

BOARD OF SUPERVISORS

MINUTES

December 13, 2017

Supervisors in Attendance:

Ms. Dorothy A. Jaeckle, Chair
Ms. Leslie A. T. Haley, Vice Chair
Mr. Christopher M. Winslow
Mr. James M. Holland
Mr. Stephen A. Elswick

Dr. Joseph P. Casey
County Administrator

Ms. Jaeckle called the meeting to order at 3:00 p.m.

1. APPROVAL OF MINUTES FOR NOVEMBER 15, 2017

On motion of Mr. Holland, seconded by Ms. Haley, the Board approved the minutes of November 15, 2017, as submitted.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

2. REQUESTS TO POSTPONE AGENDA ITEMS AND ADDITIONS, DELETIONS OR CHANGES IN THE ORDER OF PRESENTATION

On motion of Mr. Winslow, seconded by Ms. Haley, the Board replaced Item 12.B.12., Approval of the Purchase of a Parcel of Land for the Ettrick Elementary School/Ettrick Fire Station Replacement Projects.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

3. WORK SESSIONS

3.A. EVERY DAY EXCELLENCE - UTILITIES DEPARTMENT

Dr. Casey recognized Mr. George Hayes, Utilities Director, and Utilities employees Mr. Bill Truesdale, Mr. Franklin White and Mr. Rex Shults who provided excellent customer service earlier this year to resident Maj. Gen. Don Gardner (Retired), who wrote an appreciation letter honoring their good work.

- Dr. Casey announced last week the Governor appointed Mr. Rick Witt, Building Official, to serve as the Chair of the State Building Code Technical Review Board.

3.B. HUMAN RESOURCES ANNUAL REPORT FOR FY2017

Ms. Mary Martin Selby, Director of Human Resources, accompanied by Ms. Nancy Brooking, Assistant Director of Human Resources, provided a review of Human Resources' FY2017 Annual Report to the Board of Supervisors. Ms. Selby stated this year the department is focused on what the county is doing to recruit, reward and retain a high performing workforce which is important in today's labor market. In regard to workforce demographics, she stated the county has over 3,400 full-time and roughly 900 part-time employees in the workforce; the average years of service for county employees is 11 years; and the average age is 43. She further stated overall, the county's demographics remain relatively constant as compared to last year's numbers. She then reviewed various data pertaining to workforce demographics. In regard to recruitment and talent acquisition, she stated the employment team continues to have very heavy workloads filling approximately 800 positions, and processing over 51,000 applications last year. She further stated one of the efforts the department has made to build the county's talent pool is sponsoring the summer internship program. She stated in addition to the students getting real world work experience, the county is helping to grow the next generation of employees. Ms. Brooking then reviewed compensation figures and county health and dental benefits and a summary of their offerings.

Discussion ensued relative to county/employee costs for self-insured healthcare plans.

Mr. Elswick requested information relative to the amount of healthcare premiums and claims paid out and the amount in reserves.

Ms. Brooking continued her presentation by stating county and school health care rates and contributions are the same for 2018 and there is no change in dental rates from 2017. She noted rates are very high for employees with family coverage.

In response to Mr. Holland's question about health insurance rates, Ms. Brooking stated county health care rates increased by 8.8 percent from FY2017.

In response to Mr. Elswick's question regarding family plans, Ms. Brooking stated many employees, with dual-income families, often split healthcare coverages.

Ms. Brooking continued her presentation by stating the Lumenos High Deductible Health Plan was aggressively marketed this year and enrollments are expected to increase. In regard to the Wellness Incentive, she stated 840 employees participated in the program and the most noted results were high Body Mass Index, blood pressure, unhealthy eating and stress. She further stated in addition to occupational physicals and screenings provided, the Employee Medical Center treated employees for 3,229 minor illnesses/injuries, which increased 20 percent in FY2017.

In response to Mr. Winslow's question, Ms. Brooking stated the 20 percent increase of those treated at the Employee Medical Center is due to awareness and convenience.

In regard to the VRS Retirement outlook, Ms. Brooking noted 353 employees are eligible for full retirement in FY2018. She stated 44 percent of employees are enrolled for deferred compensation and deferrals increased 5 percent from FY2016. In regard to the Employee Assistance Program, she stated the focus of the program is to improve productivity by assisting employees in balancing their work and personal lives. She further stated services offered include confidential counseling, financial resources, legal support, wellness resources and comprehensive online tools. Regarding leave donation, she stated the county leave donation program is a popular benefit among the workforce, as it allows employees to support each other by donating annual or paid-time-off leave to co-workers who are unable to work due to a qualifying circumstance. She noted for FY2017, there was an increase in the number of leave donation hours and number of donations processed.

In response to Mr. Winslow's question regarding leave donation, Ms. Selby stated an employee is only able to get back their donated leave if it was not utilized. She further stated there is an increase of donated leave this time of year for those in need.

Ms. Brooking continued her presentation by stating the county implemented an alternative leave plan, Paid Time Off, in September 2011. She further stated this leave plan was optional for existing employees who were enrolled in the traditional leave plan.

Ms. Jaeckle noted examples of favorable treatment of county employees as the key to retention.

Ms. Brooking continued her presentation by stating the traditional leave plan, which provides separate categories for annual leave, sick leave and floating holidays, remained the same as FY2016 at 34 average days. She further stated the Paid Time Off leave plan, which combines annual leave, sick leave and floating holidays into one leave category, shows a slight decrease from 23 days in FY2016 to 22 days in FY2017. In regard to turnover, she stated for FY2017 the county's annual turnover rate is 11.2 percent. She further stated the voluntary turnover rate decreased, from 6.8 percent in FY2016 to 6.4 percent in FY2017. She stated the involuntary turnover, which includes retirements, increased from 4.3 percent in FY2016 to 4.8 percent in FY2017. She noted the top three separation reasons are retirement, career change and career advancement.

Mr. Elswick requested additional information regarding the departments with the highest turnover rates.

Discussion ensued relative to the county's turnover rates compared to neighboring localities.

Ms. Brooking continued her presentation by stating the county's 11.2 percent turnover rate is slightly higher than the City of Richmond and on par with Henrico County. She noted the national public-sector average turnover rate is 15 percent.

Ms. Selby continued the presentation by stating Human Resources conducts an Employee Engagement Survey every three years to assess how engaged and enabled employees feel in their work environment. She noted the 2017 survey is currently in progress and is scheduled to conclude at the end of the month.

Mr. Elswick requested the results of the 2017 Employee Engagement Survey be provided to Board members once available.

In regard to retention, Ms. Selby stated in 2016, a cross-departmental team studied merits of expanding telework. She further stated to maintain competitiveness with state agencies and other public/private sector employees that offer teleworking, the county's program was enhanced.

Regarding retention, Ms. Brooking stated the purpose of Career Development Plans is to increase retention by allowing employees opportunities to advance professionally by developing new skills and providing a more equitable way for an employee to grow within the county.

Regarding drug and alcohol testing, she stated drug testing and background investigations are essential to the county's hiring process to maintain the integrity of county government and the safety and well-being of citizens and employees. She further stated for FY2017 the department experienced an increase in the total number of drug and alcohol tests and background investigations conducted.

In response to Mr. Elswick's question, Mr. Scott Zaremba stated less than 1 percent of individuals fail drug and/or alcohol tests.

Ms. Selby continued her presentation by stating for FY2017, the county had a total of 17 formal complaints, which includes both grievances and EEO investigations. She further stated based on the size of the workforce, this is a relatively low number.

Ms. Brooking then highlighted the department's future initiatives which include enhanced Human Resource training for managers/supervisors, career development plans, countywide salary study of targeted classifications and selection/implementation of Supplemental Retirement Plan record keeper and investment manager.

Ms. Selby then reviewed departmental challenges and opportunities and stated the county has made many investments in its workforce. She further stated the department's goal is to continue bringing qualified applicants to the table for consideration for every job vacancy. In conclusion, she highlighted some positive takeaways which include a reduction in voluntary turnover rate; the average salary of county employees is increasing; introduction of alternative methods to assist employees with healthcare costs; and a focus on career development and work/life balance initiatives. She further stated the department will continue to strive to get the actual salaries of more employees closer to midpoint; continue to monitor the rising healthcare costs and ways to reduce the impact of employees; and continue to pay attention to the number of baby boomers retiring and ensuring knowledge transfer to maintain customer service levels.

Discussion ensued relative to employee healthcare costs, claims paid out, amount in reserves and merit increases.

In response to Mr. Holland's question regarding total overtime expenditures, Ms. Brooking stated the increase in public safety overtime is due to the excessive amount of snow in FY2016.

Mr. Holland commended Ms. Selby and Ms. Brooking for an excellent and informative presentation and stressed the importance of diversity in the workforce and simplicity of performance reviews.

Ms. Jaeckle highly praised the department for their advances in career development initiatives.

3.C. PARKS AND RECREATION DEPARTMENTAL MASTER PLAN DRAFT

Dr. James Worsley, Director of Parks and Recreation, accompanied by Mr. Stuart Connock, Chief of Parks/Design and Construction, provided an update to the Board of Supervisors relative to the Parks and Recreation Departmental Master Plan Draft. Mr. Connock stated the overall goal of a Parks and Recreation Comprehensive Plan is to align community needs and future trends with facilities, programs and resources. He further stated investment in parks supports conservation of natural resources, an essential aspect of a balanced community, health and wellness making for a more vibrant and productive community and social equity, providing opportunities for all to recreation and enjoying a high quality of life. He stated the plan process included staff, assistance from a master plan consultant, specializing in public parks and recreation agencies, public surveys and informational meetings. He further stated the plan is intended to be a dynamic document and will be updated every five years to align with the county's Comprehensive Plan update to include the public facilities plan. He then reviewed existing conditions related to population, development patterns and recreation trends.

Discussion ensued relative to park and sporting event visitation rates.

In response to Mr. Winslow's question, Mr. Connock stated flooring remains an issue for utilization of Pickleball courts at the Richmond Volleyball Club.

Dr. Casey reiterated Mr. Connock's remarks.

Mr. Connock continued his presentation by highlighting plan findings and conclusions and stated the county thrives on partnerships which will remain a mainstay of department operations for cost effective delivery of services. He further stated plan priorities were developed through quantitative analysis of public and staff input, consultant evaluation and components of needs assessment. He stated priority focus areas were determined in a quantitative manner with a very broad view of the park system as a whole.

In response to Mr. Holland's question, Mr. Connock stated the opportunities for aquatic activities could be enhanced and explored, for example the feasibility of aquatics to include exploration of lake or river swimming.

Ms. Jaeckle stressed the importance of incorporating pocket-parks within new neighborhood developments.

Mr. Connock continued his presentation by stating some areas of focus include indoor recreational space; rectangular fields and court sports.

Discussion ensued relative to enhancing high school football fields from grass to synthetic turf and the opportunities for expanding activities at River City Sportsplex.

Ms. Jaeckle requested an inventory of tennis courts and which ones are appropriate for pickleball and futsal.

Discussion ensued relative to Ms. Jaeckle's request.

Mr. Connock continued his presentation by reviewing short-term and on-going planning efforts for new facilities, parkland and programs. He stated the county's park system is a living and breathing resource and source of many benefits to citizens. He further stated the department needs to have clear guidance on how to maintain the park system for generations to come, in a cost effective and efficient manner. In closing, he stated the plan positions the department for success in the future; contains a good balance of short-term and long-term objectives; acknowledges ongoing activities can produce big collective results; works with strengths and addresses our areas of improvement; continues the county's legacy of better results through partnerships; and sets the stage for the next 50 years.

Mr. Elswick stressed the challenge to define plan priorities and maintain expectations.

Discussion ensued relative to the practicability of aquatic needs and school recreational programming that will need additional investigation.

Mr. Winslow requested a meeting with Planning and Parks and Recreation staff to discuss zoning and conservation of land.

In response to Mr. Elswick's question, Dr. Casey stated evidence of adoption of the master plan must be forwarded to the Commission for Accreditation of Park and Recreation Agencies prior to March 1st.

3.D. CITIZEN INFORMATION AND RESOURCES DEPARTMENT UPDATE

Ms. Jana Carter, Director of the Citizen Information and Resources Department, provided an update to the Board of Supervisors regarding the newly created department. She stated the department is not new in the sense of service areas, but an exciting new initiative that mobilizes and realigns existing county staff to support a vision: that all residents will have access to resources and more throughout all stages of life. She further stated a major focus is connecting citizens to information and resources which include housing information, transportation, caregiving resources, senior activities, parenting information, quality early care, after-school activities, substance abuse prevention and treatment and volunteer services. She stated for many years the county has focused on the traditional model for volunteer services by recruiting citizens to provide and enhance county services. She further stated a broader approach will raise awareness of needs and opportunities across the county, both for employees who may wish to contribute to other community needs and for community members seeking opportunities to give back. She stated through multicultural engagement the department will strengthen the connections of new community members to Chesterfield County to help them navigate and access resources. She then highlighted information about the services/resources that are currently in place.

Ms. Debbie Preston, new Senior Advocate, introduced herself to the Board of Supervisors and shared her vision for the department and ideas for developing resources for older adults. She stated her department relies heavily on community coalitions and partnerships to promote health and well-being and is constantly connecting community members to resources that address their needs.

Ms. Carter concluded her presentation by reviewing various educational programs, community events, healthy youth and healthy aging initiatives.

Mr. Holland expressed his appreciation for Ms. Carter's informative presentation and welcomed Ms. Preston as the new Senior Advocate.

3.E. FIRE AND EMERGENCY MEDICAL SERVICES MOBILE INTEGRATED HEALTHCARE UPDATE

Chief Loy Senter, accompanied by Captain Dan Dillon provided an update to the Board of Supervisors regarding the effectiveness of the Mobile Integrated Healthcare Program. He stated the county's Mobile Integrated Healthcare Program serves as an off-ramp for heavy users of the 911 system to more appropriate and cost-effective services. Given the success, he stated Chesterfield County is taking the lead on Mobile Integrated Healthcare in Virginia and over a dozen EMS agencies across Virginia have visited Chesterfield to learn about and replicate its successes. Captain Dillon then reviewed changing population demographics; mental health and substance abuse issues; increased EMS demand and overreliance on the 911 system; and improved collaboration. He stated the Mobile Integrated Healthcare Program goals include improving healthcare outcomes among medically vulnerable populations; applying more cost-effective strategies for meeting patient needs than reliance on the 911 system; better management of growing demand for EMS and improvement of ambulance availability in the Chesterfield Fire and EMS system; and reduction in unnecessary ambulance transports, emergency department visits, and hospital readmissions. He then highlighted information relative to Mobile Integrated Healthcare patients; core strategies; statistics and cost effectiveness. In closing, Chief Senter stated the Mobile Integrated Healthcare program alone will not negate the department's additional funding requests over the next fiscal years to add 24-hour ambulance coverage to the Harrowgate and new Magnolia Green fire stations or week-day coverage at the Midlothian Fire Station; however, the program is anticipated to help slow the growth in over-reliance on the 911 system and may negate the need to request a second staffed ambulance at the Dale, Chester, Centralia, Courthouse Road and Bensley fire stations that currently house the five busiest transport units in the county's system. He further stated as calendar year 2017 closes, there will be a collection of three years of data that demonstrates the effectiveness of the county's program with which staff will begin discussions with insurance companies and local healthcare systems for potential revenue.

Mr. Matt Harris, Budget Director, further clarified additional funding requests over the next three fiscal years relative to 24-hour coverage at various county fire stations, as well as significant expenditure savings associated with the Mobile Integrated Health program.

In response to Mr. Elswick's question regarding the associated cost of \$700,000 for additional resources, Mr. Harris stated the current 911 system cannot absorb 3,000 calls, based on averages over many years from ambulance companies.

Ms. Haley stressed the importance of improving healthcare outcomes among medically vulnerable populations and better management of the growing demand for services.

In response to Ms. Jaeckle's questions, Chief Senter stated the program focuses on seniors aging in place, many without effective family support networks. He further stated the program will allow the delay of additional ambulances from the five busiest fire stations in the county.

In response to Mr. Elswick's question regarding zoning case statistics, Mr. Bob Oblinsky, Information Systems and Planning Manager, stated the average age of the of the 17 percent patient population is 60 plus.

In response to Mr. Elswick's question, Mr. Harris stated the total cost of the program, including staffing, would average \$130,000 per unit, \$390,000 in total.

Chief Senter noted the collection of three years of data will demonstrate the effectiveness of the program and begin discussions with insurance companies for potential revenue that will help offset costs internally.

In response to Mr. Elswick's question, Chief Senter stated discussions are still underway relative to collaborating with local healthcare systems in regard to helping reduce readmissions. He further stated the focus is helping citizens in need rather than healthcare system patients being discharged from the hospitals.

Mr. Holland stressed the importance of driving down costs of healthcare.

In response to Mr. Elswick's question, Captain Dillon stated the Fire and EMS Department collaborates with the Social Services Department to provide care services and resources for citizens in need.

4. REPORTS

There were no Reports at this time.

5. FIFTEEN-MINUTE CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS

There were no requests to address the Board at this time.

6. RECESS

On motion of Mr. Winslow, seconded by Ms. Haley, the Board recessed for dinner in Room 502.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

Reconvening:

7. INVOCATION

The Honorable Chris Winslow, Clover Hill District Supervisor, gave the invocation.

8. PLEDGE OF ALLEGIANCE

Eagle Scout Samuel Garbera led the Pledge of Allegiance to the Flag of the United States of America.

9. COUNTY ADMINISTRATION UPDATE

9.A. DALE CARNEGIE GLOBAL LEADERSHIP AWARD PRESENTATION

Mr. Kevin Bruny, Chief Learning Officer, stated Chesterfield County has a long history and relationship with the Dale Carnegie organization through the county's Learning and Performance Center. He further stated since 1996, employees have participated in the Dale Carnegie course and beginning in 2012, the center has offered the eight-week Dale Carnegie course each summer to county employees and citizens. He noted to date, 185 participants have graduated from this offering which has strengthened individual performance in areas of building self-confidence, enhancing relationships, effectively communicating, and motivating and influencing others. He stated Dale Carnegie of Virginia nominated Chesterfield County Government for the 2017 Dale Carnegie Global Leadership Award, "for exemplifying leadership both internally through its commitment to employee and operational excellence and dedication to the Chesterfield County citizens."

Ms. Marie Ringer, Shareholder of Dale Carnegie and Associates, and granddaughter of Dale Carnegie, and Mr. JJ White, Chief Engagement Officer of Dale Carnegie of Virginia, presented Dale Carnegie's Global Leadership Award to the Board of Supervisors.

9.B. INTRODUCTION OF NEW POLICE CHIEF

Dr. Casey recognized Mr. Jeffrey S. Katz, the county's next Chief of Police who is starting January 2, 2018. He stated Chief Katz is a 25-year veteran of law enforcement and has served as the Boynton Beach, Florida, Chief of Police since 2013. He also recognized Interim Police Chief Dan Kelly for his service to the county over the last several months since the retirement of Colonel Thierry Dupuis.

Chief Katz expressed his appreciation for the warm welcome and overwhelming support from the community. He stated his intention is not to create his own legacy, but rather to help build upon and optimize the legacy of those who came before him and build a strong framework for those who will assume the mantel of leadership in the coming years.

Dr. Casey and members of the Board of Supervisors welcomed Chief Katz to the county.

9.C. CONFIRMATION OF THE SELECTION OF MR. JEFFREY KATZ AS CHIEF OF POLICE FOR CHESTERFIELD COUNTY

On motion of Mr. Winslow, seconded by Ms. Haley, the Board confirmed the selection of Mr. Jeffrey S. Katz as the new Chesterfield County Chief of Police, effective January 2, 2018.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

9.D. OTHER COUNTY ADMINISTRATION UPDATES

- Dr. Casey announced Drug Czar, Mr. Richard Baum, Acting Director of the White House Office of National Drug Control Policy made a visit to the county's Heroin Addiction Recovery Program (HARP) on November 17. He stated Mr. Baum and his staff visited HARP for over five hours, first receiving a briefing from the Sheriff and his staff on the program.

Sheriff Karl Leonard reiterated Dr. Casey's comments and thanked everyone involved for their continued support of the program.

Ms. Jaeckle commended Sheriff Leonard for addressing the opioid problem head-on and coordinated efforts with various county departments to help remedy the issue.

- Dr. Casey was happy to report members of the Chesterfield/Colonial Heights Christmas Mother are working diligently to prepare a Christmas celebration for many children and families in the community.

10. BOARD MEMBER REPORTS

Mr. Winslow announced the installation of advanced technology in the Swift Creek Reservoir regarding problem algae. He thanked Mr. George Hayes, Utilities Director, and his department for their efforts. He was also happy to announce the arrival of his son Joseph Christopher Winslow, born on December 1st.

Ms. Haley announced the 5th annual Tacky Light Run took place at Mid-Lothian Mines Park on December 9. She stated roughly 4,700 people took part in the 5k holiday-themed fun run through the snowy Mid-Lothian Mines and Walton Park neighborhood.

11. RESOLUTIONS

11.A. RECOGNIZING BATTALION CHIEF DAVID PALUMBO (RETIRED) FOR HIS DEDICATION TO CONSTRUCTING THE FIRE AND EMERGENCY MEDICAL SERVICES MEMORIAL WALL

Chief Senter introduced Battalion Chief David Palumbo, who was present to receive the resolution.

On motion of Ms. Haley, seconded by Mr. Winslow, the Board adopted the following resolution:

WHEREAS, Battalion Chief David Palumbo retired in 2001 after 31 years of dedicated service to the citizens of Chesterfield County; and

WHEREAS, Chief Palumbo was called back into service in August 2003, by Fire Chief Steve Elswick, for the purpose of constructing a memorial wall to honor those firefighters and emergency medical technicians who have made the ultimate sacrifice in service to the citizens of Chesterfield County; and

WHEREAS, Chief Palumbo began his passionate, dedicated, and selfless mission to build a memorial wall by gaining site approval at the Eanes-Pittman Public Safety Training Center in December of 2003; and

WHEREAS, Chief Palumbo was instrumental in including a piece of the World Trade Center within our humble memorial; this piece of history is to signify that the American spirit will prevail over tragedy, just as the twin beams of light at the World Trade Center memorial continue to honor those who have fallen; and

WHEREAS, Chief Palumbo led a 14-year fundraising campaign that yielded \$127,382 in donations from corporations, public safety partners, local service organizations, individual citizens, and magisterial district improvement funds for the design, construction, and sustainment of the memorial wall; and

WHEREAS, Chief Palumbo opened and dedicated the memorial wall in honor of the fallen on October 15, 2010; and

WHEREAS, Chief Palumbo completed the memorial wall by coordinating the acquisition of bronze castings of a firefighter's boots, coat, gloves, and helmet and an emergency medical technician's response bag in March 2017; and

WHEREAS, after fourteen years of unrelenting resolve, Chief Palumbo has seen the memorial wall to completion in December 2017; and

WHEREAS, Chief Palumbo concurrently served as an instructor in the second-grade fire and life safety program where he positively impacted the lives of nearly 18,000 children.

NOW, THEREFORE, BE IT RESOLVED this 13th day of December 2017, that the Chesterfield County Board of Supervisors publicly recognizes the contributions of Battalion Chief David Palumbo, expresses the appreciation of all citizens for his service to the county, and extends appreciation for his dedicated service.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

Mr. Elswick presented the executed resolution to Chief David Palumbo, extended his sincere gratitude for his dedicated service to the Fire Department and many tremendous contributions to the community.

Chief Palumbo, accompanied by members of his family, expressed his appreciation to the Board of Supervisors for the special recognition and kind sentiments.

A standing ovation followed.

11.B. RECOGNIZING THE LORD'S CHURCH FOR ITS CONTRIBUTIONS TO THE COMMUNITY

Ms. Pollard introduced Pastor Howard Moses and members of The Lord's Church, who were present to receive the resolution.

On motion of Mr. Holland, seconded by Ms. Haley, the Board adopted the following resolution:

WHEREAS, The Lord's Church is committed to service and outreach within the community in many ways; one of those is to ensure that there is free food in its Food Pantry, which is available for abused women and children, the homeless and anyone who experiences hardship; and

WHEREAS, members of the church have distributed more than 10,800 loaves of bread on Wednesdays, from January through July of this year, to those in need in Chesterfield County and five other surrounding localities, and this bread is provided through the generosity of the Flowers Baking Company in Lynchburg; and

WHEREAS, The Lord's Church also serves the community through its Clothing Closet, which is a resource for parents who need to get their children ready for back to school, for those looking for appropriate work or church attire, and to help replenish the losses of those who have suffered due to fires or other emergencies; and

WHEREAS, the church also focuses on the importance of education and offers scholarships to high school graduates through its Mentor Scholar Program; and

WHEREAS, Pastor Howard L. Moses, Sr. has served as the pastor for more than 22 years, and serves as the National Director of The Frederick L. Ray Biblical Institute, which is housed at The Lord's Church and focuses on the spiritual education of both ministers and church members; and

WHEREAS, during this time, Pastor Moses has never accepted a salary, instead allowing for those funds to be used for community outreach, and it is a point of pride that the church also operates without local, state or federal funds; and

WHEREAS, fourteen years ago, The Lord's Church committed to bridging the gap between law enforcement and the community, and during this time has offered many opportunities for staff from the Chesterfield County Police Department and Sheriff's Office to meet and engage with the community and share important safety information; and

WHEREAS, because of this history of engagement between law enforcement and the community, the church served as the site for a Town Hall meeting on July 19, 2016, which brought together public safety officials, members of families who had lost loved ones in law-enforcement incidents, and representatives from Virginia State University, NAACP and Black Lives Matter; and

WHEREAS, the church annually holds a Community Appreciation Day, where leaders from Chesterfield County and other experts in the areas of safety, education, finance and health care provided information about their programs and services to church and community members.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 13th day of December 2017, on behalf of the citizens of Chesterfield County, publicly recognizes The Lord's Church for its contributions to meeting the physical and spiritual needs of the community, recognizes that it has enhanced the quality of life for all those involved in giving or receiving this support, and congratulates the congregation for being an excellent example of what good can be accomplished when people come together for the benefit of others.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

Mr. Elswick presented the executed resolution to Pastor Moses and commended his congregation for its many contributions to the community.

Mr. Holland also highly praised Pastor Moses and his congregation for their dedication to law enforcement and contributions to those in need.

Pastor Moses expressed his appreciation to the Board of Supervisors for the special recognition and kind sentiments.

Ms. Barbara King read a letter recognizing those who have made donations through The Lord's Church.

11.C. RECOGNIZING BOY SCOUTS UPON ATTAINING THE RANK OF EAGLE SCOUT

Ms. Pollard introduced Mr. Samuel Brian Garbera, Mr. Nolan Michael Zunk and Mr. Samuel Wyatt Smith, who were present to receive the resolution.

On motion of Mr. Holland, seconded by Mr. Elswick, the Board adopted the following resolution:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least 21 merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to their community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law, Mr. Samuel Brian Garbera, Troop 876, sponsored by Mt. Pisgah United Methodist Church; Mr. Nolan Michael Zunk, Troop 2822, sponsored by Bethia United Methodist Church; and Mr. Samuel Wyatt Smith, Troop 800, sponsored by Bethel Baptist Church, have accomplished those high standards of commitment and have reached the long-sought goal of Eagle Scout, which is received by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through their experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare themselves for a role as leaders in society, Samuel, Nolan and Samuel have distinguished themselves as members of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 13th day of December 2017, publicly recognizes Mr. Samuel Brian Garbera, Mr. Nolan Michael Zunk and Mr. Samuel Wyatt Smith, extends congratulations on their attainment of Eagle Scout, and acknowledges the good fortune of the county to have such outstanding young men as its citizens.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

Ms. Haley and Mr. Elswick presented the executed resolutions and patches to each Eagle Scout, accompanied by members of their families, congratulated them on their outstanding achievements and wished them well in future endeavors.

Each Eagle Scout provided details of their Eagle Scout project and expressed appreciation to their families and friends for their support.

11.D. RECOGNIZING MR. C. DAVID CARAS, PARKS AND RECREATION DEPARTMENT, UPON HIS RETIREMENT

Dr. Worsley introduced Mr. C. David Caras, who was present to receive the resolution.

On motion of Mr. Holland, seconded by Ms. Haley, the Board adopted the following resolution:

WHEREAS, Mr. C. David Caras will retire from the Chesterfield County Parks and Recreation Department on January 1, 2018, after providing 31 years of quality service to the citizens of Chesterfield County; and

WHEREAS, Mr. Caras joined the Chesterfield County Parks and Recreation Department in 1986 as a Senior Recreational Specialist, was later promoted to Community Recreation Manager in 2003, and has served 14 years in that position; and

WHEREAS, during his career with Chesterfield County, Mr. Caras was responsible for coordinating programs including special events, camps and leisure classes, collaborating with outside businesses, Virginia State agencies and non-profit organizations for the delivery of services and to provide financial support and in-kind services; and

WHEREAS, in his current position, Mr. Caras directs, manages and supervises the organizational staffing and operational activities for a comprehensive section of county-wide services and facilities in community recreation, therapeutic recreation, older adult recreation, county-wide special events, cultural activities and historical programs, and during his tenure, the Community Recreation Section has increased the number of programs offered to the public by 24 percent, increased total recreation participation by 40 percent, and increased the number of older adults enrolled in programs by 48 percent; and

WHEREAS, Mr. Caras coordinated and established several special events, including Legendary Christmas at the Historic Government Complex, 4th of July events, Chesterfield Jaycee events at Rockwood Park, including a Haunted Forest, Rainbow of Arts Festival and Kite Day, James River Parade of Lights, Boulders Concert Series and the beloved Santa's Calling program that has grown from 300 total letters and calls to today totaling over 3,000 calls and letters to children during the holiday season; and

WHEREAS, Mr. Caras has received numerous letters of appreciation and recognition from citizens and administrative staff for jobs well done along with recognitions for donations for various groups and a Celebrating Success Award for donations toward celebrations around July 4th events, was recognized as Employee of The Month for the department three different times in 1988 and 1989, and submitted CDBG grant proposals and managed their implementation that provided funding for operation of two community buildings, four campsites for low income youth and an after-school program for at-risk youth; and

WHEREAS, Mr. Caras has received certifications from Revenue Sources Management School, with NRPA and NC State University in 1986, Leadership Training Institute with VRPS in 1988, Supervisory Leadership Institute with Chesterfield County in 1993, TQI Advisor Certification in 1999, Environmental Management System Implementation Institute, VPI and State University in 2008, Non-profit Management VCU and Partnership for Non-profit Excellence in 2009, and Certified Park and Recreational Professional (CPRP) with NRPA and has professional memberships with NRPA and VRPS, and obtained certification in ISO 14001 for the EMS training and held that certification for a number of years; and

WHEREAS, Mr. Caras has served on numerous committees, including the Total Integration Experiences Program, Partnership for Youth, Recreation Programs Research Committee, served on the Communities in Schools Board, participated in logistical support for the 2007 Publick Days Event with Henricus Historical Park and has served on numerous in-house department committees as a willing volunteer; and

WHEREAS, Mr. Caras will be greatly missed by his colleagues, co-workers, and the citizens of Chesterfield County, who he has so expertly served, and his accomplishments as a model leader with a strong work ethic for the department provided an example and guide for generations to come, as they live, work and play in the county they and he call home.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 13th day of December 2017, publicly recognizes Mr. C. David Caras, and extends on behalf of its members and the citizens of Chesterfield County, appreciation for his service to the county, congratulations upon his retirement, and best wishes for a long and happy retirement.

AND, BE IT FURTHER RESOLVED that a copy of this resolution be presented to Mr. Caras and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County, Virginia.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

Ms. Jaeckle presented the executed resolution to Mr. Caras, extended her sincere appreciation for his dedicated service and offered best wishes upon his retirement.

Mr. Mike Golden, former Parks and Recreation Director, congratulated Mr. Caras on his much-deserved retirement.

Mr. Caras, accompanied by members of his family, expressed his appreciation to the Board of Supervisors for the special recognition and kind sentiments.

Dr. Casey presented Mr. Caras with an acrylic statue and county watch, highly praised his outstanding and noteworthy service and wished him well upon his retirement.

12. NEW BUSINESS

12.A. APPOINTMENTS

12.A.1. PERSONNEL APPEALS BOARD

On motion of Mr. Winslow, seconded by Mr. Holland, the Board simultaneously nominated/reappointed Dr. Robert L. Turner, Jr. to serve on the Personnel Appeals Board, whose term is effective immediately and will expire on December 31, 2020.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

12.A.2. COMMUNITY SERVICES BOARD

On motion of Mr. Winslow, seconded by Mr. Holland, the Board simultaneously nominated/appointed/reappointed Ms. Elizabeth Hedgepeth, representative for the Dale District, Mr. Dean Lynch, representative for the Midlothian District, Mr. Mike Giancaspro, Ms. Michelle Jones, Ms. Jennifer Davis and Mr. Tyler Craddock, as members At-Large, to serve on the Chesterfield Community Services Board, whose terms are effective January 1, 2018, and will expire on December 31, 2021.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

12.A.3. COMMUNITY POLICY AND MANAGEMENT TEAM

On motion of Ms. Haley, seconded by Mr. Holland, the Board simultaneously nominated/appointed/reappointed Mr. James Nankervis, Mrs. Jana Carter, Ms. Danika Briggs, Mr. Doug Bilski, Ms. Adalay Wilson and Ms. Vicki Stamps to serve on the Community Policy and Management Team, whose terms are effective January 1, 2018, and expire on December 31, 2021.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

12.A.4. CITIZENS' BUDGET ADVISORY COMMITTEE

On motion of Mr. Holland, seconded by Mr. Winslow, the Board simultaneously nominated/appointed Mr. Chip Hughey to serve on the Citizens' Budget Advisory Committee, whose term is effective immediately and will expire on September 30, 2019.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

12.A.5. AIRPORT ADVISORY BOARD

On motion of Ms. Haley, seconded by Mr. Holland, the Board simultaneously nominated/reappointed Mr. William Shewmake, Midlothian District representative, to serve on the Airport Advisory Board, whose term is effective January 11, 2018, and will expire on January 10, 2021.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

12.A.6. CENTRAL VIRGINIA WASTE MANAGEMENT AUTHORITY

On motion of Mr. Holland, seconded by, the Board simultaneously nominated/reappointed Mr. Jeffrey Howard as an alternate board member, to serve on the Central Virginia Waste Management Authority, whose term is effective January 1, 2018, and will expire on December 31, 2021.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

12.B. CONSENT ITEMS

12.B.1. ADOPTION OF RESOLUTIONS

12.B.1.a. RECOGNIZING COUNTY EMPLOYEES UPON THEIR RETIREMENT

12.B.1.a.1. MRS. DONNA J. TUCKER, ACCOUNTING DEPARTMENT

On motion of Mr. Winslow, seconded by Ms. Haley, the Board adopted the following resolution:

WHEREAS, Mrs. Donna J. Tucker began her career of public service with the Chesterfield County Accounting Department on May 2, 1988, and will retire on January 1, 2018, after providing more than 29 years of dedicated and faithful service to Chesterfield County; and

WHEREAS, Mrs. Tucker served as Accounts Payable Manager, supervising staff who provided accounts payable services to all county departments and school locations for almost 20 years before devoting her extensive system knowledge to support numerous county financial systems; and

WHEREAS, Mrs. Tucker was responsible for establishing and updating policy and procedures with strong internal controls to support the county and schools' payments for purchases of goods and services; and

WHEREAS, Mrs. Tucker implemented numerous process improvements that saved both time and money and created workload indicators to better monitor the efficiency of accounts payable processing; and

WHEREAS, Mrs. Tucker participated in the county's Total Quality journey by serving as one of the first Quality facilitators and participating in multiple Employee Involvement Groups that resulted in improved customer service and business processes; and

WHEREAS, Mrs. Tucker earned the Certified International Accounts Payable Professional designation and provided leadership to the national organization by establishing training teams for other accounts payable professionals seeking to grow and improve their skills and their organizations; and

WHEREAS, Mrs. Tucker's outstanding customer service, performance, and knowledge of business processes and automated systems contributed to three major financial system implementations during her career, including leadership for problem solving, defining processes and training; and

WHEREAS, Mrs. Tucker was instrumental in the successful implementation of numerous automation projects for systems supporting multiple county departments, that not only updated data into the county's financial system, but also met business process needs for those departments; and

WHEREAS, Mrs. Tucker implemented the technology changes in support of the Accounting Department's ePayables program that to date has generated over \$1.3 million in revenue for the county; and

WHEREAS, Mrs. Tucker provided a high level of customer service when working with county and school customers, looking for better ways to serve them, often going out of her way to meet a need and consistently exceeding customer expectations; and

WHEREAS, Mrs. Tucker will be sorely missed for her professional contributions, her dedicated service, her strong work ethic, her vast wealth of knowledge of systems and business processes, and her love of "fun and frolic."

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors recognizes Mrs. Donna J. Tucker for her 29 plus years of distinguished service to Chesterfield County and extends on behalf of the employees and residents of Chesterfield County, congratulations upon her retirement, and sincere best wishes for a long, healthy and happy retirement.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

12.B.1.a.2. MS. PATRICIA J. HOWELL, OFFICE OF THE COMMISSIONER OF THE REVENUE

On motion of Mr. Winslow, seconded by Ms. Haley, the Board adopted the following resolution:

WHEREAS, Ms. Patricia J. ("Patti") Howell will retire from the Office of the Commissioner of the Revenue on January 1, 2018; and

WHEREAS, Ms. Howell began her public service with the county as a data entry operator supervisor in the Office of the Commissioner of the Revenue on October 5, 1987, and has faithfully served Chesterfield County for over 30 years; and

WHEREAS, Ms. Howell's work ethic, service, and dedication helped her move steadily through the ranks, earning her the promotion to deputy commissioner for personal property in 1988, then to deputy commissioner for business in 2003, and finally to chief deputy commissioner in 2008; and

WHEREAS, Ms. Howell grew with the county and the office during that time, always challenging herself to learn new things and immerse herself in new responsibilities, including earning the Master Deputy Commissioner of the Revenue certification from the Weldon-Cooper Center for Public Service and serving on the executive board of the Virginia Association of Local Tax Auditors; and

WHEREAS, Ms. Howell employed her knowledge and experience as a key leader in the implementation of major legislative mandates, including vehicle proration and the Personal Property Tax Relief Act, and as an integral part of the team developing and implementing new computer systems that helped modernize the office more than once in her career; and

WHEREAS, Ms. Howell, while firm when needed, was also regularly willing to help others, and to share her accumulated wisdom, regularly explaining complicated steps to co-workers, often in person and sometimes in her "famous" handwritten memos; and

WHEREAS, Ms. Howell's vast knowledge, years of experience, and tireless dedication to supporting and achieving the goals and objectives of the Office of the Commissioner of the Revenue have enabled her to make a significant contribution to the success of this office; and

WHEREAS, more than anything else, Ms. Howell has been a loyal friend to many, regularly greeting everyone in her area each morning, and with skills and willingness to help in a way that will be sorely missed at the county.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors recognizes the contributions of Ms. Patti Howell, and extends on behalf of its members and the citizens of Chesterfield County, appreciation for her service to the county and congratulations upon her retirement.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

**12.B.1.a.3. SERGEANT CHRISTOPHER O'DONNELL, POLICE
DEPARTMENT**

On motion of Mr. Winslow, seconded by Ms. Haley, the Board adopted the following resolution:

WHEREAS, Sergeant Christopher O'Donnell will retire from the Chesterfield County Police Department on January 1, 2018, after providing over 28 years of outstanding quality service to the residents of Chesterfield County; and

WHEREAS, Sergeant O'Donnell has faithfully served the county in the capacity of Patrol Officer, Detective First Class, Senior Detective, Master Detective and Sergeant; and

WHEREAS, during his tenure, Sergeant O'Donnell also served as a Field Training Officer, Evidence Technician, Breathalyzer Operator, General Instructor and as a member of the Street Drug Enforcement Unit; and

WHEREAS, Sergeant O'Donnell has served a considerable number of years in the Criminal Investigations and Special Investigations Divisions where he had various assignments, including Vice and Narcotics, Crimes Against Persons, Crimes Against Property, Juvenile Section, Economic Crimes Section, Major Case and the Unsolved/Major Investigations Group; and

WHEREAS, Sergeant O'Donnell served as a member of the Trokia Task Force and the South End Task Force; and

WHEREAS, while serving as a member of the Vice and Narcotics Unit, Sergeant O'Donnell was the recipient of two Unit Citation Awards in recognition of his work ethic, skill level, teamwork and dedication that resulted in seizures of drugs with a street value of nearly \$6 million, cash assets of nearly \$700,000, and other weapon and property seizures; and

WHEREAS, Sergeant O'Donnell received a Unit Citation while serving as a member of the Crimes Against Persons Unit for the resolution of a complicated and multi-faceted murder-for-hire plot that occurred at a local auto sales business; and

WHEREAS, Sergeant O'Donnell earned a Chief's Commendation for his outstanding interrogation skills which resulted in a suspect confessing his involvement in 157 automobile break-in cases occurring over a two-year period; and

WHEREAS, Sergeant O'Donnell received a Chief's Commendation for his tenacity and creative skills in investigating a homicide for which there was primarily only circumstantial evidence, and due to his meticulous evidence search, crime scene re-creation and gunshot residue theory, the suspect was charged, prosecuted and convicted of the crime; and

WHEREAS, Sergeant O'Donnell was awarded a Chief's Commendation while serving as a member of the Unsolved/Major Investigations Group, which reinvestigated a cold-case homicide, where the victim's body was never found; the team's knowledge, skills, abilities and efforts resulted in the

first prosecution and conviction of a "no-body" homicide suspect in the history of Chesterfield County; and

WHEREAS, Sergeant O'Donnell received two Achievement Awards recognizing his investigative skills and teamwork in resolving two homicides with the arrest of ten suspects who were served with over 50 felony warrants; and

WHEREAS, Sergeant O'Donnell is recognized for his strong work ethic and dedication to his team and his excellent communications and human relations skills, all of which he has utilized within the Police Department and in assisting residents of Chesterfield County during his career; and

WHEREAS, during his tenure, Sergeant O'Donnell has received numerous letters of commendation, thanks and appreciation for services rendered; and

WHEREAS, Sergeant O'Donnell has provided the Chesterfield County Police Department with many years of loyal and dedicated service; and

WHEREAS, Chesterfield County and the Board of Supervisors will miss Sergeant O'Donnell's diligent service.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors recognizes Sergeant Christopher O'Donnell and extends on behalf of its members and the residents of Chesterfield County, appreciation for his service to the county, congratulations upon his retirement, and best wishes for a long and happy retirement.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

12.B.1.a.4. MR. CHARLES P. SIMMONS, UTILITIES DEPARTMENT

On motion of Mr. Winslow, seconded by Ms. Haley, the Board adopted the following resolution:

WHEREAS, Mr. Charles P. Simmons will retire from the Chesterfield County Utilities Department on February 1, 2018; and

WHEREAS, Mr. Simmons began his public service with Chesterfield County on September 9, 1985, when he was hired by the Chesterfield County Utilities Department as a Water Plant Operator Trainee; and

WHEREAS, Mr. Simmons showed great aptitude and dedication to the water treatment field by advancing to a Class 1 license in a very short time span of four years; and

WHEREAS, Mr. Simmons was promoted several times throughout his career and served faithfully in each position until he was ultimately promoted on January 1, 2009, to Chief Plant Operator of the Addison Evans Water Treatment Plant; and

WHEREAS, throughout his career with Chesterfield County, Mr. Simmons displayed dependability, aptitude, initiative, good character, and values; and

WHEREAS, Mr. Simmons acted as an exemplary steward of the public trust by operating the treatment plant in the most cost-effective manner; and

WHEREAS, Mr. Simmons was instrumental in building the excellent reputation of our county drinking water treatment plant and helped produce water that never violated a health standard; and

WHEREAS, Mr. Simmons' leadership, dedication to water treatment, and commitment to excellence played an important role in the department meeting the Partnership for Safe Water criteria for 20 consecutive years; and

WHEREAS, Mr. Simmons' daily efforts resulted in exceptional plant performance which led to an exemplary rating by the Virginia Department of Health during all routine inspections; and

WHEREAS, Mr. Simmons implemented treatment changes, new technologies, and trained and mentored many new operators who have gone on to have their own successful careers in the water treatment field; and

WHEREAS, Mr. Simmons was highly respected and liked by his peers and coworkers; and

WHEREAS, Mr. Simmons has earned the admiration of those he worked with as a kind and good colleague whose support, companionship, and ever-ready assistance brought unity and pride to the workplace.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors recognizes Mr. Charles P. Simmons and extends on behalf of its members and citizens of Chesterfield County, appreciation for his more than 32 years of exceptional service to the county.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

12.B.1.a.5. MS. CYNTHIA B. SMITH, DEPARTMENT OF RISK MANAGEMENT

On motion of Mr. Winslow, seconded by Ms. Haley, the Board adopted the following resolution:

WHEREAS, Mrs. Cynthia B. Smith was hired on May 9, 1977, as a Secretary with the Chesterfield County Department of Utilities where she served two directors, Mr. Robert Painter, and Mr. Dave Welchons following the retirement of Mr. Painter; and

WHEREAS, during her term with the Department of Utilities, Mrs. Smith received many acknowledgements for her exemplary skills and was therefore hired as the Risk Coordinator in 1986 to assist the Risk Manager; and

WHEREAS, Mrs. Smith was acknowledged by receiving the 1993 County Employee of the Year designation for her selfless dedication to her responsibilities, her creative analytical decisions, her teamwork, and customer service appreciated by

the many people she came into contact with, including co-workers, county and school staff, vendors and the general public; and

WHEREAS, Mrs. Smith continued to improve her skills by attaining an Associate of Risk Management certification and through her dedication, project management skills and talents, she was appointed as the Assistant Department Director in 1997; and

WHEREAS, on May 9, 2002, Mrs. Smith completed 25 years of service with Chesterfield County, receiving many awards and acknowledgements during her service; and

WHEREAS, on July 26, 2002, Mrs. Smith ended her service with Chesterfield County to accept the position of Risk Manager for Henrico County and then returned to Chesterfield County on November 18, 2013, to fulfill the role of Director of Risk Management, taking on many issues, such as reorganizing the department, reclassifying positions for effective operations, and successfully recruiting key positions; and

WHEREAS, Mrs. Smith augmented the relationships and collaborations with schools and county departments, increasing awareness and advancing enterprise and departmental missions; and

WHEREAS, Mrs. Smith assumed the team lead role of the Enterprise Risk Management Initiative, working with the established committee to develop a countywide plan, and achieving the County Administrator's endorsement of the plan; and

WHEREAS, Mrs. Smith made significant contributions and enhancements to services provided by the Risk Management Department, by focusing on industry claims management best-practice standards to further reduce the county's future long-term liabilities, and the consolidation of the Environmental, Health and Safety services for the county and schools; and

WHEREAS, in 2017, the new Risk Management Information System (RMIS) was implemented under the guidance of Mrs. Smith, which included converting over 25 years of historical claims data, configuration of the software, and integration with the financial, human resources, and fleet management systems; and

WHEREAS, due to Mrs. Smith's leadership and hard work, the county's Risk Management Plan was revised and adopted by the Board of Supervisors in 2017, which was the first revision of the plan since 1989; and

WHEREAS, Mrs. Smith was recognized throughout her career by her peers and was elected to serve as an officer on boards under the Virginia Self Insurers Association and the Virginia Public Risk Management Association, and served in a leadership role with States Self-Insurers Risk Retention Group, Inc. as a member of the Strategic Planning Committee in addition to providing risk management services for the Greater Richmond Convention Center Authority.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors recognizes the outstanding contributions of Mrs. Cynthia B. Smith and extends appreciation, on behalf of its members and the employees and citizens of Chesterfield County, for 29 years of dedicated service to the county, congratulations upon her retirement, and best wishes for a long, happy, and healthy retirement.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

12.B.2. DONATIONS OF SURPLUS PROPERTY TO THE VIRGINIA DEPARTMENT OF FORENSIC SCIENCE

On motion of Mr. Winslow, seconded by Ms. Haley, the Board approved donations of surplus ammunition from the Police Department to the Virginia Department of Forensic Science.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

12.B.3. APPROVAL OF INCREASE TO SCHOOLS' FOOD SERVICE APPROPRIATION CATEGORY

On motion of Mr. Winslow, seconded by Ms. Haley, the Board approved an increase of \$120,541 to School's Food Service appropriation category for AASA-Feeding Hungry Minds grant funds.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

12.B.4. TRANSFER AND APPROPRIATION OF FUNDS FOR THE STONEBRIDGE RECREATION CENTER PROJECT

On motion of Mr. Winslow, seconded by Ms. Haley, the Board transferred and appropriated up to \$400,000 from the Capital Improvement Project contingency, transferred existing project balances up to \$100,000, and appropriated up to \$30,000 in interest income to the Stonebridge Recreation Center Project.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

12.B.5. APPROVAL OF TRANSPORTATION PRIORITY PROJECTS AND ENDORSEMENT OF CANDIDATE SMART SCALE PROJECTS

On motion of Mr. Winslow, seconded by Ms. Haley, the Board approved the priority list of transportation projects and authorized staff to submit the specified projects for Smart Scale funding.

And, further, the Board adopted the following resolution endorsing the Smart Scale candidate projects:

WHEREAS, it is necessary that the local governing body endorse Smart Scale candidate projects.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Chesterfield County requests the Commonwealth Transportation Board provide funding for the following Smart Scale candidate projects submitted in 2018:

288/360 Northbound Flyover to Bailey Bridge Connector
288/360 Superstreet Intersection Improvements, Phase I
288/360 Superstreet Intersection Improvements, Phase II
I-95/Route 10 Interchange Improvements, Phase II
ITS Signal Upgrades
Route 60 Safety and Operational Improvements
Route 360/Courthouse Road Intersection Improvements
Route 1 (Falling Creek Wayside through Chippenham Parkway Interchange) Sidewalk
Chippenham Parkway/Hopkins Road Interchange Improvement
Nash Road (Beach Road to Route 10) Extension

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

12.B.6. TRANSFER OF DISTRICT IMPROVEMENT FUNDS

12.B.6.a. FROM THE CLOVER HILL DISTRICT IMPROVEMENT FUND TO THE SCHOOL BOARD TO PURCHASE A DIGITAL LIBRARY TO USE AT EVERGREEN ELEMENTARY SCHOOL

On motion of Mr. Winslow, seconded by Ms. Haley, the Board transferred \$1,500 in Clover Hill District Improvement Funds to the Chesterfield County School Board to purchase a digital library to use at Evergreen Elementary School.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

12.B.6.b. FROM THE MATOACA DISTRICT IMPROVEMENT FUND TO THE SCHOOL BOARD TO PURCHASE AN ONLINE LITERACY PROGRAM FOR MATOACA ELEMENTARY SCHOOL

On motion of Mr. Winslow, seconded by Ms. Haley, the Board transferred \$2,400 from the Matoaca District Improvement Fund to the School Board to purchase an online literacy Program for Matoaca Elementary School.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

12.B.6.c. FROM THE DALE DISTRICT TO SCHOOL BOARD TO PURCHASE MATERIALS TO CREATE A TV/RECORDING STUDIO FOR USE AT LLOYD C. BIRD HIGH SCHOOL

On motion of Mr. Winslow, seconded by Ms. Haley, the Board transferred \$1,500 from the Dale District Improvement Fund to the Chesterfield County School Board to purchase materials to create a TV/recording studio for use at Lloyd C. Bird High School.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

12.B.7. APPROVAL OF CHANGE ORDER NUMBER TWO FOR PROVIDENCE MIDDLE AND A.M. DAVIS ELEMENTARY SCHOOL

On motion of Mr. Winslow, seconded by Ms. Haley, the Board authorized the County Administrator to execute Change Order Number Two, in the amount of \$56,345.69, with Branscome Richmond for Providence Middle and A.M. Davis Elementary School revitalization.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

12.B.8. AWARD OF INDIVIDUAL REQUIREMENTS CONTRACTS

12.B.8.a. FOR AS-NEEDED STRUCTURAL ENGINEERING SERVICES

On motion of Mr. Winslow, seconded by Ms. Haley, the Board authorized the Director of Purchasing to award individual requirements contracts for as-needed structural engineering services to Dunbar, Milby, Williams, Pittman and Vaughan, PLLC and Speight, Marshall and Francis, P.C. for miscellaneous construction, renovation and major maintenance projects in the Department of General Services.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

12.B.8.b. FOR AS-NEEDED MECHANICAL, ELECTRICAL AND PLUMBING ENGINEERING SERVICES

On motion of Mr. Winslow, seconded by Ms. Haley, the Board authorized the Director of Purchasing to award individual requirements contracts for as-needed mechanical, electrical and plumbing engineering services to Dewberry Engineers, Johnson, Mirmiran and Thompson, Matthew J. Thompson III Consulting Engineers, Inc., and WSP Engineers for miscellaneous construction, renovation, and major maintenance projects in the Department of General Services.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

12.B.8.c. FOR AS-NEEDED FIRE PROTECTION ENGINEERING SERVICES

On motion of Mr. Winslow, seconded by Ms. Haley, the Board authorized the Director of Purchasing to award individual requirements contracts for as-needed fire protection engineering services to Rhino Fire Protection Engineering, PLLC and Systech Fire Protection, LLC for miscellaneous construction, renovation and major maintenance projects in the Department of General Services.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

12.B.9. INITIATION OF APPLICATION FOR ZONING AMENDMENT FOR A CHARITY-AFFILIATED HOME TO BE CONSTRUCTED WITHIN THE LANDING AT SWIFT CREEK

On motion of Mr. Winslow, seconded by Ms. Haley, the Board initiated an application for an amendment to zoning (Case 17SN0824) to consider a change to proffered conditions on the property located at 4807 Hidden Falls Court in the Landing at Swift Creek (Tax ID 718-682-6916); appointed Mr. Andrew Gillies, Director of Planning, as agent for the Board of Supervisors for the purposes of this application; and waived disclosure.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

12.B.10. ACCEPTANCE OF PARCELS OF LAND

12.B.10.a. ALONG HAPPY HILL ROAD FROM SHAWN D. DUNN

On motion of Mr. Winslow, seconded by Ms. Haley, the Board accepted the conveyance of three parcels of land containing a total of 0.1873 acres along Happy Hill Road from Shawn D. Dunn and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

12.B.10.b. ADJACENT TO FUTURE CROSSWINDS BOULEVARD FROM IRON BRIDGE INVESTMENTS, LLC

On motion of Mr. Winslow, seconded by Ms. Haley, the Board accepted the conveyance of two parcels of land containing a total of 0.112 acres adjacent to future Crosswinds Boulevard from Iron Bridge Investments, LLC and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

12.B.10.c. ALONG IRON BRIDGE ROAD FROM MYERS FAMILY PARTNERSHIP, L.P.

On motion of Mr. Winslow, seconded by Ms. Haley, the Board accepted the conveyance of a parcel of land containing 0.333 acres along Iron Bridge Road from Myers Family Partnership, L.P. and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

12.B.10.d. ALONG HICKS ROAD FROM SAINT JOHN'S EPISCOPAL CHURCH CHESTER, VIRGINIA

On motion of Mr. Winslow, seconded by Ms. Haley, the Board accepted the conveyance of 14 parcels of land containing a total of 0.742 acres along Hicks Road from St. John's Episcopal Church Chester, Virginia and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

12.B.10.e. FOR THE EXTENSION OF CROSSWINDS BOULEVARD FROM WATERMARK PARTNERS, LLC

On motion of Mr. Winslow, seconded by Ms. Haley, the Board accepted the conveyance of four parcels of land containing a total of 1.639 acres for the extension of Crosswinds Boulevard from Watermark Partners, LLC and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

12.B.11. APPROVAL OF LEASES OF TEMPORARY OFFICE SPACE

12.B.11.a. FOR USE BY MENTAL HEALTH SUPPORT SERVICES AT THE ROGERS BUILDING

On motion of Mr. Winslow, seconded by Ms. Haley, the Board authorized the County Administrator to execute a lease agreement with CS Development for the County of Chesterfield for temporary office space at Court Square for the Mental Health Support Services Executive Team.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

12.B.11.b. FOR USE BY THE MENTAL HEALTH SUPPORT SERVICES INTENSIVE TREATMENT PROGRAM AT THE LUCY CORR HEALTH CARE FACILITY

On motion of Mr. Winslow, seconded by Ms. Haley, the Board authorized the County Administrator to execute a lease agreement with the Health Center Commission for the County of Chesterfield for temporary office space at the Lucy Corr Health Care Facility for the Mental Health Support Services Intensive Treatment Program.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

12.B.12. APPROVAL OF THE PURCHASE OF A PARCEL OF LAND FOR THE E'TTRICK ELEMENTARY SCHOOL/E'TTRICK FIRE STATION REPLACEMENT PROJECTS

On motion of Mr. Winslow, seconded by Ms. Haley, the Board approved the purchase of a parcel of land containing .683 acres, more or less, with improvements, for \$207,300 plus closing costs from Rudij Enterprises, LLC for the Ettrick Elementary School/Ettrick Fire Station Replacement Projects, and authorized the County Administrator to execute the sales contract and deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

12.C. CLAIM OF SITEWORKS UNIT B, LLC FOR STORAGE OF RECYCLABLE ELECTRONICS BY A CONTRACTOR OF THE CENTRAL VIRGINIA WASTE MANAGEMENT AUTHORITY

Mr. Mincks stated in 2015, Central Virginia Waste Management Authority ("CVWMA"), through a competitive procurement process, hired a company known as eWaste Tech to recycle, reuse, or remanufacture certain used electronic equipment which was going to be collected throughout the Central Virginia area as part of "e-Cycle Collection Events." He further stated rather than recycle, reuse, or remanufacture approximately 250,000 pounds of the collected electronics, eWaste Tech signed a lease with the claimant, Siteworks Unit B, LLC, to store the electronics in a 21,000-square-foot warehouse facility in Richmond. He stated Siteworks maintains that the used electronics, which are intact and packaged for storage, are "hazardous waste" and that eWaste Tech is in violation of its lease with Siteworks, which prohibits the storage of hazardous waste. He further stated Siteworks is demanding that CVWMA and the CVWMA localities and their school boards, each pay to Siteworks the same claim amount - \$350,000. He stated Siteworks provides no documentation supporting this demand as it is required to do under state law. He noted his staff notified Siteworks' attorneys of this deficiency and told them that the Board was legally precluded from approving the claim unless the required documentation was submitted. He stated the dispute between Siteworks and eWaste Tech is a landlord-tenant dispute between private parties that should be resolved between those two parties, the stored electronics do not pose any legitimate environmental risk; and a dispute over lease terms by two private parties cannot constitute either an unconstitutional taking or an unlawful business interference for which the County of Chesterfield could be held liable. He further stated staff recommends that the Board deny the claim.

Ms. Corey Booker, representing Siteworks, stated SiteWorks was not aware that eWaste Tech intended to store hazardous materials in Warehouse 25. She further stated eWaste Tech defaulted on its lease with SiteWorks and has abandoned the E-Waste stored in Warehouse 25. She stated despite requests from the owner of Warehouse 25 to remove and properly recycle the E-Waste in Warehouse 25, neither CVWMA nor Chesterfield County has removed the E-Waste from Warehouse 25. She further stated her client's right to seek cost recovery/contribution under CERCLA against PRPs associated with Warehouse 25 is well-established by the law, U.S. EPA guidance and long-standing legal precedent.

On motion of Mr. Winslow, seconded by Mr. Holland, the Board denied the claim of Siteworks Unit B, LLC for storage of recyclable electronics by a contractor of the Central Virginia Waste Management Authority.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

13. FIFTEEN-MINUTE CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS

Mr. Bradley Wall expressed concerns relative to the lack of county communication and transparency regarding the proposed Matoaca rezoning case.

Mr. Steve Atkinson expressed his objections relative to the proposed Matoaca rezoning case.

Mr. Gary Metzinger expressed his objections relative to the proposed Matoaca rezoning case, specifically the project's placement and lack of county communication.

Ms. Gina Brown expressed concerns relative to the proposed Matoaca rezoning case and the allowance of heavy industrial zoning adjacent to residential or proposed residential areas.

14. DEFERRED ITEMS

There were no Deferred Items at this time.

15. REQUESTS FOR MANUFACTURED HOME PERMITS AND REZONING PLACED ON THE CONSENT AGENDA TO BE HEARD IN THE FOLLOWING ORDER: - WITHDRAWALS/DEFERRALS - CASES WHERE THE APPLICANT ACCEPTS THE RECOMMENDATION AND THERE IS NO OPPOSITION - CASES WHERE THE APPLICANT DOES NOT ACCEPT THE RECOMMENDATION AND/OR THERE IS PUBLIC OPPOSITION WILL BE HEARD AT SECTION 17

18SN0531

In Dale Magisterial District, Deron Jackson requests an exception to Section 18-60 of the utility ordinance for connection to the public sewer system and amendment of zoning district map in an Agricultural (A) District on 22.3 acres known as 7777 Cogbill Road. Density will be controlled by zoning conditions or ordinance standards. The Comprehensive Plan suggests the property is appropriate for Industrial uses. Tax ID 766- 676-4992.

Mr. Gillies stated the applicant has withdrawn its application. He further stated the Utilities Department has reconsidered their original position on the case and now views the case as an expansion of additional building space.

The Board acknowledged the withdrawal.

Mr. Holland read the following statement: "I would like to thank the Heritage Baptist Church for the desire to expand their facility here in Chesterfield County and am happy to have their congregation and facility in the Dale District. This expansion will double the size of their existing space

allowing them to better fulfill their mission to serve God and our community. I would also like to praise Dr. Jackson, the church expansion team and the county staff for working together to recognize opportunities and implementing creative solutions to expedite the completion of this project. This is a great project and I am pleased to see it moving forward.”

17SN0515

In Matoaca Magisterial District, Douglas and Susan Sowers request amendment of conditional use planned development (Case 03SN0307) relative to setbacks and to amend cash proffers and amendment of zoning district map in a Residential (R-12) District on 98.7 acres located at the southeast corner of Spring Run Road and Springford Parkway. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Suburban Residential II use (2.0 to 4.0 dwellings per acre). Tax ID 730-663-3520.

Mr. Gillies stated Mr. Elswick is requesting a remand of Case 17SN0515 to the Planning Commission.

Mr. Kerry Hutcherson accepted the remand.

Ms. Jaeckle called for public comment.

There being no one to address the remand, the public hearing was closed.

Mr. Elswick stated the case has been deferred five times for staff to work with the developer to amend the case.

Mr. Elswick then made a motion, seconded by Mr. Holland, for the Board to remand Case 17SN0515 to the Planning Commission.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

18RW0147

In Midlothian Magisterial District, Tarrington Holdings, LLC, requests an exception to Section 19.1-524 of the Chesapeake Bay Preservation Act requirements of the Zoning Ordinance to permit encroachment into the Resource Protection Area (RPA) along two unnamed perennial streams to perform grading and construction of five residential lots and principle dwelling units. The property is located at 4001 Ashwell Drive, which is within the James River drainage basin. Tax ID # 735-725-6651.

Mr. Gillies stated Ms. Haley is requesting a deferral of Case 18RW0147 to the January 24, 2018 regularly scheduled meeting.

Mr. Will Shewmake, representing the applicant, accepted the deferral.

Ms. Jaeckle called for public comment.

There being no one to address the deferral, the public hearing was closed.

Ms. Haley stated county staff and the applicant will continue to work on some modifications that may bring forth favorable amendments to the case.

Ms. Haley then made a motion, seconded by Mr. Winslow, for the Board to defer Case 18RW0147 until January 24, 2018.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

17SN0825

In Bermuda Magisterial District, Hanky, LLC requests rezoning from Agricultural (A) to Residential (R-12) and amendment of zoning district map on 22.7 acres fronting 480 feet on the west line of Bermuda Orchard Lane, across from Green Orchard Drive. Residential use of up to 3.63 unit(s) per acre is permitted in the Residential (R-12) District. The Comprehensive Plan suggests the property is appropriate for Suburban Residential II use (maximum of 2.0 to 4.0 dwellings per acre). Tax ID 815-649-7366.

Mr. Gillies presented a summary of Case 17SN0825 and stated both the Planning Commission and staff recommended approval and acceptance of the proffered conditions.

Mr. Mike Hanky accepted the recommendation.

In response to Mr. Mincks' question, Mr. Hanky stated he believes the conditions proffered are reasonable under state law.

Ms. Jaeckle called for public comment.

There being no one to address the issue, the public hearing was closed.

On motion of Ms. Jaeckle, seconded by Ms. Haley, the Board approved Case 17SN0825 and accepted the following proffered conditions:

1. Architectural Design Standards. All dwelling units developed on the Property shall be subject to the following architectural design standards:
 - a. Exterior Facades. All dwelling units shall have brick, stone, EIFS, stucco or horizontal siding. Acceptable lap siding materials shall include natural wood or cement fiber board or may be premium quality vinyl siding with minimum wall thickness of .044 inches. Dutch lap style siding shall not be permitted. Synthetic Stucco (E.I.F.S.) siding shall be finished in a smooth, sand or level texture, no rough textures are permitted.
 - b. Foundations. All foundations shall be constructed entirely of brick, stone, or a mixed combination of both. Synthetic or natural stucco foundations may be permitted for facades constructed entirely of stucco.
 - c. Roofs.

- i. Varied Roof Line. Varied roof design and materials shall be used on facades of dwellings that face a street. Minimum main roof pitch shall be 6/12.
 - ii. Roof Materials. Roofing material shall be dimensional architectural shingles with a minimum 30 year warranty. All flashing shall be copper or pre-finished aluminum (bronze or black). Standing seam metal may be used as a porch accent roof material.
- d. Porches and Stoops.
- i. Front Stoops and Front Porches. All front entry stoops and front porches shall be constructed with continuous masonry foundation wall or on 12"x12" masonry piers. Front porches shall be a minimum of five (5) feet deep. Space between piers under porches shall be enclosed with framed lattice panels. Handrails and railings shall be finished painted wood, vinyl rails or metal rail systems with vertical pickets or swan balusters. Pickets shall be supported on top and bottom rails that span between columns.
- e. Fireplaces, Chimneys and Flues.
- i. Chimneys. Side chimneys are permitted on roof planes or facades and must have masonry foundations. For gas fireplaces, metal flues may be used on the roof. All exterior materials and finishes used to enclose the chimney must be masonry or match the adjacent facade.
 - ii. Direct Vent Fireplaces: Direct vent gas fireplace boxes which protrude beyond the exterior wall of the unit, are not permitted on facades facing a street. All exterior materials and finishes used to enclose the fireplace box must match the adjacent facade.
- f. Minimum dwelling sizes.
- i. The minimum gross floor area for each single-family dwelling on Ranch/one story shall be 1,400 square feet and two stories shall be 1,600 square feet.
- g. Garages.
- i. Front loaded attached garages shall be permitted to extend as far forward from the front line of the main dwelling as the front line of the front porch provided that the rooflines of the porch and garage are contiguous. Where the rooflines are not contiguous, garages shall be permitted to project a maximum of four (4) feet forward of the front porch.

ii. Front loaded and corner side loaded garages shall have an upgraded garage door. An upgraded door is any door with a minimum of two (2) enhanced features. Enhanced features shall include windows, raised panels, decorative panels, arches hinge straps or other architectural features on the exterior that enhance the entry (i.e. decorative lintels, shed roof overhangs, arches, columns, keystones, eyebrows, etc.) Flat panel garage doors are prohibited.

h. Variation in Front Elevations.

i. Dwellings with the same elevations may not be located adjacent to, directly across from, or diagonally across from each other on the same street. This requirement does not apply to units on different streets backing up to each other. (P)

2. Front walks/Driveways.

a. All private driveways serving residential uses shall be constructed of brushed concrete, concrete pavers or asphalt).

b. Front walks. A minimum of a three (3) foot concrete front walk shall be provided to the front entrance of each dwelling unit, to connect to drives, sidewalks or street. (P)

3. Landscaping and Yards.

a. Sod and Irrigation. All front yards and corner yards shall be sodded and irrigated.

b. Front Foundation Planting Bed. Foundation planting is required along all dwelling facades facing a street. Foundation Planting Beds shall be a minimum of 4' wide, from the unit foundation. Planting beds shall include medium shrubs spaced a maximum of four (4) feet apart. Unit corners shall be visually softened with vertical accent shrubs (4'-5') or small evergreen trees (6'-8') at the time of planting.

c. Supplemental Trees. Two (2) yard trees shall be planted or retained in the front yard of each dwelling with a minimum diameter of 2 inches measured at breast height. (4' 10" above the ground).

d. Buffer. Twenty (20) foot wide buffer shall be required along the rear property line of specified lots, as shown on Exhibit A. Except where necessary to accommodate access and utilities that run generally perpendicular through the buffer, existing trees with a caliper of four (4) inches or greater shall be maintained within the buffer except that any dead, diseased, or dying trees may be removed. (P)

4. Heating, Ventilation and Air Conditioning (HVAC) Units and Whole House Generators.
 - a. Units shall initially be screened from view of public roads by landscaping or low maintenance material, as approved by the Planning Department. (P)
5. Dwelling Units. A maximum of fifty-five (55) dwelling units shall be permitted. (P)
6. Conceptual Plan. The site shall be designed as generally depicted on the concept plan dated September 12, 2017, entitled, "Mason Orchard, Bermuda District, Chesterfield County, Virginia" prepared by Bay Companies, Inc. (referred to herein as the "Concept Plan" attached hereto as Exhibit A provided, however the exact location of the lots, dwellings, streets, open space, common areas, and other improvements may be modified provided that the general intent of the Concept Plan is maintained. (P)
7. Cash Proffers.
 - a. The applicant, sub-divider, or assignee (s) shall pay \$9,400 for each single-family dwelling unit to the County of Chesterfield for road improvements.
 - b. Each payment shall be made prior to issuance of a building permit for dwelling unit unless state law modifies the timing of the payment. Should Chesterfield County impose impact fees at any time during the life of the development that are applicable to the property, the amount paid in cash proffers shall be in lieu of or credited toward, but in addition to, any impact fees, in a manner determined by the county. (B & M)
8. Water and Sewer.
 - a. Public water and wastewater shall be used. (U)
9. Post Development Runoff.
 - a. For portions of the property that are designated to drain to Johnson Creek, the post development runoff rate for the 2, 10, and 100 year storms shall not exceed the corresponding predevelopment runoff rate.
 - b. Storm water drainage from the property, directed towards Tax ID 814-650-7955, will be piped directly to Johnson Creek, unless otherwise approved by the Department of Environmental Engineering. (EE)
10. Dam Failure Analysis. For any detention facility serving the site with a manmade embankment a dam failure analysis may be required, as determined by the Department of Environmental Engineering at the time of construction plan review, showing no homes will be detrimentally impacted. The dam embankment design should include, but not be limited to, a clay core or a syphon structure as determined by the Department of

Environmental Engineering at the time of construction plan review. (EE)

11. Dedication. In conjunction with recordation of the initial subdivision plat or within 60 days from a written request by the Transportation Department, whichever occurs first, 35 feet of right of way along the west side of Bermuda Orchard Lane, measured from the centerline of that part of Bermuda Orchard Lane immediately adjacent to the property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)
12. Vehicular Access. Direct vehicular access from the property to Bermuda Orchard Lane shall be limited to one public road, generally aligning Green Orchard Drive. The exact location shall be approved by the Transportation Department. (T)
13. Road Improvements. In conjunction with initial development, the following road improvements shall be completed, as determined by the Transportation Department:
 - a. Construction of additional pavement along Bermuda Orchard Lane to provide left and right turn lanes at each approved access.
 - b. Construction of a sidewalk along the west side of Bermuda Orchard Lane for the entire property frontage.
 - c. Dedication to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for the improvements identified above. (T)

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

17SN0823

(AMENDED) In Matoaca Magisterial District, Jack R. Wilson, III, PLC requests amendment of zoning approval (Case 04SN0108) to amend cash proffers and amendment of zoning district map in a Residential (R-88) District on 343.5 acres located within Chesdin Landing Subdivision along Chesdin Crossing Drive and Terrace, Isle Pines Drive, Chesdin Manor Court and Drive and Extermill Road. Density will be controlled by zoning conditions or ordinance standards. The Comprehensive Plan suggests the property is appropriate for Residential Agricultural use (maximum of .5 dwelling per acre). Tax IDs 739-624-9511; 739-627-6542, 8324 and 8467; 739-628-2857; 740-624-7248 and 9459; 740-625-9468 and 9892; 740-626-0988; 740-627-0414, 1159, 3721, 3958, 7525 and 7559; 741-624-4479; 741-625-3856, 4388 and 4922; 741-626-0315, 1443, 1590, 1868, 6735, 7387 and 7760; 741-627-1480, 1531, 2813, 7415 and 7841; 741-628-3903; 742-623-2185; 743-624-0066; and 745-621-0464.

Mr. Gillies presented a summary of Case 17SN0823 and stated both the Planning Commission and staff recommended approval and acceptance of the proffered conditions.

Mr. Jack Wilson, representing the applicant, accepted the recommendation and stated he believes the conditions proffered are reasonable under state law.

Ms. Jaeckle called for public comment.

There being no one to address the issue, the public hearing was closed.

Mr. Elswick read the following statement: "I own a home at 13601 Blue Heron Circle in Chesdin Landing Subdivision. Due to my home's proximity to the properties identified in the applications, I can reasonably foresee that my property might realize a direct or indirect benefit or detriment resulting from the decisions of the Board of Supervisors on the rezoning amendments and I therefore declare a conflict. As is evident from the county's GIS map, there are scores of homes that will be as or more affected, directly or indirectly, by these rezoning decisions as my home and I am, therefore, a member of that group under Va. Code Section 2.2-3112 and -3115H. I am able to participate in these rezoning matters fairly, objectively, and in the public interest."

Mr. Elswick then made a motion, seconded by Mr. Holland, for the Board to approve Case 17SN0823 and accept the following proffered conditions:

The property owner and applicant in this case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors and assigns, proffer that the property under consideration (the "Property") will be developed according to the following proffers if, and only if, the request submitted herewith is granted with only those conditions agreed to by the owner and applicant. In the event this request is denied or approved with conditions not agreed to by the owner and applicant, the proffers shall immediately be null and void and of no further force or effect.

With the approval of this request, Proffered Condition 5 of Case 04SN0108 shall be amended as outlined below.

1. Cash Proffers. For each dwelling unit, the applicant, sub-divider, or assignee(s) shall pay \$9,400 to the County of Chesterfield for road improvements within the service district for the property. Each payment shall be made prior to the issuance of a building permit for a dwelling unit unless state law modifies the timing of the payment. Should Chesterfield County impose impact fees at any time during the life of the development that are applicable to the property, the amount paid in cash proffers shall be in lieu of or credited toward, but not be in addition to, any impact fees, in a manner determined by the County. Notwithstanding the foregoing, the parcels highlighted on Attachment 2 would pay no cash proffer. (B&M)

The Applicant hereby offers the following additional proffered conditions:

2. Foundations. The exposed portion of any foundation shall be brick or stone. Synthetic or natural stucco foundations may be permitted for facades constructed entirely of stucco. (P)

3. Architectural/Design Elements:

A. Driveways/Front Walks.

1. Driveways: All portions of driveways and parking areas shall be brushed concrete, stamped concrete, exposed aggregate concrete, asphalt or decorative pavers.

2. Front Walks: A minimum of a 42-inch-wide concrete front walk shall be provided to the front entrance of each dwelling unit, to connect to drives, sidewalks or street.

B. Landscaping.

1. Front Yard Tree: One (1) tree per lot shall be planted or retained. A tree shall be planted or retained on both street frontages on corner lots. The front yard tree shall be a large deciduous tree and have a minimum caliper of 2.5 inches. Native trees shall be permitted to have a minimum caliper of 2 inches.

2. Front Foundation Planting Beds: Foundation planting is required along the entire front facade of all units, and shall extend along all sides facing a street. Foundation Planting Beds shall be a minimum of four (4) feet wide from the unit foundation. Planting beds shall be defined with a trenched edge or suitable landscape edging material. Planting beds shall include medium shrubs and may include spreading groundcovers. Unit corners shall be visually softened with vertical accent shrubs (4'-5') or small evergreen trees (6'-8') at the time of planting.

C. Architecture and Materials.

1. Style and Form: The architectural styles shall be similar to those existing in the Isle of Pines subdivision and be interpretations of traditional Richmond architecture such as Georgian, Adam, Classical Revival Colonial, Greek Revival, Queen Anne, Craftsman and Farmhouse Styles.

2. Repetition: Dwellings with the same elevations may not be located adjacent to, directly across from, or diagonally across from each other on the same street. This requirement does not apply to units on different streets backing up to each other.

3. Exterior Facades: Acceptable siding materials include brick, stone, masonry, stucco, synthetic stucco (E.I.F.S), vinyl siding, and approved horizontal lap siding. Horizontal lap siding may be manufactured from natural wood or cement fiber board or may be premium quality vinyl siding with a minimum wall thickness of 0.042 inches. Plywood and metal siding are not permitted.
 4. Step-down Siding: Stepping the siding down below the first floor shall only be permitted in circumstances of unique topographical conditions. Step downs shall be permitted on the side and rear elevations only, with a maximum of two (2) steps permitted on any elevation, and with a minimum separation of eight (8) feet between steps. A minimum of 24 inches of exposed brick or stone shall be required, unless a lesser amount is approved by the Planning Department at time of plans review due to unique design circumstances.
 5. Roof Materials: Roofing material shall be dimensional architectural shingles or better with a minimum 30-year warranty.
- D. Porches and Stoops. All front entry stoops and front porches shall be constructed with continuous masonry foundation wall or on 12" x 12" masonry piers. Extended front porches shall be a minimum of five (5) feet deep. Space between piers under porches shall be enclosed with framed lattice panels. Handrails and railings shall be finished painted wood, vinyl rails or metal rail systems with vertical pickets or swan balusters. Pickets shall be supported on top and bottom rails that span between columns.
- E. Garages.
1. All units shall have an attached garage. Front loaded attached garages shall be permitted to extend as far forward from the front line of the main dwelling as the front line of the front porch provided that the rooflines of the porch and garage are contiguous. Where the rooflines are not contiguous, garages shall be permitted to project a maximum of three (3) feet forward of the front line of the main dwelling.
 2. Front loaded and corner side loaded garages shall use an upgraded garage door. An upgraded garage door is any door with a minimum of two (2) enhanced features. Enhanced features shall include windows, raised panels, decorative panels, arches, hinge straps or other architectural features on the exterior that enhance the entry (i.e. decorative lintels, shed roof overhangs, arches, columns, keystones, eyebrows, etc.) Flat panel garage doors are prohibited.

F. Heating, Ventilation and Air Conditioning (HVAC) Units and Whole House Generators. Units shall initially be screened from view of public roads by landscaping or low maintenance material, as approved by the Planning Department.

G. Fireplaces and Chimneys.

1. Chimney chases shall be constructed of brick or stone. The width and depth of chimneys shall be appropriately sized in portion to the size and height of the unit.

2. Direct vent gas fireplace boxes which protrude beyond the exterior plane of the unit, are not permitted on front facades. All the exterior materials and finishes used to enclose the fireplace box must match the adjacent facade. (P)

4. Any single family dwelling unit on a lot adjacent to Lake Chesdin (Appomattox River Water Authority property) shall have a minimum of 2,800 gross square feet. All other single family dwelling units shall have a minimum of 1,900 gross square feet. (P)

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

18SN0534

In Bermuda Magisterial District, Emerson Companies requests rezoning from Agricultural (A) to Residential (R-12) and amendment of zoning district map on 40.1 acres fronting 580 feet on the north line of Ramblewood Drive, 95 feet west of Litwack Cove Drive. Residential use of up to 3.63 units per acre is permitted in the R-12 District. The Comprehensive Plan suggests the property is appropriate for Suburban Residential II use (maximum of 2.0 to 4.0 dwellings per acre). Tax IDs 811-648-8048; 812-648-1287; and 812-649-0346 and 6432.

Mr. Gillies presented a summary of Case 18SN0534 and stated both the Planning Commission and staff recommended approval and acceptance of the proffered conditions.

Mr. Kerry Hutcherson, representing the applicant, accepted the recommendation and stated he believes the conditions proffered are reasonable under state law.

Ms. Jaeckle made a motion, seconded by Mr. Winslow, for the Board to suspend its rules to allow for consideration of the amended proffered conditions.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

Ms. Jaeckle called for public comment.

There being no one to address the issue, the public hearing was closed.

Ms. Jaeckle made a motion, seconded by Mr. Winslow, for the Board to approve Case 18SN0534 and accept the following proffered conditions:

The Applicant in this case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for itself and its successors or assigns, proffer that the property known as Chesterfield County Tax Identification Numbers 811-648-8048, 812-648-1287, 812-649-6432, 812-649-0346 ("the Property") under consideration will be used according to the following proffer(s) if, and only if, the request submitted herewith is granted with only those conditions agreed to by the Applicant. In the event this request is denied or approved with conditions not agreed to by the owners and Applicant, the proffer shall immediately be null and void and of no further force or effect.

I. Vehicular Access. Direct vehicular access from the Property to Ramblewood Drive shall be limited to one (1) public road. The Transportation Department shall approve the exact location of the access (the "Approved Access"). (T)

II. Road Improvements and Right-of-Way Dedication. The Applicant/Developer/Subdivider shall be responsible for the following road improvements and right-of-way dedication:

A. In conjunction with initial development, the following road improvement shall be provided:

1. Additional pavement along Ramblewood Drive at the Approved Access to provide left and right turn lanes.
2. Dedication to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for the improvements identified above.

B. In conjunction with recordation of the initial subdivision plat or within sixty (60) days from a written request by the Transportation Department, whichever occurs first, forty-five (45) feet of right of way along the north side of Ramblewood Drive, measured from the centerline of that part of Ramblewood Drive immediately adjacent to the property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)

III. Road Cash Proffer. The Developer/Subdivider/Assignee, at his sole discretion, shall provide one of the following:

A. For each dwelling unit, the Developer/Subdivider/Assignee shall pay \$9,400 per dwelling unit to the County of Chesterfield for road improvements within the service district for the Property. Each payment shall be made prior to the issuance of a building permit for a dwelling unit unless state law modifies the timing of the payment;

and

At the option of the Transportation Department, cash proffer payments may be reduced for the cost of transportation improvements, other than those identified in Proffered Condition II, provided by the Developer/Subdivider/Assignee, as determined by the Transportation Department;

-or-

- B. In conjunction with initial development, the Developer/Subdivider/Assignee shall widen/improve the south side of Ramblewood Drive to provide a twelve (12) foot-wide travel lane, as measured from the centerline of the road, with an additional four (4) foot-wide paved shoulder plus a four (4) foot-wide unpaved shoulder and overlaying the full width of the road with one and a half (1.5) inch of compacted bituminous asphalt concrete with any modifications approved by the Transportation Department from a point beginning approximately 400 feet west of the Litwack Cove Drive intersection and extending westward for a distance of 930 feet. The Developer/Subdivider/Assignee shall dedicate to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for these improvements. (B & M)

IV. Architectural Design Standards. The Property shall be developed in accordance with the following Architectural/Design Elements, which are considered minimum standards.

A. Style and Form:

1. Architectural Styles. Architectural styles shall use forms and elements compatible with those in the Ramblewood Forest subdivision in Chesterfield County, Virginia. Each dwelling constructed on the Property shall include at least two (2) of the following architectural features: masonry watertables, decorative gables, Palladian windows, soldier courses with keystones, cornices, columns, balconies, shutters, dentil mouldings, or front doorways with sidelights and/or transoms.
2. Variation in Front Elevations. The following restrictions are designed to maximize architectural variety of the houses.
 - a. The same front elevation may not be located adjacent to, directly across from, or diagonally across the street from each other on the same street.
 - b. Variation in the front elevation to address the paragraph above may not be achieved by simply mirroring the facade but may be accomplished by providing at least two (2) of the following architectural changes:

- (i) adding or removing a porch or covered entry or increasing or decreasing the length of the porch or entry.
- (ii) varying the location and/or style of a front facing gable(s).
- (iii) alternating the location of the garage.
- (iv) providing different materials and/or siding types on at least 50% of the elevation.
- (v) providing a different roof type/roof line.
- (vi) providing different window shapes or designs.
- (vii) alternating the color themes with respect to siding, doors, and trim, or
- (viii) varying the window and door fenestration.

B. Exterior Facades. At least fifty percent (50%) of the dwelling units constructed shall have brick or stone (or a combination thereof) fronts that cover a minimum of thirty percent (30%) of the facade (which facade shall exclude gables, windows, trim, and doors). Acceptable siding materials include brick, stone, a combination of brick or stonestucco, synthetic stucco (E.I.F.S.), or horizontal lap siding. Horizontal lap siding may be manufactured from natural wood or cement fiber board or may be premium quality vinyl siding with a minimum wall thickness of .042 inches. Synthetic Stucco (E.I.F.S.) siding shall be finished in a smooth, sand or level texture, no rough textures are permitted.

C. Foundations. All foundations shall be constructed of brick, stone, or a combination thereof, and such foundations shall extend a minimum of eighteen (18) inches above final grade.

D. Roofs.

2. Varied Roof Line. Varied roof designs and materials shall be used on facades of dwellings that face a street. Minimum roof pitch shall be 6/12.

3. Roof Materials. Roofing material shall be dimensional architectural shingles with a minimum 30-year warranty. All flashing shall be copper or pre-finished aluminum (bronze or black).

E. Porches and Stoops.

1. Front porches: All front entry stoops and front porches shall be constructed with continuous foundation wall. The foundation wall shall be constructed of brick, stone, a combination of brick and stone, or stucco synthetic stucco (E.I.F.S.), in the case where stucco or synthetic stucco (E.I.F.S.) is used on the remainder of a dwelling. Extended front porches shall be a minimum of five (5)' deep. Handrails and railings shall be finished wood or metal railing with vertical pickets, stainless steel cables, swan balusters, or better. Pickets shall be supported on top and bottom rails that span between columns. There shall be no unpainted vertical surfaces on decks, porches and stoops on the front or sides of the house.

F. Fireplaces, Chimneys and Flues.

1. Chimneys. Sided chimneys are permitted on roof planes or facades and must have masonry foundations. Cantilevered chimneys are not permitted. The width and depth of chimneys shall be appropriately sized in proportion to the size and height of the dwelling unit. For gas fireplaces, metal flues may be used on the roof.
2. Direct Vent Fireplaces: Direct vent gas fireplace boxes which protrude beyond the exterior plane of the dwelling unit, are not permitted on front facades. All the exterior materials and finishes used to enclose the fireplace box must match the adjacent facade.

- G. Heating, Ventilation and Air Conditioning (HVAC) Units and Whole House Generators. HVAC units and whole house generators shall initially be screened from view of public roads by landscaping or low maintenance material, as approved by the Planning Department. (P)

V. Front walks/Driveways.

- A. Private Driveways. All private driveways serving residential uses shall be hardscaped (which hardscaping may be constructed of brushed concrete, stamped concrete, exposed aggregate concrete, or decorative pavers). Private driveways shall not require curb and gutter.
- B. Front Walks. Front walks shall be provided to the front entrance of each dwelling unit. Front walks shall be hardscaped (which hardscaping may be constructed of brushed concrete, stamped concrete, exposed aggregate concrete, or decorative pavers). Front walks shall be a minimum of three and one-half (3.5) feet wide. (P)

VI. Garages.

- A. All units shall have an attached two-car garage. No front-loaded garages shall be permitted except in the case where a dwelling includes three garages. In the case where a dwelling has three garages, no more than one garage shall be front-loaded.
- B. Both front loaded and corner side loaded garages shall use an upgraded garage door. An upgraded garage door is any door with a minimum of two (2) enhanced features. Enhanced features shall include windows, raised panels, decorative panels, arches, hinge straps or other architectural features on the exterior that enhance the entry (i.e. decorative lintels, shed roof overhangs, arches, columns, keystones, eyebrows, etc.). Flat panel garage doors are prohibited.
- C. Front-loaded garages shall be permitted to extend past the front line of the main dwelling provided that the architectural treatment of the garage (with respect to fenestration and foundation treatment) generally conforms to the example photo attached hereto as Exhibit A. (P)

VII. Landscaping and Yards.

- A. Sod and Irrigation. All front and corner side yards shall be sodded and irrigated.
- B. Front Foundation Planting Bed: Foundation planting is required along the entire front facade of all units, and shall extend along all sides facing a street. Foundation Planting Beds shall be a minimum of four (4) feet wide from the dwelling unit foundation. Planting beds shall be defined with a trenched edge or suitable landscape edging material. Planting beds shall include medium shrubs, spaced a maximum of four feet apart, and planting beds may include spreading groundcovers. Unit corners shall be visually softened with vertical accent shrubs (4-5 feet in height) or small evergreen trees (6-8 feet in height) at the time of planting.
- C. Front Yard Tree: One (1) tree per lot shall be planted or retained. A tree shall be planted or retained on both street frontages on corner lots. The front yard tree shall be a large deciduous tree and have a minimum caliper of two and one-half (2.5) inches. Native trees shall be permitted to have a minimum caliper of two (2) inches.
- D. Rear Yard Landscaping Area: For all lots that adjoin either the Cypress Woods subdivision or the Ramblewood Forest subdivision a ten (10) foot wide landscaping area shall be provided on all lots along the rear property line of each lot or as near to the rear property line as is practicable to allow for installation and maintenance of utilities and drainage facilities. The exact location of each such landscaping area shall be specified in a

landscape plan for each lot, which shall be submitted for review and approval by the Planning Department at the time of building permit application (the "Rear Yard Landscape Plan"). Within this landscaping area, the Applicant/Developer/Subdivider shall install landscaping in accordance with Landscape B (Option 1) as set forth in the Zoning Ordinance. The landscaping required by the Rear Yard Landscaping Plan shall be installed by the Applicant/Developer/Subdivider prior to issuance of a certificate of occupancy for the unit unless the Planning Department approves an alternate installation schedule. Healthy existing vegetation shall be credited toward meeting the requirements of this condition VII.D, provided that such vegetation is reasonably distributed throughout the required ten (10) foot wide landscaping area. (P)

VIII. Density and Lots.

A. Number of Lots. The number of dwelling units shall not exceed 88.

B. Minimum Average Lot Size. The average lot size for the entire Property shall be no less than 14,500 square feet. (P)

IX. Minimum Dwelling Unit Size. Minimum dwelling unit sizes shall apply:

A. 1,800 square feet of gross floor area for each two-story dwelling.

B. 1,600 square feet of gross floor area for each Cape Cod-style or Ranch-style dwelling.

C. 1,500 square feet of gross floor area for each tri-level dwelling. (P)

X. Post Development Runoff.

A. For portions of the Property that are designated to drain to Johnson Creek, the post development runoff rate for the 2, 10, and 100 year storms shall not exceed the corresponding predevelopment runoff rate.

B. Storm water drainage from the property shall be directed away from Tax ID 814-650-7955, unless otherwise approved by the Department of Environmental Engineering. (EE)

XI. Connection to County Water/Sewer. The applicant or developer shall connect the Property to County water and sewer at time of construction. (U)

XII. Homeowner's Association. In conjunction with recordation of the subdivision plat for the Property, the Developer/Subdivider/Assignee shall record a declaration establishing a homeowner's association for the subdivision that is developed on the Property. (P)

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

Ms. Jaeckle then made a motion, seconded by Ms. Haley, for the Board to approve the waiver to street connectivity for Case 18SN0534.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

18SN0535

In Clover Hill Magisterial District, Nathan Kerrick requests conditional use to permit a two-family dwelling and amendment of zoning district map in a Residential (R-15) District on 0.7 acre known as 2020 Hickstead Road. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Suburban Residential II use (maximum of 2.0 to 4.0 dwellings per acre). Tax ID 752-697-7007.

Mr. Gillies presented a summary of Case 18SN0535 and stated both the Planning Commission and staff recommended approval, subject to the conditions.

Mr. Nathan Kerrick accepted the conditions.

Ms. Jaeckle called for public comment.

There being no one to address the issue, the public hearing was closed.

On motion of Mr. Winslow, seconded by Mr. Holland, the Board approved Case 18SN0535, subject to the following conditions:

1. Occupancy of the second dwelling unit shall be limited to: the occupants of the principal dwelling unit, individuals related to them by blood, marriage, adoption or guardianship, foster children, guests and any domestic servants. (P)
2. For the purpose of providing record notice, within thirty (30) days of approval of this request, a deed restriction shall be recorded setting forth the limitation in Condition 1. The deed book and page number of such restriction and a copy of the restriction as recorded shall be submitted to the Planning Department. (P)

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

18SN0581

In Bermuda Magisterial District, Rebecca C. Partin/Cole Real Estate, Inc. requests conditional use to permit a computer-controlled, variable-message, electronic sign (EMC) and amendment of zoning district map in a Community Business (C-3) District on 1.8 acres known as 2710 West Hundred Road. Density will be controlled by zoning conditions or ordinance standards. The Comprehensive Plan suggests the property is appropriate for commercial use. Tax ID 797-655-6717.

Mr. Gillies presented a summary of Case 18SN0581 and stated both the Planning Commission and staff recommended approval, subject to the conditions.

The applicant was not present.

Ms. Jaeckle asked that the case be moved to the end of the zoning agenda to allow staff to get in touch with the applicant.

18SN0582

In Bermuda Magisterial District, Wanda G. and Daniel C. Merrick Sr. request conditional use to permit a residential stock farm (keeping of horses and chickens) and amendment of zoning district map in a Residential (R-25) District on 7.5 acres known as 14215 Amstel Bluff Terrace. Density will be controlled by zoning conditions or ordinance standards. The Comprehensive Plan suggests the property is appropriate for residential agricultural use. Tax ID 774-639-9670.

Mr. Gillies presented a summary of Case 18SN0582 and stated both the Planning Commission and staff recommended approval, subject to the conditions.

Mr. Daniel C. Merrick Sr. accepted the conditions.

Ms. Jaeckle called for public comment.

There being no one to address the issue, the public hearing was closed.

Ms. Jaeckle made a motion, seconded by Mr. Winslow, for the Board to approve Case 18SN0582, subject to the conditions.

In response to Mr. Elswick's question, Mr. Mincks stated one rooster is permitted under the conditions of the case. He noted the Board can adjust the conditions accordingly.

Ms. Jaeckle called for a vote on her motion, seconded by Mr. Winslow, for the Board to approve Case 18SN0582, subject to the following conditions:

1. Use: This Conditional Use approval shall be for a stock farm use, which shall be limited to the keeping of a maximum of three (3) horses and fifteen (15) chickens, including one (1) rooster. (P)
2. Non-Transferable Ownership: This Conditional Use approval shall be granted exclusively to Daniel C. and Wand G. Merrick, Sr., and shall not be transferable or run with the land. (P)
3. Commercial Activity: No commercial activity, such as the breeding or sale of animals or shows, shall be permitted in conjunction with this use. (P)
4. Animal Waste: All areas associated with the keeping of horses (pastures, stables, shelters, etc.) and chickens (coops, run areas, etc.) shall be cleaned and made free of waste on a regular basis. In addition, the property owner shall employ a means of eliminating any odor problems and propagation of insects. (P)
5. Existing Improvements. The area for the keeping of the horses and chickens shall be located on the site generally as shown on Exhibit A, dated November 9, 2017. (P)

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

18SN0595

In Midlothian Magisterial District, Rebkee Partners Westchester III requests amendment of zoning approval (Case 06SN0191) to permit use exceptions and amendment of zoning district map in a General Industrial (I-2) District on 1.5 acres fronting 245 feet on the north line of Midlothian Turnpike, 715 feet west of Watkins Centre Parkway. Density will be controlled by zoning conditions or ordinance standards. The Comprehensive Plan suggests the property is appropriate for regional mixed use. Tax ID 715-711-0031.

Mr. Gillies presented a summary of Case 18SN0595 and stated both the Planning Commission and staff recommended approval and acceptance of the proffered conditions.

Mr. Andy Scherzer, representing the applicant, accepted the recommendation.

Ms. Jaeckle called for public comment.

There being no one to address the issue, the public hearing was closed.

On motion of Ms. Haley, seconded by Mr. Holland, the Board approved Case 18SN0595 and accepted the following proffered conditions:

With the approval of this request, Item I.C of the Textual Statement, dated February 17, 2006, of Case 06SN0191 shall be amended as outlined below. All other conditions of Case 06SN0191 shall remain in force and effect.

1. Uses Within Tract C. Within Tract C, uses shall be limited to those permitted by right or with restrictions in the Neighborhood Business (C-2) District except that uses on a minimum of ten (10) acres located generally on the western portion of Tract C shall be limited to those uses permitted by right or with restrictions in the Corporate Office (O-2) District plus a hotel, provided that the parcel identified with Tax ID 715-711-0031 shall be limited to those permitted by right or with restrictions in the Neighborhood Business (C-2) District, excluding the use of a convenience store, and a specific use permitted in Community Business District (C-3), a liquor store. (P)

The applicant hereby offers the following condition:

2. Utilities. Public water and wastewater systems shall be used. (U)

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

18SN0596

In Clover Hill Magisterial District, Finer Homes Incorporated requests rezoning from Agricultural (A) to Residential (R-12) plus conditional use planned development to permit exceptions to ordinance requirements and amendment of zoning district map on 9.9 acres known as 4301 and 4411 North Bailey Bridge Road. Residential use of up to 3.63 units per acre is permitted in the R-12 District. The Comprehensive Plan suggests the property is appropriate for Suburban Residential II use (maximum of 2.0 to 4.0 dwellings per acre). Tax IDs 740-679-9746 and 741-679-1173.

Mr. Gillies presented a summary of Case 18SN0596 and stated both the Planning Commission and staff recommended approval and acceptance of the proffered conditions.

Mr. Winslow made a motion, seconded by Ms. Haley, for the Board to suspend its rules to allow for consideration of the amended proffered conditions.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

Mr. Andy Scherzer, representing the applicant, accepted the recommendation and stated he believes the conditions proffered are reasonable under state law.

Ms. Jaeckle called for public comment.

There being no one to address the issue, the public hearing was closed.

On motion of Mr. Winslow, seconded by Ms. Haley, the Board approved Case 18SN0596 and accepted the following proffered conditions:

The Applicant hereby offers the following proffered conditions:

1. Master Plan. The Textual Statement, last revised November 10, 2017, shall be considered the Master Plan. (P)
2. Density. The maximum density shall not exceed thirty-two (32) dwelling units. (P)
3. Utilities. Public water and wastewater systems shall be used. (U)
4. Dwelling Size. The minimum gross floor area of each dwelling unit shall be 1,300 square feet. (P)
5. Road Improvements. In conjunction with the initial development, the following road improvements shall be completed, as determined by the Transportation of Department:
 - a. Construction of a sidewalk along the east side of Bailey Bridge Road for the entire property frontage.
 - b. Construction of left and right turn lanes along N. Bailey Bridge Road at the approved access, in accordance with Transportation Department standards.
 - c. Dedication to and for the benefit of Chesterfield County, free and unrestricted, any additional right of way or easements required for the improvements identified above. (T)
6. Right of Way Dedication. Prior to any site plan approval, forty-five (45) feet of right-of-way along the east side of Bailey Bridge Road measured from the centerline of that part of the roadway immediately adjacent to the property shall be dedicated, free and

unrestricted, to and for the benefit of Chesterfield County. (T)

7. Vehicular Access. Direct vehicular access from the property to N. Bailey Bridge Road shall be limited to one public road. (T)

8. Architectural/Design Elements.

a. Driveways/Sidewalks.

i. Driveways. All portions of driveways and parking areas shall be brushed concrete, stamped concrete, exposed aggregate concrete, asphalt or decorative pavers.

ii. Front Walks. A minimum of a three (3) foot wide concrete front walk shall be provided to the front entrance of each dwelling unit, to connect to drives, sidewalks or street.

iii. Sidewalks. Sidewalks shall be provided on both sides of all public streets.

b. Landscaping.

i. Streetscape. Large deciduous trees, with a caliper of 2.5 inches for non-native species and 2 inches for native species at time of planting, planted approximately 40' on center, shall be provided along both sides of all public streets, except where there is a conflict with utilities, sightlines, and driveway areas.

ii. Front Yards. Except for the foundation planting bed, all front yards shall be sodded and irrigated.

iii. Front Foundation Planting Beds. Foundation planting is required along the entire front facade of all dwelling units, and shall extend along all sides facing a street. Foundation planting beds shall be a minimum of four (4) feet wide from the unit foundation. Planting beds shall include medium shrubs spaced a maximum of four (4) feet apart. Unit corners shall be visually softened with vertical accent shrubs (4'-5') or small evergreen trees (6'-8') at the time of planting.

c. Architectural and Materials.

i. Foundations. The exposed portion of any foundation shall be brick or stone. If the dwelling unit is constructed on a slab, brick or stone shall be employed around the base of the front and sides of the dwelling unit a minimum of twenty-four (24) inches above grade as to give the appearance of a foundation.

ii. Repetition. Dwellings with the same elevations may not be located adjacent to, directly

across from, or diagonally across from each other on the same street. This requirement does not apply to units on different streets backing up to each other.

- iii. Exterior Facades. Acceptable siding materials include brick, stone, masonry, vinyl siding and approved horizontal lap siding. Horizontal lap siding may be manufactured from natural wood or cement fiber board or may be premium quality vinyl siding with a minimum wall thickness of 0.044 inches. Dutch lap, plywood and metal siding are not permitted.
- iv. Special Focus Units. Units that are typically located at the end of a street intersection and/or against common open space, shall have an embellished side facade with enhanced features. Embellished facades may include a mixing of materials, gables, dormers, entryway details, shutters, or other architectural features on the exterior that enhance the entry (i.e. decorative lintels, shed roof overhangs, arches, columns, keystones, eyebrows, etc.). These units may also utilize enhanced landscaping to reinforce the streetscape, with shade trees, garden fences, hedges, shrubs, etc. to help define the front yard and street edge.
- d. Roof Materials: Roofing material shall be standing seam metal, dimensional architectural shingles, or better with a minimum 30-year warranty.
- e. Front Porches/Stoops: All front entry stoops and front porches shall be constructed with continuous masonry foundation wall or on 12" x 12" masonry piers. Extended front porches shall be a minimum of four (4) feet deep. Space between piers under porches shall be enclosed with framed lattice panels. Handrails and railings shall be finished painted wood, vinyl rails or metal rail systems with vertical pickets or swan balusters. Pickets shall be supported on top and bottom rails that span between columns.
- f. Garages. If garages are provided, the following shall be required.
 - i. Front loaded attached garages shall be permitted to extend as far forward from the front line of the main dwelling as the front line of the front porch provided that the rooflines of the porch and garage are contiguous. Where the rooflines are not contiguous, garages shall be permitted to project a maximum of two (2) feet forward of the front line of the main dwelling.
 - ii. Front loaded, and corner side loaded garages shall use an upgraded garage door. An upgraded garage door is any door with a minimum of two (2) enhanced features. Enhanced features shall

include windows, raised panels, decorative panels, arches, hinge straps or other architectural features on the exterior that enhance the entry (i.e. decorative lintels, shed roof overhangs, arches, columns, keystones, eyebrows, etc.) Flat panel garage doors are prohibited.

g. Heating, Ventilation and Air Conditioning (HVAC) Units and Whole House Generators. Units shall initially be screened from view of public roads by landscaping or low maintenance material, as may be approved by the Planning Department.

h. Fireplaces, Chimneys and Flues.

i. Chimneys. Masonry fireplace chimney chases shall be constructed of brick or stone. The width and depth of chimneys shall be appropriately sized in portion to the size and height of the unit.

ii. Direct Vent Fireplaces. Direct vent gas fireplace boxes, which protrude beyond the exterior face of the unit, are not permitted on front facades. All the exterior materials and finishes used to enclose the fireplace box must match the adjacent facade. (P)

9. Focal Point/Recreation Area.

a. A minimum of 0.38 acre of common area/recreation area shall be provided within this property to provide a focal point(s). Part of the focal point(s) shall be hardscaped and have benches and other amenities that accommodate and facilitate gatherings. The focal point(s) shall be developed concurrent with the phase of development where the focal point(s) are located. (P)

10. Tree Preservation. A twenty (20) foot tree preservation strip shall be maintained in open space along Tax IDs 741-679-5470, 741-679-4773, 741-679-3578, and 741-679-2981. All trees greater than six inches in caliper (as measured 12 inches above ground surface) within the Tree Preservation Area are to be retained. Any homeowner seeking to clear trees beyond their lot line and into this area, which is located within open space, must obtain prior approval from the Homeowners Association or Architectural Design Committee, which in turn shall notify the adjacent property owner(s) prior to approving any requested homeowner activity. The Homeowners Association or Architectural Design Committee shall send copies of such approvals, if granted, and notifications to the Planning Department. The Tree Preservation Area shall be subject and subordinate to the terms of any utility or drainage easements which may be granted by Declarant or its successors to the County of Chesterfield, Virginia. (P)

11. Post Development Discharge Rates. For the portion of the property which drains to the Clay Pointe subdivision, the maximum post-development discharge rate for the 100-

year storm shall be based on the maximum capacity of the existing facilities downstream, and the record 100-year backwater and/or floodplain shall not be increased. On-site detention of the post-development 100-year discharge rate to below the pre-development 100-year discharge rate may be provided to satisfy this requirement. (EE)

12. Dam Failure Analysis. Any detention facility serving the site should be a dry facility below the existing ground, so no manmade compacted embankment is required. If some level of manmade embankment is necessary, a dam failure analysis may be required, as determined by the Department of Environmental Engineering at the time of construction plan review, showing no homes will be detrimentally impacted. The dam embankment design should include, but not limited to, a clay core or a syphon structure. (EE)
13. Drainage. No impervious areas shall sheet flow through Bailey Ridge Estates. (EE)
14. Buffer. The fifty (50) foot buffer along Bailey Bridge Road shall be recorded in common area. (P)

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

18SN0598

In Matoaca Magisterial District, Jordan S. Webb ET AL requests rezoning from Residential (R-88) to Agricultural (A) plus conditional use planned development to permit exceptions to ordinance requirements and amendment of zoning district map on 116.9 acres fronting in two (2) places for a total of 330 feet on the west line of Rowlett Road, one (1) being 415 feet north of Barretta Lane and the other 1,735 feet north of Hickory Road. Density will be controlled by zoning conditions or ordinance standards. The Comprehensive Plan suggests the property is appropriate for residential agricultural use (maximum of 0.5 dwellings per acre. Tax IDs 758-628-6726, 760-628-2105 and 760-629-3608.

Mr. Gillies presented a summary of Case 18SN0598 and stated both the Planning Commission and staff recommended approval and acceptance of the proffered conditions.

Mr. Andy Scherzer, representing the applicant, accepted the recommendation.

In response to Mr. Mincks' question, Mr. Scherzer stated he believes the conditions proffered are reasonable under state law.

Ms. Jaeckle called for public comment.

There being no one to address the issue, the public hearing was closed.

On motion of Mr. Elswick, seconded by Mr. Winslow, the Board approved Case 18SN0598 and accepted the following proffered conditions:

1. The Textual Statement, last revised November 14, 2017 shall be considered the Master Plan. (P)
2. Prior to approval of a building permit, the property owner shall provide a copy of a recorded instrument from Point A to Point B which will include the following:
 - a. A condition that shall require that no structure or fence shall be constructed to block the access.
 - b. A condition that shall require the land owner of the subject property to be responsible for maintenance of the access.
 - c. A fifty (50) foot private access easement from Point A to Point B, as shown on Exhibit A attached to the staff report. (P)
3. A fifteen (15) foot wide roadway shall be constructed and maintained to all weather standards from Point A to Point B and extended to each dwelling unit in accordance with the following standards.
 - a. This roadway shall consist of not less than the following: compacted soil sub-base with six (6) inches of compacted 21-B crushed stone, if an asphalt based surface is to be applied, it shall be designed and constructed to Chesterfield County subdivision street requirements or an equivalent design approved by the Subdivision Team, capable of supporting the projected 75,000-pound vehicle weight and shall be maintained to this standard. The roadway shall not be approved if it is rutted or potholed.
 - b. There shall be an additional three (3) foot clear area beyond the edge of the roadway.
 - c. There shall be a minimum vertical clearance of fourteen (14) feet of area above the roadway.
 - d. The roadway shall have a maximum grade of ten (10) percent with an appropriate transition at the street connection.
 - e. The minimum inside turning radius for any curve shall be twenty-seven (27) feet.
 - f. Any cross drains shall be designed to accommodate a minimum ten (10) year storm. (P and F)
4. Prior to issuing a Certificate of Occupancy, the Planning Department shall inspect this roadway to determine compliance as set forth above. (P)
5. The house number shall be installed on the mailbox or a pole and located at the driveway entrance of the State maintained road as well as at the driveway entrance to the property. The house numbers shall be displayed in at least four (4) inch high numbers. (P)
6. The subject property shall not be further subdivided, except to permit a maximum of four (4) lots created through the family subdivision process. (P)

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

Mr. Gillies noted staff was still trying to reach the applicant of Case 18SN0581 by telephone. He stated he was made aware that the applicant had agreed previously with all of the conditions.

Ms. Jaeckle noted her concerns with approving the case unless notification by the applicant has been made.

Mr. Gillies announced the applicant was currently in route to the meeting.

16. PUBLIC HEARINGS

16.A. TO CONSIDER AMENDMENTS TO THE COUNTY CODE RELATED TO BUSINESS LICENSES

Mr. Lou Lassiter stated this date and time has been advertised for the Board to consider amendments to the County Code related to business licenses. He further stated the county's business license tax ordinance as it relates to itinerant merchants, peddlers, and vendors at events such as flea markets, trade shows, and craft shows is dated and confusing. He stated the current ordinance does not clearly account for some of these new activities, treats similar vendors differently and, in some cases, discourages compliance due to high administrative burdens. He further stated county staff and the Commissioner of the Revenue are proposing amendments to the business license ordinance to clarify its application, reduce unnecessary bureaucracy, increase compliance, and reduce costs to small businesses. He stated it is requested that the Board amend the business license tax threshold escalator language. Currently, he stated the ordinance exempts the first \$300,000 from BPOL taxes with a CPI-U escalator to be calculated at the end of this year. Due to the nominal increase in the CPI this past year, it is anticipated that taxpayer confusion and the administrative costs associated with implementing the change will outweigh the benefits of applying the escalator. He further stated the Commissioner of the Revenue has estimated that less than 25 percent of businesses would benefit from the escalated threshold for an average savings of \$12 per taxpayer. He stated the proposed change is to remove the escalator provision and instead require the County Administrator to review the threshold level at least every three years and recommend changes to the Board as he deems appropriate.

In response to Mr. Winslow's question, Mr. Lassiter stated consideration of the business license tax threshold would take place at least every three years.

Ms. Jaeckle called for public comment.

Mr. Freddy Boisseau, Bermuda District resident, urged the Board to reject the proposed changes due to the escalated threshold level for businesses.

In response to Mr. Boisseau's concerns, Mr. Lassiter stated the business community has a set amount to establish what is exempt and nonexempt.

Mr. Winslow noted the difficulty to compute the threshold for businesses and stressed the importance of remaining competitive regionally.

Mr. Holland noted his intent to discuss the matter after the public hearing was closed.

Dr. Casey clarified the requirement of the County Administrator to help initiate the review periodically.

Mr. Holland stressed the importance of reducing the cost and confusion to the business community.

Mr. Elswick clarified the intention of the change to lessen the burden of confusion on the business community.

There being no one else to address the issue, the public hearing was closed.

Mr. Holland made a motion, seconded by Ms. Haley, for the Board to adopt the proposed ordinance.

Ms. Jaeckle noted the business community recommended approval to the proposed changes.

Ms. Jaeckle called for a vote on Mr. Holland's motion, seconded by Ms. Haley, for the Board to adopt the following ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING
AND RE-ENACTING SECTIONS 6-1, 6-4, 6-7, 6-15, 6-23, 6-40, 6-
42, 6-47, 6-48, AND 6-50
RELATING TO BUSINESS LICENSES FOR EVENTS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Sections 6-1, 6-4, 6-7, 6-15, 6-23, 6-40, 6-42, 6-47, 6-48, and 6-50 of the Code of the County of Chesterfield, 1997, as amended, are amended and re-enacted to read as follows:

Chapter 6 - BUSINESS LICENSES

ARTICLE I. GENERAL PROVISIONS

Sec. 6-1. Definitions.

Vendor event means an event at a single location, whether inside or outside, consisting of a group of five or more persons selling or offering for sale goods, wares or merchandise such as hobby crafts, antiques, art works, new or secondhand articles, souvenirs, meats, fruits and vegetables, prepared foods or drinks, or any combination of these. This definition shall include, but not be limited to, flea markets, craft shows, trade shows, bazaars, farm markets, art shows, festivals, sporting events, and yard sales where such vendors are present. Vendor events conducted by nonprofit organizations that are exempt from federal taxes by the Internal Revenue Service may elect to be excluded from this definition, in which case any and all vendors at the event would be responsible for their own license as an individual itinerant or other retail merchant; otherwise such nonprofit

organizations may elect to obtain the vendor event license as the promoter.

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Itinerant merchant means a retail merchant or person who engages in any temporary or transient business in the county selling goods, wares, and merchandise and who for the purpose of carrying on such business, hires, leases, uses or occupies any space for a period of less than one year. Any merchant who does business within a shopping center and operates pursuant to a lease of at least one year shall not be defined as an itinerant merchant. No person shall be deemed an itinerant merchant solely because the person exhibits or otherwise displays goods or services or information concerning goods or services so long as the person does not sell, contract to sell, or offer to contract to sell, such goods or services. Any itinerant merchant who sells alcohol shall also be subject to relevant laws and license fees described in § 6-38, 6-39, or 6-39.1 of this chapter, in addition to any itinerant merchant license fees imposed in § 6-47.

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Sec. 6-4. - License fees.

- a. Every person engaged in a business which is licensable pursuant to this chapter shall pay an annual fee if the total gross receipts, or gross purchases in the case of wholesale merchants, from the licensable business activity are \$10,000.00 or more, but less than \$300,000.00 ("license fee cap"), during the base year. An annual license fee shall be paid for each licensable business activity. The annual fee shall be calculated as follows:

Gross Receipts/Purchases of Each Licensable Business Activity	Fee
\$1.00-\$9,999.99	\$0.00
\$10,000.00-\$299,999.99	\$10.00

- b. The county administrator shall review the license cap at least every three years and recommend changes to the board of supervisors he deems appropriate.

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Sec. 6-7. - Certain permits or certificates required.

Every person subject to licensure for acting as a bondsman, fortune-teller, nightclub operator, taxi driver or solicitor, or adult business operator shall first obtain a permit or certificate as required by chapter 15.

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Sec. 6-15. - Due dates and penalties.

- (a) Each person subject to licensure under this chapter shall apply for a license and pay the applicable tax and fee prior to beginning business if he was not subject to

licensure in the county on or before January 1 of the license year, or no later than March 1 of the license year if he was subject to licensure in the county prior to January 1 of the license year. In the case of licenses for non-continuous, periodic, or annual events or sales, including those for itinerant merchants, vendor events, performances or amusements (such as public shows, athletic events, or exhibitions, or operation of amusement devices), carnivals, circuses, and going-out-of-business sales, such payment and application for license shall be due prior to beginning operations for the sale or event in the current year, whether or not a license was obtained in a prior year, unless otherwise stated within this chapter. For events for which a promoter is responsible for a vendor event license or other license based on attendance or vendor count, the commissioner shall have discretion to allow payment after start of the event.

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**ARTICLE II. - TAX RATES FOR LICENSE TAXES
COMPUTED UPON BASE YEAR GROSS RECEIPTS**

Sec. 6-23. - Imposition of taxes generally.

No tax shall be levied pursuant to this article on any business whose base year gross receipts, or gross purchases in the case of wholesale merchants, were less than \$300,000.00. If the base year gross receipts of the licensable business activity are greater than or equal to \$300,000.00 ("license cap fee"), the amount of such gross receipts shall be reduced by \$300,000.00 for the purpose of calculating the applicable tax and the business shall pay the tax on the reduced amount or a license fee of \$10.00, whichever is greater. The \$300,000.00 reduction shall not apply to any estimates made under section 6-24 but shall apply to the correction of such estimates.

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ARTICLE III. - FLAT FEE LICENSE TAXES

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Sec. 6-40. - Promoters of athletic contests, races, etc.

Every person presenting a professional or for-profit basketball, baseball, football, wrestling or boxing match or similar competitive athletic performance or exhibition, or presenting an automobile, motorcycle or go-cart or similar vehicle, horse, dog or animal race or contest, and who charges an admission fee to spectators for such event shall pay a license tax of \$20.00 for every day of the event. If the event includes outside vendors, the promoter may also be subject to licensure under § 6-50 (vendor event) of this chapter; likewise, individual vendors, including the promoter if he is selling at retail, may be subject to additional license requirements within this chapter, including § 6-47 (itinerant merchants) or other relevant license categories.

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Sec. 6-42. - Carnivals and circuses.

(a) Every person operating a carnival or circus shall pay a license tax of \$300.00 for the first week of the carnival or circus and \$100.00 for each additional week. No additional license shall be required of the carnival or circus licensee for the privilege of selling soft drinks, confections, food, souvenirs and novelties on the grounds on which the carnival or circus is operated. If the carnival or circus includes outside vendors, the promoter may also be subject to licensure under § 6-50 (vendor event) of this chapter; likewise, individual vendors, including the promoter if he is selling at retail, may be subject to a separate or additional license under § 6-47 (itinerant merchants) or other relevant license(s) under this Code.

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Sec. 6-47. - Itinerant merchants.

(a) Except as provided in subsections (b), (c), (d), (e), (f), and (g), every itinerant merchant shall pay a license tax of \$250.00 for each location used during a calendar year.

(b) No license tax shall be imposed on any itinerant merchant who sells or offers for sale in person or by his employees only the following items or any of them if such items were grown, produced, or harvested by him or by his employees and were not purchased by them for sale: ice, wood, charcoal, meats, milk, butter, eggs, poultry, game, vegetables, fruits or other family supplies of a perishable nature or farm, domestic or nursery products or fish or animal products harvested from the water.

(c) A license tax of \$50.00 shall be imposed on each itinerant merchant for each location used during the license year by such itinerant merchant to sell or offer for sale in person or by his employees food and drinks of a perishable nature, including farm or domestic or nursery products or fish or animal products harvested from the water if such items were not grown, produced, or harvested by him or by his employees.

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(e) A license tax of \$50.00 shall be imposed on an itinerant merchant for each location used during the license year for activities conducted as part of an event conducted or sponsored by any department of the county or state government. The commissioner of the revenue may require written verification and/or other presumptive proof from an authorized representative of such government department as evidence of sponsorship. Presumptive proof of sponsorship should include, but may not be limited to, a significant contribution of time, money, or other resources.

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(h) An itinerant merchant who does business within a shopping center pursuant to a valid lease shall be considered a retail merchant under this chapter if the following conditions are met:

- (1) The merchant has engaged in the business at the shopping center for 12 continuous months and has obtained the license and paid the tax required by this section for such 12-month period;
- (2) The merchant applies for a retail merchant license at the expiration of such 12-month period; and
- (3) The merchant continues to engage in the business at the shopping center on a continuous basis. Upon satisfying conditions (1) and (2) above, the merchant shall be taxed as if the merchant had been a retail merchant for the entire 12-month period described in subsection (1) above.

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- (k) An itinerant merchant who does business at a vendor event at which the promoter of such event has obtained a vendor event license shall be considered to be doing business under such license. For that event location, the itinerant merchant license tax shall not apply.
- (l) Nonprofit organizations are exempt from having to obtain a vendor event license. An exempt organization may voluntarily choose to purchase a vendor event license, in which case itinerant merchants who participate in the event shall be considered to be doing business under that license and for that event location, the itinerant merchant tax shall not apply.

Sec. 6-48. - Peddlers.

Every peddler who is not expressly exempt from a license tax under the provisions of this chapter shall obtain a license for the privilege of doing business in the county and shall pay a license tax as set forth below:

- (a) Unless otherwise provided in this section or in some other section of this chapter, the license tax for each peddler selling or offering for sale goods, wares and merchandise shall be \$250.00 for the license tax year.

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- (c) No license shall be imposed on any peddler who sells or offers for sale in person or by his employees only the following items or any of them if such items were grown, produced, or harvested by him or by his employees and were not purchased by him for sale: ice, wood, charcoal, meats, milk, butter, eggs, poultry, game, vegetables, fruits or other family supplies of a perishable nature or farm, domestic or nursery products or fish or animal products harvested from the water.
- (d) A license tax of \$25.00 per vendor or vehicle for the license year shall be imposed on any peddler who sells or offers for sale in person or by his employees food, drinks, or other goods if such items were not grown, produced, or harvested by him or by his employees; and who, for the purpose of peddling such food, drinks, or goods, does not stay in one location or allow his vehicle to remain in

place any longer than is necessary to conclude a sale of any goods, wares, or merchandise or a continuous uninterrupted series of sales thereof, for any longer than a maximum of 30 minutes.

- (e) A peddler whose activities are conducted solely for charitable purposes and who is not paid for his services shall not be required to pay any license tax under this section.
- (f) A peddler who sells fire wood for home consumption shall not be required to pay any license tax under this section.
- (g) A peddler's license shall not be transferable and shall not be subject to proration. The full amount of the license tax shall be paid when assessed.
- (h) It shall be unlawful for a peddler to park, stand, stop or allow a vehicle to remain in any place for the purpose of peddling more than 8 hours in any day.
- (i) The license tax imposed under this section shall be imposed upon each person and each agent of a corporation, association, or other entity who conducts the activities of a peddler; except that peddlers who all peddle from or in close proximity to a vehicle and who all peddle the same type of goods, wares or merchandise may obtain a single peddler license for each vehicle. The license tax for such license shall be the amount of tax that would otherwise have been charged to one of those peddlers.

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Sec. 6-50. - Vendor events.

(a) Every person engaged in the business of organizing, promoting or managing a vendor event shall pay a license tax calculated in accordance with subsection (c).

(b) No person participating in a vendor event as a merchant shall be liable for any license taxation on his gross receipts generated at such event, or for a flat fee license as an itinerant merchant at the event, under this chapter if the promoter, manager or organizer of the event obtains a license and pays the license tax as provided in this section. If the promoter fails to file and pay a license application pursuant to this section, all vendors participating in the event shall be subject to the applicable licenses enumerated in this chapter. Vendors selling alcohol, irrespective of participation in a vendor event, are also subject separately to requirements set forth in § 6-38, 6-39, and/or 6-39.1 of this chapter.

(c) The license tax imposed by this section shall be \$25 per event per site or \$100 annually for an unlimited number of events at a single site vendor event. Within one week following the conclusion of an event, or quarterly for all events within a quarter if such

license is annual, the promoter shall provide the commissioner of the revenue a list of vendors who participated at the event. The commissioner may, at his discretion, require this list before the event in the case of promoters who are based outside of the county.

(d) Promoters that are nonprofit organizations are exempt from having to obtain a vendor event license. An exempt organization may voluntarily choose to purchase a vendor event license, in which case individual vendors participating in the event will not be required to obtain a separate itinerant merchant license for that location.

(2) *That this ordinance shall become effective January 1, 2018.*

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.

Nays: None.

17. REMAINING MANUFACTURED HOME PERMITS AND ZONING REQUESTS

There were no remaining manufactured home permits and zoning requests at this time.

18. FIFTEEN-MINUTE CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS

Mr. Tom Watson expressed his objections relative to the proposed Matoaca rezoning case and its negative impacts to area residents.

Mr. Freddy Bossieau expressed concerns relative to the burdens of the Economic Development Authority associated with the Matoaca rezoning case.

18SN0581

In Bermuda Magisterial District, Rebecca C. Partin/Cole Real Estate, Inc. requests conditional use to permit a computer-controlled, variable-message, electronic sign (EMC) and amendment of zoning district map in a Community Business (C-3) District on 1.8 acres known as 2710 West Hundred Road. Density will be controlled by zoning conditions or ordinance standards. The Comprehensive Plan suggests the property is appropriate for commercial use. Tax ID 797-655-6717.

Mr. Gillies stated staff has spoken with Ms. Rebecca Partin and confirmed her acceptance of the conditions.

Mr. LaVerne Cole accepted the conditions.

Ms. Jaeckle called for public comment.

There being no one to address the issue, the public hearing was closed.

Ms. Jaeckle made a motion, seconded by Mr. Holland, for the Board to approve Case 18SN0581, subject to the following conditions:

1. The sign shall be located in accordance with Zoning Ordinance requirements and as generally depicted on

Exhibits A and B, by Moore Sign Corp. last revised July 6, 2017. (P)

2. Electronic Sign. The computer-controlled, variable message, electronic sign shall conform to the following standards:
 - a. Copy shall be limited to a maximum of three (3) and shall not move but may fade;
 - b. The message or display shall be programmed to change no more than every thirty (30) seconds;
 - c. Sequential messaging shall be prohibited;
 - d. Flashing and traveling messages shall be prohibited;
 - e. Bijou lighting and animation effects shall be prohibited; and,
 - f. Brightness shall be limited so as not to exceed 0.3-foot candles above ambient light as measured using a foot candle meter at a distance of 74 feet. The computer-controlled, variable message, electronic sign shall have a photocell that automatically adjusts the brightness according to ambient light conditions. (P)

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

19. ADJOURNMENT

On motion of Ms. Haley, seconded by Mr. Holland, the Board adjourned at 8:26 p.m. to January 10, 2018 at 6:00 p.m. for the Board of Supervisors' annual organizational meeting.

Ayes: Jaeckle, Haley, Winslow, Holland and Elswick.
Nays: None.

Joseph P. Casey
County Administrator

Dorothy A. Jaeckle
Chairman