

**VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE POWHATAN VILLAGE BUILDING CONFERENCE ROOM, 3910 OLD BUCKINGHAM ROAD IN POWHATAN COUNTY, VIRGINIA, ON MAY 20, 2019, AT 6:00 P.M.**

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<b>Board of Supervisors Present:</b>	<b>David T. Williams, District 1 Larry J. Nordvig, District 2 Angela Y. Cabell, District 3, Chairman William E. Melton, District 4, Vice Chairman Carson L. Tucker, District 5</b>
<b>Board of Supervisors Absent:</b>	<b>None</b>
<b>County Staff Present:</b>	<b>Ted Voorhees, County Administrator Bret Schardein, Assistant County Administrator Eric Lansing, Assistant County Attorney Phil Warner, Acting Fire and Rescue Chief Sharon Rochelle, Director of Social Services Andrew Pompei, Director of Planning Ed Howland, Principal Planner Jeff Searfoss, Chief Deputy Sheriff's Office Audra Morris, CSA Coordinator</b>
<b>Constitutional Officers Present:</b>	<b>Brad Nunnally, Sheriff</b>
<b>Guests Present:</b>	<b>None</b>

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**1. Call to Order**

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

Chairman Cabell stated to let the record show all Board of Supervisors members are in attendance.

**2. Pledge of Allegiance**

Chairman Cabell led the Pledge of Allegiance.

**3. Invocation**

Chairman Cabell called for a moment of silence.

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

There were no requests to amend the Agenda.

**5. Formal Approval of Agenda**

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

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

**VOTE 5-0  
MOTION Passed**

**6. 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.

Rick Bucher, 1803 Cook Road, spoke regarding the Comprehensive Plan and the necessity for water and sewer services along Route 60. Mr. Bucher also expressed his objection to the elimination of the R-C Zoning designation.

David Anderson, 2120 Stavemill Estates Drive, stated that he could not find the series of Comprehensive Plan revisions on the County's website. Mr. Anderson also spoke about the changes on the north side of Route 60 across from Skaggs Road, adding that he believes that this area should be designated as Commerce Center.

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

**7. Consent Agenda**

- a. Approval of the April 11, 2019, Special Board of Supervisors Meeting Minutes
- b. Approval of the April 24, 2019, Regular Board of Supervisors Meeting Minutes
- c. Bonded Projects Update
- d. Strategic Priority Scorecard

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

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

**VOTE 5-0**  
**MOTION Passed**

**8. Appointments to Boards, Commissions, Committees, etc.**

- a. One appointment/reappointment to the Goochland-Powhatan Community Services Board

Mr. Nordvig motioned to reappoint Juliana Franklin to the Goochland-Powhatan Community Services Board for a three year term beginning July 1, 2019, and expiring June 30, 2022. Mr. Melton seconded the motion.

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

**VOTE 5-0**  
**MOTION Passed**

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

- a. Proclamation P-2019-14 Recognizing Building Safety Month

Mr. Williams read Proclamation P-2019-14 aloud in the form of a motion. Mr. Nordvig seconded the motion.

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

**VOTE 5-0**  
**MOTION Passed**

- b. Proclamation P-2019-15 Recognizing Older Americans Month

Mr. Williams read Proclamation P-2019-15 aloud in the form of a motion. Mr. Melton seconded the motion.

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

**VOTE 5-0**  
**MOTION Passed**

Mr. Melton commented that one of the fastest growing populations in Powhatan County is the older population and thanked Social Services staff for their dedication.

- c. Proclamation P-2019-18 Recognizing Colton Vosburg, Eagle Scout

This item was postponed until the June 24, 2019, meeting.

**10. Old Business**

- a. Discussion of Comprehensive Plan

Mr. Pompei presented and the Board of Supervisors discussed the Comprehensive Plan. The Board and staff took the proposed changes/corrections one at a time as they were suggested by the Board.

Mr. Williams stated that he will continue to support the designations outlined in the January 11, 2019, proposed Future Land Use Map.

Mr. Nordvig expressed concern about why the Village Center is now spreading out and that the sense of place for Powhatan appears to be dwindling.

Mr. Tucker requested that the Board get a clean inventory of each proposed change to the Map; consider each change individually; and make a decision on each item.

Chairman Cabell motioned that the Board put to public comment the Comprehensive Plan map as it pertains to the north of Route 60, suggesting a change to the Plan be made to return the designation back to Commercial Center (CC) along the northern side of Route 60 from Mann Road to slightly past Scottville. Mr. Melton seconded the motion.

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

**VOTE 5-0  
MOTION Passed**

Mr. Melton motioned to change the proposed portion of the Comprehensive Plan map south of Route 60 (the Holly Hills area) that currently shows Village Center back to the original Planning Commission recommendation consistent with the 2010 Comprehensive Plan. The requested change would make the Village Center area Village Residential with the PD aspect, allowing four units per acre. Chairman Cabell seconded the motion.

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

**VOTE 3-2  
MOTION Passed**

Mr. Williams motioned that a property identified as Commerce Center located to the east of Route 60 remain Commerce Center. Mr. Melton seconded the motion.

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

**VOTE 5-0**  
**MOTION Passed**

Mr. Melton motioned that property located at the Chesterfield County line along Route 60 at Page Road, currently designated Village Center, be changed to Village Residential - PD, creating a reduction in the number of units per acre and more in accord with owner-occupied type of properties and has commercial components that are master planned in the project.

Mr. Williams commented that, when water and sewer were run along Route 60, it was mainly for the purpose of economic development, which would lessen the burden on the homeowner. Mr. Williams added that, instead, the Board is now emphasizing residential uses; and the County has a finite water supply.

Chairman Cabell seconded the motion.

Mr. Nordvig agreed with Mr. Williams' comments about the need for economic development and that the County is out of balance with 92/8 residential/commercial. Mr. Nordvig stated that the Board is voting on additional rooftops with no commercial growth to offset it.

Mr. Nordvig stated that he would like the Board to seriously consider and vote again on Mr. Melton's motion to make the Village Center area along Route 60 (Holly Hills) Village Residential with the PD aspect; that the Comprehensive Plan is a long-term plan; and that the decisions being made should be for the good of the County.

Mr. Melton stated that the Planning Commission recommendation for 737 acres of Village Center zoning was reduced by the Board to 256 acres; and he recommends the change to reduce the density in that area.

Mr. Melton re-stated the motion.

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

**VOTE 3-2**  
**MOTION Passed**

Mr. Nordvig motioned to change the draft map from January 11, 2019, between Holly Hills and Oak Bridge, reverting it back to the Economic Opportunity designation, which was prior to it being changed to Village Center.

Mr. Melton stated that the map could be put in front of the public and allow them to continue to comment if Mr. Nordvig is interested in changing the designation; the current designation of Village Center is consistent with the Planning Commission's recommendation.

The Board discussed the current and previous designations; and Mr. Williams stated that past discussions included the tract being designated Light Industrial.

Mr. Williams seconded Mr. Nordvig's motion.

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

**VOTE 5-0**  
**MOTION Passed**

Mr. Williams motioned that the Village Town Center south of Route 60, east of Stavemill Road, be designated as Commerce Center. Mr. Tucker seconded the motion.

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

**VOTE 4-1**  
**MOTION Passed**

Mr. Pompei stated that, with the changes the Board made to the map, he would like to highlight that there are no Village Centers in the Route 60 East corridor; so the language in the Comprehensive Plan will change. Mr. Pompei also stated that other text changes he requests making is the recent change to R-C Zoning; updates to the data included in the Plan to reflect changes made to the maps; and language regarding solar farms. Mr. Pompei and the Board discussed the recommended changes to the text.

Mr. Tucker motioned to authorize the changes to the text in the Comprehensive Plan. Mr. Williams seconded the motion.

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

**VOTE 5-0**  
**MOTION Passed**

**11. New Business**

- a. Resolution R-2019-28 (Case #19-01-PR): A Resolution Permitting Use of a Private Road to Serve Four (4) Lots on Tax Map Parcel #26B3-1-25.

Mr. Pompei presented and the Board of Supervisors discussed Resolution R-2019-28 permitting use of a private road to serve four lots on tax map parcel #26B3-1-25. This is a request by Woody Cofer on behalf of Amy and Michael Potter.

Mr. Pompei stated that staff recommends denial of this request, as it is not consistent with the current Future Land Use Map in the Comprehensive Plan.

Mr. Cofer addressed the Board stating that one private road serving four parcels would be much more desirable for the County than having separate entrances onto Route 13, which is allowed by-right.

Mr. Melton asked Mr. Pompei for verification that the only reason denial is being recommended for this Resolution is that it is not consistent with the Future Land Use Map. Mr. Pompei confirmed that the inconsistency is the reason for recommending denial.

The Board discussed possible options for building public roads for the proposed project; and Mr. Melton asked Mr. Cofer what the challenges would be if a public road was built rather than a private road. Mr. Cofer replied that a public, state road would be cost prohibitive -- about \$300,000 -- for two lots or four lots.

Mr. Melton praised the applicant for his quality work in the County on many projects; however, with the proposed project does not meet the Comprehensive Plan current Land Use Map nor the Future Land Use Map. Mr. Melton motioned to support staff's recommendation to deny the application. Mr. Williams seconded the motion.

Mr. Nordvig agreed with Mr. Melton and Mr. Williams and reiterated the extremely good work that the applicant does and encouraged them to revise the plans for the project so that they are consistent with the County's Land Use Map.

Mr. Melton stated that he has wrestled with this project and is in support of private property rights, the free enterprise system, and limited government; and this decision to recommend denial was very difficult. Mr. Melton added that supporting staff's recommendation is the right thing for the Board to do.

Chairman Cabell commented that the lake on the property is privately owned and it is quite a distance from any current sidewalks; and while the proposed project may not be in keeping with the Comprehensive Plan, she is in support of the project. Chairman Cabell added that the applicant has probably done more to make this area a Village area than anyone in the County and has earned trust that his vision will be a quality project.

Mr. Williams confirmed that the motion is to deny the project.

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

**VOTE 4-1**  
**MOTION Passed**

- b. Memorandum of Understanding between Powhatan County and Powhatan County Public Schools (Pocahontas Middle School)

Ms. Carter presented and the Board of Supervisors discussed a Memorandum of Understanding (MOU) between Powhatan County and Powhatan County Public Schools for Pocahontas Middle School. The MOU outlines the responsibilities between the two parties.

Mr. Williams asked about the priorities being given to the schools if they have an athletic event, the County being second, and outside organizations being third. Ms. Carter stated that is the order of priority.

There was discussion regarding the County being responsible for the setup of the fields for all games and being tasked with setting the fields up for the schools. Ms. Carter confirmed that lining and dragging of the fields will be the County's responsibility; but the schools are keeping the contract for field mowing and pesticide application.

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

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

**VOTE 5-0**  
**MOTION Passed**

**12. Public Hearings**

- a. Ordinance O-2019-25 (Case #19-01-CUP): An Ordinance Granting a Conditional Use Permit to William C. Davis to Permit a Commercial Landscape Operation on Tax Map Parcel #43-39A at 1331 Page Road.

Mr. Pompei presented and the Board of Supervisors discussed Ordinance O-2019-25, an Ordinance granting a Conditional Use Permit for a commercial landscape operation at 1331 Page Road.

Mr. Pompei stated that, in addition to the CUP request, the applicant is requesting a waiver from local intersection spacing requirements due to the configuration of the property and existing entrances on adjacent parcels.

The applicant, Mr. Davis, addressed the Board stating that there was a traffic study done for the entrance.

Chairman Cabell opened the Public Hearing on Ordinance O-2019-25. Seeing there were no speakers, Chairman Cabell closed the Public Hearing.

Mr. Williams asked whether the spacing requirements meet VDOT's standards and questioned whether it would be better to have an entrance next to the existing entrance for the company next to this location or have it further down. Mr. Williams added that it is important to address public safety.

Mr. Williams stated that it would be preferable if Mr. Davis would work with the company next to his to possibly improve the existing entrance, creating a shared entrance to both companies in such a way that utilities would not be affected.



Mr. Pompei suggested that the motion could state that a shared entrance is recommended; however, if there is a separate entrance, there needs to be at least 150 feet separation from the existing entrance.

After discussion regarding the entrance, public safety requirements, and the request for an entrance recommendation from VDOT, Mr. Williams motioned to approve the Conditional Use Permit with the recommended conditions from staff. Mr. Melton seconded the motion.

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

**VOTE 5-0**  
**MOTION Passed**

**13. 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.

Christy Elliott, 3471 Anderson Highway, commented that the proposed Land Use Map appears to be singling her properties out again.

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

**14. County Attorney Comments**

Mr. Lansing had no comments.

**15. County Administrator Comments**

Mr. Voorhees reported that staff has been working on closing the budget gap for FY 2020; and he has proposed a solution that achieves the Board's consensus on hiring six new Firefighters and the ambulance funding gap. Mr. Voorhees also reported that, in order to address the need for Pickleball, a part time Recreation Technician has been added as well.

Mr. Voorhees stated that the Board will be discussing the FY 2020 Budget and the broadband initiative at the June 13, 2019, meeting.

**16. Board Comments**

Mr. Williams stated that he would like to see the entire budget the Board will be approving, as it has been changed from the County Administrator's proposed Budget to the current one being considered. Mr. Williams asked that changes being made be incorporated in the Budget document.

**17. Closed Meeting as authorized by the Code of Virginia, Section 2.2-3711(A)(1)**

Mr. Lansing read the following Closed Meeting motion:

**WHEREAS**, the Board of Supervisors of Powhatan County desires to discuss in Closed Meeting the following matter(s):

- a. Discussion, consideration, or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, specifically emergency management. - §2.2-3711(A)(1)

**WHEREAS**, pursuant to §2.2-3711 (A)(1) of the Code of Virginia, such discussions may occur in Closed Meeting;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Powhatan County does hereby authorize discussion of the aforestated matters in closed meeting.

Mr. Tucker motioned to approve the Closed Meeting resolution read by the County Attorney. Mr. Melton seconded the motion.

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

**VOTE 5-0  
MOTION Passed**

The Board entered Closed Meeting at 8:16 p.m.

**18. Certification of Closed Meeting**

Chairman Cabell reconvened this Regular Meeting of the Powhatan County Board of Supervisors in open meeting at 8:38 p.m. and requested the Clerk of the Board to conduct a roll call certification vote of the Supervisors, to be included in the minutes of this meeting.

Mr. Voorhees, Clerk of the Board, asked to the best of each Supervisor's knowledge, do they certify that:

- (1) the only matters discussed in the closed meeting were public business matters lawfully exempted from open meeting requirements; and

- (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting just conducted?

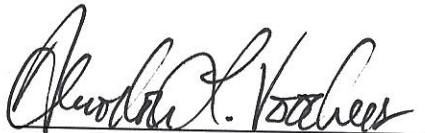
Mr. Voorhees conducted the roll call vote so the Supervisors could so certify:

Mr. Williams	<u>Aye</u>
Mr. Nordvig	<u>Aye</u>
Mr. Melton	<u>Aye</u>
Mr. Tucker	<u>Aye</u>
Mrs. Cabell	<u>Aye</u>

**19. Adjournment**

There being no further business, Chairman Cabell adjourned the meeting at 8:38 p.m.

These minutes were approved at the June 24, 2019, meeting with a 4-0 vote.

  
Theodore L. Voorhees, Clerk      6/24/19      Date  
Powhatan County Board of Supervisors

  
Angela Y. Cabell, Chairman      6-28-19      Date  
Powhatan County Board of Supervisors