debt payments with all remaining capacity to go to the Debt Savings Plan for capital projects or future increases in debt.

County FY14 Debt Service	4,674,900
School FY13 Debt Service	<u>15,716,000</u>
Total Debt Service	\$ 20,390,900

Debt Service Fund Contributions

	<u>FY15</u>	<u>FY16</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>	
Total Existing Debt Service	18,484,434	17,697,234	17,086,831	15,898,956	15,002,787	84,170,242
Total Annual Debt Savings Capacity	1,906,466	2,693,666	3,304,069	4,491,944	5,388,113	17,784,258
	<u>FY15</u>	<u>FY16</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>	<u>Total</u>
Anticipated Add'l County Debt Service	684,006	1,314,149	1,999,321	2,629,335	2,628,799	9,255,610
Debt Savings Capacity after Proposed New Debt Service	1,222,460	1,379,517	1,304,748	1,862,609	2,759,314	8,528,648

FY13 Total Outstanding Debt: \$152.1 million
 Projected debt will not exceed FY2011 high of \$172.5 million.

Proposed Use of Debt Service		
Existing Debt Service	17.8 million	64 million

Proposed New Debt Service	(9.3 million)	(22.4 million)
Remaining for Capital Projects	8.5 million	41.6 million

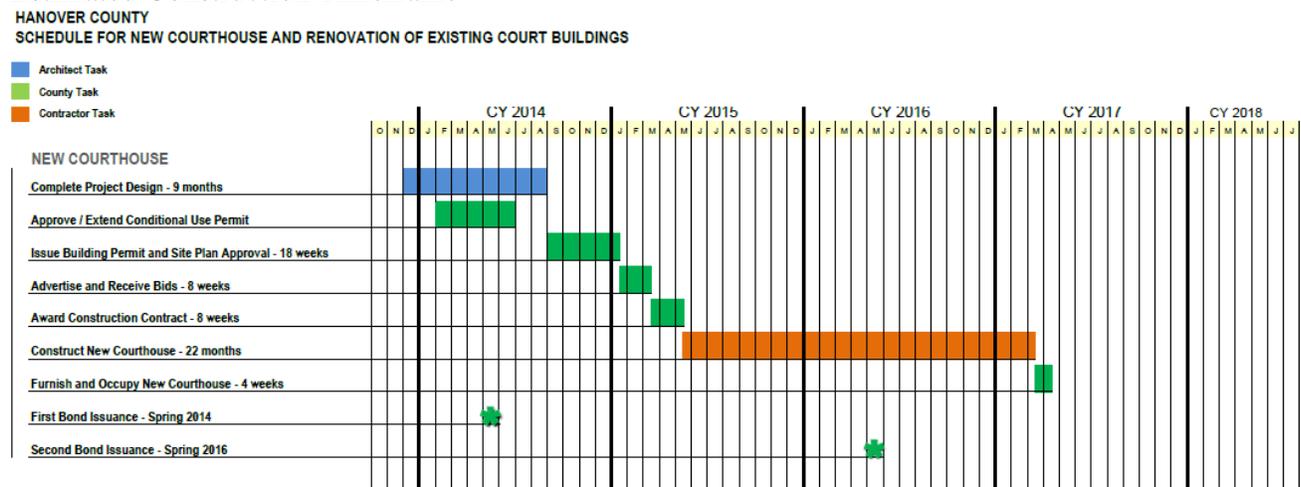
- The County will explore financing options and timing of issuance,
 - Virginia Resources Authority (VRA), Economic Development Authority (EDA)
 - For purposes of this presentation, the County assumed issuing \$44 million in Virginia Resources Authority debt in two phases.
 - Spring 2014 - \$22 million, Spring 2016 - \$22 million
- The remaining \$8.5 million reserve balance could be a source of cash and/or debt service equivalent funding for future capital needs.

Does Supporting this Project Mean a Tax Increase to our Residents?

- ◆ No – The Board of Supervisors has implemented a Debt Savings Plan to address Capital Improvement Projects on behalf of the County and Schools.
- ◆ This fund is developed with actual contributions that have been committed to past debt funded projects. These funds are not intended to supplant operational funds.
- ◆ This project, while requiring debt service, utilizes existing debt roll-off funding to meet the new debt requirements – not additional new revenues
- ◆ Projected debt will not exceed FY2011 high of \$172.5 million

Mr. Budesky returned to review utilizing County debt funds for continuing capital needs is a way to handle this project. It is focusing on us not diverting those funds into operations specifically meeting our capital needs. The courthouse is the County’s top expansion need for space. We will always have ongoing as well as our partners at the schools additional needs for renovations over time. If approved the project could be ready in early 2017.

Estimated Construction Timeframe



Next Steps

- Recommend that the Board of Supervisors approve advertisement for a November 26, 2013 Public Hearing for the appropriation of 44 Million Dollars to the New County Courthouse Building
- Work with Moseley to Update Existing Plans and Complete Design on the Additional Space for the Commonwealth Attorney
- Prepare a Reimbursement Resolution for Adoption, After Appropriation Approval on December 11, 2013
- Future BOS Consideration will be given to Authorize Associated Project Borrowing
- Establish a Courthouse Building Committee
- Motion to authorize a Public Hearing on November 26, 2013 for a \$44 million Budget appropriation for Capital Improvements Plan project for Courthouse.

Mrs. Seay reviewed the financing strategy.

Mrs. Kelly-Wiecek asked to clarify existing courts bldg. out of compliance with safety and security. Mr. Budesky – there are items that need to be addressed. Mr. Harris the judges, commonwealth atty and Sheriff have been very accommodating working closely with us when we met difficult time and temporary postponement due to the recession. Adding the two additional judges has increased the burden and construction rates are at the low point now. Mr. Rives the addition of two judges was to accommodate dockets as Hanover had one of the heaviest dockets and was necessary and long over-due.

Mr. Stanley this has been ongoing situation for a number of years. This is the right time to move forward with the public hearing.

Mr. Stanley served on the committee that designed the courthouse in 2006 and as also serves on the current facility space needs committee. Mr. Stanley then made a motion to authorize a Public Hearing on November 26, 2013 for appropriation of \$44 million for Capital Improvements Plan project for a new Courthouse facility, seconded by Mrs. Kelly-Wiecek.

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

Motion Approved.

[3:30:26 PM](#) Recess.

[3:36:47 PM](#) Reconvene – All present.

3:00 p.m. VII. Update – Urban Land Institute Richmond; RVA Reality Check –

Mr. Jeff Geiger & Mr. Dave Johannas

Mr. John Hodges, former Deputy County Administrator for Hanover, came forward and introduced Mr. Jeff Geiger, Attorney with Hirschler Fleischer where his practice focuses on zoning, land use laws and regulations as well as commercial real estate transactions. Active in the Urban Land Institute serving on the ULI Richmond Management Committee and was Co-Chair of the RVa Reality Check.

Guiding Principles:

- Participants discussed and agreed on principles to guide development
- Summary
 - 96% Preserve natural/historic resources
 - 86% Provide multi-modal transportation options
 - 68% Mixed-use development
 - 54% Infill, redevelopment, revitalization
 - 54% Regional Cooperation

Consensus on Transit Routes

- 85% Downtown - Airport
- 85% Route 1: Downtown - Chester
- 70% Route 1: Downtown - Ettrick/Petersburg
- 70% Route 1: Downtown - Ashland
- 70% Broad Street: Downtown - Short Pump/West Creek
- 70% Route 60: Downtown - Midlothian
- 67% Route 360: Downtown - Brandermill/Woodlake
- 63% Route 360: Downtown – Mechanicsville+

Big Picture Results

Higher density new development

Build inward – downtown and urban footprint

Co-locate jobs and housing

Build transit

Future Steps – Presentations to all local governments; civic and business groups. Need for Further Studies: Development Monitoring – location, density, type, Infrastructure costs; Transit feasibility

Mr. Stanley what was the make up of the group. Geiger, elected, co. staff, big business in Richmond region, small businesses, community leaders who were active and headed interest groups, posted application for citizens who were interested in participating.

Mr. Peterson – how many jobs and residential units were considered where did the numbers come from. Mr. Geiger - Richmond PDC study from 2008 that projected the number of housing and jobs that would occur in the Richmond Region from 2008-2035. Mr. Peterson real numbers. Mr. Geiger as modeled by PDC. Harris the consensus of the last map was it broken down by jurisdiction to give the local impact? Mr. Geiger the locality specific data has not been mined yet. We used VCU in a computer modeling class to take the data into a computer model. Mr.

Geiger will get the data back to Mr. Harris. Mr. Harris it is curious for Hanover and everyone in the region as to who is getting the fair share of input, housing, jobs etc.
Chairman thanked all involved in the RVA update and the time they put into the project.

VIII. Overview of Community Resource Directory –

Mrs. Adkins introduced almost a year ago, our department brought together representatives from the Health Dept., Community Services, Social Services, Court Services Unit and Community Corrections to discuss strategies to share and maintain accurate resource information to better serve our community. Our lead work group members are Cynthia Kirschner with Court Services Unit, Ginny Ferguson with Social Services, Kristin Grasberger, our MSW intern with Community Resources and myself. I want to thank each of them for their dedication to this project. It has been a pleasure to work together on this effort.

Work Group Goals

- * To offer staff and citizens a useful reference tool
- * To empower citizens to access services they need
- * To enhance customer service efficiency and consistency throughout Departments
- * To provide access to both community-based & government offered resources
- * To include both print and web-based referral options
- * To ensure resources are updated & specific to our community

We began by investigating online tools used by other communities; those that we liked best were customized by the work of in house IT departments. We had even started our own database spreadsheet using taxonomy from a community in Arizona. Then we were referred to Aunt Bertha by a community in Texas. The platform met the goals of the work group. The tool was currently targeting services in Texas, Memphis and in conversations with NY and other communities. They also had various national and state resources listed for zip codes across the country

Aunt Bertha was formed by it's founder Erine Gray in 2011 in response to his own challenges in researching services for his ill mother. His design addressed a key goal of our work group, to keep it simple and clean so resources are easily available to all users. Here is their vision and goals. We want to organize human service program information so people can find the programs that will help them in seconds. No long lines at agencies only to find out you don't qualify – losing an entire day.

We want to add dignity to the process

So Why the name “Aunt Bertha”? The name implies that everyone has an Aunt Bertha who knows the local community and can help you find what you need. Again the goal was to design a welcoming and helpful website so they added a personal touch.

NOTE: To be included in the directory the service must be a direct client service and offer some form of sliding fee or financial assistance.

- Designed for mobile access
- Online application processing and tracking available
- Ability to rate/review agency services
- Save as a favorite in one or more personal folders
- Users can report a change
- Send program details to a client or family member
- Print program details and view location maps

www.aunthbertha.com

Kristen Grasberger, MSW, Intern with Community Resources, reviewed the features of the site.

Mr. Hazzard noted how easy the program is to use.

Mrs. Kelly-Wiecek noted the importance of keeping the entries up to date and asked who receives the reminder to update. Ms. Grasberger agency has to update. Mrs. Adkins agency has ownership of the data. Reported change will come from citizens as well. We have a dashboard and we see all the programs pending to fill the resources in the community.

Mrs. Kelly-Wiecek asked if anyone in the office been contacted by Capital Region Collaborative’s Social Stability Group? One of their goals was looking at programs that transcend localities. Mr. Harris because this is something that Richmond and other areas are participating in possibly but we can confirm.

Chairman thanked Staff.

IX. Closed Session – Public Works -

- A. Section 2.2-3711(A)(3) of the Code of Virginia – Consultation with Legal Counsel Regarding Property Exchange on Lewistown Bridge – Airport Property
- B. Section 2.2-3711(A)(3) of the Code of Virginia – Consultation with Legal Counsel Regarding Acquisitions of Real Property on GPIN Lucord – 8706-11-6831; Dagenhart – 8706-11-6771; Cecil – 8706-11-9686- Right of Way – Route 301 and Atlee Road

C. Section 2.2-3711(A)(5) of the Code of Virginia – Previously Unannounced Business Prospect (Amended Agenda Item).

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

- A. Public Works - Section 2.2-3711(A)(3) of the Code of Virginia – Consultation with Legal Counsel Regarding Property Exchange on Lewistown Bridge – Airport Property

- B. Public Works - Section 2.2-3711(A)(3) of the Code of Virginia – Consultation with Legal Counsel Regarding Acquisitions of Real Property on GPIN Lucord – 8706-11-6831; Dagenhart – 8706-11-6771; Cecil – 8706-11-9686- Right of Way – Route 301 and Atlee Road
- C. Section 2.2-3711(A)(5) of the Code of Virginia – Previously Unannounced Business Prospect

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. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion approved.

Board Members entered Closed Session at 4:07 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 4:53 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. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion approved.

No Closed Session Action.

X. Recess [5:06:28 PM](#)

Reconvene - [7:00:10 PM](#)

XI. Citizens' Time

Chris Pace, Chickahominy MD, Educators Adv Board, Friends of Hanover Ed., Schools Staff cuts, restore lost revenue, low morale due to budget cuts, 3% pay model. Mrs. Kelly-Wiecek corrected no meals tax in Hanover.

Larne Allgood, Cold Harbor MD, Schools, academic performance, schools report card. Mrs. Kelly-Wiecek the study was national study and Hanover guarantees our HS Degree and will assure and go back and remediate those that need it.

Chairman Peterson asked Dale Taylor, to come forward and restate her comments related to the Sheriff's Office assisting a veteran who was walking to Washington DC. Major Mansfield also came forward. Mr. Mansfield also assisted the veteran in his walk.

Chairman asked those veterans present to stand and be recognized for their service.

Request for Deferral -

CUP-3-13 HANOVER VILLAGE, L.L.C., Requests a Conditional Use Permit in accordance with Section 26-130.14 of the Hanover County Zoning Ordinance to permit a theater on GPIN 8724-08-2044, consisting of approximately 16.79 acres. The area of the Conditional Use Permit will be limited to approximately 8.66 acres. The property is zoned B-3(c), General Business District with conditions, and located on the south line of Mechanicsville Turnpike (U.S. Route 360) at its intersection with Sujen Court (State Route 1580) in the **MECHANICSVILLE MAGISTERIAL DISTRICT**. The subject property is designated on the General Land Use Plan Map as Commercial.

SE-4-13 HANOVER VILLAGE, L.L.C., Requests a Special Exception Permit in accordance with Section 26-336 of the Hanover County Zoning Ordinance to allow a building height up to 55 feet on GPIN 8724-08-2044, consisting of approximately 16.79 acres, zoned B-3(c), General Business District with conditions, and located on the south line of Mechanicsville Turnpike (U.S. Route 360) at its intersection with Sujen Court (State Route 1580) in the **MECHANICSVILLE MAGISTERIAL DISTRICT**.

Mr. Maloney came forward to review the request for Deferral on Hanover Village to December 11, 2013 to allow applicant's traffic engineer to review VDOT / Hanover comments on the analysis performed and contractual obligations between the theatre group and the property owner. Staff is recommending deferral.

Chairman Peterson noted the Board sent the applicant back to do traffic analysis back to the County, Kimley Horn (County Traffic Consultant) reviewed as did VDOT and both recommended further study. The County has sent this back for further study. In fairness to the

citizens, applicant we need to have all the information as well as time for all involved to review the results.

Mr. Peterson moved for deferral to 12/13, seconded by Mr. Wade.

Mr. Peterson noted that he had seen information related to this and noted all public hearings are scheduled at 7:00 p.m. in the evening session.

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

DEFERRED – December 11, 2013 - CUP-3-13 HANOVER VILLAGE, L.L.C., and SE-4-13 HANOVER VILLAGE, L.L.C.

XII. Public Hearing – Department of Public Works - Ordinance Number 13-11, Amendment of Drainage Facilities Ordinance – Mr. Flagg

Mr. Flagg reviewed this item is to

- Establish an end date of June 30, 2014
- Expands list of Best Management Practices we can use to achieve nutrient reductions – modeled after state draft guidance on Chesapeake Bay TMDL and MS4 accounting.
- Enables DPW to apply for potential 50/50 matching state grants for nutrient reduction projects.

No questions, Public Hearing opened. No one to address the Board. Public Hearing closed.

Mr. Via made a motion to adopt Ordinance Number 13-11, Amendment of Drainage Facilities Ordinance, 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. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

XIII. Planning Public Hearings – Mr. David Maloney, Director of Planning, came forward to present the Planning Public Hearings.

Special Exception

SE-8-13 JOSEPHINE AND VITO AMATO, Request a Special Exception Permit in accordance with Section 26-21.25 of the Hanover County Zoning Ordinance to allow an accessory family housing unit on the second floor of an existing garage on GPIN 8726-45-1505, consisting of approximately 3.02 acres, zoned A-1, Agricultural District, and located on the north line of Pine Slash Road (private road) approximately 1.0 mile east of its intersection with Rural Point Road (State Route 643) in the **HENRY MAGISTERIAL DISTRICT**.

Zoning Map was displayed as well as elevations and sketch plan.

Executive Summary:

- The owners wish to provide an accessory family housing unit on the second floor of an existing 3-bay garage for their parents
- The proposed unit is 1,155 sq ft in size, which is 21.6% of the living area of the existing 5,328 sq ft residence
 - The unit meets the requirements of the Zoning Ordinance for this type of housing
- *Staff Recommendation:*
- Recommends **APPROVAL** subject to the conditions outlined in the staff report

There were no questions for Staff at this time.

The Chairman opened the public hearing and asked all those in favor or in opposition to come forward.

Mr. Michael Jennings, applicant representative for Mr. and Mrs. Amato, advised this request is for family housing. No one else to address the Board. The Chairman closed the public hearing. No questions for Staff at this time.

Mr. Davis made comments in support and then made a motion to approve, seconded by Mr. Wade.

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

Combined Conditional Use Permit, Special Exception Permit, Ordinance Amendment and Rezoning

CUP-18-95 AM. 1-13HISTORIC POLEGREEN CHURCH FOUNDATION, INC., Requests an amendment for the purpose of rescinding its Conditional Use Permit for a museum and memorial park on GPINs 8726-11-5231 and 8726-10-8577(part), consisting of

approximately 6.15 acres, zoned A-1, Agricultural District, and located at the intersection of Rural Point Road (State Route 643) and Heatherwood Drive (State Route 1750) in the **HENRY MAGISTERIAL DISTRICT**.

Zoning Map was displayed.

Summary:

- The applicant has applied for the subject properties to be rezoned under a HPO, Historic Preservation Overlay District
- There is a concurrent request to adopt the HPO Ordinance and rezone accordingly

Recommendations:

- The Planning Commission and staff recommend that the Board **RESCIND** CUP-18-95, Historic Polegreen Church Foundation, and all subsequent amendments
- Staff recommend that the Board **RESCIND** SE-41-95, Historic Polegreen Church Foundation, and all subsequent amendments

SE-41-95 AM. 1-13 HISTORIC POLEGREEN CHURCH FOUNDATION, INC.,

Requests an amendment for the purpose of rescinding its Special Exception Permit for a museum and memorial park on GPINs 8726-11-8050 and 8726-10-8577(part), consisting of approximately 5.0 acres, zoned AR-2, Agricultural Residential District, and located at the intersection of Rural Point Road (State Route 643) and Heatherwood Drive (State Route 1750) in the **HENRY MAGISTERIAL DISTRICT**.

ORDINANCE 13-07

POLEGREEN CHURCH HISTORIC PRESERVATION OVERLAY DISTRICT

AN ORDINANCE to amend the Hanover County Code, Zoning Ordinance, Section 26-224, to add the Polegreen Church Historic Preservation Overlay District to the list of Historic Preservation Overlay Districts, and to adopt regulations governing the Polegreen Church Historic Preservation District.

- To amend the Hanover County Code, Zoning Ordinance, Section 26-224:
 - To add the Polegreen Church Historic Preservation Overlay District to the list of Historic Preservation Overlay Districts
 - To adopt regulations governing the Polegreen Church Historic Preservation District
- The property is listed on the State and National Registers of Historic Places
- Portions of the property are governed by conservation and historic easements held by both the Virginia Department of Historic Resources and the Virginia Outdoors Foundation
- The site today includes:
 - 2 frame structures representing the Historic Polegreen Church and the Hanover Meeting House
 - A visitor's center
 - A historic timeline memorial walk
 - Parking

- Future plans for the site include:
 - A learning center
 - Walking trails to connect the parcels within the proposed District
- The Foundation wishes to make the property available for the following:
 - Interpretation programs
 - Classes
 - Summer community concerts
 - Living history encampments
 - Weddings
- The staff report outlines the uses that will be permitted in the historic district and outlines the development standards to which the site will be required to comply
- The development standards have been modified to ensure the historic character of the site while still providing some minimal site plan requirements to address public safety
- Such modifications include:
 - Elimination of a thoroughfare buffer requirement
 - Elimination of minimum requirements and design standards for off-street parking
 - Off-street parking lot lighting shall be provided, but the Director of Planning may establish a reduced minimum foot-candle level for parking lots, driveways and pedestrian access to and from the parking areas
- All proposed exterior changes to the site will require a Certificate of Approval from the Hanover County Architectural Review Board unless the proposed change is specifically excepted within the Ordinance

Recommendations:

The Planning Commission and staff recommend APPROVAL of the draft Ordinance Amendment 13-07, Polegreen Church Historic Preservation Overlay

C-8-13(c) HISTORIC POLEGREEN CHURCH FOUNDATION, INC., Requests to rezone from A-1, Agricultural District, R-2, Single Family Residential District, and AR-2, Agricultural Residential District, to A-1 (HPO), Historic Preservation Overlay District with conditions, R-2 (HPO), Historic Preservation Overlay District with conditions, and AR-2 (HPO), Historic Preservation Overlay District with conditions, on GPINs 8726-10-8577, 8726-11-8050, 8726-10-5965, 8726-11-5231, 8726-12-9262, 8726-01-7385, 8726-00-6782 and 8726-00-7381, consisting of approximately 111.05 acres, and generally located on both sides of Rural Point Road (State Route 643) at its intersection with Heatherwood Drive (State Route 1750) in the **HENRY MAGISTERIAL DISTRICT**. The subject property is designated on the General Land Use Plan Map as Suburban General and Agricultural. The proposed zoning amendment would permit the creation of a local historic preservation district.

Both the Zoning Map and Land Use Maps were displayed.

Planning Analysis:

- This request would establish the HPO zoning district boundaries in accordance with Ordinance 13-07, which includes the provisions for the Polegreen Church Historic Preservation Overlay District

Proffers:

- The proffer submitted on September 5, 2013, provides for dedication of a 100' of right-of-way in accordance with the Major Thoroughfare Map
- Recommendations:
- The Planning Commission and staff recommend **APPROVAL** subject to the submitted proffer document and the approval of Ordinance 13-07, Polegreen Church Historic Preservation Overlay District

Mrs. Kelly-Wiecek asked Mr. Maloney about the change in terms of the thoroughfares, the elimination.

Mr. Maloney advised that with the 2007 plan the alignment for rural point road bisected this property and at the request as we were reviewing comprehensive plan the foundation submitted a specific request to adjust the alignment so it skirts the northern perimeter of the property and that revised alignment was adopted as part of the plan amendment. Mrs. Kelly-Wiecek followed up that the packet shows Heatherwood Drive is local, rural point road at this location is a minor collector road and when Creighton parkway is extended along the eastern edge of the site that is shown as a future minor arterial. Mr. Maloney advised Creighton Parkway will actually be continuous of rural point road. The reason we referenced Creighton Parkway in the staff report is it was the Creighton Parkway Extended alignment study that established that alignment for Creighton Parkway where it connects into Rural Point Road. We are reflecting the nomenclature what was in the plan when the alignment was originally adopted.

Hearing no further questions from the Board the Chairman opened the joint public hearings and asked all those in favor or in opposition to come forward.

Mr. David Fuller, Mechanicsville MD, came forward as the Treasurer and Finance Chair, Historic Pole Green Church Foundation. Requested approval to create a historic preservation overlay district for the Historic Pole Green Church site at the intersection of Rural Point and Heatherwood Drive. The HPO action will extinguish the existing special exception and conditional use permit. This process results from an action begun in the spring when the foundation received a matching funds grant from the Windsor Foundation and launched four initiatives to install a visitor center sign and reading room sign, new parking lot, install new aggregate paths connecting the kiosk area and the flag pole to the meeting house structure and to install tree, reading room, pedestrian lighting to provide a safer and more aesthetically pleasing site. The foundation was required to amend its special exception and conditional use permits for the light. At that point and with the idea that they will be pursuing further site enhancements and house moves, the foundation approached the Architectural Review Board with a request to support a historic preservation overlay district for Pole Green removing the SE and the CUP. Greater flexibility in terms of future build out because they will only need to meet with the ARB and solicit their approval without burdening the Planning Commission and Board of Supervisors.

The concept and the plan was presented at the Architectural Review Board at their July meeting and was approved. Planning Commission approved this request in October.

Mr. Davis noted for the record that he is a member of HPGC Foundation and a financial supporter but receives no financial benefit from that membership and is not employed on their behalf. There are no financial benefits received by him and therefore no conflict of interest. Mr. Davis made Comments in support and noted his pledge to preserve historic resources and rural resources as this falls into both. This site is of national importance.

CUP-18-95 AM. 1-13 HISTORIC POLEGREEN CHURCH FOUNDATION, INC.,

Mr. Davis made a motion to **RESCIND** CUP-18-95, Historic Polegreen Church Foundation, and all subsequent amendments, seconded by Mr. Wade.

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

SE-41-95 AM. 1-13 HISTORIC POLEGREEN CHURCH FOUNDATION, INC.,

Mr. Davis made a motion to **RESCIND** SE-41-95, Historic Polegreen Church Foundation, and all subsequent amendments, seconded by Mrs. Kelly-Wiecek.

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

**ORDINANCE 13-07
POLEGREEN CHURCH HISTORIC PRESERVATION OVERLAY DISTRICT**

Mr. Davis made a motion to **APPROVE** Ordinance 13-07, Polegreen Church Historic Preservation Overlay District, seconded by Mr. Wade.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye

Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

C-8-13(c) HISTORIC POLEGREEN CHURCH FOUNDATION, INC.,

Mr. Davis made a motion for **APPROVAL** subject to the submitted proffer document and the approval of Ordinance 13-07, Polegreen Church Historic Preservation Overlay District, seconded by Mr. Wade.

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

XIV. Announcements

4-H Rabies Clinic at Tractor Supply this Saturday.

There is also a ribbon cutting ceremony at the Tractor Supply Store in Ashland on Saturday as well.

XV. Adjournment –

At 7:39 p.m. the Chairman adjourned the meeting to Thursday, November 21, 2013 – Randolph Macon College, Brock Commons Student Center, Dollar Tree Community Room 201, Second Floor, 304 Henry Street, Ashland, VA 23005 – 8:00 a.m.