

COUNTY OF HENRICO, TO-WIT:

At a regular meeting of the Board of Supervisors of Henrico County, held in the Board Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia, on Tuesday, the 14th of October 2008, at the hour of 7:00 p.m.

**MEMBERS OF THE BOARD PRESENT**

The Honorable David A. Kaechele, Chairman  
The Honorable Patricia S. O'Bannon, Vice-Chairman  
The Honorable James B. Donati, Jr., Varina District Supervisor  
The Honorable Richard W. Glover, Brookland District Supervisor  
The Honorable Frank J. Thornton, Fairfield District Supervisor

**OTHER OFFICIALS PRESENT**

Mr. Virgil R. Hazelett, P.E., County Manager  
Mr. Joseph P. Rapisarda, Jr., County Attorney  
The Honorable Michael L. Wade, Sheriff  
Mr. Barry R. Lawrence, Clerk  
Mr. George T. Drumwright, Jr., Deputy County Manager for Community Services  
Ms. Angela N. Harper, FAICP, Deputy County Manager for Special Services  
Mr. Leon T. Johnson, Deputy County Manager for Administration  
Mr. Robert K. Pinkerton, P.E., Deputy County Manager for Community Operations  
Mr. Randall R. Silber, Deputy County Manager for Community Development  
Department Heads and Key Officials

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The meeting was called to order by the Chairman at 7:07 p.m.

Mr. Kaechele led the Board, staff, and public in reciting the Pledge of Allegiance.

Rev. Charles E. Swadley, Senior Pastor, Lakeside United Methodist Church, provided the invocation.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, the Board approved the minutes of the September 23, 2008 Regular and Special Meetings.

The vote of the Board was as follows:

Aye  
David A. Kaechele  
Patricia S. O'Bannon  
James B. Donati, Jr.  
Richard W. Glover  
Frank J. Thornton

Nay

## **BOARD OF SUPERVISORS' COMMENTS**

Mr. Donati shared news from the County's Recreation and Parks Director, Karen Mier, that the Henrico Theatre has received a 2008 award from the Virginia Recreation and Park Society in the Best New Renovation/Addition category (for a population greater than 150,000). He remarked that the County is very proud of the award and Henrico Theatre is the jewel of Highland Springs.

Mr. Kaechele recognized Joseph Woodford II and Joshua Woodford from Bob Scout Troop 444, sponsored by 31<sup>st</sup> Street Baptist Church, who were observing the meeting to fulfill a requirement for the Citizenship in the Community Merit Badge. He also recognized the following Boy Scouts from Troop 528, sponsored by Antioch Baptist Church, who were observing the meeting to fulfill a requirement for the Communications Merit Badge: Jacob Gilliam, Brian O'Neil, and Austin Timberlake. Joining the Scouts from Troop 528 were Scoutmaster Mike O'Neil and committee member Jesse Gilliam.

## **RECOGNITION OF NEWS MEDIA**

Mr. Kaechele recognized Melodie Martin from the *Richmond Times-Dispatch*.

## **PRESENTATIONS**

Mr. Kaechele presented a proclamation recognizing October 13 – 19, 2008 as GED Week. Accepting the proclamation were Elaine B. Callahan, Adult Education Administrator for Henrico County Public Schools, and Barbara E. Gibson, a member of the Capital Area Workforce Investment Board and Associate Director of the Literacy Institute at Virginia Commonwealth University. Joining them was Rosalyn D. Key-Tiller, Director of the Capital Area Training Consortium.

Mrs. O'Bannon presented a proclamation recognizing October 2008 Domestic Violence Awareness Month. Accepting the proclamation were Beth C. Bonniwell, Domestic Violence Coordinator for the Henrico Division of Police, and Angela M. Verdery, Deputy Director of Safe Harbor. Joining them from the Division of Police were Lt. K. Steven Schaaf of the Criminal Investigations Section for Violent Crimes, and Sgt. R. Kenneth Cordle of the Criminal Investigations Section's Special Victims Unit. Mr. Hazelett noted that Ms. Bonniwell was recently recognized by *Style Weekly's* Fifth Annual Top Forty and Under 40 Young Catalysts program. In its profile of Ms. Bonniwell, *Style Weekly* pointed out that Ms. Bonniwell is "the only civilian member assigned to Henrico County's special victims unit" and "is charged with extending a lifeline to victims of some of the county's most heinous crimes."

## **RESIGNATION**

289-08                      Resolution – Resignation of Director from The Cultural Arts Center at Glen Allen Foundation.

On motion of Mr. Glover, seconded by Mr. Thornton and by unanimous vote, the

Board Approved Agenda Item No. 289-08 – see attached Resolution.

**PUBLIC HEARINGS - REZONING CASES AND PROVISIONAL USE PERMITS**

254-08                      The public was informed that the following case was withdrawn: Wistar Creek,  
C-64C-06                      LLC: Request to conditionally rezone from R-3 One-Family Residence District to  
Brookland                      RTHC Residential Townhouse District (Conditional), Parcels 767-750-8298, 768-  
750-0490, 767-751-8651, 768-751-2435, 768-751-4119, and part of Parcel 768-  
751-0638 containing 21.74 acres, located on the south line of Wistar Road  
approximately 142 feet west of Walkenhut Drive.

346-07                      Entropy LLC: Request to conditionally rezone from R-3 One-Family Residence  
C-48C-07                      District to B-2C Business District (Conditional), Parcels 769-756-6351, 769-756-  
Brookland                      6059, and 769-756-5766, containing 1.3814 acres, located at the northwest  
intersection of Staples Mill (State Route 33) and Old Staples Mill Roads.

On motion of Mr. Glover, seconded by Mr. Thornton, the Board deferred this item  
to December 9, 2008.

The vote of the Board was as follows:

Aye  
David A. Kaechele  
Patricia S. O'Bannon  
James B. Donati, Jr.  
Richard W. Glover  
Frank J. Thornton

Nay

291-08                      The public was informed that the following case was withdrawn: Rebkee Partners  
P-15-08                      Powhatan, LLC: Request for a Provisional Use Permit under Sections 24-  
Brookland                      58.2(a), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to  
operate a retail drug store 24 hours per day, on part of Parcel 773-737-3077,  
located at the southwest intersection of Willow Lawn Drive and W. Broad Street  
(U. S. Route 250).

293-08                      Ethan and Elizabeth Krash: Request to conditionally rezone from A-1  
C-26C-08                      Agricultural District to R-3C One-Family Residence District (Conditional), Parcel  
Three Chopt                      745-764-4296, containing 2.94 acres, located on the north line of Dublin Road  
approximately 250 feet east of its intersection with Belfast Road.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, the Board deferred this  
item to December 9, 2008.

The vote of the Board was as follows:

Aye

Nay

David A. Kaechele  
Patricia S. O'Bannon  
James B. Donati, Jr.  
Richard W. Glover  
Frank J. Thornton

290-08  
C-31C-08  
Varina

UCP Limited Partnership: Request to conditionally rezone from B-1 Business District to RTHC Residential Townhouse District (Conditional), part of Parcel 832-714-1636, containing 7.46 acres, located on the south line of E. Williamsburg Road (U.S. Route 60) at the northern terminus of Whiteside Road.

In response to questions from members of the Board, Director of Planning Joe Emerson clarified how residual B-1 property adjacent to the subject site was currently accessed and would be accessed if the subject site were to be developed as proposed, identified the types of uses allowed in B-1 districts, confirmed that the subject property has only indirect access to Williamsburg Road through Whiteside Road, elaborated on staff's concerns regarding proposed site access and explained how the project could be redesigned to address these concerns, and confirmed that the applicant had proffered the site layout. He and Mrs. O'Bannon discussed the proposed site layout and types of B-1 uses on the residual property that might be compatible with a residential townhouse development.

Russell Jones, representing UCP Limited Partnership, presented the case on behalf of the applicant. He noted that the Commonwealth of Virginia had limited access to the sites in creating Route 60, suggested the types of B-1 uses that could be placed on the residual property to contribute to a positive new urbanism, explained how the owners of the residual property would be able to access their property in the future, suggested that the proposed townhouses would be priced in the \$250,000 to \$280,000 range depending upon the economy, and alluded to design features planned by the applicant to enhance the project and site. In response to questions from Board members, Mr. Jones pointed out that the applicant does not own the residual property but does not believe that the site is conducive to a convenience store, confirmed that the owners of the residual property have a deeded right-of-way and that the applicant would continue to maintain an access road for them after development of the subject property, advised that the applicant would buffer the subject property from the residual property with a six foot living fence, and acknowledged that the applicant does not have a first right of refusal on the residual property.

Scott Hicks, grandson of residual property owner Phyllis Phelps, conveyed his grandparents concerns about the proposed developed, which included the loss of their privacy, degrading of their quality of life, and devaluing of their property. He spoke to the history of the residential home on the site and indicated that the property had not been included with the subject site because of a disagreement on price between the applicant and the property owners. Mr. Hicks also alluded to

concerns about future access to his grandparents' property. In response to questions from Board members, Mr. Hicks stated that his family was not interested in having the property included in this rezoning case but that future sale of the property might be negotiable if the right amount of money were offered, clarified that his family was opposed to this case with the understanding that it would probably go forward, acknowledged that the applicant had agreed to increase the fence height, and said that his family had not thought to ask the applicant to pay for a right of first refusal.

Ann Sharp, owner and co-owner of parcels adjoining the subject property, remarked that she had worked with Mr. Jones to try to alleviate her concerns. In response to a question from Mr. Kaechele, she confirmed that she was not in opposition to the case and that Mr. Jones had been responsive and cooperative as an adjacent property owner.

Mr. Jones addressed the Board again. He noted that the applicant was proposing to take existing B-1 property and make it all residential with the exception of the residual property. Mr. Jones speculated that the owners' grandson will move into the house and fix it up. He asked the Board to support the project, said it would set a high standard for the community, and stressed that the homes would be all owner occupied.

In response to further questions from Board members, Mr. Emerson spoke to commercial signage limitations on the site, the difficulties that would be faced in developing the site from a business standpoint given the absence of direct access to Williamsburg Road, staff's concern about future access to the residual B-1, and the unique layout of the site.

Mr. Donati commented that anytime the Board can rezone unconditionally zoned property it should take the opportunity to do it.

On motion of Mr. Donati, seconded by Mr. Glover, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 290-08 (C-31C-08) subject to the following proffered conditions:

1. **Conceptual Layout Design.** The construction of the Property shall be comparable in style, location, and quality to the Conceptual Master Plan known as "Cabell Green" and marked Exhibit A (see case file), unless otherwise approved by the Planning Commission at the time of Subdivision or Plan of Development review.
2. **Conceptual Building Design.** The homes constructed on the Property shall be comparable in style and quality to the elevations marked Exhibits B-1 to B-3 (see case file), unless otherwise approved by the Planning Commission at the time of Subdivision or Plan of Development review.

3. **Building Materials.** Any building shall have exposed exterior walls (above finished grade) of brick, wood, cementitious, vinyl or composite-type siding, or a combination of the foregoing, unless different architecture treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development review. If vinyl siding is used it shall be a minimum of 0.0420 inches in thickness and siding thickness certification shall be provided at the time of building permit application. A minimum of sixty percent (60%) of the units shall have brick fronts.
4. **Road Standards.** Prior to the issuance of any certificate of occupancy the applicant shall provide the Planning Department with certification from a licensed engineering firm that the roadway within the project was constructed according to the approved subdivision plan and in compliance with Henrico County road design standards and specifications (except as to pavement width and turning radii) to include proper compaction of the sub-base soils, utility trenches, base stone, and asphalt surfaces.
5. **Underground Utilities.** Except for junction boxes, meters, and existing overhead utility lines, and technical and environmental reasons, all utility lines shall be underground.
6. **Trash Service.** Trash pick up service shall be provided in convenient locations and shall not commence before 6:00 a.m. or extend beyond 9:00 p.m.
7. **Signage.** The sign identifying the residential community on the Property shall be constructed with ground mounted brick or stone base and not exceed six (6) feet in height as required by the zoning ordinance for the RTH District. Identifying signage shall be similar to that shown in the architecture rendering marked Exhibit C (see case file).
8. **Buffers.** In addition to setbacks, a twenty foot (20) buffer shall be provided along the western boundary of the Property. The area will be left in its natural state or enhanced with additional plantings. This buffer shall remain generally undisturbed except for access, signage, utilities, and fencing unless otherwise specifically requested and approved by the Planning Commission at the time of POD. Such intrusions into or through the buffer shall be extended generally perpendicular thereto and where practicable and permitted, areas disturbed shall be restored. No best management practice facilities shall be permitted in this buffer area. Dead, diseased, or damaged vegetation may be removed, and if so, the buffer may be supplemented with new plantings. In addition, perimeter landscaped areas 10 feet in width shall be provided along the south and southeastern Property boundary and along the southern, eastern, and western boundaries of the central B-1 property (Henrico County GPIN

832-714-3049). All of these areas will be planted in accordance with the Transition Buffer 10 standard of Henrico County. A minimum 10 foot landscape area shall be provided on the western portion of the Property fronting on Route 60 and shall be planted in accordance with Transitional Buffer 10 of Henrico County. This landscape buffer along Route 60 shall be irrigated. Additionally, the landscape improvements outlined in the letter from UCP Limited Partnership (owner) to Mr. Joe Emerson, and dated September 5, 2008, shall be made by the developer of the Property prior to the issuance of any certificate of occupancy on the Property. In addition a black chain link fence, minimum 5 feet in height, shall be installed along the south boundary of the Property. This fence shall continue a minimum of fifteen (15) feet along the western boundary. A "living fence" no less than 6' in height similar to the one shown in Exhibit D (see case file), shall be installed on the east, west and southern boundaries of the central located B-1 property (Henrico County GPIN 832-714-3049).

9. **Lighting.** Each unit shall be provided with a residential outdoor light mounted on a metal pole. Mounting height shall be six (6) feet. In addition, parking lot lighting shall be provided and a lighting plan shall be submitted with the engineering plans. The maximum parking lot light fixture height shall be 15 feet.
10. **Density.** No more than 45 homes shall be permitted on the Property.
11. **Minimum size.** The minimum finished floor area of each unit shall be 1583 or 1879 square feet in accordance with the following sentences. No more than eight of the units shall be a minimum of 1583 square feet; these units shall be located at the end of larger groupings and be consistent with the appearance shown in Exhibit B-1 (see case file). The remainder of the units shall be a minimum of 1879 square feet in finished floor area and shall be consistent with the architectural appearance shown in Exhibits B-2 and B-3 (see case file). The minimum unit width shall be twenty (20) feet.
12. **Garages.** Each dwelling unit shall have an attached one-car garage. Each one-car garage shall have a minimum interior clear area of 18' by 9'.
13. **Landscape and Irrigation.** Sod and irrigation shall be provided for the front and side yard common areas of the units.
14. **Severance.** The unenforceability, elimination, revision, or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of proffers or the unaffected part of any such proffer.
15. **Sidewalks.** Sidewalks meeting Henrico County Design standards shall be provided along one side of interior roads.

16. **Recreation Areas.** Recreation areas shall be provided and shall include walking trails and centrally located open space similar to those shown on the proffered conceptual plan. Walking trails and open space shall be designated on the POD plans and their exact size and location shall be determined by final engineering and construction. Tree save areas shall be marked on the engineering plans.
17. **Sound Suppression.** A minimum of sound suppression level of 54 between dwelling units shall be provided. Construction details certified by an engineer or architect and demonstrating that this requirement has been met shall be submitted with any building permit application.
18. **Dumpster Screening.** Any dumpster(s) shall be screened using architectural materials similar to those used on the dwelling units. A dumpster and screening detail shall be provided on the POD plans.
19. **Foundations.** Brick veneer/facade shall be used on all units with exposed foundations. Steps to the main entrance shall be faced in brick. Units with chimneys on the ground level shall have brick veneer/facade foundations. Units with chimneys on the second level shall be surrounded by an outdoor deck.
20. **Fire Suppression.** All units shall be provided with a residential fire suppression system.
21. **Unit Row Limitation.** No more than six (6) units shall be constructed together in a row on the Property.
22. **End Units.** Each end unit shall have a minimum of one (1) side window.
23. **Construction hour limits.** Exterior construction shall be limited to 7:00 a.m. to 7:00 p.m. Monday - Friday and 10:00 a.m. to 7:00 p.m. on Saturdays.
24. **Restrictive Covenants.** Prior to or concurrent with the recordation of a subdivision plat approved by the County and before conveyance of any portion of the Property covered by said subdivision plat (other than for the dedication of easements, roads, or utilities), a document shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia, setting forth controls on the development and maintenance of such portions of the Property.
25. **Storm-Water Facilities.** Any wet Best Management practice areas shall be aerated and landscaped as approved by the Planning Commission at the time of subdivision review. Any dry Best Management practice areas shall be screened from any public and/or private roadways with landscaping as approved by the Planning Commission at the time of subdivision review.



The vote of the Board was as follows:

Aye  
David A. Kaechele  
James B. Donati, Jr.  
Richard W. Glover  
Frank J. Thornton

Nay  
Patricia S. O'Bannon

Mrs. O'Bannon explained her vote on the previous case by noting that she agreed with staff and believed that it will be an undue hardship on the owners of the business and property that will be left as a residual.

292-08  
P-14-08  
Brookland

New Cingular Wireless PCS, LLC: Request for a Provisional Use Permit under Sections 24-95(a)(3), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to extend the height of an existing 150' high monopole telecommunications tower to 169', on part of Parcel 774-749-4475, located on the north line of Impala Place approximately 350 feet west of its intersection with Impala Drive.

No one from the public spoke in opposition to this case.

On motion of Mr. Glover, seconded by Mr. Thornton, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 292-08 (P-14-08) subject to the following conditions:

1. If the use of the tower for communication purposes is discontinued for 180 days, the tower and all related structures shall be removed from the site within ninety (90) days. Within ten (10) business days after written request by the County, the owner of the tower shall provide the County with written confirmation of the status of the tower, the number of and identity of users on the tower, available co-location space on the tower and such additional information as may be reasonably requested.
2. Application for a building permit to install the tower extension must be made within one year after the Provisional Use Permit is granted by the Board of Supervisors, unless an extension of time is granted by the Director of Planning upon a written request by the applicant.
3. The applicant shall obtain approval from the Planning Commission should the FAA require the addition of standard obstruction marking and lighting (i.e. red lighting and orange and white striping) to the tower. Any proposed changes to the original galvanized finish of the tower shall be submitted to the Director of Planning for approval.

4. When site construction is initiated as a result of this Provisional Use Permit, the applicant shall complete requirements prescribed by Chapter 10 of the Henrico County Code. In particular, land disturbance of more than 2,500 square feet will require that construction plans include a detailed drainage and erosion control plan prepared by a professional engineer certified in the State of Virginia. Ten (10) sets of the construction plans shall be submitted to the Department of Public Works for approval.
5. A landscaping plan to provide visual and sound buffering (including tree save areas and supplemental plantings) shall be submitted to the Planning Department for approval prior to the issuance of a building permit for the tower extension. The Director of Planning may waive the enforcement of this condition if it is deemed unnecessary.
6. If ownership of the lease is transferred to another provider, the applicant shall submit a Transfer of Provisional Use Permit.
7. The height of the tower shall not exceed 169 feet.
8. This permit shall apply only to the proposed 2,437.6 square foot lease area.
9. Unless dead or diseased, the existing tree buffers adjoining the proposed lease area shall be preserved and shall not be pruned to reduce their height.

The vote of the Board was as follows:

Aye

David A. Kaechele  
 Patricia S. O'Bannon  
 James B. Donati, Jr.  
 Richard W. Glover  
 Frank J. Thornton

Nay

294-08 C-32C-08 Fairfield	Dominion Youth Services: Request to conditionally rezone from O-2 Office District to B-2C Business District (Conditional), Parcel 787-746-0532, containing 2.93 acres, located on the west line of Chamberlayne Road (U. S. Route 301) approximately 225 feet north of its intersection with Wilmer Avenue.
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In response to questions from Board members, Assistant Director of Planning Jean Moore and Mr. Hazelett explained that the applicant had proffered Dominion Academy for vocational use with additional office uses, vocational uses are not specifically allowed in office districts and schools are not allowed in B-1 districts, and that the County's institutional zoning classification is intensive and would not be encouraged for these uses.

No one from the public spoke in opposition to this case.

Ms. Moore and Donavan Miller, Director of Dominion Academy, responded to a question from Mrs. O'Bannon concerning whether a small pond on the site would pose a safety issue. Mr. Miller explained the school's plans to divide the pond from an open field on the property with a gated four-foot high wrought iron fence that would also surround the property. Staff and the applicant were unable to answer a question from Mr. Thornton relating to the size of the pond.

On motion of Mr. Thornton, seconded by Mr. Glover, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 294-08 (C-23C-08) subject to the following proffered conditions:

1. **Exterior Materials.** Any improvements to be constructed on the Property shall be substantially similar in architecture to the existing house on the Property. The exposed portions, exclusive of windows, trims and special architectural treatments, appointments and decorations, shall be predominately of brick, wood, stone, treated or textured masonry, stucco or exposed aggregate. In no event shall any exposed or untreated cinderblock be used.

All buildings built on the Property shall be substantially similar in color, design and materials. If materials are used that require finish coloring, then such colors, except for trim and special architectural treatments, appointments and decorations, shall be of earth tones or natural colors (brown, ivory, gray, beige, white or blends thereof). Roof colors shall be of complementary colors and materials.

All construction materials and colors shall be submitted to and approved by the Planning Commission at the time of any required Plan of Development review.

2. **Parking Lot Lighting.** Parking lot lighting fixtures shall not exceed twenty (20) feet in height as measured from the grade of the base of the lighting standard. All lighting from such parking lot fixtures shall be produced from concealed sources of light.

Parking lot lighting shall produce a maximum lighting intensity of one-half (1/2) foot candle at the boundary lines of the Property.

Parking lot lighting shall be reduced to a minimum level necessary for security purposes following the close of business conducted on the Property.

3. **HVAC.** Heating and air conditioning equipment shall be screened from public view at ground level at the property lines.
4. **Trash Receptacles.** Trash receptacles shall be screened from public view at ground level.

5. **Use Restrictions.** Only the following principal uses shall be permitted on the Property.
- a) Offices and office buildings, business, professional or administrative.
  - b) Offices, medical, dental and optical, and laboratories.
  - c) Employment service or agency.
  - d) Child care centers in accordance with Section 24-106 of the Henrico County Zoning Ordinance.
  - e) Schools (including child care, charitable, cultural, and other community service activities on school property), trade or business schools as defined by Section 24-50.11(g) of County Code, and colleges and universities (including educational, scientific and other related research facilities); provided, however, the boarding of students or allowing any student to stay overnight on the Property shall not be permitted without approval by the Board of Supervisors in accordance with Section 24-122.1 of the Henrico County Zoning Ordinance. Further, any school must at all times be licensed by the Virginia Department of Education or such other state or federal agency as may be confirmed by the Director of Planning.
6. **Signage.** Any detached signs shall be monolithic style signs, the base of which shall be landscaped and shall not exceed six (6) feet in height. Signage on the Property shall be regulated as provided for in the O-2 district in the Henrico County Zoning Ordinance. Changeable message signs, inflatable and/or attention getting devices shall be prohibited. Any sign lighting shall be from an external source.
7. **Access.** Unless otherwise approved by the Planning Commission at the time of any required Plan of Development review: the existing access to Chamberlayne Road shall be closed by a locked wrought iron style gate substantially similar to the type shown in Exhibit C (see case file); this gated access shall only be available for emergency vehicles; and, no additional access shall be made to Chamberlayne Road from the Property.
8. **Security Alarms.** Outside speakers shall be prohibited. No external alarm bells or external warning devices that are audible beyond the boundary lines of the Property shall be permitted on the Property.
9. **Playground Security.** Any playground or recreation area located on the Property shall be secured as required at the time of any required Plan of Development review.
10. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the

validity or enforceability of any of the other proffers or the unaffected part of any such proffer.

11. **Campus Master Plan.** The use of the Property shall be in substantial accordance with the Campus Master Plan dated 8/15/08 attached as Exhibit B (see case file).
12. **Pond.** Any wet pond on the Property shall be aerated.
13. **Site Plan Review.** For the purpose of ensuring the provision of any required utilities improvements and emergency access, an administrative site plan or Plan of Development shall be submitted as required by the Director of Planning for review and approval prior to the issuance of a Change of Use Permit for the Property.
14. **Cross Access Agreement.** A cross access agreement between the owners of the parcels identified as GPIN 787-746-0532 (5404 Chamberlayne Road) and GPIN 786-745-9691 (1002 Wilmer Avenue) shall be executed, and a copy provided to the Department of Planning, prior to the issuance of a Change of Use Permit for the Property.

The vote of the Board was as follows:

Aye

David A. Kaechele  
Patricia S. O'Bannon  
James B. Donati, Jr.  
Richard W. Glover  
Frank J. Thornton

Nay

295-08  
C-25C-08  
Varina

Tuckaway Child Development Center: Request to conditionally rezone from R-2AC One-Family Residence District (Conditional) and B-1C Business District (Conditional) to B-1C Business District (Conditional), Parcels 803-701-8673 and 803-701-3978, containing approximately 5.22 acres, located at the southeast intersection of New Market Road (State Route 5) and Midview Road.

In response to questions from Board members, Ms. Moore clarified the points of access to the property, confirmed that the proposed 12,000 square foot daycare center would generate 951 vehicle trips per day, and stated that the proposed facility would have 12 classrooms. Andy Sherzer of Balzer and Associates, a representative of the applicant, informed Mrs. O'Bannon that the proposed center would serve approximately 200 children. He commented on the amenities planned for the proposed facility, noted that it would be operated by a Richmond-based firm rather than a national chain, and anticipated that it would be a strong asset to the community.

Eric Leabough, a resident of Midview Farms, expressed huge concerns about the amount of traffic currently travelling down Midview Road, the number of trips that would be generated by the proposed development, and the ability of the infrastructure to accommodate it. He asked that the Board not approve the case on the premise that the traffic issue previously raised in a community meeting had not been addressed. In response to a question from Mr. Kaechele, Mr. Leabough identified the location of his property. He referred to the existing residential developments in the area accessing Route 5 in this area and contended that Midview Road could not accommodate the amount of traffic generated by all of the proposed developments. In response to another of Mr. Leabough's concerns, Mr. Donati pointed out that a cellular tower proposed for the area would not create any traffic. Mr. Leabough further contended that residential development in eastern Henrico was driving the infrastructure.

In response to questions from Board members, Traffic Engineer Mike Jennings reviewed recent traffic counts on Midview Road as well as future improvements planned for the road and its intersection with Route 5. He also confirmed that the applicant would be dedicating right-of-way and widening Midview Road along its property and commented on the prospects of a traffic signal being approved in the future by the Virginia Department of Transportation (VDOT) for the intersection of Route 5 and Midview Road. In response to additional questions, Mr. Jennings explained how the applicant would improve this intersection through a safer design and confirmed a point made by Mr. Donati that a majority of the daycare's business would involve trips already on the road.

Mr. Leabough addressed the Board again. He questioned why the new traffic counts had just been received the day of this meeting and were conducted over a weekend rather than during peak traffic times on a weekday, and expressed concern that the community had not been provided with an opportunity to review and analyze the information. Mr. Leabough stated he thought the County should be proactive in its planning and not let accidents determine the need for a traffic signal. Mr. Kaechele noted that VDOT has a lot of standards that have to be met before approving a signal.

Mr. Thornton made several observations about the case. He thinks the Board needs to be as vigilant and visionary as possible in looking at how it applies planning strategies as development shifts from western to eastern Henrico. Mr. Thornton further commented that since he has been on the Board he has never heard staff say that a road cannot accommodate the traffic. Mrs. O'Bannon responded that Public Works staff had pointed out that the applicant would be improving the road in front of the proposed facility. In response to a question from Mrs. O'Bannon, Mr. Hazelett commented on the County's practice of requiring developers to assume responsibility for widening roads in front of their development. He noted that traffic is relative to what citizens are used to seeing and accepting but is part of the development process.

Mr. Donati said he could definitely understand the traffic concerns given the large number of roadways in the Varina District with only 16 or 18 feet of pavement, including the road on which he lives. He commented that he had received a lot of requests for child care centers in the district and that there was a great need for them. Mr. Donati remarked that he was somewhat familiar with the Tuckaway child development centers and they provide a tremendous service and have very nice-looking facilities.

On motion of Mr. Donati, seconded by Mrs. O'Bannon, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 295-08 (C-25C-08) subject to the following proffered conditions:

1. **Buffer Areas and Screening.**

A. A landscaped buffer a minimum of forty (40) feet in width shall be maintained along the western boundary of the property, adjacent to the New Market Road (Route 5) right-of-way. This buffer shall be landscaped to the standards of the thirty-five (35) foot transitional buffer and include a berm similar in size to the one at the front of the adjacent veterinary clinic (1320 New Market Road).

B. A landscaped buffer a minimum of ten (10) feet in width shall be maintained along all other boundaries of the property. This buffer shall be landscaped to the standards of the ten (10) foot transitional buffer.

Buffers shall be provided except to the extent necessary for easements, sidewalks, access driveways (which access driveways shall run generally perpendicular to the buffer), and other purposes requested and specifically permitted, or if required, at the time of Plan of Development. Buffers adjacent to public roads shall be measured from the road's ultimate right-of-way.

2. **Vehicular Access.** There shall be no direct access to New Market Road. There shall be a maximum of two vehicular access drives to or from the Property and Midview Road, unless otherwise required by any governmental body having jurisdiction with respect thereto. The exact location to be approved as part of the Plan of Development review process.

3. **Signage.** Any detached signs shall be ground mounted with a brick base, not exceeding eight (8) feet in height, and utilize materials and colors complementary of the main building. The colors and design of any sign on the property shall be subject to the approval of the Planning Commission at the time of Plan of Development review process.

4. **Exterior Lighting.** Other than low intensity, ornamental style fixtures, light shall be produced from a concealed source (i.e. "shoebox" type). No lighting fixtures on the property shall exceed twenty (20) feet in height or have a glare exceeding one-half (1/2) foot candle at the boundaries of the property.
5. **Interior Landscaping.** The applicant shall provide interior parking lot landscaping that is a least fifty (50) percent greater than the five (5) percent required by Henrico County Code.
6. **Building Design and Materials.** Any building constructed on the Property shall be as follows:
  - A. Shall not exceed a height of thirty five (35) feet.
  - B. Shall be colonial-style architecture in theme and color and shall be generally consistent with the building located at 1320 New Market Road.
  - C. The exterior walls shall be brick, except to the extent other materials are used for windows, doors, trim, signage, architectural decorations or design elements.
  - D. Shall be as substantially shown on the Schematic Elevation attached hereto (see case file).
  - E. Accessory structures, temporary or permanent, such as awnings, tents or pool houses, shall be compatible with the main building.

The Planning Commission shall have the authority to reject any building design whose appearance they find objectionable.
7. **Building Setback.** No building shall be constructed within hundred (100) feet of the right-of-way line of New Market Road (Route 5).
8. **Uses.** The only use permitted on the Property shall be a daycare.
9. **Accessory Use.** A swimming pool that is a permitted accessory use to a child care facility shall be used only for programs administered solely by the child care facility and shall not be permitted to be for rent or hire by persons not enrolled in instructional programs run by the facility.
10. **HVAC Screening.** Any heating, ventilating and air conditioning equipment shall be screened from public view at ground level at the perimeter of the Property.
11. **Right-of-Way Dedication.** The owner, upon written request of the Director of Public Works, shall dedicate without cost to the County, the right-of-way over the property for the proposed realignment of Midview Road in the location as substantially show on Exhibit A (see case file).



Should the dedicated property not be used for its intended purpose within thirty years of the date of dedication, title to the dedicated property shall revert to the owner or its successors in interest.

12. **Security Alarms.** Outside speakers shall be prohibited. No external alarm bells or external warning devices that are audible beyond the boundary lines of the Property shall be permitted on the Property.
13. **Trash and Recycling Receptacle Areas.** All dumpsters, trash and recycling receptacles, (not including convenience cans), shall be screened from view at the boundary line of the Property in a manner approved at the time of Plan of Development review.
14. **Conceptual Sketch.** The Property shall be developed in substantial conformance with the attached layout plan prepared by Balzer and Associates Inc., entitled Tuckaway Child Development Center, and attached as Exhibit A (see case file) which layout plan is conceptual in nature and may vary in detail as requested and approved at Plan of Development review or required by any governmental entity having jurisdiction.
15. **Fencing.** Fencing visible from public rights-of-way shall be constructed of durable materials such as vinyl, aluminum, wrought iron and combinations thereof and shall be in substantial conformance with Exhibit C (see case file). The colors and design of any fence on the Property shall be subject to the approval of the Planning Commission at time of Plan of Development review. Fencing immediately adjacent to public rights-of-way shall be constructed with decorative solid posts of a minimum size of ten inches by ten inches and an average spacing of twenty four (24) feet on center, with decorative toppers on the fence sections between such posts.
16. **Trash Pick Up, Parking Lot Cleaning, and Leaf Blowing.** No trash pickup, parking lot cleaning and leaf blowing shall occur before 7:00 a.m. or after 8:00 p.m., Monday through Friday, or before 10:00 a.m. or after 8:00 p.m. on Saturdays. No trash pickup, parking lot cleaning, and leaf blowing shall occur on Sundays.
17. **Aerated BMP.** Any wet BMP shall be aerated and integrated into the site design as a water feature amenity.
18. **Severance.** The unenforceability, elimination, revision or amendment or any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability or any of the other proffers or the unaffected part of any such proffer.

The vote of the Board was as follows:

Aye  
David A. Kaechele  
Patricia S. O'Bannon  
James B. Donati, Jr.  
Richard W. Glover

Nay  
Frank J. Thornton

Mr. Kaechele moved the following two General Agenda items ahead of the Public Hearings – Other Items.

### **GENERAL AGENDA**

311-08            Resolution – Award of Contract for Banking and Investment Management Services.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved adding to the agenda a Resolution numbered 311-08 and titled "Resolution – Award of Contract for Banking and Investment Management Services" – see attached Resolution.

Mr. Kaechele noted that this contract had been discussed during the afternoon's work session. Mrs. O'Bannon thanked BB&T for being very conservative in its investments. Mr. Kaechele thanked the BB&T's representatives who were present for sitting through the meeting.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 311-08 – see attached Resolution.

Mr. Vithoukas introduced the following BB&T representatives who were in the audience: Andy Hughes, Central Virginia Regional President; Susan Raher, Senior Vice President for Corporate Banking; Andrew Tate of Sterling Capital Management, Director; Don Russell, Vice President for Institutional Services; Vanessa Anton, Vice President for Business Deposits; Roger Lowe, Vice President for Payment Services; Angie Brown, Merchant Services Officer; and James Welsh, Business Services Officer. Mr. Kaechele remarked that the Board looks forward to a good relationship. Mr. Glover thanked BB&T for the nice looking branch at the corner of Parham and Staples Mill Road.

305-08            Resolution – Increasing the Rates of Pay for Officers of Election.

Mrs. O'Bannon stated she had received complaints from students and parents that a representative of the Registrar's Office had tried to influence student voters at one of the County's high schools after being asked to speak to them. General Registrar Mark Coakley explained that a part-time employee of his office had been unable to handle a crowd control situation involving students debating among themselves

while the employee was trying to register student voters at Douglas Freeman High School through the Student Page Program. Mrs. O'Bannon commented that this was not the way the incident had been described to her by the students. In response to questions from Mrs. O'Bannon, Mr. Coakley reviewed how the two part-time employees associated with the Student Page Program are selected and elaborated on how persons who work at the polls are hired and trained. He assured Mrs. O'Bannon that election officers who try to influence voters will be terminated. Mrs. O'Bannon mentioned that other areas of the country are concerned about who is working in the polls.

Mr. Kaechele pointed out that this paper was about a pay increase for election officers. Mr. Coakley confirmed for Mr. Kaechele that the Electoral Board was in favor of the proposed increase. Mr. Thornton said everyone is entitled to their opinion but that as a former assistant registrar he takes a little bit of offense at generalizations or disparaging comments being made about persons working at the polls.

Raymond L. Cady, Jr., a resident of 6805 Linbrook Drive in the Brookland District and a Henrico County election official in the Tuckahoe District, spoke in favor of the proposed pay increase. He referred to the level of training received by the County's election officials and the great job done by Mr. Coakley.

On motion of Mr. Glover, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 305-08 – see attached Resolution.

## **PUBLIC HEARINGS – OTHER ITEMS**

296-08      Resolution – POD-59-08 – Approval of a Master Plan of Development for Tuckahoe Park – Tuckahoe District.

Principal Planner Leslie News provided a brief overview of the project and then turned the presentation over to the County's consultant, Nathan Emm of EDAW, who provided more specifics on the program and the phasing of the project (see enclosed copy). Mr. Emm summarized opportunities and constraints relating to the site and reviewed the public input process as well as schematics addressing the proposed master plan, the existing fields overlay, and the phasing plan. Mr. Kaechele noted that the Board had reviewed the plan in an earlier work session. Mrs. O'Bannon commented that a lot of time and effort had gone into the plan, including public meetings with citizen input.

No one from the public spoke in opposition to this resolution.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 296-08 – see attached Resolution.

297-08 Ordinance – To Amend and Reordain Section 24-95 of the Code of the County of Henrico Titled “Additional requirements, exceptions and modifications” to Amend the Review and Approval Process for Alternative Fence Heights.

Principal Planner Ben Blankinship presented this item by offering background information, reviewing the current practice, and explaining the current ordinance and proposed amendment.

Mr. Kaechele noted that the Board had reviewed this item in a work session and received a letter from the County Manager earlier in the week.

No one from the public spoke in opposition to this ordinance.

On motion of Mr. Glover, seconded by Mr. Thornton, with Mrs. O'Bannon voting “No,” the Board approved Agenda Item No. 297-08 – see attached Ordinance.

Mrs. O'Bannon explained her vote on the previous ordinance by stating that she felt the current process was working and that she felt the Board would be sorry it changed the process.

298-08 Ordinance – Amendment To Ordinance 848-77 – Vacation of Portion of Blackburn Road – Glen Allen Heights – Brookland District.

No one from the public spoke in opposition to this ordinance.

Mr. Glover commented that he thought this vacation had already occurred, at the time the property was subdivided, and that the documentation had been misplaced by the Department of Real Property. Mr. Hazelett noted that an ordinance previously adopted by the Board was subject to the dedication of replacement right-of-way.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 298-08 – see attached Ordinance.

299-08 Resolution – Signatory Authority – Lease Amendment – United States of America, Acting By and Through a Duly Authorized Official of the United States Coast Guard – Varina District.

In response to a question from Mr. Donati, Mr. Hazelett stated that it might be possible for the County to use the conduit addressed by this lease should there be sufficient space.

No one from the public spoke in opposition to this resolution.

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 299-08 – see attached Resolution.

300-08 Resolution - Revising Central Virginia Waste Management Authority Articles of Incorporation.

No one from the public spoke in opposition to this resolution.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 300-08 – see attached Resolution.

### **PUBLIC COMMENTS**

Mr. Kaechele asked if anyone in the audience wished to address the Board on any items not on the agenda. There were no speakers.

### **GENERAL AGENDA (continued)**

301-08 Introduction of Ordinance - To Amend and Reordain Subdivision (3) of Subsection (e) of Section 20-72 of the Code of the County Henrico Titled “Elderly or permanently and totally disabled persons” to increase the Income Limit Under the Tax Relief for the Elderly or Permanently and Totally Disabled Program (REAP) from \$62,000 to \$67,000.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 301-08 – see attached Introduction of Ordinance.

302-08 Resolution – Award of Contract – Architectural and Engineering Services – Gayton Branch Library Interior Renovations.

In response to a question from Mrs. O'Bannon, Mr. Hazelett and Director of General Services Paul Proto clarified the source and amount of funding for this contract.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 302-08 – see attached Resolution.

303-08 Resolution – Award of Construction Contract – Construction and Demolition Debris Removal and Site Improvements - Greenwood Park.

In response to questions from Board members, Mr. Hazelett and Mr. Proto clarified that J. E. Liesfeld is a family relation to John and Irma Liesfeld and that the bid for this contract was lower than expected.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 303-08 – see attached Resolution.

304-08 Resolution – Award of Construction Contract – Belmont Recreation Center HVAC Replacement.

In response to questions from Board members, Mr. Proto stated that the proposed contractor, Waco, is located in the Sandston area of Henrico and confirmed that the contract would replace all nine of the air-conditioning units at Belmont Recreation Center.

On motion of Mr. Thornton, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 304-08 – see attached Resolution.

306-08      Resolution - Signatory Authority - Acquisition of Easement – Pouncey Tract Road Water Main - John J. and Ima M. Liesfeld Family, LLC – Three Chopt District.

On motion of Mr. Glover, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 306-08 – see attached Resolution.

307-08      Resolution - Signatory Authority – Award of Contract – Highland Springs High School Area Sanitary Sewer Relocation - Ward & Stancil, Inc.

In response to questions from Board members, Director of Public Utilities Art Petrini noted that the sewer projects are progressing at Elko Middle School, with only the pump station left for completion, and acknowledged that the number of bids received for this contract was unusually large.

On motion of Mr. Thornton, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 307-08 – see attached Resolution.

308-08      Resolution – Signatory Authority – Amendment to Contract for Engineering Design Services – John Rolfe Parkway from Ridgefield Parkway to West Broad Street (approximately 3.838 miles). Project #2101.50701.28004.00720 (formerly Project #552109-701-463-00). Three Chopt and Tuckahoe Districts.

In response to questions from Mr. Kaechele, Director of Public Utilities Art Petrini explained the first phase of the project and provided examples of changes that will be made to the intersection of John Rolfe Parkway and West Broad Street.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 308-08 – see attached Resolution.

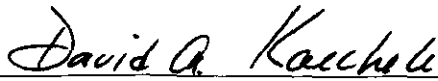
309-08      Resolution - To Permit Additional Fine of \$200 for Speeding on Colony Bluff Drive.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 309-08 – see attached Resolution.

310-08      Resolution - Acceptance of Roads.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 310-08 – see attached Resolution.

There being no further business, the meeting was adjourned at 9:27 p.m.

  
\_\_\_\_\_  
Chairman, Board of Supervisors  
Henrico County, Virginia

# Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

## GED WEEK

October 13 - 19, 2008

**WHEREAS**, a well-educated workforce is essential to the vitality and growth of the Capital Area's economy and the strength of our community; and

**WHEREAS**, the GED certificate is a nationally acknowledged high school equivalency credential and is accepted by most colleges, universities, and employers as confirmation that the person holding this credential has the necessary knowledge and skills for post-secondary education and the workforce; and

**WHEREAS**, 83,000 adults in the Capital Area do not possess a high school diploma or GED certificate, which hinders their efforts to earn a good wage and provide for their families; and

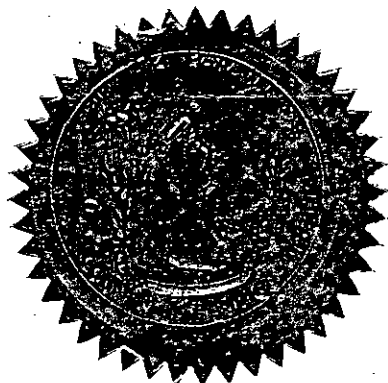
**WHEREAS**, Governor Timothy M. Kaine has identified earning the GED certificate as a critical first step that undereducated Virginians can take to improve their lives; and

**WHEREAS**, in cooperation with local Workforce Investment Boards and other partners, the Virginia Workforce Network has undertaken efforts to increase awareness of and access to GED preparation and testing opportunities; and

**WHEREAS**, Henrico County's adult education program has served undereducated adults in our community since 1962, producing 16,941 GED graduates; and

**WHEREAS**, communities throughout the Commonwealth of Virginia are hosting local events to stress the importance of a well-educated workforce and citizenry.

**NOW, THEREFORE, BE IT PROCLAIMED** that the Board of Supervisors of Henrico County, Virginia hereby recognizes October 13 - 19 as GED Week and October 15, 2008 as GED Day and calls these observances to the attention of all Henrico citizens.



*David A. Kaechele*  
David A. Kaechele, Chairman  
Board of Supervisors

*Barry R. Lawrence*  
Barry R. Lawrence, Clerk  
October 14, 2008



# Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

## DOMESTIC VIOLENCE AWARENESS MONTH

October 2008

**WHEREAS**, domestic violence is a pervasive social issue affecting people of all ages, races, religions, cultures, and economic backgrounds; and

**WHEREAS**, the crime of domestic violence violates an individual's privacy, safety, and dignity and has a serious physical, emotional, social, sexual, psychological, and economic impact on victims, families, neighborhoods, workplaces, and communities; and

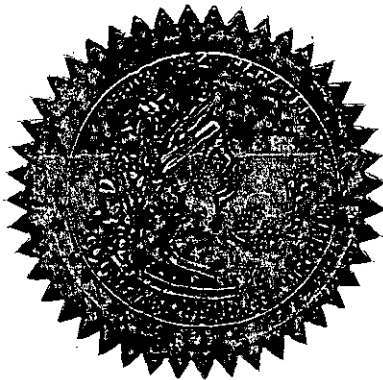
**WHEREAS**, children who are subjected to domestic violence often grow up to inflict violence on others, creating a cycle that must be stopped through prevention and early education and by developing positive opportunities; and

**WHEREAS**, the local economy endures losses due to the effect of domestic violence on businesses in the form of absenteeism, reduced efficiency, lost wages, sick leave, security costs, and health care; and

**WHEREAS**, the County of Henrico is committed to prioritizing the problem of domestic violence in our community by increasing public awareness and providing education to our citizens; and

**WHEREAS**, Henrico citizens can make a difference in the lives of families experiencing domestic and sexual violence and can play an important role in preventing and eradicating this violence.

**NOW, THEREFORE, BE IT PROCLAIMED** that the Board of Supervisors of Henrico County, Virginia hereby recognizes October 2008 as Domestic Violence Awareness Month and acknowledges the ongoing and coordinated efforts of local domestic violence service providers and the community in addressing the problem of domestic violence.



*David A. Kaechele*  
David A. Kaechele, Chairman  
Board of Supervisors

*Barry R. Lawrence*  
Barry R. Lawrence, Clerk  
October 14, 2008



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 289-08  
Page No. 1 of 1

Agenda Title: **RESOLUTION – Resignation of Director from The Cultural Arts Center at Glen Allen Foundation**

For Clerk's Use Only:  Date: <b>OCT 14 2008</b>  <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	<b>BOARD OF SUPERVISORS ACTION</b>  Moved by (1) <u>Glover</u> Seconded by (1) <u>Thornton</u> (2) _____ (2) _____  REMARKS: <b>APPROVED</b>	<table><thead><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr></thead><tbody><tr><td>Donati, J.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Kaechele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></tbody></table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

**WHEREAS**, on May 22, 2007, Ronald B. Ramos was appointed to serve on the Board of Directors of The Cultural Arts Center at Glen Allen Foundation for a term as stated in the articles of incorporation and bylaws of the Foundation; and

**WHEREAS**, by email correspondence dated October 2, 2008 and directed to Beth Bickford, President of the Cultural Arts Center at Glen Allen, Mr. Ramos submitted his resignation from the Foundation Board.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Henrico County, Virginia hereby accepts the resignation of Ronald B. Ramos from the Board of Directors of The Cultural Arts Center at Glen Allen Foundation.

By Agency Head \_\_\_\_\_ By County Manager David R. Hight

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Clerk, Board of Supervisors

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**From:** Ramos, Ronnie [mailto:RRamos@LANDAM.com]

**Sent:** Thursday, October 02, 2008 9:59 AM

**To:** Bickford, Beth; Bickford, Beth

**Subject:** Board meeting

Beth,

As I sit in my office realizing I have missed yet another Cultural Arts Board Meeting, it has become clear to me that I simply don't have the time to continue serving on the board. I had reservations about my ability to make the proper commitment to this organization when originally asked to serve on the board, but plowed forward given the good cause this organization serves. Since then I have realized that given other priorities in my life, work and family, I am not able to devote the amount of energy to the Cultural Arts Center and Board that each deserves. As a result, regrettably, I think it only proper that I resign from the Glen Allen Cultural Arts Center Board.

I am sorry that this hasn't panned out and wish you, the Board and the Center all the best in the future and as you enter another season.

Ronnie

10/6/2008



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 311-08  
Page No. 1 of 2

Agenda Title: **Resolution – Award of Contract for Banking and Investment Management Services**

or Clerk's Use Only:

Date: **OCT 14 2008**

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

**BOARD OF SUPERVISORS ACTION**

Moved by (1) Donati  
(2) Glover Seconded by (1) Donati  
(2) Thorton

REMARKS:

**APPROVED**

YES NO OTHER

Donati, J. ✓  
Glover, R. ✓  
Kaechele, D. ✓  
O'Bannon, P. ✓  
Thornton, F. ✓

**WHEREAS**, on September 12, 2008, five (5) proposals were received in response to RFP #08-8451-7CS to provide a contract for Banking and Investment Management Services; and

**WHEREAS**, based upon review of the written proposals, the Selection Committee (consisting of Messrs. Leon T. Johnson, John Vithoulkas, Clarence Daniel, Tim LeClerc, Ed Trice, Mrs. Laura Ross and Mrs. Cecelia Stowe) interviewed the following firms:

**Branch Bank & Trust Company (BB&T)**

Bank of America  
SunTrust  
Wachovia Bank

**WHEREAS**, the Selection Committee entered negotiations with BB&T and SunTrust; and

**WHEREAS**, the Selection Committee subsequently selected BB&T, which will provide investment management services through subsidiary Sterling Capital Management LLC and merchant services through subsidiary BB&T Financial, FSB, for the County's banking and investment services for a three year period commencing on November 1, 2008 with the possibility of two additional one-year extensions.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors:

1. A contract to provide for Banking and Investment Management Services is hereby awarded to BB&T in accordance with RFP #08-8451-7CS, the September 12, 2008 proposal, the best and final offer dated October 6, 2008, and additional correspondence between October 7 and October 10, 2008.

By Agency Head [Signature]

By County Manager [Signature]

Routing:

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Clerk, Board of Supervisors

Date: \_\_\_\_\_

COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 311-08  
Page No. 2 of 2

**Agenda Title: Resolution – Award of Contract for Banking and Investment Management Services**

2. The County Manager and Clerk are authorized to execute contracts and agreements in forms approved by the County Attorney to implement this award.
3. The County Manager, or the Director of General Services as his designee, is authorized to execute all amendments necessary for the provision of banking and investment services during the term of the contract.

**Comments:**

(1) There is no fixed cost for either component of the contract. Fees for banking services are dependent upon activity in the County's bank accounts and will be paid through compensating balances maintained in those accounts. Fees for investment management services are based on actual investment balances maintained and will be netted against investment earnings.

(2) The Director of Finance and the Director of General Services, with the County Manager concurring, recommend approval of this Board paper.



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 305-08

Page No. 1 of

Agenda Title: RESOLUTION – Increasing the Rates of Pay for Officers of Election

For Clerk's Use Only:

Date: OCT 14 2008

- (X) Approved  
( ) Denied  
( ) Amended  
( ) Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Glover Seconded by (1) Donati  
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Donati, J. ✓  
Glover, R. ✓  
Kaechele, D. ✓  
O'Bannon, P. ✓  
Thornton, F. ✓

WHEREAS, Henrico County has 93 voting precincts, over 185,000 registered voters, and over 1300 officers of election;

WHEREAS, the officers of election perform many important duties, including qualifying voters on the registered voters list, managing the voting machines, working with the public, and assisting in certifying the election results;

WHEREAS, on election days, officers of election are required to report to their respective precincts at 5:00 a.m. and stay on-site until the polls are closed and the election results have been certified;

WHEREAS, the rate of pay for officers of election has not changed in four years, and an increase would have a significant, positive impact on retention rates for officers of election; and,

WHEREAS, the Henrico County Electoral Board has identified available funds and recommended increases in the rates of pay for officers of election.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia approves the following rates of pay for its officers of election:

	<u>Chief</u>	<u>Asst. Chief</u>	<u>Election Official</u>
Base	\$200	\$180	\$150
Training	\$20	\$20	\$20
Pick-up of Supplies	\$15	---	---
Certification of Election Results	\$15	\$15	---

Comments: The Electoral Board and the Director of Human Resources recommend approval of this Board paper; the County Manager concurs.

By Agency Head

*[Signature]*

By County Manager

*[Signature]*

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Clerk, Board of Supervisors

Date: \_\_\_\_\_



# TUCKAHOE PARK

Master Plan

Plan of Development

POD 59-08

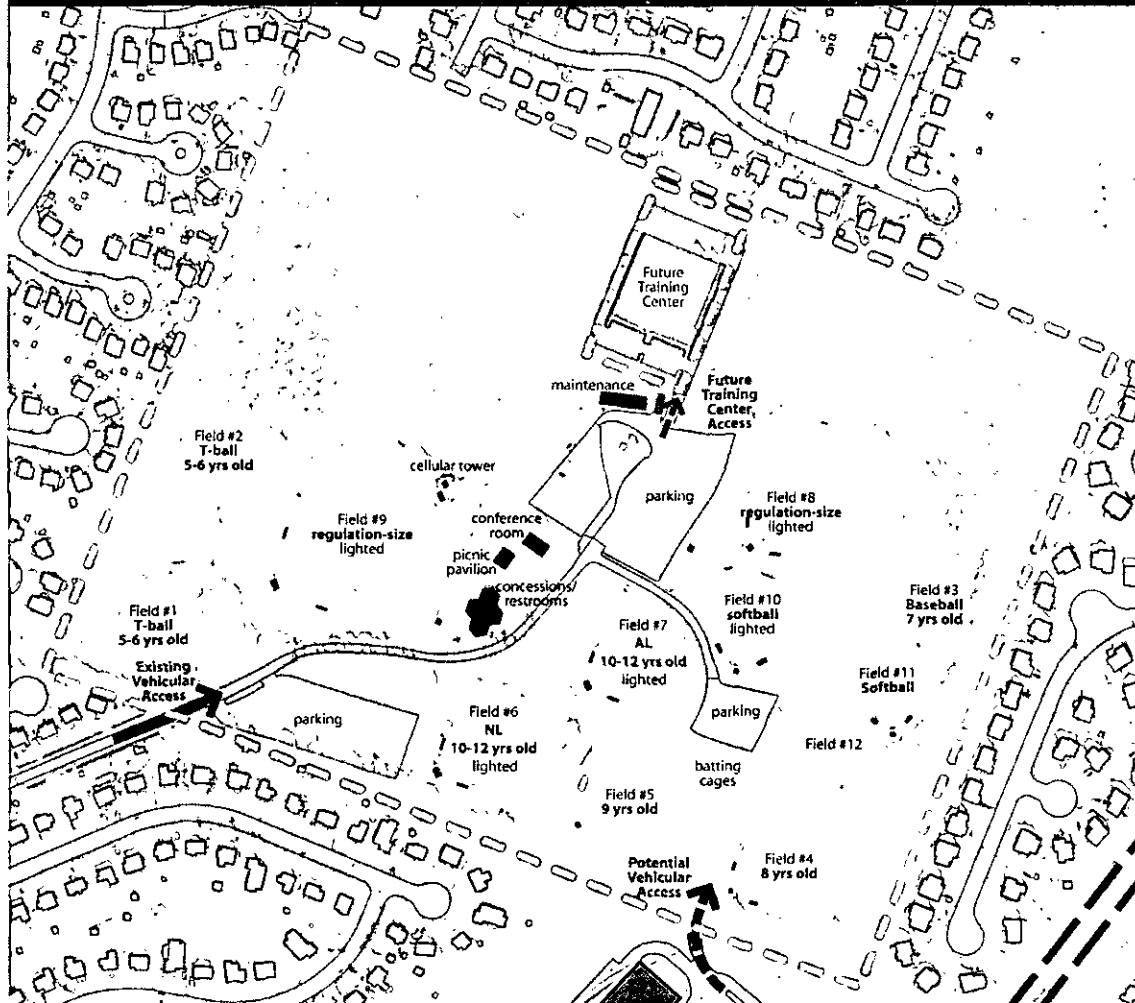
October 14, 2008

County of Henrico,  
Division of Recreation and Parks

EDAW | AECOM

# TUCKAHOE PARK

Henrico County, VA



## Summary of Opportunities and Constraints

- Vehicle Access
- Parking
- Handicapped accessibility
- Drainage
- Aging infrastructure
- Low capacity, inc. lack of regulation play
- Slopes
- Quality woodlands
- Existing utilities
- Future training center



# TUCKAHOE PARK

Henrico County, VA

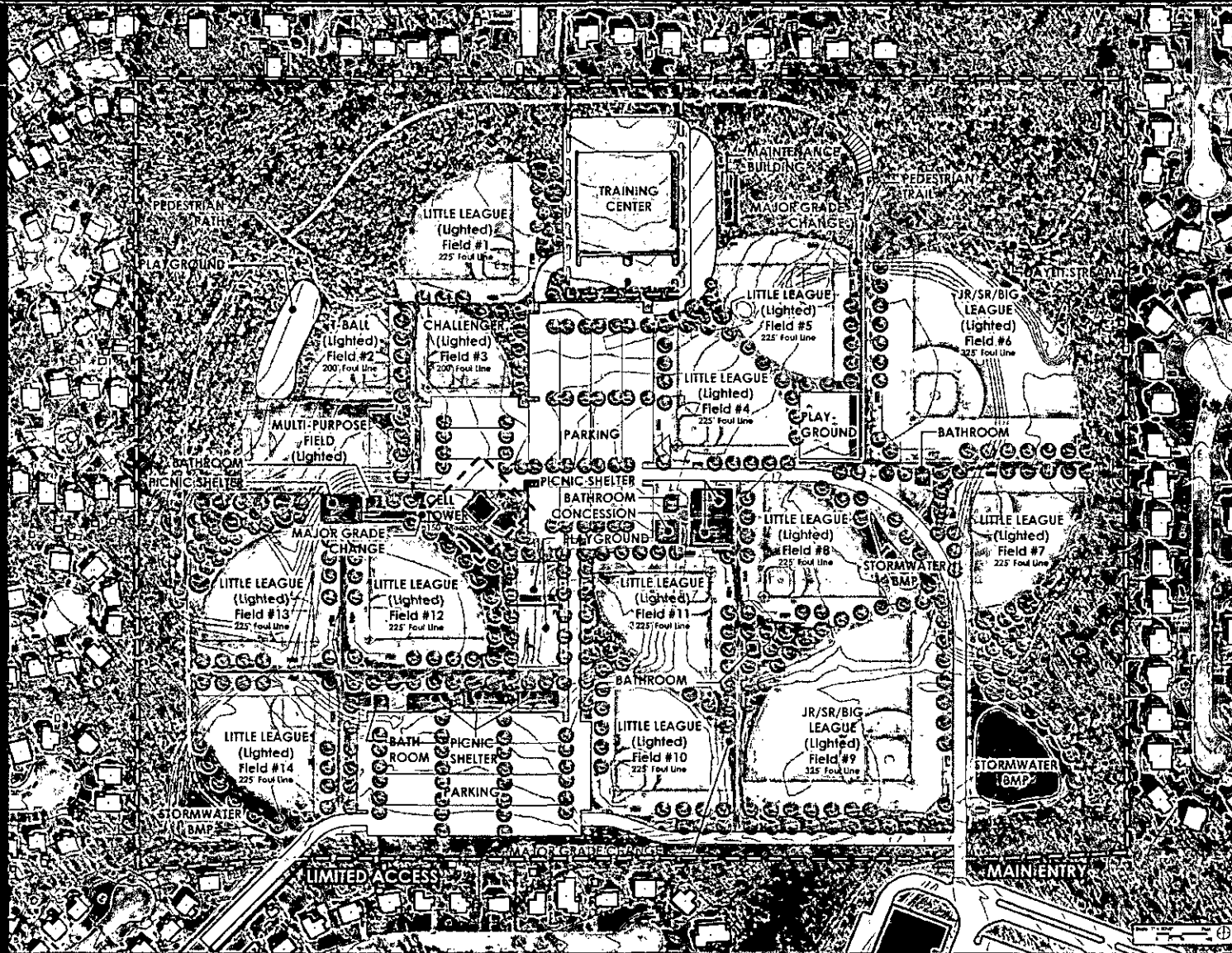


## Input Process

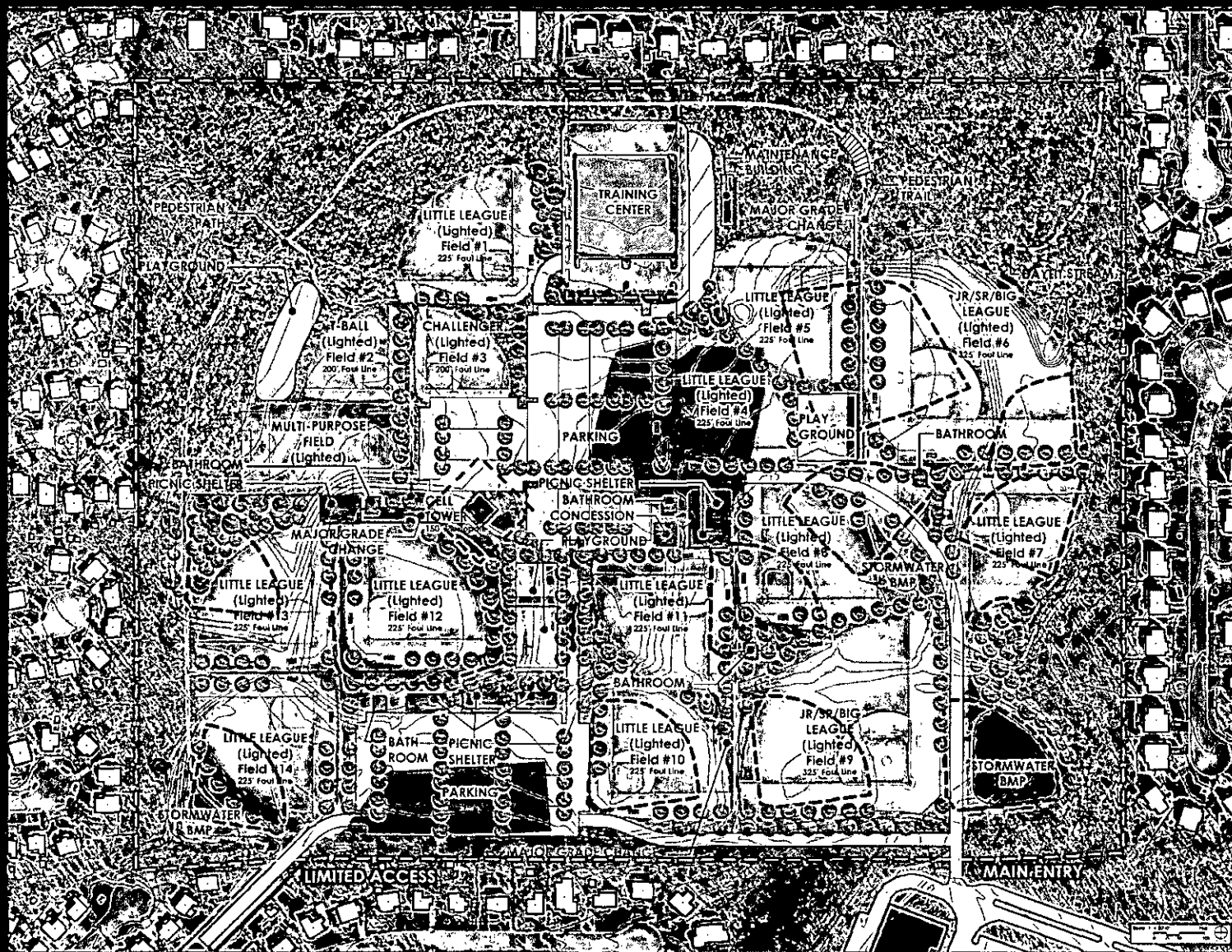
- Additional baseball/softball fields
- New Challenger Field
- Fields to meet regulations size
- Field lighting
- Parking
- Handicap accessibility
- Maintain aesthetics of site
- Preserve existing woodlands
- Move main vehicular access away from neighborhood streets
- Improve drainage
- Provide additional recreational uses

# TUCKAHOE PARK

Henrico County, VA

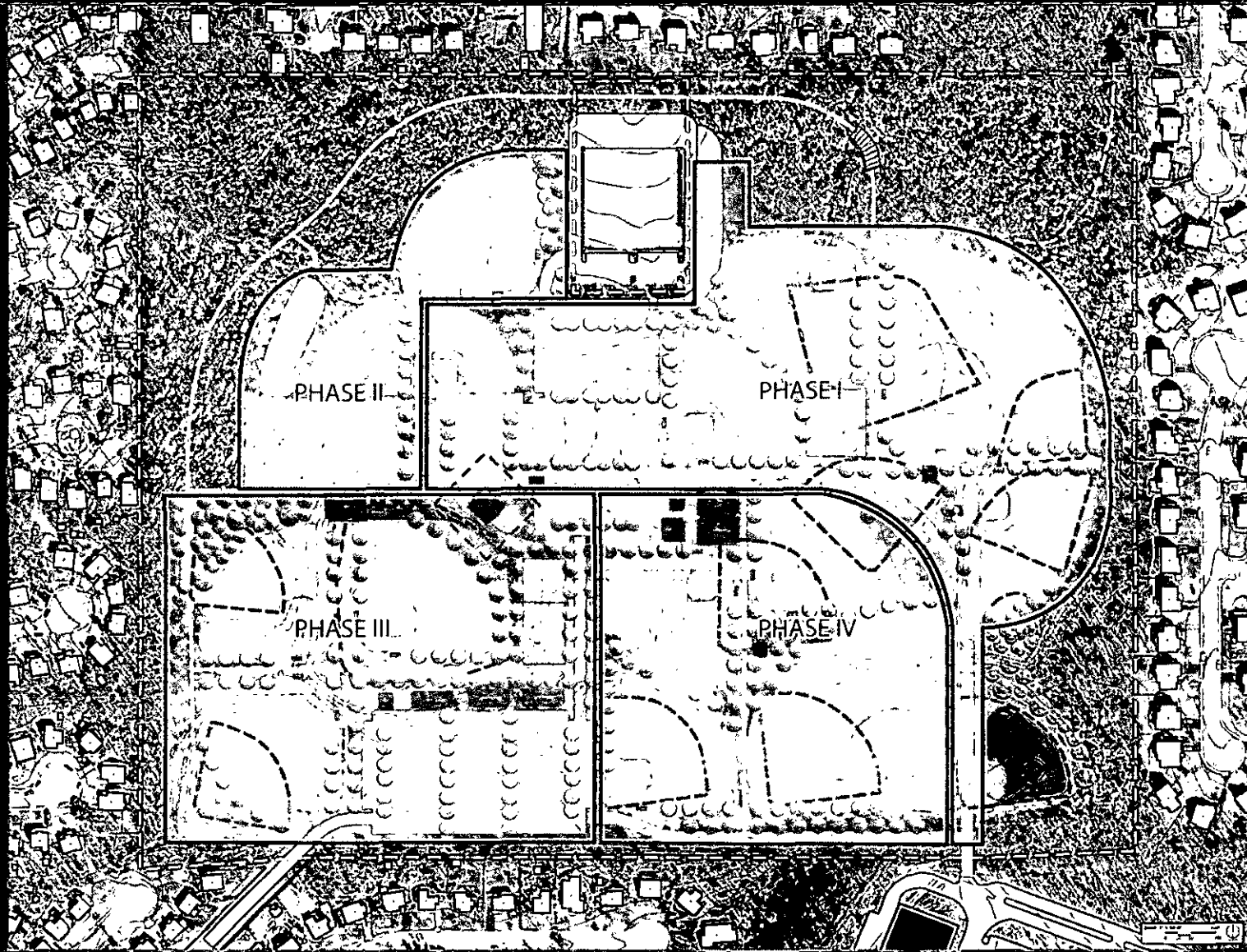


Henrico County, VA



# TUCKAHOE PARK

Henrico County, VA





COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 296-08

Page No. 1 of 4

Agenda Title: RESOLUTION — POD-59-08 — Approval of a Master Plan of Development for Tuckahoe Park  
— Tuckahoe District

For Clerk's Use Only: Date: <b>OCT 14 2008</b>  <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	<b>BOARD OF SUPERVISORS ACTION</b> Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Donati</u> <b>APPROVED</b> REMARKS	<table><thead><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr></thead><tbody><tr><td>Donati, J.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Kaechele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></tbody></table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		YES	NO	OTHER																						
Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
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O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

WHEREAS, Sections 24-11(b) and 24-106 of the Henrico County Code require the submission of applications for plans of development for public facilities to the Board of Supervisors; and,

WHEREAS, an application has been submitted for approval of POD-59-08, a master plan of development for the redevelopment of Tuckahoe Park; and,

WHEREAS, the proposed master plan indicates that the existing facilities are obsolete and not handicapped accessible; and,

WHEREAS, the proposed master plan calls for redevelopment of the former Tuckahoe Little League Park with a handicapped accessible public park consisting of 14 regulation baseball/softball fields, including a challenger field designed to serve individuals with a range of disabilities, and a multi-purpose field, and a looped network of walks and trails connecting the fields to five restroom facilities, six picnic shelters, a concession building, four playgrounds, a maintenance building, natural wooded areas and parking areas; and,

WHEREAS, the proposed master plan accommodates the construction of a semi-public sports training facility owned and operated by Tuckahoe Sports Inc., the parent organization of Tuckahoe Little League, on a separate parcel encompassed by the proposed public park; and,

WHEREAS, the 63.251 acre site is located at 2400 Little League Drive approximately 1,000 feet northeast of the intersection of Copperas Lane and Little League Drive on parcel 736-752-8691, is zoned A-1 Agricultural District, and is located in the Tuckahoe District; and,

WHEREAS, the County Administration, including the Division of Recreation and Parks, the Department of Planning, the Department of Public Works, the Department of Public Utilities, the Division of Fire, the Division

By Agency Head

By County Manager

Routing:

Yellow to:

Copy to:

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Date:

02/08

**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

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**Agenda Title: Agenda Title: RESOLUTION — POD-59-08 — Approval of a Master Plan of Development  
for Tuckahoe Park — Tuckahoe District**

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of Police, the Office of Building Construction and Inspections, and the Virginia Department of Transportation has reviewed the application and recommends approval subject to the staff recommendations and the staff plan dated **October 14, 2008**; and,

WHEREAS, on **October 14 2008**, the Board of Supervisors held a public hearing to receive comments on the application for approval.

NOW, THEREFORE, BE IT RESOLVED that the Henrico County Board of Supervisors hereby approves the application, subject to the following conditions:

1. The Director of Public Utilities shall approve the construction plans for public water and sewer prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least 24 hours prior to the start of any County water or sewer construction.
2. The parking lot shall be subject to the requirements of Section 24-98 of the Henrico County Code.
3. The parking spaces shall be marked on the pavement surface with four-inch wide white painted traffic lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall be yellow.
4. Sufficient, effective usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
5. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
6. The plan of development shall be revised as annotated on the staff plan dated **October 14, 2008**, which shall be as much a part of this approval as if its details were fully described herein. Eight (8) sets of revised plans, including the detailed drainage, erosion control and utility plans shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning that all comments have been addressed, twenty-one (21) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures.
7. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
8. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
9. All ground cover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season.
10. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams and fixture specifications and mounting height details shall be submitted for Department of Planning review and approval.

**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Item No. 296-08

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**Agenda Title: RESOLUTION — POD-59-08 — Approval of a Master Plan of Development  
for Tuckahoe Park — Tuckahoe District**

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11. All exterior lighting shall be designed and arranged to direct the light and glare away from nearby residential property and streets.
12. The site including the parking areas shall be kept clean of litter and debris on a daily basis. Trash container units/litter receptacles and recycling containers shall be maintained with scheduled regular pickups and shall be screened properly on all four sides. The gate(s) shall remain closed except when the receptacle(s) are being filled or serviced and shall be repaired or replaced as necessary. Details shall be included with the final site plan or required landscape plan review and approval.
13. Required fire lanes shall be marked and maintained in accordance with the Virginia Statewide Fire Prevention Code.
14. Traffic control signs shall be provided as indicated on the Planning staff plan. All signs shall be fabricated as shown in The National Manual on Uniform Traffic Control Devices for Streets and Highways and The Virginia Supplement to The Manual on Uniform Traffic Control Devices for Streets and Highways.
15. The assigned property number shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 501-4284. The Planning Department must assign all property addresses.
16. The contractor shall have a set of plans approved by the Director of Public Works, Director of Public Utilities and the County Manager available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County inspectors.
17. The property shall be developed generally as shown on the plan filed with the case and no major changes or additions to the layout shall be made without the approval of the Board of Supervisors.
18. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the engineer or land surveyor who prepared the POD plan shall furnish a statement to the effect that all construction, including water and sewer, is in conformance with the regulations and requirements of the POD.
19. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
20. Insurance Service Offices (ISO) calculations should be included on the final construction plans for approval by the Department of Public Utilities prior to issuance of a building permit.
21. Any necessary offsite drainage easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans by the Department of Public Works.
22. Deviations from County standards for pavement, curb, or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
23. Vehicles shall be parked only in approved and constructed parking spaces.



**COUNTY OF HENRICO, VIRGINIA  
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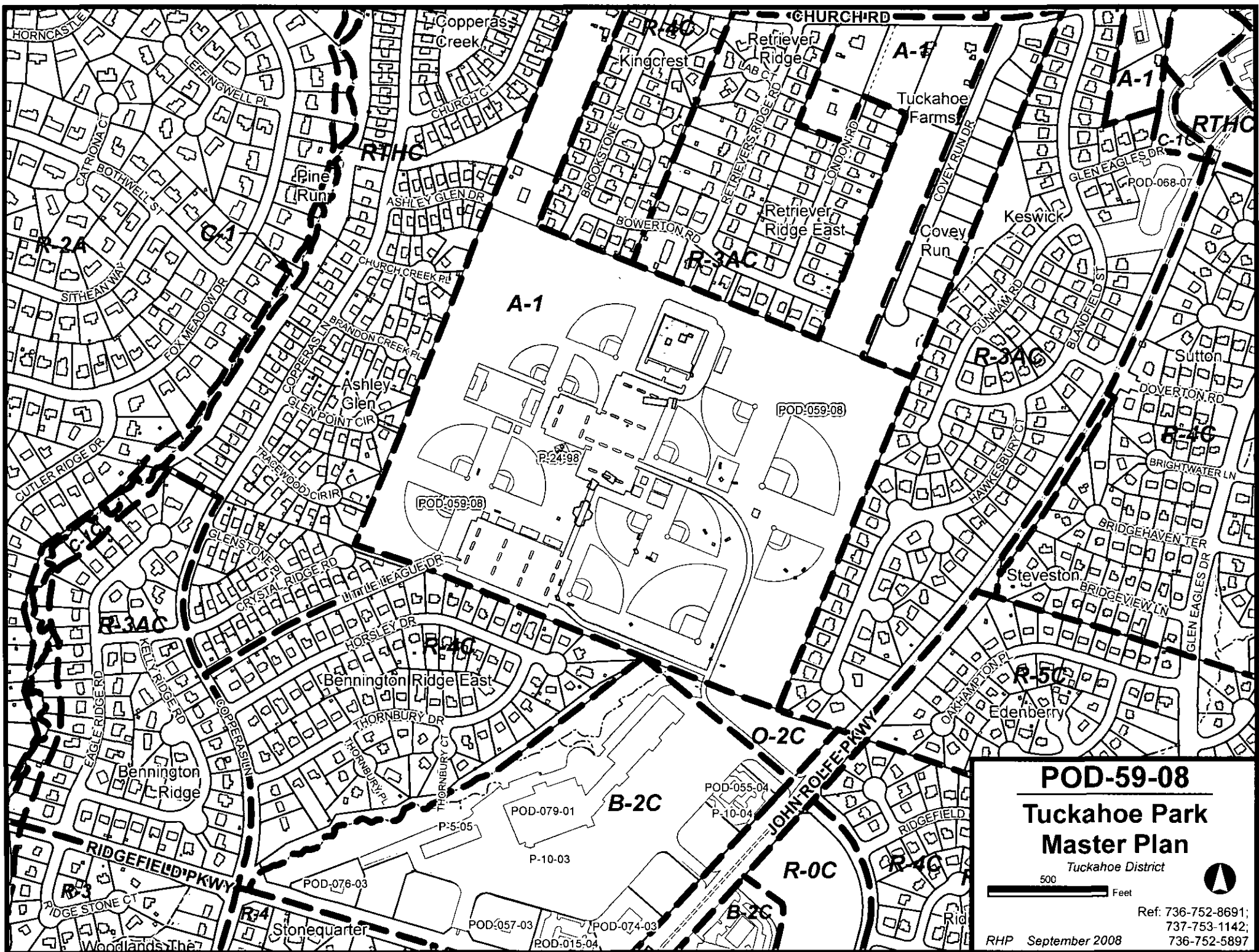
**Agenda Title: Agenda Title: RESOLUTION — POD-59-08 — Approval of a Master Plan of Development  
for Tuckahoe Park — Tuckahoe District**

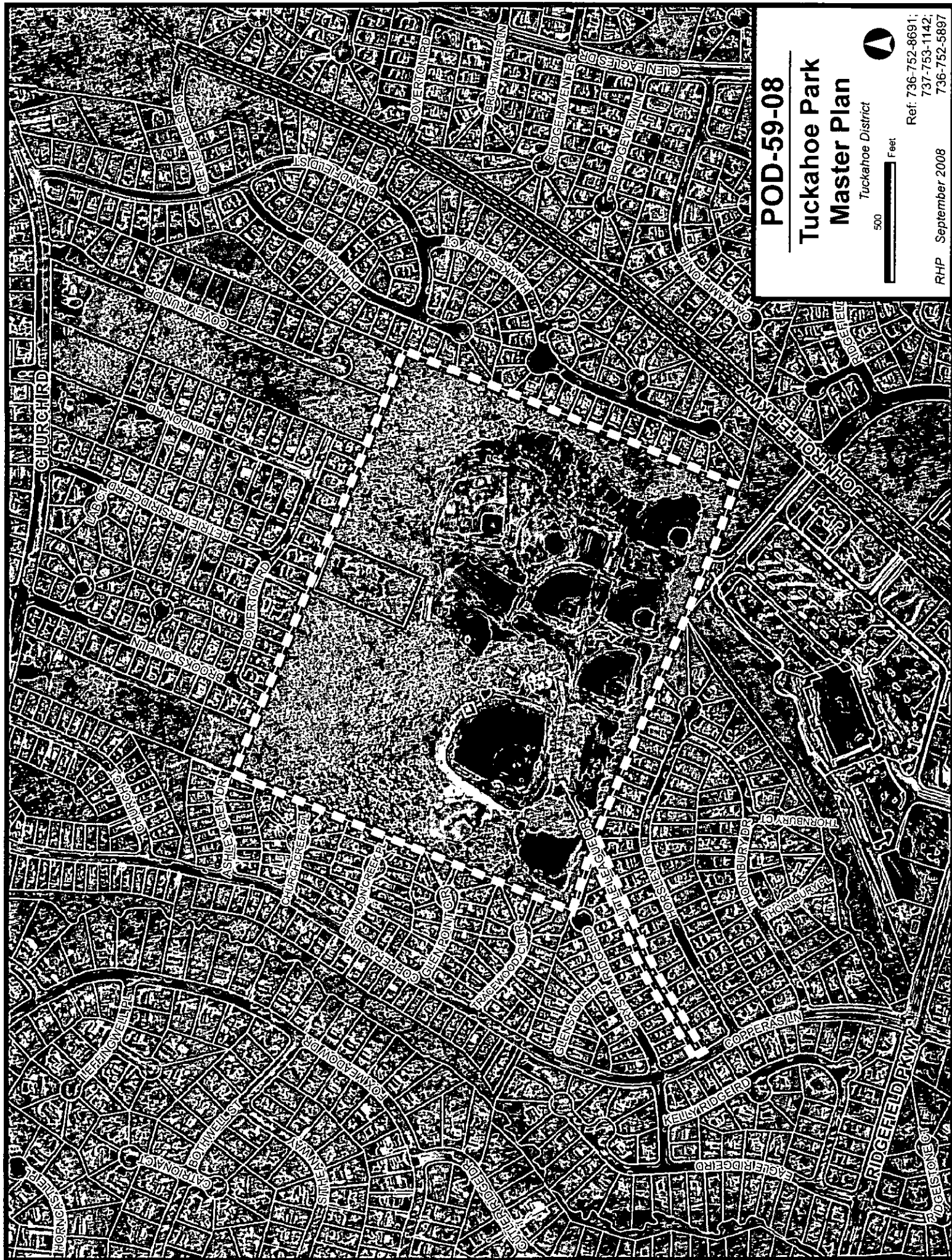
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24. The construction shall be properly coordinated to ensure that safe access, circulation and adequate parking is provided for the facility. A plan to indicate the phasing of improvements and the handling of traffic (construction and employees) shall be submitted to the Department of Planning prior to the issuance of a building permit.
25. The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development and construction needed to implement this conceptual plan may be administratively reviewed and approved and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/ approval.
26. A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing, hours of construction, and construction access routes shall be submitted to the Department of Planning for review and prior to the approval of any final construction plans.

COMMENTS: The Director of Planning has reviewed the plans submitted by EDAW, Inc. and recommends approval, and the County Manager concurs.







**POD-59-08**

# Tuckahoe Park Master Plan

Tuckahoe District



Ref: 736-752-8691;  
737-753-1142;  
736-752-5897  
RHP September 2008

Proposed  
Zoning Ordinance Amendment  
Alternative Fence Height  
Approval Procedure

October 14, 2008

## Background

- In one-family residence districts, a fence, wall or hedge may not exceed a height of 3' 6" in a front yard or 7' 0" in a side or rear yard
- For a typical lot, 3' 6" is reasonable and appropriate

## Current Practice

- In April, at a Board of Supervisors work session concerning a fence on Fon-du-lac Road, there was discussion about providing more specific guidance to the Planning Commission

# Current Zoning Ordinance

Section 24-95(1)(7)b.

The planning commission, pursuant to the review and approval of a landscaping plan, may permit an alternate height exceeding three feet, six inches and a uniform design in the front yard or along the front lot line, provided the permitted height and design does not adversely affect:

1. The health, safety and/or welfare of persons residing on or working on the premises;
2. The visibility or value of abutting and/or adjacent properties;
3. The adequate supply of light and air to adjoining property;
4. Traffic or pedestrian safety; and
5. That adequate sight distance is maintained as provided in subparagraph (3) of this subsection.

## Proposed Amendment

Amend the zoning ordinance to require approval of alternative fence heights unless the Planning Commission determines that one or more adverse effects specified in the ordinance exist

# Proposed Amendment

- Planting strip easement:  
Allowed up to 7' 0", may approve up to 10' 0"
- Business, office, industrial districts, front yard:  
Allowed up to 3' 6", may approve up to 10' 0"
- RTH, R-5, R-5A and R-6 , front yard:  
Allowed up to 3' 6", may approve up to 7' 0"
- All other zoning districts , front yard:  
Allowed up to 3' 6", may approve up to 7' 0"





COUNTY OF HENRICO, VIRGINIA  
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Agenda Title: **ORDINANCE - To Amend and Reordain Section 24-95 of the Code of the County of Henrico Titled "Additional requirements, exceptions and modifications" to Amend the Review and Approval Process for Alternative Fence Heights**

For Clerk's Use Only:

Date: OCT 14 2008

☒ Approved

☐ Denied

☐ Amended

☐ Deferred to

BOARD OF SUPERVISORS ACTION

Moved by (1) Glover Seconded by (1) Thornton  
(2) \_\_\_\_\_ (2) \_\_\_\_\_

REMARKS:

**APPROVED**

YES NO OTHER

Donati, J. ☒ ☐ ☐

Glover, R. ☒ ☐ ☐

Kaechele, D. ☒ ☐ ☐

O'Bannon, P. ☒ ☐ ☐

Thornton, F. ☒ ☐ ☐

ORDINANCE - To amend and reordain Section 24-95 of the Code of the County of Henrico titled "Additional requirements, exceptions and modifications" to amend the review and approval process for alternative fence heights.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF HENRICO, VIRGINIA:

1. That Section 24-95 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-95. Additional requirements, exceptions and modifications.

(1) Fences, walls or hedges:

(2) Planting strip easement: Pursuant to the provisions of chapter 19 requiring a planting strip easement on lots abutting a major street as identified on the major thoroughfare plan having a projected right-of-way of 60 feet or greater, a fence, wall or hedge may be permitted in addition to required landscaping in the planting strip easement as follows:

By Agency Head [Signature]

By County Manager [Signature]

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified: \_\_\_\_\_

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_

COUNTY OF HENRICO, VIRGINIA  
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c. The planning commission in accordance with this paragraph, pursuant to the review and approval of a landscape plan, may shall permit an alternate alternative height exceeding seven feet, but not exceeding ten feet, for a fence, wall or hedge of uniform design, provided the permitted height and design does not adversely affect:

1. The health, safety and/or welfare of persons residing on or working on the premises;
2. The visibility or value of abutting and/or adjacent properties;
3. The adequate supply of light and air to adjoining property;
4. Traffic or pedestrian safety; and
5. ~~That adequate~~ Adequate sight distance is maintained as provided in subparagraph (3) of this subsection.

(5) Business, office and industrial districts: A fence, wall or hedge may not exceed the following height:

c. The planning commission, pursuant to the review and approval of a landscaping plan, may shall permit an alternate alternative height exceeding three feet, six inches, but not exceeding ten feet, and a uniform design in the front yard or along the front lot line, provided the permitted height and design does not adversely affect:

1. The health, safety and/or welfare of persons residing on or working on the premises;
2. The visibility or value of abutting and/or adjacent properties;
3. The adequate supply of light and air to adjoining property;
4. Traffic or pedestrian safety; and
5. ~~That adequate~~ Adequate sight distance is maintained as provided in subparagraph (3) of this subsection.

**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

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(6) RTH residential townhouse, R-5, R-5A and R-6 general residence districts: A fence, wall or hedge may not exceed a height of three feet, six inches in a front yard, six feet in a side yard, or seven feet in a rear yard of a townhouse for sale and/or detached or semidetached dwelling lot except as follows:

- a. An alternate **alternative** height of a fence, wall or hedge in any front yard of a townhouse for sale or detached or semidetached dwelling lot may **shall** be permitted by the planning commission, pursuant to the review and approval of a landscape plan, which provides for a uniform design of fences, walls or hedges to be constructed on each lot within a grouping or block of units in the development; or
- b. A fence, wall or hedge may not exceed a height of seven feet in a side or rear yard or along any side or rear lot line, and three feet, six inches in a front yard or along the front lot line of an overall development, except an alternate **alternative** height exceeding three feet, six inches, **but not exceeding seven feet**, and of uniform design in a front yard may **shall** be permitted by the planning commission, pursuant to the review and approval of a landscaping plan; and
- c. Further provided, that the alternate **alternative** permitted height and design in subparagraphs a. and b. above does not adversely affect:
  1. The health, safety and/or welfare of persons residing on or working on the premises;
  2. The visibility or value of abutting and/or adjacent properties;
  3. The adequate supply of light and air to adjoining property;
  4. Traffic or pedestrian safety; and
  5. ~~That adequate~~ **Adequate** sight distance is maintained as provided in subparagraph (3) of this subsection.

(7) All other zoning districts: A fence, wall or hedge may not exceed a height of three feet, six inches in a front yard or seven feet in a side or rear yard, except as follows:

COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
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Agenda Title: **ORDINANCE - To Amend and Reordain Section 24-95 of the Code of the County of Henrico Titled "Additional requirements, exceptions and modifications" to Amend the Review and Approval Process for Alternative Fence Heights**

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b. The planning commission, pursuant to the review and approval of a landscaping plan, may shall permit an alternate alternative height exceeding three feet, six inches, but not exceeding seven feet, and a uniform design in the front yard or along the front lot line, provided the ~~permitted height and design~~ does not adversely affect:

1. The health, safety and/or welfare of persons residing on or working on the premises;
2. The visibility or value of abutting and/or adjacent properties;
3. The adequate supply of light and air to adjoining property;
4. Traffic or pedestrian safety; and
5. ~~That adequate~~ Adequate sight distance is maintained as provided in subparagraph (3) of this subsection.

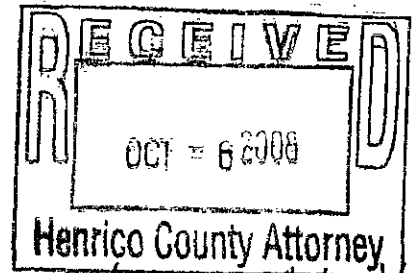
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2. That this ordinance shall be in full force and effect on and after its passage as provided by law.



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

September 29, 2008



Virgil R. Hazelett, P.E.  
County Manager

The Honorable Board of Supervisors  
County of Henrico  
Virginia

Re: Proposed Amendment to Zoning  
Ordinance – Alternative Fence Heights

Honorable Members of the Board:

Attached please find a proposed amendment to the zoning ordinance. This item is scheduled for the Board of Supervisors' public hearing on October 14, 2008. The need for an amendment was brought to our attention when the Fon-du-lac fence appeal was under consideration by the Board and was discussed at the Board's June 10, 2008 work session. The proposed amendment would modify the process for approving alternative fence heights.

The zoning ordinance limits the height of fences, walls and hedges. Fences in front yards are limited to 3' 6", except in planting strip easements where they are limited to 7 feet; that provision has been in the zoning ordinance since 1960.

The current text of the zoning ordinance says the planning commission *may* approve an alternative fence height that does not adversely affect five criteria that are spelled out in the ordinance. That provides some guidance; however, the concern was expressed that perhaps it is not clear enough.

The proposed amendment would still allow the Planning Commission authority to approve alternative fence heights, but would provide additional guidance when exercising that power (for example, if none of the five criteria is found to be adversely affected, then the Commission *shall* approve the request).

The Planning Commission held a public hearing on September 14, 2008, and voted to recommend the ordinance to the Board of Supervisors for approval. The Director of Planning recommends approval and the County Manager concurs. Please call R. Joseph Emerson, Jr., Director of Planning, at 501-4605 or Randall R. Silber, Deputy County Manager for Community Development, at 501-4270, if you have any questions.

Sincerely,

Virgil R. Hazelett, P. E.  
County Manager

Attachment

pc: Deputy County Manager for Community Development  
Director of Planning  
Assistant Director of Planning (O'Kelly)

ORDINANCE - To Amend and Reordain Section 24-95 of the Code of the County of Henrico Titled "Additional requirements, exceptions and modifications" to Amend the Review and Approval Process for Alternative Fence Heights

The zoning ordinance limits the height of fences, walls and hedges. Fences in front yards are limited to 3' 6", except in planting strip easements where they are limited to 7' 0". That provision has been in the zoning ordinance since 1960.

Experience has shown that, in most cases, in a front yard a 3'6" fence is tall enough. There are times, however, when a taller fence may be necessary. In those cases, the Planning Commission may approve an alternative fence height greater than 3' 6" as part of a landscaping plan

Over the past five years, the planning commission has reviewed an average of four such requests per year.

In April, the Board of Supervisors held a work session on an alternative fence height request at 2008 Fon-du-lac Road. The Planning Commission had denied the request for a taller fence, and the applicant appealed that decision to the Board of Supervisors.

Any time authority is delegated to the Planning Commission, clear guidelines are necessary for exercising that discretion. There should be objective criteria for approving or denying an application.

The current text of the zoning ordinance says the planning commission MAY approve an alternative fence height that does not adversely affect these five criteria. That provides some guidance, but the concern was expressed that perhaps it is not clear enough.

The proposed amendment would still allow the Planning Commission authority to approve alternative fence heights, but would provide additional guidance when exercising that power. For example, if none of the five criteria is found to be adversely affected, then the Commission "shall" approve the request.

Our research shows that, over the past five years, the average height approved for fences in the front yard has been five feet, six inches. In planting strip easements, and in business, office and industrial districts, alternative fence heights would be limited to 10' 0". In residential districts, where the Code limits the height to 3' 6" in the front yard, the proposed amendment would limit alternative fence heights to 7' 0".

The Planning Commission held a public hearing on September 14, 2008, and voted to recommend the ordinance to the Board of Supervisors for approval. The Director of Planning recommends approval and the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA  
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Agenda Item No.

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Agenda Title: **ORDINANCE - To Amend and Reordain Section 24-95 of the Code of the County of Henrico Titled "Additional requirements, exceptions and modifications" to Amend the Review and Approval Process for Alternative Fence Heights**

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES NO OTHER
Date _____	Moved by (1) _____ Seconded by (1) _____	Donati, J. _____
<input type="checkbox"/> Approved	(2) _____ (2) _____	Glover, R. _____
<input type="checkbox"/> Denied	REMARKS: _____	Kaechele, D. _____
<input type="checkbox"/> Amended	_____	O'Bannon, P. _____
<input type="checkbox"/> Deferred to _____	_____	Thornton, F. _____

ORDINANCE - To amend and reordain Section 24-95 of the Code of the County of Henrico titled "Additional requirements, exceptions and modifications" to amend the review and approval process for alternative fence heights.

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1. That Section 24-95 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-95. Additional requirements, exceptions and modifications.

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(1) Fences, walls or hedges:

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(2) Planting strip easement: Pursuant to the provisions of chapter 19 requiring a planting strip easement on lots abutting a major street as identified on the major thoroughfare plan having a projected right-of-way of 60 feet or greater, a fence, wall or hedge may be permitted in addition to required landscaping in the planting strip easement as follows:

By Agency Head \_\_\_\_\_

By County Manager \_\_\_\_\_

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_

COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

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Agenda Title: **ORDINANCE - To Amend and Reordain Section 24-95 of the Code of the County of Henrico Titled "Additional requirements, exceptions and modifications" to Amend the Review and Approval Process for Alternative Fence Heights**

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c. The planning commission in accordance with this paragraph, pursuant to the review and approval of a landscape plan, may shall permit an ~~alternate~~ alternative height exceeding seven feet, but not exceeding ten feet, for a fence, wall or hedge of uniform design, provided the permitted height and design does not adversely affect:

1. The health, safety and/or welfare of persons residing on or working on the premises;
2. The visibility or value of abutting and/or adjacent properties;
3. The adequate supply of light and air to adjoining property;
4. Traffic or pedestrian safety; and
5. That adequate Adequate sight distance ~~is maintained~~ as provided in subparagraph (3) of this subsection.

(5) Business, office and industrial districts: A fence, wall or hedge may not exceed the following height:  
. .  
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Agenda Title: **ORDINANCE - To Amend and Reordain Section 24-95 of the Code of the County of Henrico Titled "Additional requirements, exceptions and modifications" to Amend the Review and Approval Process for Alternative Fence Heights**

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c. The planning commission, pursuant to the review and approval of a landscaping plan, ~~may~~ **shall** permit an ~~alternate~~ **alternative** height exceeding three feet, six inches, **but not exceeding ten feet**, and a uniform design in the front yard or along the front lot line, provided the permitted height and design does not adversely affect:

1. The health, safety and/or welfare of persons residing on or working on the premises;
2. The visibility or value of abutting and/or adjacent properties;
3. The adequate supply of light and air to adjoining property;
4. Traffic or pedestrian safety; and
5. ~~That adequate~~ **Adequate** sight distance ~~is maintained~~ as provided in subparagraph (3) of this subsection.

(6) RTH residential townhouse, R-5, R-5A and R-6 general residence districts: A fence, wall or hedge may not exceed a height of three feet, six inches in a front yard, six feet in a side yard, or seven feet in a rear yard of a townhouse for sale and/or detached or semidetached dwelling lot except as follows:

- a. An alternate **alternative** height of a fence, wall or hedge in any front yard of a townhouse for sale or detached or semidetached dwelling lot ~~may~~ **shall** be permitted by the planning commission, pursuant to the review and approval of a landscape

COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No.

Page No. 4 of 5

Agenda Title: **ORDINANCE - To Amend and Reordain Section 24-95 of the Code of the County of Henrico Titled "Additional requirements, exceptions and modifications" to Amend the Review and Approval Process for Alternative Fence Heights**

- 
- plan, which provides for a uniform design of fences, walls or hedges to be constructed on each lot within a grouping or block of units in the development; or
- b. A fence, wall or hedge may not exceed a height of seven feet in a side or rear yard or along any side or rear lot line, and three feet, six inches in a front yard or along the front lot line of an overall development, except an alternate alternative height exceeding three feet, six inches, but not exceeding seven feet, and of uniform design in a front yard may shall be permitted by the planning commission, pursuant to the review and approval of a landscaping plan; and
- c. Further provided, that the alternate alternative permitted height and design in subparagraphs a. and b. above does not adversely affect:
1. The health, safety and/or welfare of persons residing on or working on the premises;
  2. The visibility or value of abutting and/or adjacent properties;
  3. The adequate supply of light and air to adjoining property;
  4. Traffic or pedestrian safety; and
  5. That adequate Adequate sight distance is maintained as provided in subparagraph (3) of this subsection.

COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No.

Page No. 5 of 5

Agenda Title: **ORDINANCE - To Amend and Reordain Section 24-95 of the Code of the County of Henrico Titled "Additional requirements, exceptions and modifications" to Amend the Review and Approval Process for Alternative Fence Heights**

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(7) All other zoning districts: A fence, wall or hedge may not exceed a height of three feet, six inches in a front yard or seven feet in a side or rear yard, except as follows:

.  
.  
.

b. The planning commission, pursuant to the review and approval of a landscaping plan, ~~may~~ shall permit an alternate alternative height exceeding three feet, six inches, but not exceeding seven feet, and a uniform design in the front yard or along the front lot line, provided the permitted height and design does not adversely affect:

1. The health, safety and/or welfare of persons residing on or working on the premises;
2. The visibility or value of abutting and/or adjacent properties;
3. The adequate supply of light and air to adjoining property;
4. Traffic or pedestrian safety; and
5. That adequate Adequate sight distance is maintained as provided in subparagraph (3) of this subsection.

.  
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2. That this ordinance shall be in full force and effect on and after its passage as provided by law.
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COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 29808

Page No.

1 of 2

Agenda Title

ORDINANCE – Amendment to Ordinance 848-77 – Vacation of Portion of  
Blackburn Road – Glen Allen Heights – Brookland District

For Clerk's Use Only:

Date OCT 14 2008  
☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to

BOARD OF SUPERVISORS ACTION

Moved by (1) Glover Seconded by (1) Thornton  
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, by Ordinance approved by the Board of Supervisors of Henrico County, Virginia, (the "Board") on December 14, 1977, and recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia (the "Clerk's Office") in Deed Book 1738, Page 647 (the "1977 Ordinance"), a portion of the right-of-way for Blackburn Road (the "Original Right-of-Way") in Glen Allen Heights, the plat of which is recorded in the Clerk's Office in Plat Book 17, pages 1 and 2, was vacated subject to the dedication of replacement right-of-way (the "Replacement Right-of-Way"); and,

WHEREAS, the Replacement Right-of-Way has not been dedicated and there is now no need for the dedication; and,

WHEREAS, Faith Baptist Church and Robert P. Bain, LLC, requested the 1977 Ordinance be amended and the condition in the 1977 Ordinance be rescinded in order to fully use the portion of the original right-of-way adjoining their respective properties known as 10124 Royerton Drive and 10150 Winston Boulevard; and,

WHEREAS, this Ordinance was advertised pursuant to Section 15.2-2204 of the Code of Virginia, 1950, as amended, and a public hearing was held on October 14, 2008, at 7:00 p.m. by the Board; and,

WHEREAS, it appearing to this Board that no owner of any lot shown on the aforementioned recorded plat will be irreparably damaged by this vacation.

By Agency Head

Steve Price

By County Manager

David R. Hays

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_

**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Item No. 298-08  
Page No. 2 of 2

**Agenda Title:**

**ORDINANCE -- Amendment to Ordinance 848-77 -- Vacation of Portion of  
Blackburn Road -- Glen Allen Heights -- Brookland District**

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NOW THEREFORE, BE IT ORDAINED by the Board that:

(1) The 1977 Ordinance is hereby amended to remove from the 1977 Ordinance the following condition:

[S]ubject, however, to the conveyance to the County of Henrico, Virginia of a parcel of land shown outlined in green and shown as Blackburn Road to be dedicated on the aforesaid attached plat marked Exhibit "A" at no cost to the County of Henrico, Virginia.

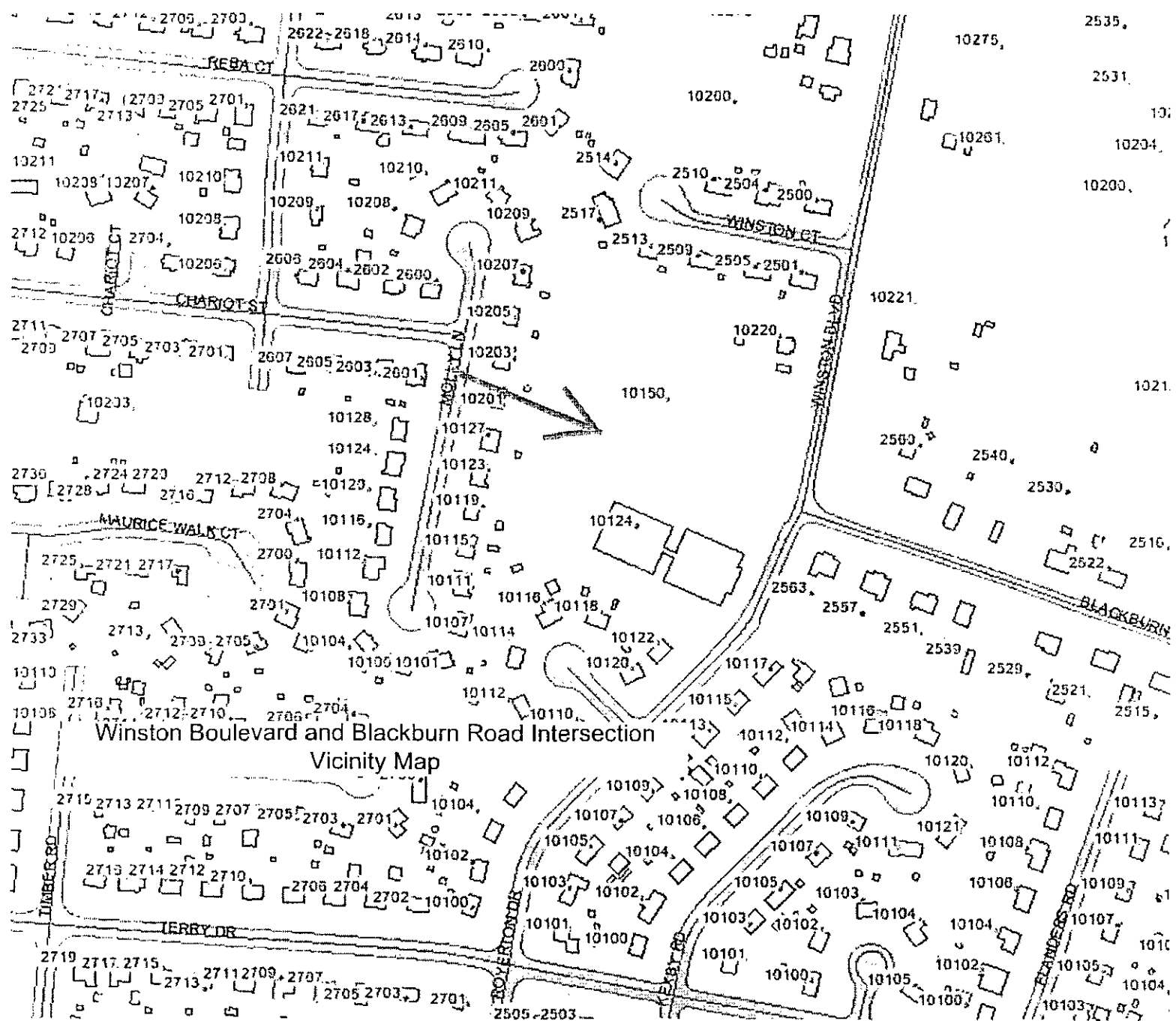
(2) this Ordinance shall become effective thirty (30) days after the time of its passage as provided by law;

(3) the Clerk of the Circuit Court of the County of Henrico, Virginia (the "Clerk"), is authorized, upon receipt of payment therefore, to record a certified copy of this Ordinance in the Clerk's Office after the expiration of thirty (30) days from its passage, provided no appeal has been taken to the Circuit Court of the County of Henrico, Virginia, pursuant to law;

(4) the Clerk is further authorized to index the same on the grantor and grantee sides of the general index to deeds in the names of Faith Baptist Church and Robert P. Bain, LLC, or their successors or assigns; and,

(5) pursuant to Section 15.2-2276 of the Code of Virginia, 1950, as amended, the Clerk shall note this vacation as prescribed.

Comments: The Real Property Department has processed this requested vacation through the Departments of Planning, Public Works, and Public Utilities without objection; the County Manager concurs.



Lot 31

572° 09' 15" E  
530.00 TO BE DEDICATED  
BLACKBURN ROAD  
N 72° 09' 15" W  
510.00  
A = 90° E = 70°  
T = 20' L = 31.42

Lot 32

FAITH BAPTIST CHURCH

FAITH BAPTIST CHURCH

FAITH BAPTIST CHURCH

WINSTON BOULEVARD

26,602 SQ. FT.  
535.75  
N 63° 45' W  
BLACKBURN ROAD  
563.45' E  
505.62  
TO BE VACATED  
A = 94° N = 40° E = 18°  
T = 13.40 L = 28.62

PLAT SHOWING PORTION OF BLACKBURN ROAD TO BE VACATED & NEW DEDICATION OF BLACKBURN ROAD IN LOT 32, GLEN ALLEN HEIGHTS, HENRICO COUNTY, VIRGINIA.  
SCALE 1"=100'  
Nov. 15, 1977



**FOSTER & MILLER**  
CERTIFIED SURVEYORS  
RICHMOND, VIRGINIA

HLB 34406



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 299-08

Page No. 1 of 1

Agenda Title RESOLUTION - Signatory Authority - Lease Amendment - United States of America, Acting By and Through a Duly Authorized Official of the United States Coast Guard - Varina District

For Clerk's Use Only:

Date OCT 14 2008

☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to

BOARD OF SUPERVISORS ACTION

Moved by (1) Donati Seconded by (1) O'Bannon  
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, the County of Henrico, Virginia (the "County"), is the owner of real property at 8701 Willis Church Road containing approximately 1,048.831 acres, more or less, designated as GPIN# 851-678-5224, which parcel is the site of the County's "Runnimeade" communications tower (the "Property"); and,

WHEREAS, on May 14, 2008, the County and the United States of America, acting by and through a duly authorized official of the United States Coast Guard (the "Government"), entered into a Lease Agreement for a portion of the Property adjacent to the communications tower along with certain space on the tower for the purpose of constructing, operating, and maintaining four communications antennae; and,

WHEREAS, the Government desires to amend the Lease Agreement to provide for the installation of approximately 900 feet of 4-inch PVC conduit along the existing access road for the installation of telecommunications cable and an H Frame support with new fencing to be located adjacent to the original compound; and,

WHEREAS, this resolution was advertised pursuant to Section 15.2-1813 of the Code of Virginia, 1950, as amended, and a public hearing was held on October 14, 2008, at 7:00 p.m. by the Board of Supervisors of Henrico County, Virginia (the "Board").

NOW, THEREFORE, BE IT RESOLVED, that the Board authorizes the Chairman and Clerk to execute, on behalf of the County, a Supplemental Lease Agreement, in a form approved by the County Attorney, to provide for the installation of approximately 900 feet of 4-inch PVC conduit along the existing access road for the installation of telecommunications cable and an H Frame support with new fencing to be located adjacent to the original compound.

Comments: The Directors of Public Utilities and General Services and the Acting Director of Real Property recommend approval of this resolution; the County Manager concurs.

By Agency Head

*Steve Donati*

By County Manager

*Robert A. Hayes*

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

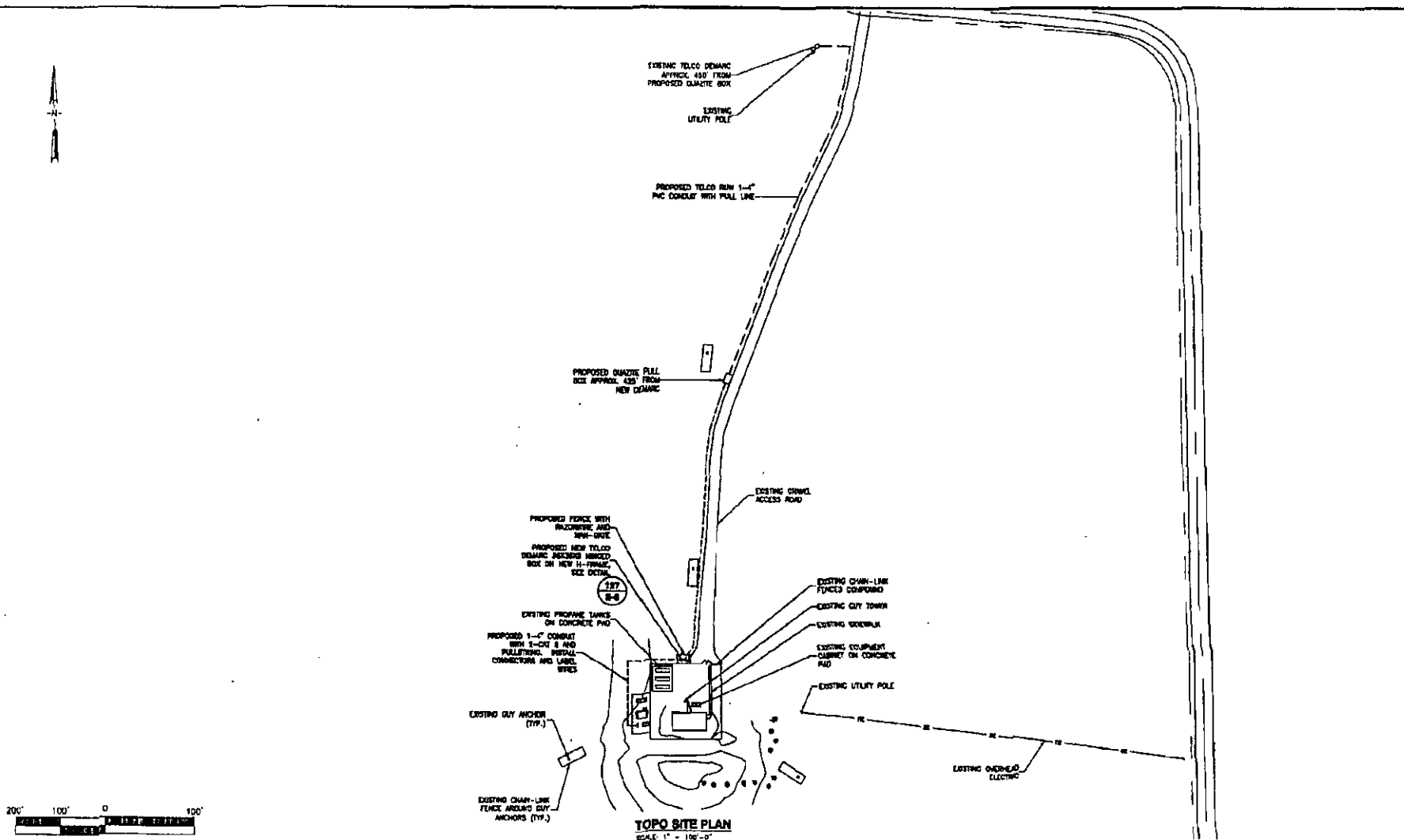
A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_



Sep 02, 2008 - 8:26am  
 F:\Project\1061 - General Dynamics\1061.dwg - 10 Richmond\Construction\SS-1.dwg



400 Col. Elbert Corliss Blvd.  
 Syracuse, New York 13212  
 Phone 315-485-2000  
 Fax 315-485-8987  
 www.ccs08.com

**SITE NAME: RICHMOND**  
 8701 WILLIS CHURCH ROAD  
 RICHMOND, VA 23231

**USCG RESCUE 21  
 HAMPTON  
 ROADS SECTOR**

**GENERAL DYNAMICS**  
 INFORMATION TECHNOLOGY  
 11111 SHELBY  
 NORFOLK, VA 23502-1000

DATE	REVISIONS	BY	CHK	APP'D
SCALE: AS SHOWN	DESIGNED BY:	DRAWN BY:		

**GENERAL DYNAMICS**

**OVERALL SITE PLAN**

PROJECT NUMBER	DATE
2207-005-CD	05-13





TOWER

8701 Willis Church Road

GPIN 851-678-5224

Vicinity Map



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 300-08

Page No. 1 of 2

Agenda Title: RESOLUTION — REVISING CENTRAL VIRGINIA WASTE MANAGEMENT  
AUTHORITY ARTICLES OF INCORPORATION

For Clerk's Use Only:

Date: OCT 14 2008

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon  
(2)

Seconded by (1) Donati  
(2)

REMARKS:

APPROVED

YES NO OTHER

Donati, J.	<input checked="" type="checkbox"/>		
Glover, R.	<input checked="" type="checkbox"/>		
Kaechele, D.	<input checked="" type="checkbox"/>		
O'Bannon, P.	<input checked="" type="checkbox"/>		
Thornton, F.	<input checked="" type="checkbox"/>		

**WHEREAS**, the Central Virginia Waste Management Authority was created in 1990 pursuant to the Virginia Water and Waste Authorities Act (Chapter 51, Title 15.2 of the Code of Virginia (1950), as amended) (hereinafter the "Act") to facilitate improved waste management practices to protect the health, safety and welfare of citizens of the central Virginia region, and

**WHEREAS**, the Central Virginia Waste Management Authority was formed pursuant to the requirements of the Act by thirteen localities in the central Virginia region including the Cities of Colonial Heights, Hopewell, Petersburg and Richmond, the Town of Ashland and the Counties of Charles City, Chesterfield, Goochland, Hanover, Henrico, New Kent, Powhatan and Prince George, which still comprise the Authority; and

**WHEREAS**, the Central Virginia Waste Management Authority developed, in accordance with the Commonwealth's Solid Waste Management Plan requirements, a comprehensive and integrated solid waste management plan that at a minimum considers and addresses all components of the waste management hierarchy (source reduction, reuse, recycling, resource recovery, incineration and landfilling) for the twenty year period 2004-2024 on behalf of all thirteen member localities; and

**WHEREAS**, the Central Virginia Waste Management Authority, as the solid waste planning unit for the thirteen member localities, gathers the data necessary from recycling processors in the region and reports the annual recycling rate to the Virginia Department of Environmental Quality, and

**WHEREAS**, the Central Virginia region's recycling rate (50.3% in 2007) has consistently exceeded the Commonwealth's requirements imposed on each locality to recycle 25 percent of the solid waste generated in each locality, and

By Agency Head

*Arthur Q. Petrucci*

By County Manager

*Supriya A. Nayak*

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_

**COUNTY OF HENRICO, VIRGINIA**  
**BOARD OF SUPERVISORS**  
MINUTE

Agenda Item No. 300-08  
Page No. 2 of 2

**Agenda Title: RESOLUTION — REVISING CENTRAL VIRGINIA WASTE  
MANAGEMENT AUTHORITY ARTICLES OF INCORPORATION**

---

**WHEREAS**, the Central Virginia Waste Management Authority, since inception in 1990, has successfully developed recycling and solid waste programs through cost effective and efficient contracts with the private sector to benefit the recycling and solid waste needs of its members, and

**WHEREAS**, the original Articles of Incorporation of the Authority were adopted and approved by the governing bodies of each member locality and were then filed and approved by State Corporation Commission on December 20, 1990, and

**WHEREAS**, the Board of Directors of the Central Virginia Waste Management Authority has reviewed and approved updating and revising the existing Articles of Incorporation to include: 1) updating the Virginia Code section under which the Authority was formed; 2) updating current address, current practices, and other administrative information regarding the Authority; 3) strengthening the language encouraging localities to appoint alternate members to the Board to ensure full and proper representation at all times; and 4) adjusting the population basis used for determining the number of Board members from each member locality to reflect the changes in population since inception in an effort to keep the membership and makeup of the Board intact, and

**WHEREAS**, the Virginia Water and Waste Authorities Act requires that any revisions to the existing Articles of Incorporation be ratified and approved by the governing bodies of all thirteen member localities prior to filing with the State Corporation Commission, and

**WHEREAS**, the Central Virginia Waste Management Authority respectfully requests approval of the first revision to the Authority's Articles of Incorporation outlined above and authorization to file the amended Articles of Incorporation with the State Corporation Commission in accordance with the Virginia Water and Waste Authorities Act.

**NOW THEREFORE BE IT RESOLVED**, that the Board of Supervisors of the County of Henrico approves the attached First Amended Articles of Incorporation of the Central Virginia Waste Management Authority, in accordance with the Virginia Water and Waste Authorities Act; and

**BE IT FURTHER RESOLVED**, that this resolution shall take effect from the date of its adoption; and

**BE IT FURTHER RESOLVED**, that the Board of Supervisors of the County of Henrico authorizes and directs the County Manager to execute all necessary documents to implement this resolution subject to approval as to form by the County of Henrico attorney.

# FIRST AMENDED ARTICLES OF INCORPORATION (DRAFT)

## OF

### CENTRAL VIRGINIA WASTE MANAGEMENT AUTHORITY

1. The following political subdivisions hereby create an authority pursuant to the Virginia Water and Sewer Waste Authorities Act (Chapter 28 51, Title ~~15.1~~ 15.2 of the Code of Virginia (1950), as amended) (hereinafter the "Act") and are the incorporating political subdivisions of this authority: Charles City County, Chesterfield County, Goochland County, Hanover County, Henrico County, New Kent County, Powhatan County, Prince George county, City of Colonial Heights, City of Hopewell, City of Petersburg, City of Richmond and the Town of Ashland. The political subdivisions that have joined this authority either by incorporating it or later joining it in accordance with the Act, and that have not subsequently withdrawn from this authority shall be referred to herein as the "Member Localities."

2. The name of the authority shall be the "Central Virginia Waste Management Authority" (hereinafter the "Authority") and the address of its ~~initial~~ principal office shall be ~~2104 West Laburnum Avenue, Suite 201~~ 2100 West Laburnum Avenue, Suite 105, Richmond, Virginia 23227.

3. The powers of the Authority shall be exercised by a Board of Directors ("Board"). In accordance with paragraph 8 of these Articles, the governing body of each ~~incorporating political subdivision~~ Member Locality shall appoint at least one of its residents to the Board and ~~may~~ shall appoint an alternate for each Board member. Each alternate may attend meetings of the Authority Board but ~~only~~ shall be entitled to vote only in the absence of the alternate's designated Board member. All Board members and alternates appointed to succeed the initial Board shall be appointed to the Authority's Board for a term of at least one year. The governing body of each ~~participating political subdivision~~ Member Locality shall determine the term of the office of its designated Board members and alternates, which shall be for a term of years not to exceed four years. ~~As directors of the Authority's~~ Each Board member and his/her alternate shall hold office until their successors have been appointed by the applicable Member Locality. Board members and alternates may also succeed themselves.

4. The names and addresses of the first Board members, the names of appointing ~~political subdivisions~~ Member Localities and the dates of expiration of the terms of the first Board members, ~~as directors of the Authority's initial Board~~, are as follows:

Name and Address	Appointing Political Subdivision-Member Locality	Expiration of Term
Fred A. Darden Rt. 1, Box 175-H Charles City, VA 23030	Charles City County	02-01-92

William H. Howell 2101 Gateshead Drive Richmond, VA 23235	County of Chesterfield	12-31-93
Robert L. Dunn 4105 Millwood Road Chester, VA 23831	County of Chesterfield	12-31-93
Stewart Pouliot 4030 Litchfield Drive Chesterfield, VA 23832	County of Chesterfield	12-31-93
Gregory K. Wolfrey 518 Edgehill Wood Drive Manakin-Sabot, VA 23103	County of Goochland	12-31-93
Virginia Curd Route 1, Box 495-A Mechanicsville, VA 23111	County of Hanover	01-24-94
Susan Brenzovich 5894 Tangle Ridge Drive Mechanicsville, VA 23111	County of Hanover	03-30-94
P. T. Rutledge, Jr. 9350 Wallo Road Richmond, VA 23231	County of Henrico	12-31-93
William S. Dewhirst 2408 Raymond Drive Richmond, VA 23228	County of Henrico	12-31-93
John L. Joyner 12200 Country Creek Way Glen Allen, VA 23060	County of Henrico	12-31-93
Robert A. Boroughs HCR-01, Box 95 Barhamsville, VA 23011	County of New Kent	12-31-93
Paul N. Adkins 2578 Judes Ferry Road Powhatan, VA 23139	County of Powhatan	12-31-91
John G. Kines, Jr. 10905 Appletree Lane Hopewell, VA 23860	County of Prince George	12-31-93
Robert E. Taylor 4523 Berkshire Lane Colonial Heights, VA 23834	City of Colonial Heights	12-31-93

Clinton H. Strong 813 Smithfield Avenue Hopewell, VA 23860	City of Hopewell	12-31-93
Richard M. Brown 1608 Drury Road Petersburg, VA 23803	City of Petersburg	12-31-93
Wayland W. Rennie, Sr 1401 Wilmington Avenue Richmond, VA 23227	City of Richmond	12-31-93
Betty Byrne Ware 6317 Ridgeway Road Richmond, VA 23226	City of Richmond	12-31-93
Charles M. Williams, Jr. 3818 W. Weyburn Road Richmond, VA 23235	City of Richmond	12-31-93
David W. Reynal 112 Five Oaks Lane Ashland, VA 23005	Town of Ashland	12-31-93

5. The Authority's purposes are to plan, acquire, construct, reconstruct, improve, extend, operate, contract for and maintain any garbage and refuse collection, transfer and disposal program or system including waste reduction, waste material recovery, recycling as mandated by law or otherwise, resource recovery, waste incineration, landfill operation, ash management, sludge disposal from water and wastewater treatment facilities, household hazardous waste management and disposal and similar programs or systems, within one or more of the ~~political subdivisions which are members of this Authority~~ Member Localities..

6. Except as otherwise provided in the following sentence, the Authority shall be an instrumentality exercising public and essential governmental functions to provide for the public health and welfare and, accordingly, the Authority shall have all the authority and all those powers set forth in the Act ~~or as it may hereafter~~ be amended from time to time. Unless the Board members unanimously vote otherwise, it shall not be an Authority purpose nor shall the Authority have any power or authority to create or operate a water system or wastewater or sewerage system, or to engage in any project which creates or operates a water system or wastewater or sewerage system, provided, however, that this limitation shall not be deemed to be applicable to sludge disposal from water and wastewater treatment facilities. Further, none of the powers granted by the Act shall be exercised by the Authority in the construction, improvement, maintenance, extension or operation of any water system or wastewater or sewerage system, which, in whole or in part, shall duplicate other authorities existing under this Act which serve substantially the same purposes and area.



7. The Authority's Fiscal Year ("Fiscal Year") shall be July 1 through June 30. At the end of each of its Fiscal Years, the Authority shall cause to be made an annual audit of its books and records by an independent certified public accountant, to standards established by the Auditor of Public Accounts, as required by law, and a certified copy of same shall be filed within three (3) months thereof with the Auditor of the Public Accounts and with the governing body of each of the ~~participating political subdivisions~~ Member Localities.

8. A majority of Board members ~~of the Authority~~ shall constitute a quorum, and the vote of a majority of Board members shall be necessary for any action taken by the Authority, except as otherwise provided herein. Each of the Authority's ~~participating political subdivisions~~ Member Localities shall be entitled to no less than one (1) and to no more than three (3) members, all of whom shall serve on the Board. The number of Board members from each ~~participating political subdivision~~ Member Locality shall be determined as follows:

County, City or Town <u>Population Basis</u>		<u>Number of Members</u>
0 — 50,000	0 - 75,000	1
50,001 — 100,000	75,001 - 150,000	2
150,001 +	150,001 +	3

9. During the pre-incorporation period from January 1, 1990 through the issuance of the Certificate of Incorporation by the State Corporation Commission, the Authority shall be financed by the Richmond Regional Planning District Commission and the Crater Planning District Commission. The amount of the financing shall be made available through special per capita dues assessed by the respective Planning District Commissions of the incorporating ~~political subdivisions of the Authority~~ Member Localities. These funds shall be used to pay costs incurred by the respective Planning District Commissions to organize and incorporate the Authority and to support activities of the Authority's initial Board of Directors.

10. By the last day of December of the then current fiscal year, the Authority shall develop and adopt, by an affirmative vote two-thirds (2/3) of the Board members, an annual budget ("Annual Budget") for the subsequent fiscal year. The Authority's fiscal year shall be July 1 through June 30. The Annual Budget shall be developed and proposed by the Authority's Executive Director. The Annual Budget shall be comprised of a general operating fund (the "general operating fund") and of special project funds (the "special project fund"). The Authority's costs for administrative and operational activities, including advertisement, general planning, education and the promotion of recycling and waste management, shall be paid from funds in the general operating fund. The general operating fund for Fiscal Year 1990-1991 shall be funded by contributions from the ~~participating political jurisdictions~~ Member Localities at a rate of \$0.50 per person per ~~participating political jurisdiction~~ Member Locality (the "general operating fund contribution rate"). The Board may thereafter increase or decrease the general operating fund contribution rate by an affirmative vote of three-fourths (3/4) of the Authority's Board members.

If the Certificate of Incorporation is issued by the State Corporation Commission between January 1, 1991, and June 30, 1991, the Authority shall adopt an Annual Budget for the Fiscal Year July 1, 1991 – June 30, 1992, by June 30, 1991, the contributions to which Annual Budget shall not exceed \$0.50 per person per ~~participating political subdivision~~ Member Locality.

Population totals to determine both the number of Board members and the general operating fund contribution rate shall be based upon either the most recent decennial census or the most recent final population estimates from the Center for Public Service, University of Virginia, whichever population total is more current. Any increase or decrease to the number of members on the Board allocated to a ~~participating political subdivision~~ Member Locality caused by a population change shall be effective sixty (60) days following publication of the population estimates referenced herein.

11. The Authority from time to time may operate certain management projects (the "Special Projects") within one or more of the ~~participating political subdivisions~~ Member Localities. Each Special Project, including detailed planning, advertisement and promotion thereof, shall be funded on a basis separate and apart from the Authority's general operating fund, except for general operating fund overhead costs allocable to each Special Project. Each ~~participating political jurisdiction~~ Member Locality may determine, in its sole discretion, whether to participate in any Special Project. The foregoing notwithstanding, the Authority may contribute general operating funds to Special Projects upon an affirmative vote of two-thirds (2/3) of the Authority's Board members, provided, however, that when a Special Project becomes operative, any sums so contributed shall be reimbursed to the general operating fund. No ~~participating political jurisdiction~~ Member Locality shall impose or attempt to impose on the Authority any host community fee or payment in lieu of tax assessment related to a Special Project operated by the Authority.

12. Contributions to the Authority's initial general operating fund for the Fiscal Year 1990-1991 are as follows:

<u>Jurisdiction—Member Locality</u>	<u>1987 Population</u>	<u>Cost Per Person Per Year (1990-1991)</u>	<u>Total Costs</u>
Charles City County	6,500	\$0.50	\$3,250.00
Chesterfield County	179,400	0.50	89,700.00
Goochland County	13,300	0.50	6,650.00
Hanover County	51,540	0.50	25,770.00
Henrico County	202,000	0.50	101,000.00
New Kent County	10,600	0.50	5,300.00
Powhatan County	13,600	0.50	6,800.00
Prince George County	26,700	0.50	13,350.00
City of Colonial Heights	17,300	0.50	8,650.00
City of Hopewell	24,200	0.50	12,100.00
City of Petersburg	40,900	0.50	20,450.00
City of Richmond	215,200	0.50	107,600.00
<u>Town of Ashland</u>	<u>4,960.00</u>	<u>0.50</u>	<u>2,480.00</u>
TOTAL	806,200		\$403,100.00

13. Expenses from the Authority's initial general operating fund for the Fiscal Year 1990-1991 are projected to be as follows:

<u>Activity</u>	<u>Cost</u>
Direct Salaries	\$130,000.00
Fringe Benefits	49,400.00
Overhead	9,000.00
Direct Expenses	38,200.00
Accounting, legal and other consultants	152,500.00
Furniture, Equipment, Automobile	<u>24,000.00</u>
 TOTAL	 \$403,100.00

The governing body of each ~~incorporating political subdivision~~ Member Locality hereby finds that a preliminary estimate of capital costs, project proposals and project service rate estimates for specific projects is impracticable, as of the date of filing these Articles of Incorporation.

14. ~~Political subdivisions~~ Member Localities may join or withdraw from the Authority in accordance with the requirements of the Act.

15. The Authority's Board of Directors may adopt and amend in the manner prescribed by the Act or by other applicable law, any and all bylaws, rules and regulations, not in conflict with these Articles or the laws of the Commonwealth of Virginia, which are necessary or desirable for the conduct of the Authority's business.

16. The Authority shall expire fifty (50) years from the date of issuance of its Certificate of Incorporation, unless extended as provided by the Act.

17. These Articles may be amended in the manner prescribed by the Act or by other applicable law.



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 301-08  
Page No. 1 of 1

Agenda Title: INTRODUCTION OF ORDINANCE - To Amend and Reordain Subdivision (3) of Subsection (e) of Section 20-72 of the Code of the County of Henrico Titled "Elderly or permanently and totally disabled persons" to Increase the Income Limit Under the Tax Relief for the Elderly or Permanently and Totally Disabled Program (REAP) from \$62,000 to \$67,000

For Clerk's Use Only:

Date: OCT 14 2008

☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Donati  
(2) \_\_\_\_\_ (2) \_\_\_\_\_

REMARKS:

**APPROVED**

YES NO OTHER

Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Clerk is directed to advertise, in the Richmond Times-Dispatch on October 28, 2008 and November 4, 2008, the following ordinance for a public hearing to be held at the Board Room on November 12, 2008 at 7:00 p.m.:

"AN ORDINANCE to Amend and Reordain Subdivision (3) of Subsection (e) of Section 20-72 of the Code of the County of Henrico titled "Elderly or permanently and totally disabled persons" to increase the income limit under the tax relief for the elderly or permanently and totally disabled program (REAP) from \$62,000 to \$67,000. A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

Comments: The Director of Finance recommends approval of this Board paper; the County Manager concurs.

By Agency Head

By County Manager

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_

**BLACKLINE COPY**

AN ORDINANCE to Amend and Reordain Subdivision (3) of Subsection (e) of Section 20-72 of the Code of the County of Henrico Titled "Elderly or permanently and totally disabled persons" to Increase the Income Limit Under the Tax Relief for the Elderly or Permanently and Totally Disabled Program (REAP) from \$62,000 to \$67,000

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF HENRICO, VIRGINIA:

1. That Subdivision (3) of Subsection (e) of Section 20-72 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-72. Elderly or permanently and totally disabled persons.**

.  
.  
.

(e) *Criteria for exemption.* Exemption shall be granted to persons subject to the following provisions:

.  
.  
.

(3) The gross combined income of the owner during the year immediately preceding the taxable year shall be determined by the director to be an amount not to exceed ~~\$62,000.00~~\$67,000.00. Gross combined income shall include all income from all sources, without regard to whether a tax return is actually filed, of the owner, the spouse and the owner's relatives living in the dwelling for which exemption is claimed. Gross combined income shall not include life insurance benefits or receipts from borrowing or other debt. For the purpose of this subsection, the first \$10,000.00 of annual income of each of the owner's relatives, other than a spouse, living in the dwelling and who does not qualify for the exemption provided by subdivision (4) of this subsection shall be excluded in computing gross combined income. The term "owner", as used in this subsection, shall also be construed as "owners".

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.

2. That this ordinance shall be in full force and effect beginning with tax year 2009.

Comments: The Director of Finance recommends approval of this Board paper; the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 302-08  
Page No. 1 of 1

Agenda Title: **Resolution – Award of Contract – Architectural and Engineering Services – Gayton Branch Library Interior Renovations**

For Clerk's Use Only:

Date: OCT 14 2008

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Donati  
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Donati, J. ☒ ☐ ☐  
Glover, R. ☒ ☐ ☐  
Kaechele, D. ☒ ☐ ☐  
O'Bannon, P. ☒ ☐ ☐  
Thornton, F. ☒ ☐ ☐

**WHEREAS**, on March 28, 2008, eight (8) proposals were received in response to RFP #08-8343-2CS to provide architectural and engineering services for Gayton Branch Library Interior Renovations;

**WHEREAS**, based upon review of the written proposals, the Selection Committee (consisting of Messrs. Ron Semel, Fred Drake, Jerry McKenna, and Tom Bruno, and Mrs. Cecelia Stowe) interviewed the following firms:

**BCWH Architects**  
Lukmire Partnership  
Rawlings & Wilson  
Design Collaborative

**WHEREAS**, the Selection Committee subsequently negotiated a contract with **BCWH Architects**, the first ranked firm, in the amount of \$373,000.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Henrico County:

1. A contract to provide architectural and engineering services for Gayton Branch Library Interior Renovations is awarded to **BCWH Architects** in the amount of \$373,000 in accordance with RFP #08-8343-2CS, the March 28, 2008 proposal, and letters dated August 12, 2008 (A/E Services) and September 26, 2008 (LEED Certification) submitted by **BCWH Architects**.
2. The County Manager and Clerk are authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Director of General Services as his designee, is authorized to execute all change orders within the scope of the project budget.

**Comments:** Funding to support the contract is available. The Director of General Services and the Library Director, the County Manager concurring, recommend approval of this Board paper.

By Agency Head

*Ralph H. Patton*

By County Manager

*David A. Knight*

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 30308  
Page No. 1 of 2

Agenda Title: **Resolution – Award of Construction Contract – Construction and Demolition Debris Removal and Site Improvements - Greenwood Park**

For Clerk's Use Only:  Date: <b>OCT 14 2008</b>  <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	BOARD OF SUPERVISORS ACTION  Moved by (1) <u>Glover</u> Seconded by (1) <u>Thornton</u> (2) _____ (2) _____  REMARKS: <b>APPROVED</b>	YES NO OTHER  Donati, J. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Glover, R. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Kaechele, D. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> O'Bannon, P. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Thornton, F. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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**WHEREAS**, seven bids were received on July 31, 2008 in response to Bid Request No. 08-8445-6YD for demolition and construction debris removal and site improvements at Greenwood Park as follows:

Bidder	Total Bid Amount
<b>J.E. Liesfeld Contractor, Inc.</b>	<b>\$560,000</b>
Dickerson Construction, LLC	\$676,078
Dwight Snead Construction Company	\$1,020,467
Carr Contracting Co., LLC	\$1,070,419
Simons Hauling Co., Inc.	\$1,145,000
S. B. Cox, Inc.	\$1,165,939
Walter C. Via Enterprise, Inc.	\$1,986,000

**WHEREAS**, after review and evaluation of all bids received, it was determined that **J.E. Liesfeld Contractor, Inc.** is the lowest responsive and responsible bidder with a total bid in the amount of **\$560,000**.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Henrico County:

1. A contract to furnish all labor, materials, supplies, equipment, and services necessary for construction and demolition debris removal and site improvements at Greenwood Park is awarded to **J.E. Liesfeld Contractor, Inc.**, the lowest responsive and responsible bidder, in the amount of **\$560,000** pursuant to Bid Request No. 08-8445-6YD and the bid submitted by **J.E. Liesfeld Contractor, Inc.**

By Agency Head [Signature]

By County Manager [Signature]

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_  
Clerk, Board of Supervisors

Date: \_\_\_\_\_

2. The County Manager and Clerk are authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Director of General Services as his designee, is further authorized to execute all necessary change orders within the scope of the project budget.

**Comments:** Funding to support the contract is available within the project budget. The Director of General Services and the Director of Recreation and Parks, the County Manager concurring, recommend approval of this Board paper.





COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 304-08  
Page No. 1 of 2

Agenda Title: **Resolution – Award of Construction Contract – Belmont Recreation Center HVAC Replacement**

For Clerk's Use Only:  Date: <b>OCT 14 2008</b>  <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	BOARD OF SUPERVISORS ACTION  Moved by (1) <u>Thornton</u> Seconded by (1) <u>Glover</u> (2) _____ (2) _____  REMARKS: <b>APPROVED</b>	YES NO OTHER  Donati, J. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Glover, R. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Kaechele, D. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> O'Bannon, P. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Thornton, F. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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**WHEREAS**, seven bids were received on July 8, 2008 in response to Bid Request No. 08-8431-6SW for the replacement of the HVAC system at Belmont Recreation Center as follows:

<u>Bidder</u>	<u>Total Base Bid</u>	<u>Alternate #1</u>	<u>Total Bid Amount</u>
<b>Waco, Inc.</b>	<b>\$687,000</b>	<b>\$55,400</b>	<b>\$742,400</b>
Chamberlain Mechanical Service Inc.	\$682,495	\$108,995	\$791,490
R.S. Harritan	\$763,679	\$86,688	\$850,367
Atlantic Construction Inc.	\$746,249	\$125,191	\$871,440
Colonial Webb Contractors	\$785,440	\$93,112	\$878,552
Harris Heating & Plumbing	\$810,276	\$87,165	\$897,441
EMC	\$845,000	\$79,508	\$924,503

**WHEREAS**, after review and evaluation of all bids received, it was determined that **Waco, Inc.** is the lowest responsive and responsible bidder with a total bid in the amount of **\$742,400**.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Henrico County:

1. A contract to furnish all labor, materials, supplies, equipment, and services necessary to replace the HVAC system at Belmont Recreation Center is awarded to **Waco, Inc.**, the lowest responsive and responsible bidder, in the amount of **\$742,400** pursuant to Bid Request No. 08-8431-6SW and the bid submitted by **Waco, Inc.**
2. The County Manager and Clerk are authorized to execute the contract in a form approved by the County Attorney.

By Agency Head [Signature]

By County Manager [Signature]

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_

3. The County Manager, or the Director of General Services as his designee, is further authorized to execute all necessary change orders within the scope of the project budget.

**Comments:** Funding to support the contract is available within the project budget. The Director of General Services and the Director of Recreation and Parks, the County Manager concurring, recommend approval of this Board paper.



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 306-08  
Page No. 1 of 1

Agenda Title

RESOLUTION - Signatory Authority - Acquisition of Easement - Pouncey Tract Road Water Main - John J. and Ima M. Liesfeld Family, LLC - Three Chopt District

For Clerk's Use Only:

Date OCT 14 2008

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to

BOARD OF SUPERVISORS ACTION

Moved by (1) Glover Seconded by (1) Donati  
(2) (2)

REMARKS: **APPROVED**

YES NO OTHER

Donati, J. ☒ ☐ ☐  
Glover, R. ☒ ☐ ☐  
Kaechele, D. ☒ ☐ ☐  
O'Bannon, P. ☒ ☐ ☐  
Thornton, F. ☒ ☐ ☐

WHEREAS, in order to improve its water transmission and distribution system, the County of Henrico, Virginia (the "County") is preparing to install a 24" water transmission main along Pouncey Tract Road from Three Chopt Road to Shady Grove Road and eastwardly along Shady Grove Road, which requires a permanent utility easement across the property of John J. and Ima M. Liesfeld Family, LLC, ("Liesfeld") located on the northwest corner of West Broad Street and Pouncey Tract Road; and,

WHEREAS, Liesfeld has agreed to convey the easement to the County for the sum of One Hundred Seventy-Eight Thousand and No/100 Dollars (\$178,000.00).

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County, Virginia (the "Board"), that the County Manager is hereby authorized and directed to execute an easement agreement, in a form approved by the County Attorney, by and between Liesfeld and the County, for the acquisition of a permanent utility easement containing approximately 5,779 square feet for \$178,000.00 and other considerations and conditions as specified in the agreement.

Comments: The Director of Public Utilities and the Acting Director of Real Property recommend approval of this paper; the County Manager concurs.

By Agency Head Steven P. [Signature]

By County Manager [Signature]

Routing:

Yellow to: \_\_\_\_\_

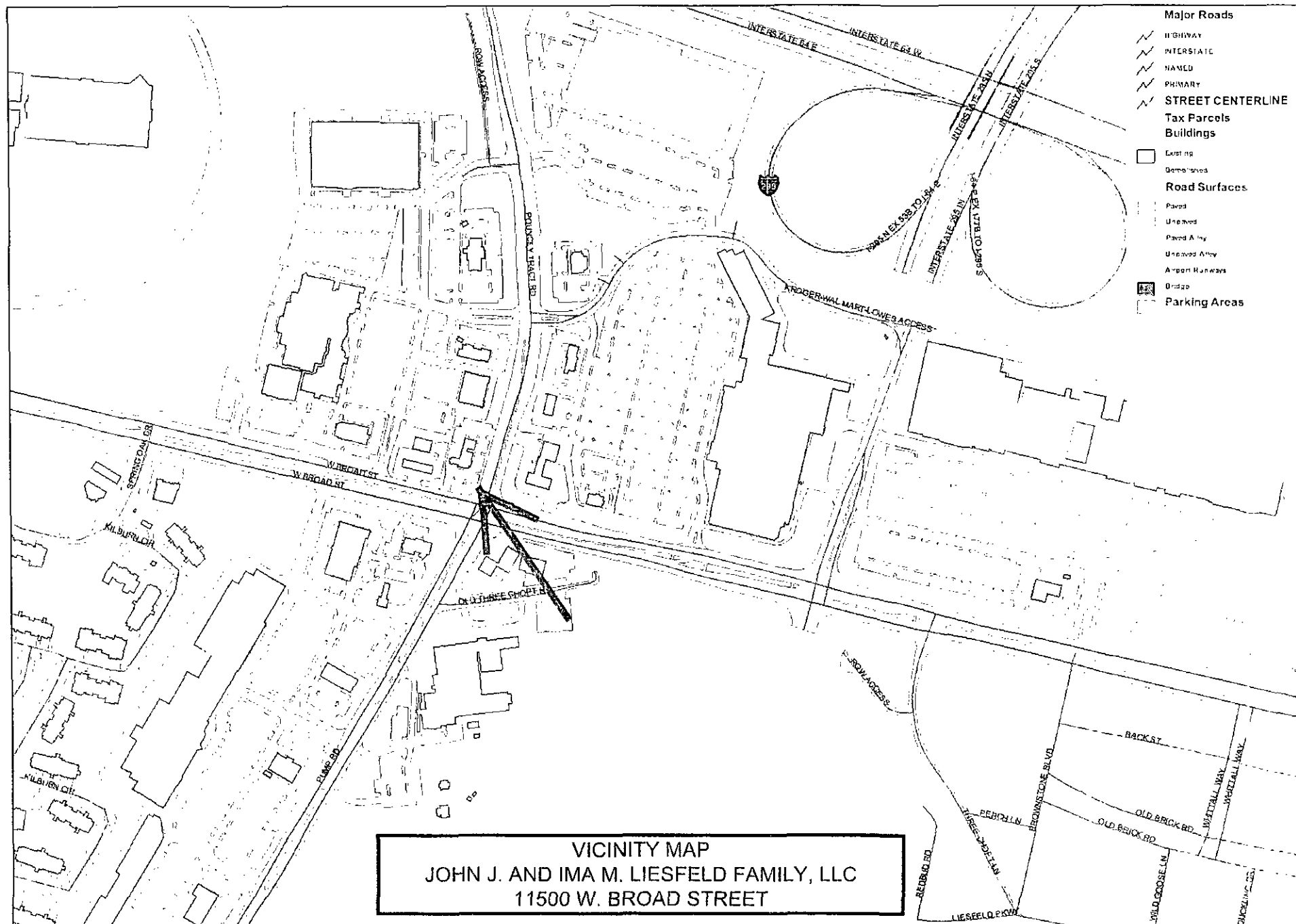
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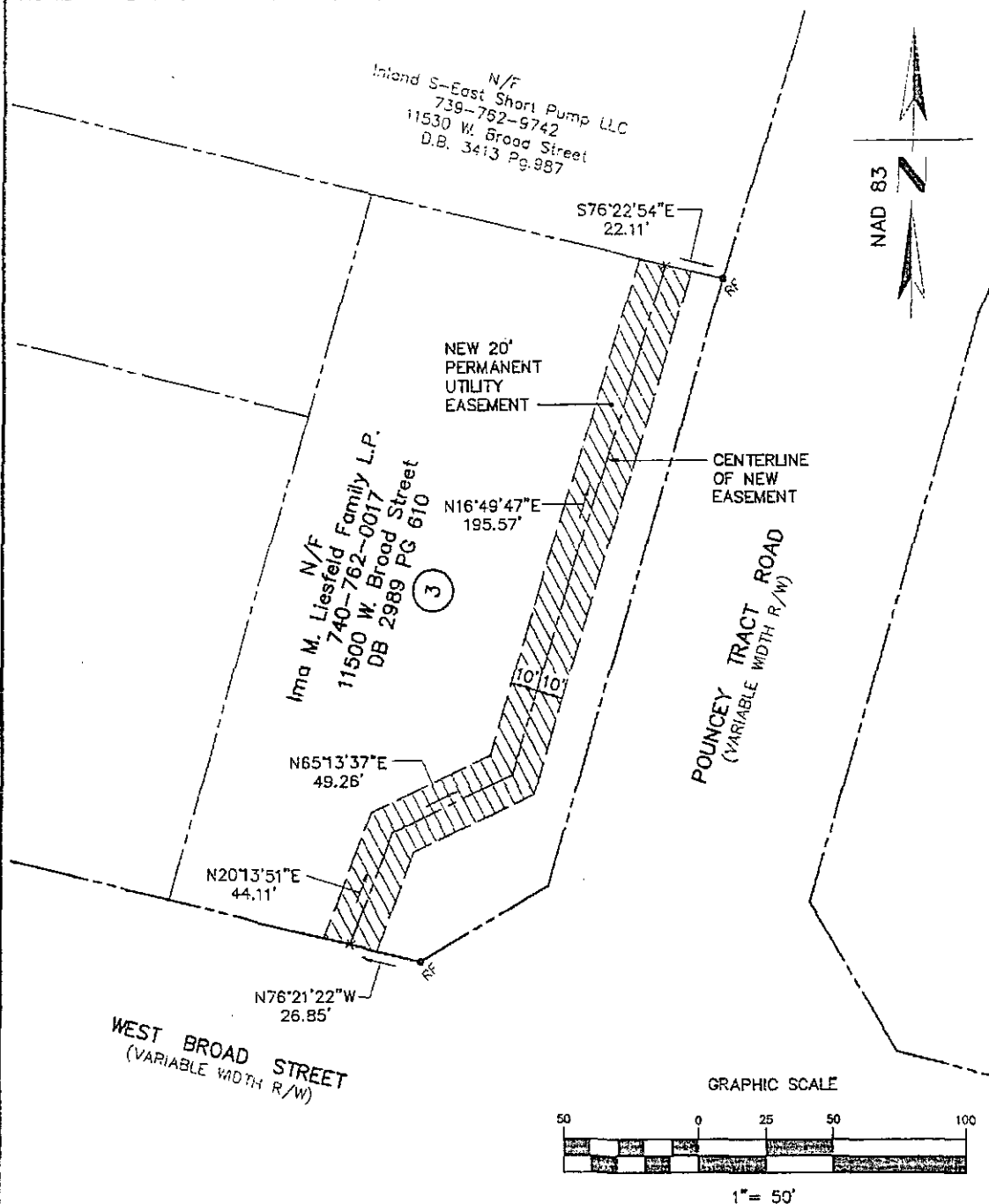
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Clerk, Board of Supervisors

Date: \_\_\_\_\_



THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.  
HORIZONTAL DATUM: NAD 83 PER GPS OBSERVATION PERFORMED BY DRAPER ADEN ASSOCIATES.



TOTAL PARCEL AREA: 0.817 ACRES  
PERMANENT EASEMENT AREA: 5779 SQ.FT.

COMPILED PLAT SHOWING:

A 20' PERMANENT  
UTILITY EASEMENT  
ACROSS TAX PARCEL 740-762-0017

THREE CHOPT MAGISTERIAL DISTRICT, HENRICO COUNTY, VIRGINIA

HENRICO COUNTY PROJECT 1000/06407 SHEET 6 PARCEL 3

Revised: 10/01/07



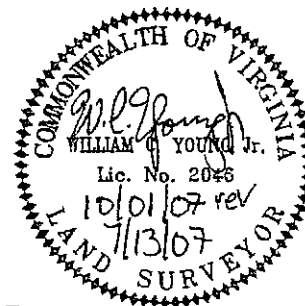
**Draper Aden Associates**  
Engineering • Surveying • Environmental Services

8090 Villa Park Drive  
Richmond, VA 23228  
804-264-2228 Fax: 804-264-8773

Blacksburg, VA  
Charlottesville, VA  
Hampton Roads, VA

DRAWN	HLJ	SCALE	1" = 50'
CHECKED	WCY	DATE	07/13/07

PLAN NO. R06402-02



T:\PROJECTS\1000\06407\1000\_06407\_SHEET 6 PARCEL 3.DWG October 1, 2007 3:18:59 PM



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 307-08  
Page No. 1 of 2

Agenda Title: **RESOLUTION — Signatory Authority — Award of Contract — Highland Springs High School Area Sanitary Sewer Relocation — Ward & Stancil, Inc.**

For Clerk's Use Only:

Date: Oct 14 2008

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Thornton Seconded by (1) Donati  
(2) \_\_\_\_\_ (2) \_\_\_\_\_

REMARKS:

**APPROVED**

YES NO OTHER

Donati, J. ☒ ☐ ☐  
Glover, R. ☒ ☐ ☐  
Kaechele, D. ☒ ☐ ☐  
O'Bannon, P. ☒ ☐ ☐  
Thornton, F. ☒ ☐ ☐

**WHEREAS**, by Bid Request No. 08-8480-8CE, the County solicited bids for the Sanitary Sewer Relocation project located in the Highland Springs High School area of the Varina District; and,

**WHEREAS**, the primary purpose of the project is to replace a deteriorated section of the sewer system installed in 1952; and,

**WHEREAS**, the project consists of providing approximately 500 linear feet of 8-inch diameter sewer, 765 linear feet of 10-inch diameter sewer, 870 linear feet of 12-inch diameter sewer, and 8 new manholes; pavement restoration; clearing and erosion control measures along a commercial and residential area adjacent to Highland Springs High School; and abandonment of approximately 300 linear feet of existing 8-inch diameter sewer and one manhole; and,

**WHEREAS**, 22 bids were opened on September 19, 2008, as follows:

<u>BIDS</u>	<u>BID AMOUNT</u>
Ward & Stancil, Inc.	\$ 260,510.00
Johnson & Glazier Construction Co., Inc.	\$ 282,147.25
R.R. Snipes Construction Co., Inc.	\$ 311,178.00
Godsey & Son, Inc.	\$ 313,150.00
J. Sanders Construction, Inc.	\$ 340,000.00
Metheny Contracting, Inc.	\$ 345,280.00
J.D. Ludwig, Inc.	\$ 354,996.00
Southern Construction Utilities, Inc.	\$ 358,666.00
Lytte Utilities, Inc.	\$ 360,500.00
McLane Construction Company	\$ 360,650.00
Simons Hauling Co., Inc.	\$ 363,773.44
C.D. Hall Construction	\$ 386,149.00
Southwood Builders, Inc.	\$ 391,729.00

By Agency Head

Arthur O. Pettrini

By County Manager

Luigi P. Hagedorn

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_

**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Item No. 307-08

Page No. 2 of 2

**Agenda Title: RESOLUTION — Signatory Authority — Award of Contract — Highland Springs High School Area Sanitary Sewer Relocation — Ward & Stancil, Inc.**

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G.L. Howard, Inc.	\$ 410,745.00
George Nice & Sons, Inc.	\$ 468,666.00
Possie B. Chenault, Inc.	\$ 494,800.00
Carr Contracting Co., LLC	\$ 528,337.00
Walter C. Via Enterprises, Inc.	\$ 540,000.00
Richard L. Crowder Construction, Inc.	\$ 597,160.00
Perkinson Construction, LLC	\$ 605,168.00
Jireh Construction Co., Inc.	\$ 777,000.00
Rappahannock Construction Co., Inc.	\$ 821,693.93

**WHEREAS**, after a review of all bids received, County staff determined that Ward & Stancil, Inc. is the lowest responsive and responsible bidder.

**NOW, THEREFORE, BE IT RESOLVED** that the Henrico County Board of Supervisors awards the contract for the Highland Springs High School Sanitary Sewer Relocation Project to the lowest responsive and responsible bidder, Ward & Stancil, Inc., in the amount of \$ 260,510.00.

**BE IT FURTHER RESOLVED** that the County Manager and Clerk are authorized to execute the contract in a form approved by the County Attorney and all necessary change orders not to exceed 15% of the original contract amount.

**Comment:** The Director of Public Utilities recommends approval of this Board paper, and the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 308-08  
Page No. 1 of 2

Agenda Title

**RESOLUTION — Signatory Authority — Amendment to Contract for Engineering Design Services — John Rolfe Parkway from Ridgefield Parkway to West Broad Street (approximately 3.838 miles). Project #2101.50701.28004.00720 (formerly Project #552109-701-463-00). Three Chopt and Tuckahoe Districts**

For Clerk's Use Only:

Date Oct 14 2008

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Thornton  
(2) \_\_\_\_\_ (2) \_\_\_\_\_

REMARKS:

**APPROVED**

YES NO OTHER

Donati, J. ☒ ☐ ☐  
Glover, R. ☒ ☐ ☐  
Kaechele, D. ☒ ☐ ☐  
O'Bannon, P. ☒ ☐ ☐  
Thornton, F. ☒ ☐ ☐

WHEREAS, on October 10, 2000, the Board of Supervisors approved a contract with Stantec Consultants (formerly American Engineers) for a total fixed lump sum fee of \$1,172,537.97 for the preparation of design and construction plans for John Rolfe Parkway from Ridgefield Parkway to West Broad Street (approximately 3.838 miles); and,

WHEREAS, on June 8, 2004, the Board approved an amendment to the engineering contract for additional work resulting from public hearing comments, additional VDOT requirements, changes in drainage outfalls, the need for right-of-way and easements, and changes in plans due to development, for the additional fixed lump sum fee of \$1,086,013.64; and,

WHEREAS, on May 24, 2005, the Board approved a second amendment for design of a water line connection from Three Chopt Road to West Broad Street for the additional lump sum fee of \$44,416.00; and,

WHEREAS, on June 27, 2006, the Board approved a third amendment for additional work required as a result of development in the corridor, additional environmental requirements, and construction plan phasing, for the additional lump sum fee of \$873,502.88; and,

WHEREAS, on February 26, 2008, the Board approved a fourth amendment for additional work required as a result of further development in the corridor, additional environmental requirements, construction monitoring and support, and the need to finalize preparation of John Rolfe Parkway, Phase II plans through advertisement, for the additional lump sum fee of \$723,328.84; and,

WHEREAS, additional work is required to integrate the project with the VDOT connection at West Broad Street, to add a free-flow right turn lane from northbound John Rolfe Parkway to eastbound West Broad Street, and to coordinate improvements with the new Victory Nissan entrance; and,

By Agency Head [Signature]

By County Manager [Signature]

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Tests: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_



**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Item No. 308-08  
Page No. 2 of 2

**Agenda Title    RESOLUTION — Signatory Authority — Amendment to Contract for Engineering Design Services — John Rolfe Parkway from Ridgefield Parkway to West Broad Street (approximately 3.838 miles). Project #2101.50701.28004.00720 (formerly Project #552109-701-463-00). Three Chopt and Tuckahoe Districts**

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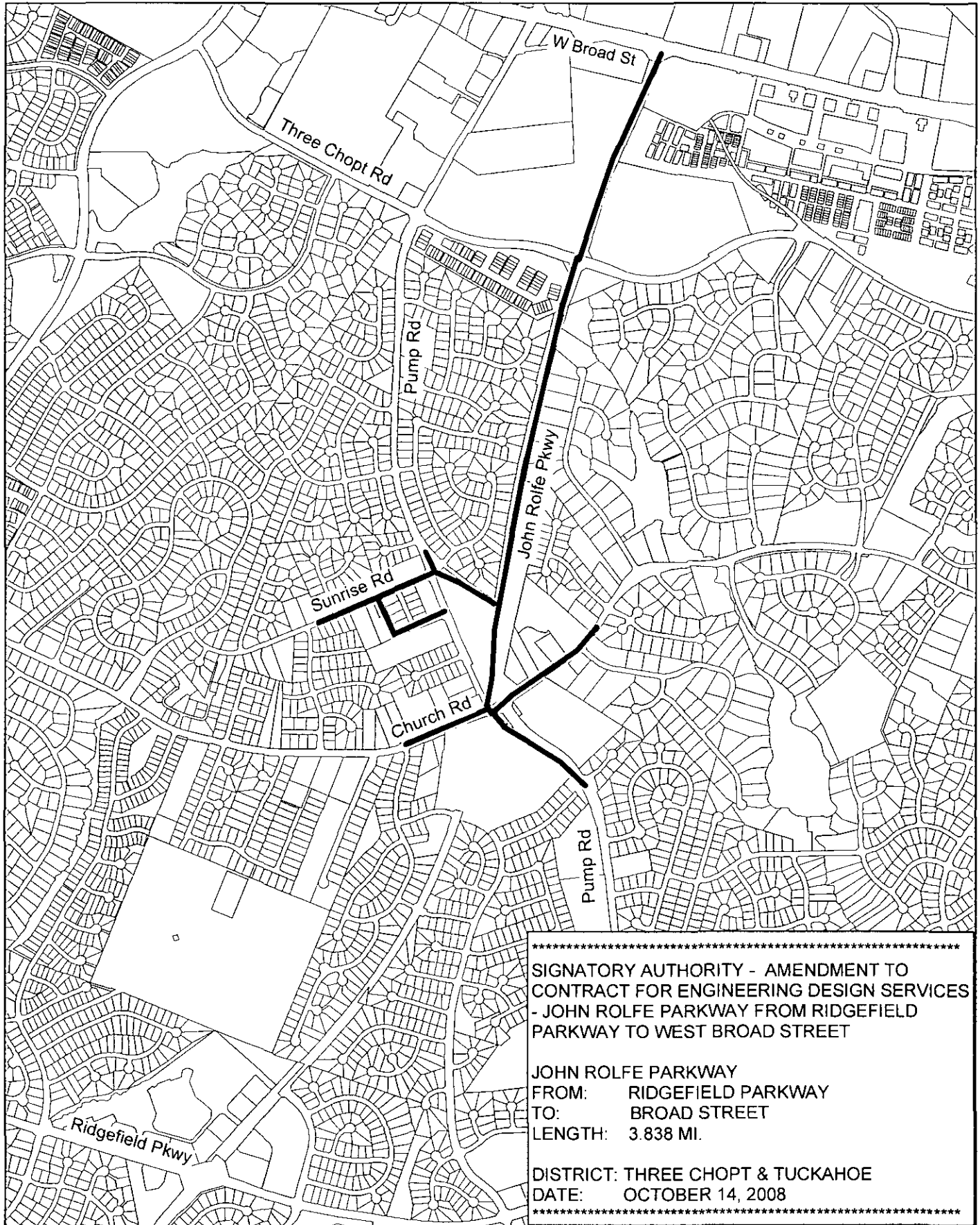
WHEREAS, Stantec Consultants and the Department of Public Works have negotiated a fixed lump sum fee of \$56,074.68 for the additional design work.

NOW, THEREFORE, BE IT RESOLVED that the Henrico County Board of Supervisors approves an amendment to the contract with Stantec Consultants for additional engineering design services for John Rolfe Parkway for the additional fixed lump sum amount of \$56,074.68.

BE IT FURTHER RESOLVED that the County Manager is authorized to execute the amendment, in a form approved by the County Attorney, and any necessary change orders within funds available.

COMMENTS:            The funds for this amendment will be provided from the Capital Projects Fund, Project #2101.50701.28004.00720 (formerly Project #552109-701-463-00). The Director of Public Works recommends approval of this Board paper, and the County Manager concurs.

# JOHN ROLFE PARKWAY





COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda 309-08  
Page No. 1 of 2

Agenda Title: **RESOLUTION — To Permit Additional Fine of \$200 for Speeding on Colony Bluff Drive**

For Clerk's Use Only:  Date: <u>OCT 14 2003</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	<b>BOARD OF SUPERVISORS ACTION</b> Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Donati</u> (2) _____ (2) _____ REMARKS: <b>APPROVED</b>	<table><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr><tr><td>Donati, J.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Kaechele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		YES	NO	OTHER																						
Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
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Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

WHEREAS, Section 46.2-878.2 of the Code of Virginia provides for the imposition of a \$200 fine for speeding, in addition to other penalties provided by law, when a locality has established a maximum speed limit for a highway in a residence district and the speed limit is indicated by appropriately placed signs; and,

WHEREAS, the statute also requires the Board of Supervisors (the "Board"), because Henrico County maintains its own roads, to develop criteria for the overall applicability for the installation of the signs and to request the application of the statute to certain residential streets in the County before the additional fine may be imposed; and,

WHEREAS, the Board approved detailed criteria (the "Criteria") for the County's Traffic Calming Program on February 10, 2004; and,

WHEREAS, increased fines for speeding on residential streets in Henrico County which meet the Criteria and are designated by the Board are part of the Traffic Calming Program; and,

WHEREAS, the County's Traffic Engineer has collected traffic data and has determined that Colony Bluff Drive in the County is experiencing speeding problems and meets the Criteria for traffic calming measures set forth in the Traffic Calming Program; and,

By Agency Head \_\_\_\_\_

By County Manager \_\_\_\_\_

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_  
Clerk, Board of Supervisors

Date: \_\_\_\_\_

**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Item No. 309-08

Page No. 2 of 2

**Agenda Title: RESOLUTION — To Permit Additional Fine of \$200 for Speeding on Colony Bluff Drive**

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WHEREAS, the citizens in the area of this road requesting the increased fine have collected signatures from 77% of the residents; and,

WHEREAS, this road is a local residential street with a posted speed limit of 25 mph.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County that the County Manager is authorized and directed to install signs on Colony Bluff Drive advising citizens of an additional fine of \$200 for exceeding the posted speed limit on this road.

Comments: The Director of Public Works recommends approval of this Board paper; the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 310-08

Page No. 1 of 2

Agenda Title: RESOLUTION – ACCEPTANCE OF ROADS

For Clerk's Use Only:  Date: OCT 14 2009  <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) O'Bannon Seconded by (1) Thornton (2) _____ (2) _____ REMARKS: APPROVED	YES NO OTHER Donati, J. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Glover, R. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Kaechele, D. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> O'Bannon, P. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Thornton, F. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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BE IT RESOLVED by the Board of Supervisors of the County of Henrico that the following named and described sections of roads are accepted into the County road system for maintenance.

**Westcott at Grey Oaks– Three Chopt District**

Westcott Ridge Drive from Grey Oaks Park Drive to Westcott Landing Court	0.21 Mi.
Westcott Ridge Court from Westcott Ridge Drive to 0.12 Mi. E. of Westcott Ridge Drive	0.12 Mi.
Westcott Ridge Terrace from Westcott Ridge Drive to 0.06 Mi. E. of Westcott Ridge Drive	0.06 Mi.
Westcott Landing Court from 0.12 Mi. E. of Westcott Ridge Drive to 0.28 Mi. W. of Westcott Ridge Drive	0.40 Mi.
Westcott Landing Place from Westcott Landing Court to Westcott Landing Court	0.06 Mi.
Westcott Landing Circle from Westcott Landing Court to Westcott Landing Court	0.06 Mi.
<b>Total Miles</b>	<b>0.91 Mi.</b>

**The Woods at Gilmer – Varina District**

Fort Gilmer Way from Mill Road to 0.07 Mi. N. of Mill Road	0.07 Mi.
Fort Gilmer Drive from 0.10 Mi. E. of Fort Gilmer Way to 0.30 Mi. W. of Fort Gilmer Way	0.40 Mi.
Fort Gilmer Court from Fort Gilmer Drive to 0.06 Mi. E. of Fort Gilmer Drive	0.06 Mi.
<b>Total Miles</b>	<b>0.53 Mi.</b>

By Agency Head

By County Manager

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_  
Clerk, Board of Supervisors

Date: \_\_\_\_\_

**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Item No. **310-08**

Page No. 2 of 2

**Agenda Title: RESOLUTION – ACCEPTANCE OF ROADS**

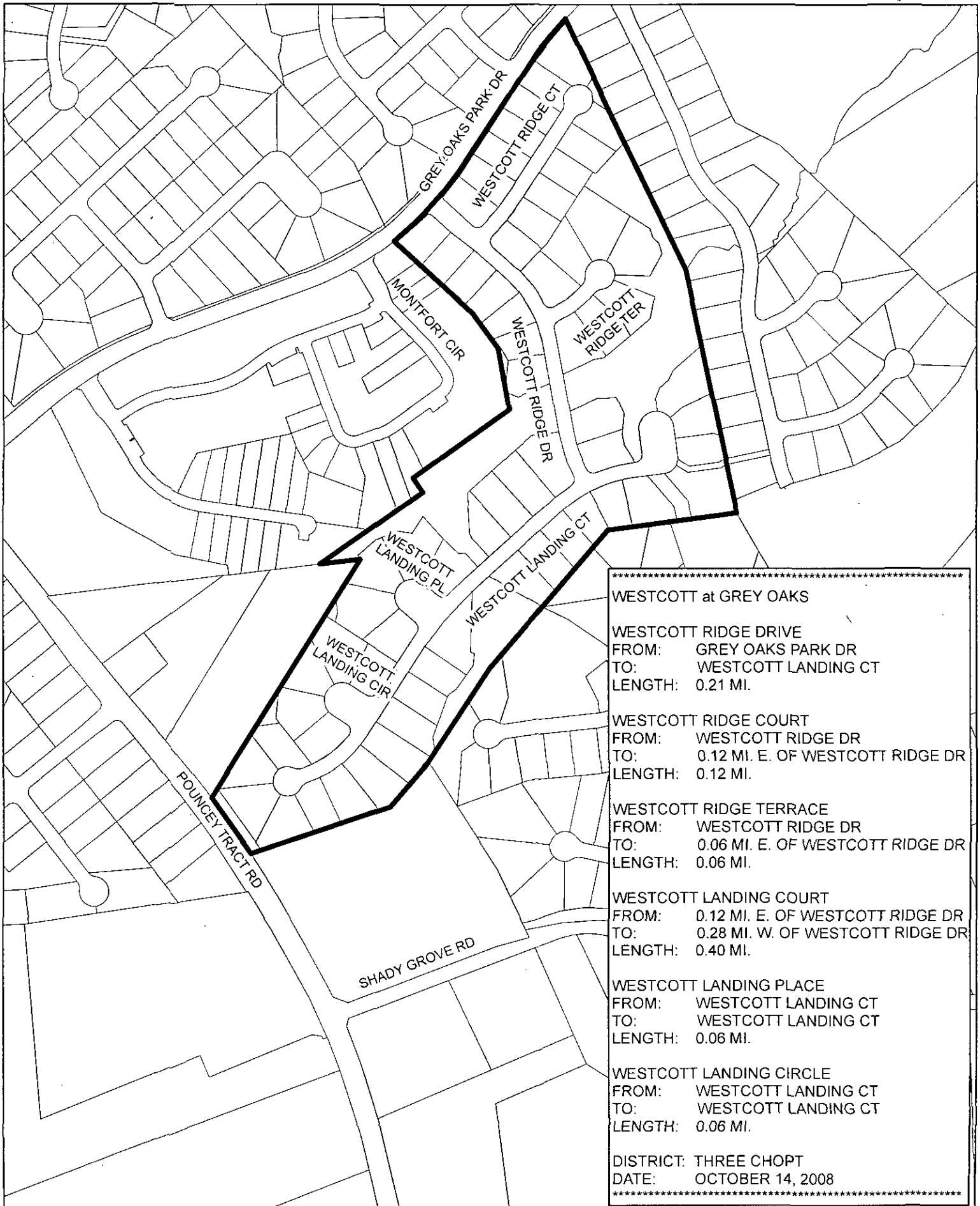
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**Early Meadows – A Resubdivision of Lots 4, 5, 6 & 7  
of Fair Oaks Park - Varina District**

Early Meadows Court from Meadow Road to 0.04 Mi. S. of Meadow Road	<u>0.04 Mi.</u>
<b>Total Miles</b>	<b>0.04 Mi.</b>

# WESTCOTT at GREY OAKS



## WESTCOTT at GREY OAKS

WESTCOTT RIDGE DRIVE  
FROM: GREY OAKS PARK DR  
TO: WESTCOTT LANDING CT  
LENGTH: 0.21 MI.

WESTCOTT RIDGE COURT  
FROM: WESTCOTT RIDGE DR  
TO: 0.12 MI. E. OF WESTCOTT RIDGE DR  
LENGTH: 0.12 MI.

WESTCOTT RIDGE TERRACE  
FROM: WESTCOTT RIDGE DR  
TO: 0.06 MI. E. OF WESTCOTT RIDGE DR  
LENGTH: 0.06 MI.

WESTCOTT LANDING COURT  
FROM: 0.12 MI. E. OF WESTCOTT RIDGE DR  
TO: 0.28 MI. W. OF WESTCOTT RIDGE DR  
LENGTH: 0.40 MI.

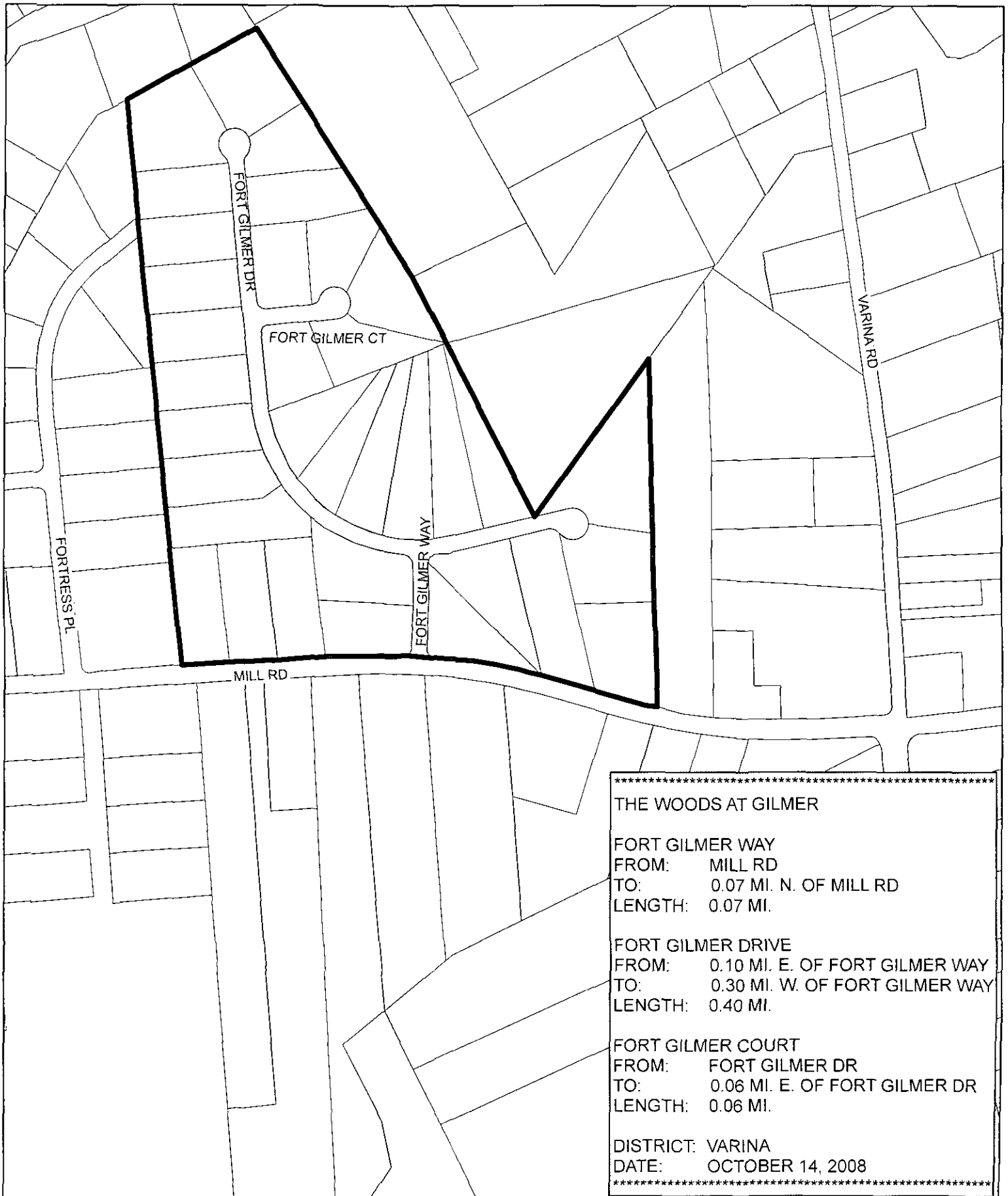
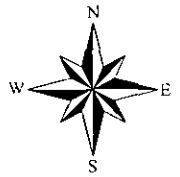
WESTCOTT LANDING PLACE  
FROM: WESTCOTT LANDING CT  
TO: WESTCOTT LANDING CT  
LENGTH: 0.06 MI.

WESTCOTT LANDING CIRCLE  
FROM: WESTCOTT LANDING CT  
TO: WESTCOTT LANDING CT  
LENGTH: 0.06 MI.

DISTRICT: THREE CHOPT  
DATE: OCTOBER 14, 2008

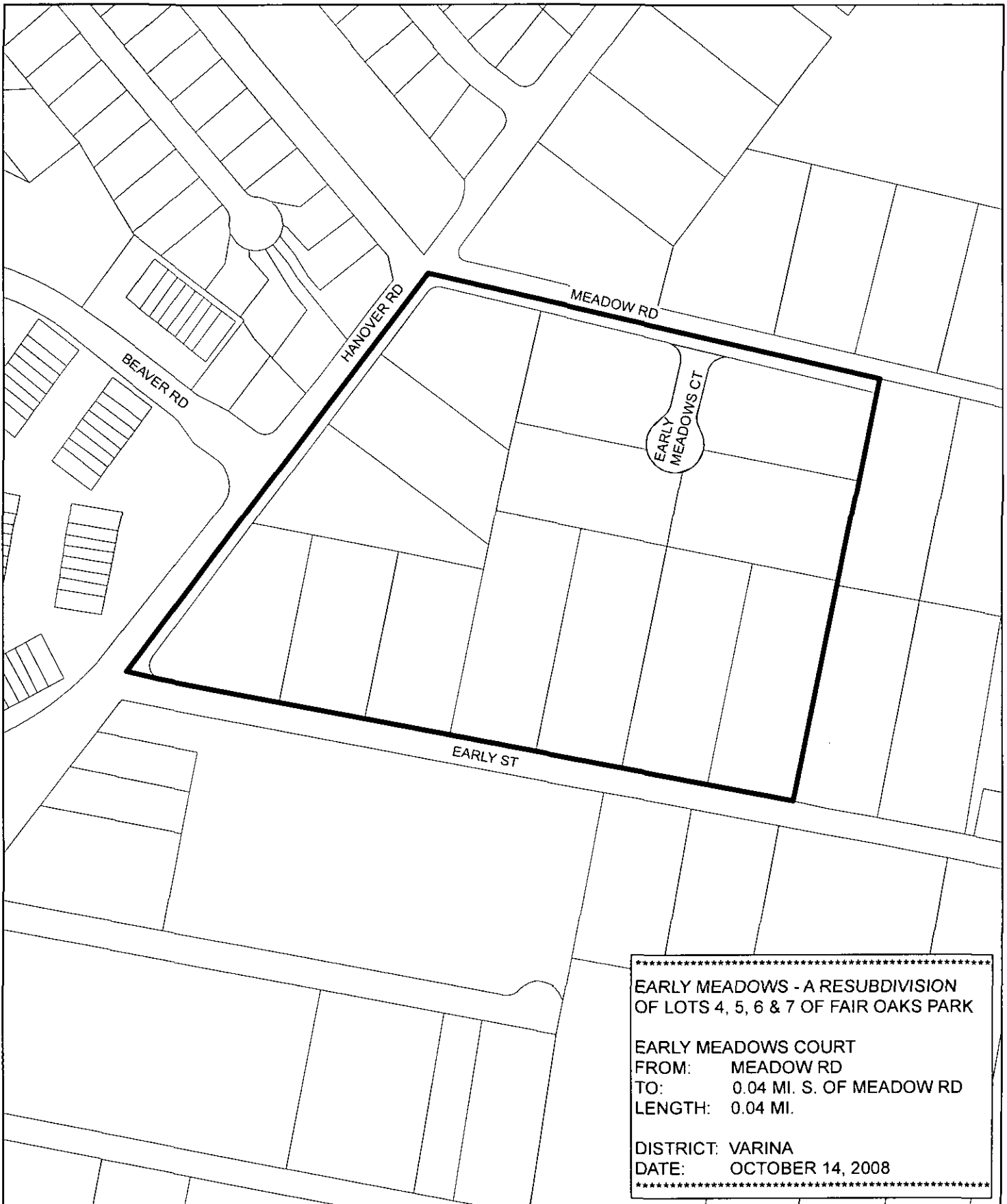
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# THE WOODS AT GILMER





# EARLY MEADOWS - A RESUBDIVISION OF LOTS 4, 5, 6, & 7 OF FAIR OAKS PARK



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EARLY MEADOWS - A RESUBDIVISION  
OF LOTS 4, 5, 6 & 7 OF FAIR OAKS PARK

EARLY MEADOWS COURT  
FROM: MEADOW RD  
TO: 0.04 MI. S. OF MEADOW RD  
LENGTH: 0.04 MI.

DISTRICT: VARINA  
DATE: OCTOBER 14, 2008  
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