



VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE POWHATAN VILLAGE BUILDING AUDITORIUM, 3910 OLD BUCKINGHAM ROAD IN POWHATAN COUNTY, VIRGINIA, ON JANUARY 28, 2019, AT 6:00 P.M.

Board of Supervisors Present: David T. Williams, District 1
Larry J. Nordvig, District 2
Angela Y. Cabell, District 3, Vice Chairman
William E. Melton, District 4
Carson L. Tucker, District 5, Chairman

Board of Supervisors Absent: None

County Staff Present: Ted Voorhees, County Administrator
Bret Schardein, Assistant County Administrator
Tom Lacheney, County Attorney
Ramona Carter, Director of Public Works
Andrew Pompei, Director of Community Development
Ed Howland, Principal Planner
Steve Singer, Fire and Rescue Chief
Tom Nolan, Director of Public Safety Communications
Alyson Oliver, Planner II

Constitutional Officers Present: Brad Nunnally, Sheriff

Guests Present: Ms. Susan Bergquist- honoree
Mr. Jacob Boykin- honoree
Reverend David Arnold of St. Cyprian of Carthage
Orthodox Church in America
Mr. Kevin Reichert, Resident Engineer, Virginia
Department of Transportation (VDOT)
Mr. Mark Kronenthal of Roth Jackson
Mr. Tom Kinter of General Land Companies
Mr. Jacques Gits

1. Call to Order

Chairman Tucker called the meeting to order at 6:00 p.m.

Chairman Tucker asked that the record show all Board of Supervisors members are present.

2. Pledge of Allegiance

Chairman Tucker led the Pledge of Allegiance.

3. Invocation

Chairman Tucker provided the Invocation.

4. Election of Chairman

Chairman Tucker called for nominations for Chairman of the Board of Supervisors.

Mr. Melton nominated Mrs. Cabell for Chairman. County Attorney Tom Lacheney called for additional nominations. Mr. Williams nominated Mr. Nordvig. County Attorney Tom Lacheney closed the nominations. He stated that the first Candidate to reach three votes would become the Chair. Mrs. Cabell, as the first candidate nominated, was first voted upon.

Mr. Lacheney called for a rollcall vote.

Angela Y. Cabell	AYE
William E. Melton	AYE
Carson L. Tucker	AYE
David T. Williams	NAY
Larry J. Nordvig	NAY

**VOTE 3-2
MOTION Passed**

Mrs. Cabell was named Chairman.

5. Election of Vice Chairman

Chairman Cabell asked for nominations for Vice Chairman. Mr. Tucker nominated Mr. Melton. Chairman Cabell asked for additional nominations. Mr. Nordvig nominated Mr. Williams. Mr. Melton was first voted upon.

Chairman Cabell called for a rollcall vote.

Angela Y. Cabell	AYE
William E. Melton	AYE
Carson L. Tucker	AYE
David T. Williams	NAY
Larry J. Nordvig	NAY

**VOTE 3-2
MOTION Passed**

Mr. Melton was named Vice Chairman.

6. Requests to Postpone Agenda Items and Additions, Deletions or Changes in the Order of Presentation

Mr. Tucker motioned that Item 11(b), Proclamation P-2019-02 Recognizing Jacob Boykin for an Act of Kindness and Generosity, be added to this Agenda. Mr. Melton seconded the motion.

Mr. Nordvig motioned that Item 14(f), O-2019-06 (Adoption of the 2019 Long-Range Comprehensive Plan), be deferred to the February 25, 2019 Agenda.

Chairman Cabell called for a vote on the addition of Item 11b, Proclamation P-2019-02 Recognizing Jacob Boykin for an Act of Kindness and Generosity.

David T. Williams, Larry J. Nordvig, Angela Y. Cabell, William E. Melton, Carson L. Tucker voted AYE.

**VOTE 5-0
MOTION Passed**

Further discussion of deferring item 14(f) O-2019-06 (Adoption of the 2019 Long-Range Comprehensive Plan) was held.

Chairman Cabell called for a rollcall vote.

David T. Williams AYE
Larry J. Nordvig AYE
Angela Y. Cabell AYE
William E. Melton AYE
Carson L. Tucker AYE

**VOTE 5-0
MOTION Passed**

7. Formal Approval of Agenda

Mr. Tucker motioned to approve the Agenda as amended. Mr. Williams seconded the motion.

Chairman Cabell called for a vote to approve the Agenda as amended.

David T. Williams, Larry J. Nordvig, Angela Y. Cabell, William E. Melton, Carson L. Tucker voted AYE

**VOTE 5-0
MOTION Passed**

8. Public Comment (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board)

Chairman Cabell opened the Public Comment period.

Jim Carver, 4245 Steger Creek Dive, spoke about traffic being a core concern for citizens.

Vernell Straughter, Bell Road, stated that her concerns which were presented to two Powhatan County staff members had not been resolved in over nine months. She suggests mandatory re-education on customer service and consequences to staff for failure.

Ken Partin, representing Reidelback Property concerning a 43-acre property at the intersection of Dogwood Road and Anderson Highway, stated that there is a contract pending for land use on that property. The front will be commercial and the rear will be residential. A sewage pump treatment facility at the rear is part of the proposal. It will benefit this residential development as well as the county. He asks the Board of Supervisors to consider this information.

Parker Sloan, of Cypress Creek Renewables, spoke to urge the Board of Supervisors not to arbitrarily establish precise numbers such as exact setbacks and project size limitations on solar projects. He states that utility infrastructure in our county will limit the size and geographical location of solar projects.

Victoria Ronnau, 6430 Blenheim Road, asked the Board of Supervisors to slow down on the Comprehensive Plan and RC Zoning. She stated that her neighbors are uninformed about the changes to RC Zoning under consideration.

Mike Hall, 1746 Old Powhatan Estates, spoke to ask the Board of Supervisors to improve the safety of the deceleration lane at Page Road from westbound Route 60.

Don Silberbauer, 1426 Donavon Mill Lane, spoke concerning the Comprehensive Plan

Cecil Youngblood, 2554 Ridge Road, spoke about his opposition to the three proposed Village Center areas on Route 60 and is opposed to apartments of any kind in Powhatan.

Runda Harris, Three Bridge Road, spoke in favor of affordable housing, apartments, and rentals. She states that everyone who comes to Powhatan will not be low income.

Robert Perkins, 5420 Cartersville Road, spoke about the Comprehensive Plan and against high-density development. He suggests looking at failures of neighboring counties.

Jamie Rowland, 2112 Pine Oak Court, spoke about the Comprehensive Plan and against high-density housing. He wants to keep Powhatan rural. He supports commercial growth.

Abel Harris, 2303 Three Bridge Road. stated that you can't run from growth and development.

Seeing there were no other speakers, Chairman Cabell closed the first Public Comment period.

9. Consent Agenda

- a. Treasurers Report November 3, 2018

- b. R-2019-01: A Resolution Requesting State Road Acceptance by the Virginia Department of Transportation (VDOT) for the Street within Section 3 of the Oak Leaf Subdivision

Mr. Tucker motioned to approve the Consent Agenda as presented. Mr. Melton seconded the motion.

Chairman Cabell called for a rollcall vote.

David T. Williams	AYE
Larry J. Nordvig	AYE
Angela Y. Cabell	AYE
William E. Melton	AYE
Carson L. Tucker	AYE

VOTE 5-0
MOTION Passed

10. Appointments to Boards, Commissions, Committees, etc.

- a. One Appointment/Reappointment to the Board of Zoning Appeals

Mr. Melton nominated Joey Paquette. Mr. Williams nominated John DeLong.

Mr. Nordvig asked County Attorney Tom Lacheney if, as a realtor, Mr. Paquette would be required to recuse himself from cases in which he has an interest.

Mr. Lacheney said that the Board of Supervisors only makes a recommendation to the Circuit Court who makes the appointment to the Board of Zoning Appeals. Mr. Paquette would have to declare an interest and recuse himself from cases in which he has an interest.

Mr. Tucker noted that it is wonderful that we have more than one person willing to serve. As first nominated, Mr. Paquette was first voted upon.

Chairman Cabell called for a rollcall vote.

Angela Y. Cabell	AYE
William E. Melton	AYE
Carson L. Tucker	AYE
David T. Williams	NAY
Larry J. Nordvig	NAY

VOTE 3-2
MOTION Passed

Mr. Paquette received the Board's recommendation.

- b. One Appointment/Reappointment to the John Tyler Alcohol Safety Action Program

Mr. Tucker motioned to reappoint Robert Cerullo to the John Tyler Alcohol Safety Action Program. Mr. Melton seconded the motion.

Chairman Cabell called for a rollcall vote.

David T. Williams AYE
Larry J. Nordvig AYE
Angela Y. Cabell AYE
William E. Melton AYE
Carson L. Tucker AYE

VOTE 5-0
MOTION Passed

- c. Five Appointments/Reappointments to the Powhatan Community Action Agency Advisory Board

Chairman Cabell stated that she would like to consider the applications to the Community Action Agency as a group. She noted that the application of Ms. Vicky Dee Fulkerson was withdrawn.

Chairman Cabell motioned to appoint Ms. Tracey Holyfield, Ms. Gayzelle Taylor, Ms. Teresa Dobbins, and Ms. Meghan Carroll to serve on the Community Action Agency. Mr. Tucker seconded the motion.

David T. Williams AYE
Larry J. Nordvig AYE
Angela Y. Cabell AYE
William E. Melton AYE
Carson L. Tucker AYE

VOTE 5-0
MOTION Passed

- d. One Appointment/Reappointment to the Library Board of Trustees

Mr. Nordvig moved to appoint Karen Bradbury to the Library Board. Mr. Tucker seconded the nomination.

Chairman Cabell called for a vote.

David T. Williams AYE
Larry J. Nordvig AYE
Angela Y. Cabell AYE
William E. Melton AYE
Carson L. Tucker AYE

VOTE 5-0
MOTION Passed

Upcoming Appointments:

Agricultural & Forestal Districts Advisory Committee (2; 12/31/17)
Anti-Litter Council (1; 5/31/18)
Central Virginia Waste Management Association (resignation, term exp. 1/31/21)
Goochland-Powhatan Community Svcs (1; 6/30/18) (1; resignation, term exp. 9/30/19)
Powhatan Community Policy Management Team (1; 6/30/18)
Richmond Area Transportation Planning Org, CTAC (2; 4/30/18)
Social Services Board (1; 10/31/18)

**11. Certificates of Appreciation, Special Resolutions, Proclamations
and Presentations**

- a. P-2019-01 Recognizing Susan Bergquist for her Service as CSB
Director

Chairman Tucker read Proclamation P-2019-01 Recognizing Susan Bergquist for her Service as CSB Director aloud in the form of a motion. Mr. Melton seconded the motion. Chairman Cabell called for a vote.

David T. Williams, Larry J. Nordvig, Angela Y. Cabell, William E. Melton, Carson L. Tucker voted AYE

VOTE 5-0
MOTION Passed

- b. P-2019-02 Recognizing Jacob Boykin for a Generous and Kind
Act

Chairman Tucker read Proclamation P-2019-02 Recognizing Jacob Boykin for a Generous and Kind Act aloud in the form of a motion. Mr. Williams seconded the motion. Chairman Cabell called for a vote.

David T. Williams, Larry J. Nordvig, Angela Y. Cabell, William E. Melton, Carson L. Tucker voted AYE

VOTE 5-0
MOTION Passed

12. Old Business

a. Bonded Projects Update

Mr. Voorhees stated that the courthouse project is making progress.

Mr. Melton asked for an estimated completion date.

Ramona Carter, Director of Public Works, stated that February 22nd is the estimated completion date.

b. Strategic Priority Scorecard

Mr. Voorhees stated that we are in a good situation for the majority of departments developing performance measures which the Board will see in conjunction with the publishing of the budget.

13. New Business

a. FY20 Budget Development Guidelines

The Board discussed FY20 budget development guidelines.

Mr. suggested that we consider an increase in cash savings beyond our 15% rainy day fund.

Mr. Williams asked how the new system will interface with that of the school system. He stated that obtaining a current monthly status and the ability to construct online queries are important factors.

Mr. Melton motioned to approve the FY20 Budget Development Guidelines to include discussion of an increase to the rainy day fund suggested by Mr. Nordvig as well as Mr. William's concerns. Mr. Tucker seconded the motion. Chairman Cabell called for a vote.

David T. Williams, Larry J. Nordvig, Angela Y. Cabell, William E. Melton, Carson L. Tucker voted AYE

VOTE 5-0
MOTION Passed

14. Public Hearings, 6:30 PM or thereafter

a. O-2019-02 (Case #18-10-CUP): St. Cyprian of Carthage Orthodox Church in America (District #1:

Subletts/Manakin/Flat Rock) requests a conditional use permit (CUP) to permit a cemetery within the Agricultural-10 (A-10) zoning district per Sec. 83-162 of the Zoning Ordinance of the County of Powhatan. The proposed use will be located at Tax Map 32-23 (2570 Huguenot Springs Road). The subject property consists of 5.796 acres and is designated as Rural Residential on the Countywide Land Use Plan Map in the 2010 Long-Range Comprehensive Plan.

Ms. Alyson Oliver, Powhatan Planning Department, presented details for O-2019-02 (Case #18-10-CUP): St. Cyprian of Carthage Orthodox Church in America (District #1: Subletts/Manakin/Flat Rock) .

Reverend David Arnold of St. Cyprian of Carthage Orthodox Church in America gave a history of the parish and spoke in support of the project.

Chairman Cabell opened the Public Comment period.

Seeing there were no speakers, Chairman Cabell closed the Public Comment period.

Mr. Williams motioned to approve O-2019-02 (Case #18-10-CUP): St. Cyprian of Carthage Orthodox Church in America (District #1: Subletts/Manakin/Flat Rock). Mr. Tucker seconded the motion.

Chairman Cabell called for a rollcall vote.

David T. Williams	AYE
Larry J. Nordvig	AYE
Angela Y. Cabell	AYE
William E. Melton	AYE
Carson L. Tucker	AYE

VOTE 5-0
MOTION Passed

- b. **O-2019-03 (Case #18-06-REZC): Jacques Gits (District #2: Powhatan Station/Graceland)** requests the rezoning from General Commercial (C) (2.51 acres), Residential-Commercial (R-C) (6.00 acres), and Agricultural-10 (A-10) (3.63 acres) to Commerce Center (CC) with proffered conditions and amendment of the zoning district map of approximately 12.148 acres of land located southeast of the U.S. Route 60 (Anderson Highway)/State Route 622 (Dorset Road) intersection, being Tax Map 41-50, 41-53, 41-55, 41-56, 41-59, and 41-60. Proffered conditions address site access, dedication of right of way, and the design of freestanding signage. The 2010 Long-Range Comprehensive Plan designates the subject properties as Village

Center (Route 60 Corridor East Special Area Plan) on the Countywide Land Use Plan Map.

Mr. Andrew Pompei, Planning Director, presented details of ordinance O-2019-03 (Case #18-06-REZC): Jacques Gits (District #2: Powhatan Station/Graceland).

The Board held discussion of O-2019-03 (Case #18-06-REZC): Jacques Gits (District #2: Powhatan Station/Graceland).

Mr. Williams discussed that, while the developer has done nothing wrong, this project is an example of the need to remove RC zoning.

Mr. Mark Kronenthal of Ross Jackson representing Jacques Gits spoke in support of the project and explained that the entire project is by-right.

Chairman Cabell opened the public comment period.

Ron Nichols 1700 Dorset Rd. spoke in opposition to any additional entrances on Dorset Road. He believes that Dorset and Route 60 intersection should be fixed before more development and traffic comes.

Victoria Ronneau 6430 Blenheim Rd. states that 1040 for additional vehicles are coming down Route 60 due to the Cumberland landfill. We must plan for what is coming.

Jimmy Keller spoke on behalf of Citizens Bank & Trust. He stated that they are anxious to place a branch in the existing Bank building. He asked that the ordinance passed so they can acquire the lot.

There being no further public comment, Chairman Cabell closed the public hearing.

Mr. Pompei continued discussion of the proffers.

Mr. Nordvig motioned to approve O-2019-03 (Case #18-06-REZC): Jacques Gits (District #2: Powhatan Station/Graceland) with three conditions and accept the fourth proffered condition that requires substantial conformance with the conceptual plan dated December 3, 2018. Mr. Melton seconded the motion.

Chairman Cabell called for a rollcall vote.

David T. Williams	AYE
Larry J. Nordvig	AYE
Angela Y. Cabell	AYE
William E. Melton	AYE
Carson L. Tucker	AYE

VOTE 5-0
MOTION Passed

Chairman Cabell called for a five-minute recess.

The meeting resumed at 8:50 pm.

- c. **O-2019-05 (Case #18-11-AZ)**: The **County of Powhatan** requests the amendment and reenactment of the Zoning Ordinance of the County of Powhatan (Chapter 83), Article IV (Village Growth Areas), Division 1 (Village Growth Area Base Districts), Sections 83-241 and 83-251 (Permitted Uses) to add *shed sales* as a permitted use in the Commerce Center (CC) and Light Industrial (I-1) zoning districts. This amendment would further amend Article VII (Use Standards), Division 1 (Standards for Principal Uses and Structures), Section 83-432 (Standards for Principal Uses), Subsection e (Commercial Classification) Subsection 6 (Retail Sales and Service Uses) to add specific use standards for the use *shed sales*.

Mr. Brett Schardein, Assistant County Administrator, presented O-2019-05 (Case #18-11-AZ). He discussed limits on display areas and height restrictions.

Chairman Cabell opened the public hearing.

There being no comments, Chairman Cabell closed the public hearing.

Mr. Melton moved to approve O-2019-05 (Case #18-11-AZ). Mr. Tucker seconded the motion.

Chairman Cabell called for a rollcall vote.

David T. Williams	AYE
Larry J. Nordvig	AYE
Angela Y. Cabell	AYE
William E. Melton	AYE
Carson L. Tucker	AYE

VOTE 5-0
MOTION Passed

- d. **O-2019-04 (Case #18-10-AZ)**: The **County of Powhatan** requests the amendment and reenactment of the Subdivision Ordinance of the County of Powhatan (Chapter 68), Article III (Subdivision Standards), Section 68-175 (Access And Circulation), Subsection (e)(5) (Vehicular Access and Circulation: Vehicular Access Management) to require that any reductions in the driveway intersection spacing standards set forth in Table 68-175(e)(5)d.2 be approved by the Board of Supervisors, after review by the Planning Commission. Currently, such reductions must be approved by the Director of Community Development, provided that certain criteria are met.

Mr. Andrew Pompei presented the details of O-2019-04 (Case #18-10-AZ)

Chairman Cabell opened the Public Comment period.

Laura Graham, 3115 Judes Ferry Road, stated her support. She believes that all waivers should have a public review.

Seeing there were no other speakers, Chairman Cabell closed the Public Comment period.

Mr. Williams motioned to approve O-2019-04 (Case #18-10-AZ). Mr. Tucker seconded the motion.

Chairman Cabell called for a roll call vote.

David T. Williams	AYE
Larry J. Nordvig	AYE
Angela Y. Cabell	AYE
William E. Melton	AYE
Carson L. Tucker	AYE

VOTE 5-0
MOTION Passed

- e. **O-2019-07 (Stray Poultry)**: The **County of Powhatan** requests amendment of the Code of the County of Powhatan, Virginia, Chapter 10 (Animals), Article II (Animal Control), Division 1 (Generally), Section 10-31 to define poultry; and creating Sec. 10-171 within the Code of the County of Powhatan, Virginia, Chapter 10 (Animals), Article II (Animal Control), Division 7 (No Fence Law) to make it unlawful, in certain instances, to allow poultry to stray onto any highway, private property, or public property.

Mr. Nordvig presented the details of O-2019-07 (Stray Poultry) and described the process of creating the Stray Poultry Ordinance with the designated committee.

Chairman Cabell opened the Public Comment period.

Rebecca Buchanan, 2580 Butterwood Drive, spoke in support of the ordinance.

Max Timberlake, President of the Powhatan Farm Bureau, spoke in support of the ordinance.

Seeing there were no other speakers, Chairman Cabell closed the Public Comment period.

Mr. Nordvig motioned to accept O-2019-07 (Stray Poultry). Mr. Tucker seconded the motion.

Chairman Cabell called for a rollcall vote.

David T. Williams AYE
Larry J. Nordvig AYE
Angela Y. Cabell AYE
William E. Melton AYE
Carson L. Tucker AYE

VOTE 5-0
MOTION Passed

- f. **O-2019-06 (Adoption of the 2019 Long-Range Comprehensive Plan)**: The **County of Powhatan** requests review and adoption of the proposed 2019 Long-Range Comprehensive Plan, which includes the Countywide Future Land Use Plan and the Major Thoroughfare Plan. The Long-Range Comprehensive Plan is a general guide for public officials, citizens, and other stakeholders regarding the physical development of Powhatan County, establishing a framework for decision-making. §15.2-2223 of the Code of Virginia requires that every governing body adopt a Long-Range Comprehensive Plan. The current Powhatan County Long-Range Comprehensive Plan was adopted on July 12, 2010.

Item O-2019-06 (Adoption of the 2019 Long-Range Comprehensive Plan) deferred to February 25, 2019 Board of Supervisors regular meeting.

15. Public Comment (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board)

Connie Harris remarked that she wondered if the discussion of sheds included “she-sheds.”

16. County Attorney Comments

The County Attorney had no comments.

17. County Administrator Comments

The County Administrator had no comments.

18. Board Comments

Mr. Melton asked staff to notify CVS that they must remove their “now open” banner as it has been up too long.

Mr. Melton would like to take a vote at the February Board of Supervisors meeting to reduce the CUP fee to add a second dwelling to \$600.

Mr. Williams asked that staff review the fee schedule so that all fees are in balance. He states that he does not want carve-out reductions without review.

Mr. Nordvig reminded everyone that the date for the next RC work-group meeting is January 31st.

Mr. Williams recognized Aaron Hodge for harvesting his first deer.

19. Closed Meeting as authorized by the Code of Virginia, Section 2.2-3711(A)

No Closed Meeting was held.

20. Certification of Closed Meeting

No Closed Meeting was held.

21. Adjournment

There being no further business, Mr. Melton moved to adjourn. Mr. Williams seconded the motion.

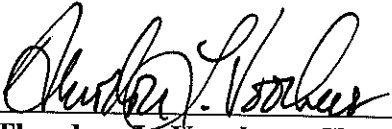
Chairman Cabell called for a vote.

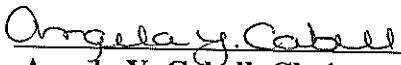
David T. Williams, Larry J. Nordvig, Angela Y. Cabell, William E. Melton, Carson L. Tucker voted AYE

**VOTE 5-0
MOTION Passed**

Chairman Cabell adjourned the meeting at 9:28 p.m.

These minutes were approved at the March 25, 2019, meeting with a vote of 5-0.


Theodore L. Voorhees, Clerk 3/27/19 Date
Powhatan County Board of Supervisors


Angela Y. Cabell, Chairman 3/28/19 Date
Powhatan County Board of Supervisors