

**HENRICO COUNTY  
NOTICE OF SPECIAL MEETING  
BOARD OF SUPERVISORS**

Please take notice that a special meeting of the Board of Supervisors will be held on **Tuesday, December 8, 2009** at **5:15 p.m.** in the County Manager's Conference Room located on the third floor of the Administration Building at the Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

The matter to be reviewed by the Board at this time is:

5:15 – 6:00 p.m.

**Closed Meeting** for Consultation with the County Attorney Regarding Specific Legal Matters Requiring the Provision of Legal Advice Concerning the Proposed Cobbs Creek Reservoir Project, Pursuant to Section 2.2-3711(A)(7) of the Code Virginia, 1950, as Amended.

6:00 – 6:45 p.m.

*Dinner (Cafeteria)*



Barry R. Lawrence, CMC  
Clerk, Henrico County Board of Supervisors  
December 3, 2009

**COUNTY OF HENRICO, VIRGINIA**  
**Board of Supervisors' Agenda**  
**December 8, 2009**  
**7:00 p.m.**

**PLEDGE OF ALLEGIANCE**

**INVOCATION** – Rev. Michael J. Poole, Pastor, Hatcher Memorial Baptist Church

**APPROVAL OF MINUTES** – November 24, 2009 Regular and Special Meetings

**MANAGER'S COMMENTS**

**BOARD OF SUPERVISORS' COMMENTS**

**RECOGNITION OF NEWS MEDIA**

**PUBLIC HEARINGS - REZONING CASES**

299-09  
C-29C-09  
Fairfield  
Duke M. du Frane: Request to conditionally rezone from R-3 One-Family Residence District to O-2C Office District (Conditional), part of Parcel 777-758-4306, containing 0.676 acres, located on the north line of E. Parham Road approximately 215 feet west of Lydell Drive. The applicant proposes an expansion of an adjacent office use. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Office. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

300-09  
C-23C-09  
Brookland  
Nobility Investments LLC: Request to amend proffered conditions accepted with Rezoning Case C-11C-07, on Parcel 767-747-9248, located on the north line of Glenside Drive approximately 355 feet west of Bethlehem Road. The applicant proposes to amend Proffer 15 to require landscaping instead of a screening wall adjacent to a proposed hotel. The existing zoning is B-2C Business District (Conditional). The Land Use Plan recommends Commercial Arterial and Office. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

301-09  
C-20C-09  
Brookland  
David R. Gibbs and Clyde S. Taylor: Request to conditionally rezone from A-1 Agricultural District to R-3C One-Family Residence District (Conditional), Parcels 759-765-5522, 759-765-7424, 759-765-8939 and 759-765-7456, containing 6.807 acres, located on the east line of Francistown Road at its intersection with Nuckols Road. The applicant proposes a single-family residential subdivision with no more than fourteen (14) units. The R-3 District allows a minimum lot size of 11,000 square feet and a maximum gross density of 3.96 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre, and Environmental Protection Area. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

## PUBLIC HEARINGS - OTHER ITEMS

- 302-09 Resolution - Amendments to the FY 2009-10 Annual Fiscal Plan: December, 2009.
- 303-09 Ordinance - To Amend and Reordain Section 9-2 of the Code of the County of Henrico Titled "Precincts and polling places" by Making Technical Corrections in the Text Relating to the Polling Places for the Westwood Precinct in the Brookland District, the Maplewood and Yellow Tavern Precincts in the Fairfield District, and the Laburnum and Sandston Precincts in the Varina District.

## PUBLIC COMMENTS

### GENERAL AGENDA

- 304-09 Introduction of Ordinance - To Amend and Reordain Sections 10-71 Titled "Complaints" and 10-73 Titled "Prohibited noises enumerated" of the Code of the County of Henrico, to Repeal and Reserve 10-72 Titled "Prohibited noise generally," and to Add Section 10-74 Titled "Exemptions," All Relating to the Regulation of Noise.
- 305-09 Resolution - Consent to Granting Leases and Easements by the Capital Region Airport Commission.
- 306-09 Resolution - Approving the Plan of Financing for the Capital Region Airport Commission for the Purpose of Financing or Refinancing Improvements and Extensions at the Richmond International Airport.
- 307-09 Resolution - Award of Contract for Automated Credit Card Payment Processing Service.
- 308-09 Resolution - Award of Contract for Lockbox Services.
- 309-09 Resolution - Award of Construction Contract - Fire Station #12 Renovations and Addition.
- 310-09 Resolution - Award of Contract for Architectural and Engineering Services - Fire Station #9.
- 311-09 Resolution - Award of Construction Contract - Administration Building Cafeteria Renovation.
- 312-09 Resolution - Authorization to Apply for and Accept State Homeland Security Grant Program.

- 313-09 Resolution - Award of Contract for Architectural and Engineering Services - Capital Area Training Consortium (CATC) Office Building.
- 314-09 Resolution - To Initiate Possible Amendments to the Henrico County Code Concerning the Location and Servicing of Refuse Containers.
- 315-09 Resolution - Acceptance of Target Stores, Inc. Law Enforcement Community Giving Grant Program Award to the County of Henrico Division of Police for Criminal Interview Room Communication Equipment.
- 316-09 Resolution - Signatory Authority - First Amendment to Lease of Office Space for the Henrico Drug Court Program - 8604 Staples Mill Road - Brookland District.
- 317-09 Resolution - Approval of Acquisition - Permanent Utility and Temporary Construction Easements - East Area Utilities Project, Phase III - John Burton, Jr. and Amena K. Burton - Varina District.
- 318-09 Resolution - Request for Letter of Necessity - Charles City Road. Project #00984. Varina District.
- 319-09 Resolution - Acceptance of Roads.



**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS' RESUME  
December 8, 2009**

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**INVOCATION** – Rev. Michael J. Poole, Pastor, Hatcher Memorial Baptist Church

**PUBLIC HEARINGS - REZONING CASES**

- C-29C-09  
Fairfield
- Duke M. du Frane: Request to conditionally rezone from R-3 One-Family Residence District to O-2C Office District (Conditional), part of Parcel 777-758-4306, containing 0.676 acres, located on the north line of E. Parham Road approximately 215 feet west of Lydell Drive. The applicant proposes an expansion of an adjacent office use. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Office. Acting on a motion by Mr. Archer seconded by Mr. Branin, the Planning Commission voted 5-0 (one absent) to recommend the Board of Supervisors **grant** the request because it would provide for appropriate development, it conforms with the objectives and intent of the County's Comprehensive Plan, and it continues a form of zoning consistent with the area.
- C-23C-09  
Brookland
- Nobility Investments LLC: Request to amend proffered conditions accepted with Rezoning Case C-11C-07, on Parcel 767-747-9248, located on the north line of Glenside Drive approximately 355 feet west of Bethlehem Road. The applicant proposes to amend Proffer 15 to require landscaping instead of a screening wall adjacent to a proposed hotel. The existing zoning is B-2C Business District (Conditional). The Land Use Plan recommends Commercial Arterial and Office. Acting on a motion by Mr. Vanarsdall seconded by Mr. Jernigan, the Planning Commission voted 5-0 (one absent) to recommend the Board of Supervisors **grant** the request because the change does not reduce the original intended purpose of the proffer and the proffers continue to assure a quality form of development with maximum protection afforded the adjacent properties.
- C-20C-09  
Brookland
- David R. Gibbs and Clyde S. Taylor: Request to conditionally rezone from A-1 Agricultural District to R-3C One-Family Residence District (Conditional), Parcels 759-765-5522, 759-765-7424, 759-765-8939 and 759-765-7456, containing 6.807 acres, located on the east line of Francistown Road at its intersection with Nuckols Road. The applicant proposes a single-family residential subdivision with no more than fourteen (14) units. The R-3 District allows a minimum lot size of 11,000

square feet and a maximum gross density of 3.96 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre, and Environmental Protection Area. Acting on a motion by Mr. Vanarsdall seconded by Mr. Branin, the Planning Commission voted 5-0 (one absent) to recommend the Board of Supervisors **grant** the request because it conforms to the Suburban Residential 2 recommendation of the Land Use Plan and the proffered conditions will assure a level of development otherwise not possible.

## **PUBLIC HEARINGS – OTHER ITEMS**

### **RESOLUTION – Amendments to the FY 2009-10 Annual Fiscal Plan: December, 2009.**

A Board paper was presented on November 24, 2009, which (a) received requests for amendments to the Annual Fiscal Plan, (b) directed the advertisement of same, and (c) set the date for a public hearing. The Board may now receive this paper, which, if approved, amends the Annual Fiscal Plan and appropriates funds for expenditure, as applicable, on December 8, 2009. After the public hearing, at that same meeting, this paper may be approved.

### **ORDINANCE – To Amend and Reordain Section 9-2 of the Code of the County of Henrico Titled “Precincts and polling places” by Making Technical Corrections in the Text Relating to the Polling Places for the Westwood Precinct in the Brookland District, the Maplewood and Yellow Tavern Precincts in the Fairfield District, and the Laburnum and Sandston Precincts in the Varina District.**

This Board paper proposes an ordinance that would make various technical corrections in the text of the County Code. The corrections relate to the polling places for the Westwood Precinct in the Brookland District, the Maplewood and Yellow Tavern Precincts in the Fairfield District, and the Laburnum and Sandston Precincts in the Varina District. None of the technical corrections has any impact on the electoral process.

## **PUBLIC COMMENTS**

### **GENERAL AGENDA**

### **INTRODUCTION OF ORDINANCE – To Amend and Reordain Sections 10-71 Titled “Complaints” and 10-73 Titled “Prohibited noises enumerated” of the Code of the County of Henrico, to Repeal and Reserve 10-72 Titled “Prohibited noise generally,” and to Add Section 10-74 Titled “Exemptions,” All Relating to the Regulations of Noise.**

This Board paper introduces for advertisement and public hearing on January 26, 2010, an ordinance to amend Henrico Code sections 10-71 and 10-73, to repeal section 10-72 and to add section 10-74 all relating to the regulation of noise.

These Code changes result from a decision of the Virginia Supreme Court in *Tanner v. Virginia Beach* in April 2009 and from a desire to modernize the County's noise ordinance.

The proposed ordinance was discussed during work sessions on November 10 & 24, 2009.

**RESOLUTION – Consent to Granting Leases and Easements by the Capital Region Airport Commission.**

On September 29, 2009, the Capital Region Airport Commission approved a resolution that requests each of its member jurisdictions to give general approval for the Commission to grant leases of and easements on its property to third parties. The deed and agreement among the Commission, the City of Richmond and the County dated January 1, 1976 and amended on December 1, 1984 and October 29, 1985 requires the Commission to obtain the prior written consent of the member jurisdictions in order to convey, sell or otherwise dispose of any real estate conveyed to the Commission by the City.

The Commission needs the consent of the member jurisdictions to grant a permanent drainage easement requested by VDOT in connection with construction by VDOT of the connector to Interstate 895. This Board paper would provide the County's general consent so that the Commission could grant VDOT's request as well as similar requests in the future without having to seek member jurisdiction approval on a case-by-case basis. For example, on December 14, 1994, the Board approved a resolution, requested by the Commission, consenting to the conveyance by the Commission of easements for stormwater drainage and for vehicle access to James River Paper Company, Inc. and Cadmus Communications Corporation, respectively.

**RESOLUTION – Approving the Plan of Financing for the Capital Region Airport Commission for the Purpose of Financing or Refinancing Improvements and Extensions at the Richmond International Airport.**

This Board paper approves the current plan of financing for the Capital Region Airport commission's Airport Development Program. The plan calls for the Commission to issue bonds to finance or refinance up to \$200 million of airport projects for another phase of its continuing capital expansion program. The program was the subject of a previous plan of financing dated August 12, 2006 and approved by the participating political subdivisions shortly thereafter.

The commission held a public hearing and approved the plan of financing on November 24, 2009. The Board's approval of the plan is required by the Commission's enabling legislation and by the Internal Revenue Code.

The commission's bonds, notes, or other obligations shall not be a debt of the County. Also, the commission does not contemplate that it will seek the moral obligation support of the participating political subdivisions to secure its obligations.

**RESOLUTION – Award of Contract for Automated Credit Card Payment Processing Service.**

This resolution awards a one year contract with the possibility of four additional one-year extensions to **Official Payments Corporation** for Automated Credit Card Payment Processing Service. The County will incur no fees or financial responsibility to Official Payments for this service.

The contract for this service will improve and expand upon the existing methods currently utilized by citizens to remit their taxes and fees via credit card. The enhancements will include the following options and functionality:

- Streamlined internet payment process including pin-less debit transactions and electronic check (ACH) payment option
- Credit Card acceptance at Cashier’s teller windows
- Expanded walk-up payment locations
- Ability for tellers to look up and refund / cancel payments
- Business License Tax added to payment type selection

On August 27, 2009, nine proposals were received in response to RFP #09-8686-2SW. Based upon evaluation of the proposals, the Selection Committee (consisting of Mr. Clarence Daniel, Mr. Doug Baugh, Ms. Alice Goodman, Ms. Cheryl Dodson, Mr. Leo Marsh, Ms. Crystal Teillon and Ms. Cecelia Stowe) interviewed and negotiated with the following firms:

**Official Payments Corporation**  
Wachovia Merchant Services  
Paymentus Corporation

Based on the written proposals, interviews, and negotiations, the Selection Committee selected **Official Payments Corporation** to provide Automated Credit Card Payment Processing Service.

The Selection Committee negotiated the following convenience fee schedule:

Payment Type	Credit / Pin-Less Debit Convenience Fee	Electronic Check Convenience Fee
TAX - Real Estate - Personal Property - Business License	2.42% of payment amount. Minimum \$1.00 /transaction	\$2.50 (up to \$10K*) \$10.00 (over \$10K*) \$4.00 returned item fee * not available at POS
DPU	\$4.75 (no caps)	\$4.75
Parking Tickets	\$3.75 (no caps)	\$3.75

The Directors of Finance and General Services recommend approval of this board paper awarding the contract to **Official Payments Corporation** and the County Manager concurs.

**RESOLUTION - Award of Contract for Lockbox Services.**

This resolution awards a one year contract with the possibility of four additional one-year extensions to **Wachovia Bank, N.A.** for Lockbox Services.

Lockbox Services encompass the processing of payments via separate post office boxes for personal property, real estate, business license, miscellaneous tax and utility bills. Coupons and various forms of payment are picked up at the local post office daily and transported to the lockbox facility where they are processed and converted to an electronic remittance which is credited to the County's bank account. Also included within the scope of services are electronic lockbox transactions wherein all forms of electronic payment initiated using personal computer bill payment software or other similar electronic payment service contractors or third party payment providers are consolidated and credited to the County's bank account.

There is no fixed cost for the provision of Lockbox Services. Fees are dependent upon activity in the County's lockbox accounts and will be paid through compensating balances maintained in those accounts.

On September 11, 2009, four proposals were received in response to RFP #09-8682-7CS. Based upon evaluation of the proposals, the Selection Committee (consisting of Mr. Clarence Daniel, Mr. Doug Baugh, Ms. Alice Goodman, Ms. Kathy Townsend, Mr. Leo Marsh, Ms. Crystal Teillon, Mr. Tim Leclerc and Ms. Cecelia Stowe) interviewed and entered into negotiations with the following firms:

**Wachovia Bank, N.A.**  
BB&T Corporation

Based on the written proposals, interviews, site visits, and negotiations, the Selection Committee selected **Wachovia Bank, N.A.** to provide Lockbox Services. The Selection Committee negotiated a 22% savings when compared to current costs and volumes.

The Directors of Finance and General Services recommend approval of this board paper awarding the contract to **Wachovia Bank, N.A.**; the County Manager concurs.

**RESOLUTION – Award of Construction Contract – Fire Station #12 Renovations and Addition.**

This resolution awards a contract to **Leipertz Construction, Inc.** for the construction of renovations and an addition to Fire Station #12 located at 3803 West End Drive. This project consists of the renovations of the existing 6,690 square foot fire station and the construction of a new 3,861 square foot addition. The County is seeking LEED Silver Certification from the US Green Building Council for this project. The fire station will remain fully functional

during all phases of construction, and it is anticipated that the project will be substantially complete within 305 calendar days after the date of written notice to proceed.

Ten bids were received on November 12, 2009 as follows:

<u>Bidder</u>	<u>Bid</u>
<b>Leipertz Construction, Inc.</b>	<b>\$1,855,000</b>
Kenbridge Construction Company, Inc.	\$1,899,900
Evans Construction, Inc.	\$1,927,849
Daniel & Company, Inc.	\$1,939,000
David A. Nice Builders, Inc.	\$1,974,300
Haley Builders, Inc.	\$1,982,000
Canterbury Enterprises, LLC	\$2,031,000
Dave's Construction Service, Inc.	\$2,036,000
John Mattingly Construction Co., Inc.	\$2,038,210
CMS, Inc.	\$2,177,841

The Director of General Services and the Fire Chief, the County Manager concurring, recommend that the Board award the contract to **Leipertz Construction, Inc.**, the lowest responsive and responsible bidder, in the amount of **\$1,855,000.00**.

Funding to support the contract is available within the project budget.

**RESOLUTION – Award of Contract for Architectural and Engineering Services – Fire Station #9.**

This resolution awards a contract to **Bignell Watkins Hasser Architects, P.C.** for architectural and engineering services to design a new 11,160 foot fire station to be built at 9401 Quiocasin Road. The existing 4,299 square foot fire station, built in 1965, sits on a 2.825 acre site.

The new building will be LEED certified and will include energy efficient mechanical systems, water efficient plumbing fixtures, and sustainable building materials.

The existing fire station will remain in operation while the replacement station is constructed. A new parking lot will be provided at Byrd Middle School, across the street from the fire station, for use by fire station staff and visitors during construction. Once the replacement station is constructed, the existing station will be demolished and replaced with new on site parking. The new parking lot across the street will be turned over to the school for its use.

Collection of recyclables at the existing fire station parking lot will be discontinued prior to the start of construction.

It is anticipated that the design process will be completed by November 2010.

On August 28, 2009, eleven proposals were received in response to RFP #09-8684-7CS. Based upon review and evaluation of the proposals, the Selection Committee (consisting of Deputy Fire Chief Richard McClure, Mr. Robert Johnston, Mr. Richard Morse, Mr. Jerry Walker, Mr. Fred Drake and Mrs. Cecelia Stowe) interviewed the following offerors:

**Bignell Watkins Hasser Architects, P.C.**  
 RP Hughes Architects, Inc.  
 TENG and Associates, Inc.

The Committee subsequently selected **Bignell Watkins Hasser Architects, P.C.** as the first-ranked offeror and negotiated a fixed fee of **\$406,525**.

The Director of General Services and the Fire Chief, the County Manager concurring, recommend that the Board award the contract to **Bignell Watkins Hasser Architects, P.C.** in the amount of **\$406,525**.

Funding to support this contract is available within the project budget.

**RESOLUTION – Award of Construction Contract – Administration Building Cafeteria Renovation.**

This resolution awards a construction contract to **Gulf Seaboard General Contractors, Inc.** in the amount of **\$339,400** for interior renovations to the cafeteria located on the second floor of the Administration Building. The work includes interior renovation of 4,330 square feet of the existing cafeteria serving line and dining room. Associated work includes the replacement and reconfiguration of the existing main serving line, salad bar, beverage station, and cashier area, as well as finish and lighting modifications throughout. Add Alternate #1 for replacement of the ceiling and lighting in the dining area is included in this award.

The work shall be substantially complete within 120 days from the date the County gives written notice to proceed to the contractor.

Ten bids were received on November 24 in response to Bid Request No. 09-8736-10CE, Addendum No.1, and Add Alternate #1 for the Administration Building cafeteria renovation.

<b>Bidder</b>	<b>Bid</b>	<b>Add Alternate #1</b>	<b>Total Bid</b>
<b>Gulf Seaboard General Contractors, Inc.</b>	<b>\$319,300</b>	<b>\$20,100</b>	<b>\$339,400</b>
Woodland Construction, Inc.	\$324,000	\$27,500	\$351,500
North Star Companies, LLC	\$347,175	\$23,500	\$370,675
J.W. Enochs, Inc.	\$352,815	\$20,031	\$372,846
Taft Construction, Inc.	\$348,765	\$24,900	\$373,665
Pincus, LLC t/a Pincus Construction	\$362,638	\$28,739	\$391,377
Master Built Companies, Inc.	\$370,834	\$29,520	\$400,354
Rand America Construction, Corp.	\$382,684	\$20,482	\$403,166

SRC, Inc.	\$408,478	\$27,610	\$436,088
ARW Contracting, Inc.	\$550,797	\$22,611	\$573,408

The Director of General Services, the County Manager concurring, recommends that the Board award the contract to **Gulf Seaboard General Contractors, Inc**, the lowest responsive and responsible bidder, in the amount of **\$339,400**.

Funding to support the contract is available within the project budget and operating funds of Buildings and Grounds.

**RESOLUTION – Authorization to Apply for and Accept State Homeland Security Grant Program.**

This resolution authorizes the County Manager to execute and submit a grant application to the Virginia Department of Emergency Management (“VDEM”) for the second phase of a project to establish voice and data connectivity in the emergency operations centers and/or 911 centers of each jurisdiction within the Richmond Regional Planning District Commission (“RRPDC”). This 2009 State Homeland Security Grant program is administered by VDEM. VDEM has announced that \$1.73 million has been allocated to Henrico for this project.

The proposed project would establish a microwave system linking each of the phase 2 locations (New Kent, Charles City and Henrico Jail East) to the Phase 1 jurisdictions (Henrico, Richmond, Chesterfield, Hanover, Goochland, and Powhatan) and VDEM, to create an interconnected microwave network among all of the jurisdictions within the RRPDC. This new network will enhance the interoperability of public safety communications (voice, data, and video) among the jurisdictions. Potential applications of this system include, but are not limited to, instant messaging, VoIP, video conferencing, mutual aid radio channels, and live streaming video. Phase I is funded through a \$3 million Public Safety Interoperable Communications Grant approved by the Board on July 8, 2008.

The project was initiated by Henrico’s Department of General Services and was submitted through various levels of competition within the State. It was chosen by the State Interoperability Executive Committee as the top priority for the State. The chief administrative officers of each of the eight participating local jurisdictions have committed support to this project through a memorandum of understanding (the “MOU”). The MOU and the grant application designate Henrico as the administrator and fiscal agent for the project.

The Director of General Services, the Chief of Police, and the Fire Chief, the County Manager concurring, recommend that the Board authorize the County Manger to execute the necessary application and acceptance documents in connection with this grant program.

**RESOLUTION – Award of Contract for Architectural and Engineering Services – Capital Area Training Consortium (CATC) Office Building.**

This resolution awards a contract to **Moseley Architects** for architectural and engineering services to design a new office building to be built at 1400 North Laburnum Avenue for the Capital Area Training Consortium. Services will include design, construction contract administration, interior furnishings and equipment design, site civil design, site survey, plan of development, site lighting and landscape plan, as well as all necessary architectural and engineering services to apply for LEED Certification, for a new 10,000 square foot office building with associated staff and visitor parking. It is anticipated that the design process will be completed by December 2010.

On July 31, 2009, sixteen proposals were received in response to RFP #09-8670-6CS. Based upon review and evaluation of the proposals, the Selection Committee (consisting of Mr. Richard Morse, Mr. Edward Bass, Mrs. Rosalyn Key-Tiller, Mr. Doug Gavin and Mrs. Cecelia Stowe) interviewed the following offerors:

**Moseley Architects**  
Crabtree, Rohrbaugh & Associates Architects  
Guernsey Tingle Associates

The Committee subsequently selected **Moseley Architects** as the first-ranked offeror and negotiated a fixed fee of **\$404,993**.

The Director of General Services and the Director of CATC, the County Manager concurring, recommend that the Board award the contract to **Moseley Architects** in the amount of **\$404,993**.

Funding to support this contract is available within the project budget.

**RESOLUTION – To Initiate Possible Amendments to the Henrico County Code Concerning the Location and Servicing of Refuse Containers.**

On occasion, the County receives complaints from homeowners regarding noise caused by the servicing of refuse containers on nearby commercial property. In 1988, the Board of Supervisors amended the zoning ordinance to require refuse containers in the B-1, B-2 and B-3 districts to be located as far from adjacent residential district as possible. In addition, the County Code requires that any refuse container in the B-3 district located within 250 feet of a residential district be serviced between 6:00 a.m. and 12:00 midnight.

Uses such as apartment buildings, office buildings, and warehouses in other zoning district also use dumpsters located near residential areas. Because the zoning ordinance does not regulate the servicing of these dumpsters, this Board paper would initiate possible ordinance amendments to address these districts. These amendments could include distance requirements as well as time limits for servicing the dumpsters.

The Board paper provides that the Department of Planning will study and draft proposed amendments for consideration by the Planning Commission which will hold a public hearing before making its recommendation to the Board of Supervisors.

**RESOLUTION – Acceptance of the Target Stores, Inc. Law Enforcement Community Giving Grant Program Award to the County of Henrico Division of Police for Criminal Interview Room Communication Equipment.**

This resolution accepts the \$3,000 grant from Target Stores, Inc. to the Division of Police to purchase communication equipment for three criminal interview rooms. There is no local match.

**RESOLUTION - Signatory Authority – First Amendment to Lease of Office Space for the Henrico Drug Court Program – 8604 Staples Mill Road - Brookland District.**

Approval of this resolution will authorize the County Manager to execute a First Amendment to Lease, in a form approved by the County Attorney, for an extension for a term not to exceed six months commencing January 1, 2010, between Staples Mill Equities, LLC (Landlord), and the County of Henrico, Virginia for the lease of approximately 3,638 sq. ft. of office space located at 8604 Staples Mill Road in the County’s Brookland District for the Henrico Drug Court Program. The total rent for the period is approximately \$18,000.00, payable monthly at the rate of \$3,000.00 per month. The Directors of Community Corrections and Real Property recommend approval.

**RESOLUTION – Approval of Acquisition – Permanent Utility and Temporary Construction Easements – East Area Utilities Project, Phase III – John Burton, Jr. and Amena K. Burton – Varina District.**

This Board paper authorizes the execution and filing of documents necessary to complete the acquisition of a permanent utility easement containing 6,018 sq. ft. and a temporary construction easement containing 5, 131 sq. ft. for the construction of the East Area Utilities Project, Phase III across land in the Varina District owned by John H. Burton, Jr. and Amena K. Burton (the “Owners”).

On July 24, 2007, the Board authorized condemnation proceedings to acquire a permanent utility easement containing 9, 974 sq. ft. and a temporary construction easement containing 5, 230 sq. ft., and on August 28, 2007, the County filed a Certificate and deposited \$8,858 with the Clerk of the Circuit Court to acquire the easements in accordance with state law.

Following negotiations between the parties, the Owners are willing to accept \$8,858 for a smaller permanent utility easement containing 6,018 sq. ft. and smaller temporary construction easement containing 5, 131 sq. ft. for the construction of the project.

The Directors of Public Utilities and Real Property recommend approval, and the County Manager concurs.

**RESOLUTION - Request for Letter of Necessity - Charles City Road. Project #00984. Varina District.**

The widening of Charles City Road between Laburnum Avenue and the future Seven Hills Boulevard was approved by County voters as part of the 2000 bond referendum. This project will widen 1.5 lane miles of Charles City Road from an existing two-lane to a four-lane divided roadway with raised median, left and right turn lanes, curb and gutters, and storm drainage system. Traffic signals and railroad crossing signals will be installed.

Due to drainage area constraints, the eastern portion of this project was shortened from the future Seven Hills Boulevard to approximately 500 feet east of Monahan Road. Laburnum Avenue will continue to be the west terminus. VDOT is proposing to connect I-895 with Charles City Road at Airport Drive in the summer of 2010.

In order for Charles City Road to function properly after the connection road is built, the County is designating the widening between Lisle Road and Lewis Road as Phase I to be constructed in conjunction with the completion of the I-895 connection.

This Board paper directs the County Engineer to examine the widening of Charles City Road and to report to the Board, in accordance with Section 33.1-231 of the Code of Virginia, 1950, as amended. The report shall be filed with the Clerk of the Board.

The Director of Public Works recommends approval of this Board paper, and the County Manager concurs.

**RESOLUTION - Acceptance of Roads.**

This Board paper would accept the following named and described sections of roads into the County road system for maintenance.

- 1) 0.63 miles of Wellington Woods, Section C. Varina District.

The Director of Public Works and the County Manager recommend approval of this Board paper.