

**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, August 10, 2010 at 5:00 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 matters to be reviewed by the Board at this time are:

5:00 – 5:45 p.m.	Innsbrook Area Study and 2026 Comprehensive Plan Updates
5:45 – 6:00 p.m.	County Code Codification
6:00 – 6:45 p.m.	<i>Dinner</i>



Barry R. Lawrence, CMC  
Clerk, Henrico County Board of Supervisors  
August 5, 2010

**COUNTY OF HENRICO, VIRGINIA**  
**Henrico County Board Room**  
**Board of Supervisors' Agenda**  
**August 10, 2010**  
**7:00 p.m.**

**PLEDGE OF ALLEGIANCE**

**INVOCATION** – Elayne Hudson–Scott, Pastor, New Life Evangelistic Ministries International

**APPROVAL OF MINUTES** – July 27, 2010 Regular and Special Meetings

**MANAGER'S COMMENTS**

**BOARD OF SUPERVISORS' COMMENTS**

**RECOGNITION OF NEWS MEDIA**

**PRESENTATION**

Proclamation – Payroll Week – September 6 – 10, 2010.

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

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|---------------------------------|---|
| 193-10<br>P-6-10<br>Three Chopt | West Broad Village, LLC: Request for a Provisional Use Permit under Sections 24-32.1 (a) and (t), 24-120, and 24-122.1 of the County Code in order to allow a farmers' market, community/demonstration gardens and a production farm on part of Parcels 743-760-2155 and 744-760-7007, located on the south line of West Broad Street (U.S. Route 250) at its intersection with Brookriver Drive (West Broad Village). The existing zoning is UMUC Urban Mixed Use District (Conditional). The Land Use Plan recommends Urban Mixed-Use. The site is in the West Broad Street Overlay District. The Planning Commission voted to recommend the Board of Supervisors <b><u>grant</u></b> the request.  |
| 194-10<br>C-10C-10<br>Fairfield | Emerald Land Development LLC: Request to amend proffered conditions accepted with Rezoning Case C-59C-07, on Parcels 790-746-1573 and 790-746-1765 containing 1.56 acres located at the southeast intersection of North Road and Edgefield Street. The applicant proposes to amend Proffer 1 to increase the number of dwelling units from 2 to 3 and Proffer 2 to decrease the minimum dwelling size from 1,800 to 1,600 square feet and add new proffers to require garages and paved driveways for each new dwelling constructed. The existing zoning is R-2AC One-Family Residence District (Conditional). The Land Use Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. This site is located in the Airport Safety Overlay District. The Planning Commission voted to recommend the Board of Supervisors <b><u>grant</u></b> the request. |
| 195-10<br>P-5-10<br>Three Chopt | RTF Sports and Entertainment, INC: Request for a Provisional Use Permit under Sections 24-58.2(a) and (d), 24-120, and 24-122.1 of the County Code in order to allow outside dining and extended hours of operation until 2 a.m. for an existing restaurant (Short Pump Pour House) in Short Pump   |

Crossing Shopping Center, on part of Parcel 738-760-8449, located on the west line of Pump Road approximately 600 feet north of its intersection with Three Chopt Road. The existing zoning is B-2C Business District (Conditional). The Land Use Plan recommends Commercial Arterial. The site is in the West Broad Street Overlay District. The Planning Commission voted to recommend the Board of Supervisors grant the request for outdoor dining and deny the request for extended hours.

196-10  
C-12C-10  
Brookland

Stylecraft Homes, Inc. of Virginia: Request to amend proffered conditions accepted with Rezoning Case C-61C-04 on Parcels 759-767-7960,-7852,-7644,-7537,-7430,-7115, and -7008 located on the west line of Francistown Road near its intersection with Castle Point Road. The applicant proposes to amend Proffer 12 related to rear entry garages for homes fronting Francistown Road. The existing zoning is R-5AC General Residence District (Conditional). The Land Use Plan recommends Suburban Residential 2, density not to exceed 3.4 units per acre. The Planning Commission voted to recommend the Board of Supervisors grant the request.

166-10  
C-8C-10  
Brookland

JMW, LLC: Request to amend proffered conditions accepted with Rezoning Case C-68C-00, on Parcel 776-744-1464, located at the southwest intersection of Dumbarton Road and Byrdhill Road. The applicant proposes to amend proffers related to building size, building height, and landscaping. The existing zoning is M-1C Light Industrial District (Conditional) and O-2C Office District (Conditional). The Land Use Plan recommends Office. This site is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors grant the request. **(Deferred from the July 13, 2010 Meeting).**

#### **PUBLIC HEARINGS - OTHER ITEMS**

197-10

Ordinance – To Amend and Reordain Sections 4-112 and 4-113 of the Code of the County of Henrico Titled “Application” and “Annual Permit,” Respectively, Relating to Applications for a Music Festival Permit.

198-10

Ordinance - To Amend and Reordain Section 2-87 of the Code of the County of Henrico Titled “Service charge on returned payments,” to Add Another Reason for the Charge.

199-10

Ordinance - To Add Section 20-605 to the Code of the County of Henrico Titled “Prerequisite to issuance or renewal of license,” Relating to the Issuance or Renewal of a Business License for Contractors.

200-10

Ordinance - To Amend and Reordain Section 20-411 of the Code of the County of Henrico Titled “Enumerated; amount of license tax” and to Add Section 20-414 Titled “Exclusion from gross receipts – Security brokers and dealers,” Relating to Business License Taxation of Security Brokers and Dealers.

- 201-10 Ordinance – To Amend and Reordain Sections 20-312, 20-313, and 20-691 of the Code of the County of Henrico Titled, Respectively, “Levy; amount,” “Taxation of rental property other than daily rental property,” and “License and payment of tax required; ‘retail merchant’ defined,” All Relating to Short-Term Rental Property Tax.
- 202-10 Ordinance - To Amend and Reordain Sections 2-51, 5-1, 5-2, 5-3, 5-4, 5-31, 5-32, 5-36, 5-53, 5-59, 5-61, 5-81, 5-102, 5-133, 5-136, 5-140, 5-141, 5-173, 5-174, 5-175, and 5-179 of the Code of the County of Henrico Titled, Respectively, “Bonds,” “Definitions,” “Appointment of animal protection supervisor; powers and duties generally,” “Animal protection officers,” “Disposal of dead animals,” “Dogs killing or injuring livestock or poultry,” “Compensation for livestock and poultry killed by dogs; false claims,” “Control of dangerous or vicious dogs,” “Failure to pay tax,” “Display of receipt; wearing of collar and tag,” “Display of kennel tags; allowing dogs out of kennel,” “[Rabies vaccination] Required; certificate,” “Sterilization required,” “Impoundment generally; holding period,” “Redemption of animals,” “Voluntary delivery of animal by owner; surrender of owner’s rights in animal,” “Seizure and impoundment of stolen or unlawfully held dogs or cats,” “Confinement or destruction of dogs and cats suspected of having rabies,” “Confinement or destruction of biting animals,” “Confinement or destruction of dogs or cats bitten by rabid animals,” and “Enforcement measures on noncompliance by owner of dog or cat,” All to Change the Name of “Animal Protection Officer” to “Animal Protection Police Officer.”
- 203-10 Resolution - Condemnation - Right-of-Way and Easements - North Gayton Road Extension Project - Trustees of Christ Church Episcopal Church - Three Chopt District.

## **PUBLIC COMMENTS**

### **GENERAL AGENDA**

- 204-10 Resolution – Authorizing the County Manager to Request Disaster Designation and Federal Assistance for Henrico County Agricultural Producers.
- 205-10 Resolution – Approval of the FY 2011 Community Services Board Performance Contract Between the Virginia Department of Behavioral Health and Developmental Services and Henrico Area Mental Health & Developmental Services Board.
- 206-10 Resolution - Approval of Acquisition - Permanent Slope and Drainage and Temporary Construction Easements - North Gayton Road Extension Project - Katherine F. White - Three Chopt District.

- 207-10            Resolution - Award of Construction Contract - Springfield Landfill Permit  
545 Landfill Gas Expansion Stage 4 - Three Chopt District.
- 208-10            Resolution - To Permit Additional Fine of \$200 for Speeding on Grey Oaks  
Park Road from Nuckols Road to Grey Oaks Park Drive.



**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS' RESUME  
August 10, 2010**

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**INVOCATION** – Elayne Hudson-Scott, Pastor, New Life Evangelistic Ministries International

**PRESENTATION**

**PROCLAMATION – Payroll Week – September 6 – 10, 2010.**

Payroll professionals in Henrico County play a key role in maintaining the economic health of this community, performing such diverse tasks as paying into the unemployment insurance system, providing information for child support enforcement, and carrying out tax withholding, reporting, and depositing. This proclamation recognizes September 6 – 10, 2010 as Payroll Week and encourages Henrico citizens to support the efforts of local payroll professionals who work to ensure excellence in the administration of payrolls.

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

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|-----------------------|--|
| P-6-10<br>Three Chopt | West Broad Village, LLC: Request for a Provisional Use Permit under Sections 24-32.1 (a) and (t), 24-120, and 24-122.1 of the County Code in order to allow a farmers' market, community/demonstration gardens and a production farm on part of Parcels 743-760-2155 and 744-760-7007, located on the south line of West Broad Street (U.S. Route 250) at its intersection with Brookriver Drive (West Broad Village). The existing zoning is UMUC Urban Mixed Use District (Conditional). The Land Use Plan recommends Urban Mixed-Use. The site is in the West Broad Street Overlay District. Acting on a motion by Mr. Branin seconded by Mr. Jernigan, the Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board of Supervisors <b><u>grant</u></b> the request because it would provide added services to the community and the recommended conditions would minimize the potential impacts on surrounding land uses. |
| C-10C-10<br>Fairfield | Emerald Land Development LLC: Request to amend proffered conditions accepted with Rezoning Case C-59C-07, on Parcels 790-746-1573 and 790-746-1765 containing 1.56 acres located at the southeast intersection of North Road and Edgefield Street. The applicant proposes to amend Proffer 1 to increase the number of dwelling units from 2 to 3 and Proffer 2 to decrease the minimum dwelling size from 1,800 to 1,600 square feet and add new proffers to require garages and paved driveways for each new dwelling constructed. The existing zoning is R-2AC One-Family Residence District (Conditional). The Land Use Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. This site is located in the Airport Safety Overlay District. Acting on a motion  |

by Mr. Archer seconded by Mr. Jernigan, the Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board of Supervisors **grant** the request because the reduction in minimum house size and required finished space would not greatly influence the quality or value of residential development in the area and the changes do not greatly reduce the original intended purpose of the proffers.

P-5-10  
Three Chopt

RTF Sports and Entertainment, INC: Request for a Provisional Use Permit under Sections 24-58.2(a) and (d), 24-120, and 24-122.1 of the County Code in order to allow outside dining and extended hours of operation until 2 a.m. for an existing restaurant (Short Pump Pour House) in Short Pump Crossing Shopping Center, on part of Parcel 738-760-8449, located on the west line of Pump Road approximately 600 feet north of its intersection with Three Chopt Road. The existing zoning is B-2C Business District (Conditional). The Land Use Plan recommends Commercial Arterial. The site is in the West Broad Street Overlay District. Acting on a motion by Mr. Branin seconded by Mr. Jernigan, the Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board of Supervisors **grant** the request for outdoor dining because it is reasonable in light of the surrounding uses and existing zoning on the property and **deny** the request for extended hours of operation because the extension of hours could impact the health, safety, and welfare of residents in the area and could have precedent setting impact on existing land uses in the area.

C-12C-10  
Brookland

Stylecraft Homes, Inc. of Virginia: Request to amend proffered conditions accepted with Rezoning Case C-61C-04 on Parcels 759-767-7960, -7852, -7644, -7537, -7430, -7115, and -7008 located on the west line of Francistown Road near its intersection with Castle Point Road. The applicant proposes to amend Proffer 12 related to rear entry garages for homes fronting Francistown Road. The existing zoning is R-5AC General Residence District (Conditional). The Land Use Plan recommends Suburban Residential 2, density not to exceed 3.4 units per acre. Acting on a motion by Mr. Archer seconded by Mr. Branin, the Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board of Supervisors **grant** the request because the changes do not greatly reduce the original intended purpose of the proffers and it is not expected to adversely impact surrounding land uses in the area.

C-8C-10  
Brookland

JMW, LLC: Request to amend proffered conditions accepted with Rezoning Case C-68C-00, on Parcel 776-744-1464, located at the southwest intersection of Dumbarton Road and Byrdhill Road. The applicant proposes to amend proffers related to building size, building height, and landscaping. The existing zoning is M-1C Light Industrial District (Conditional) and O-2C Office District (Conditional). The Land

Use Plan recommends Office. This site is in the Enterprise Zone. Acting on a motion by Mr. Vanarsdall seconded by Mr. Archer, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because the proffers continue to assure a quality form of development with maximum protection afforded the adjacent properties. **(Deferred from the July 13, 2010 Meeting).**

## **PUBLIC HEARINGS - OTHER ITEMS**

**ORDINANCE – To Amend and Reordain Sections 4-112 and 4-113 of the Code of the County of Henrico Titled “Application” and “Annual Permit,” Respectively, Relating to Applications for a Music Festival Permit.**

This paper proposes an ordinance to allow the Director of Public Safety to consider applications for music festival permits submitted less than 45 days before the date of the festival.

**ORDINANCE - To Amend and Reordain Section 2-87 of the Code of the County of Henrico Titled “Service charge on returned payments,” to Add Another Reason for the Charge.**

This Board paper proposes an ordinance relating to the existing \$35 service charge on returned payments. Currently, this charge is imposed when a payment is returned because: (1) there are insufficient funds in the account; (2) there is no account; or (3) the account has been closed. The proposed ordinance results from 2010 state legislation and also allows the charge to be imposed when a stop-payment order is placed in bad faith and causes the payment to be returned.

**ORDINANCE - To Add Section 20-605 to the Code of the County of Henrico Titled “Prerequisite to issuance or renewal of license,” Relating to the Issuance or Renewal of a Business License for Contractors.**

This Board paper proposes an ordinance that would require contractors to furnish the County the number of their state license or certificate, or an affidavit setting out their exemption from the licensure or certification requirement, in order to obtain an initial or renewal business license. This amendment is mandated by 2010 state legislation. It was discussed with the Board in a work session on June 22.

**ORDINANCE - To Amend and Reordain Section 20-411 of the Code of the County of Henrico Titled “Enumerated; amount of license tax” and to Add Section 20-414 Titled “Exclusion from gross receipts – Security brokers and dealers,” Relating to Business License Taxation of Security Brokers and Dealers.**

This Board paper proposes an ordinance that would exclude, from the taxable gross receipts of security brokers and dealers, amounts paid to independent contractors as commissions on the sale or purchase of a security. This amendment is mandated by 2010 state legislation. It was discussed with the Board in a work session on June 22.



**ORDINANCE – To Amend and Reordain Sections 20-312, 20-313, and 20-691 of the Code of the County of Henrico Titled, Respectively, “Levy; amount,” “Taxation of rental property other than daily rental property,” and “License and payment of tax required; ‘retail merchant’ defined,” All Relating to Short-Term Rental Property Tax.**

This Board paper proposes an ordinance that would: (1) clarify that short-term rental property is classified as merchants’ capital, not tangible personal property; (2) permit the County to continue to levy BPOL tax on persons engaged in the short-term rental business; and (3) require such persons be classified as retail merchants for BPOL purposes. This amendment is mandated by 2010 state legislation. It was discussed with the Board in a work session on June 22.

**ORDINANCE - To Amend and Reordain Sections 2-51, 5-1, 5-2, 5-3, 5-4, 5-31, 5-32, 5-36, 5-53, 5-59, 5-61, 5-81, 5-102, 5-133, 5-136, 5-140, 5-141, 5-173, 5-174, 5-175, and 5-179 of the Code of the County of Henrico Titled, Respectively, “Bonds,” “Definitions,” “Appointment of animal protection supervisor; powers and duties generally,” “Animal protection officers,” “Disposal of dead animals,” “Dogs killing or injuring livestock or poultry,” “Compensation for livestock and poultry killed by dogs; false claims,” “Control of dangerous or vicious dogs,” “Failure to pay tax,” “Display of receipt; wearing of collar and tag,” “Display of kennel tags; allowing dogs out of kennel,” “[Rabies vaccination] Required; certificate,” “Sterilization required,” “Impoundment generally; holding period,” “Redemption of animals,” “Voluntary delivery of animal by owner; surrender of owner’s rights in animal,” “Seizure and impoundment of stolen or unlawfully held dogs or cats,” “Confinement or destruction of dogs and cats suspected of having rabies,” “Confinement or destruction of biting animals,” “Confinement or destruction of dogs or cats bitten by rabid animals,” and “Enforcement measures on noncompliance by owner of dog or cat,” All to Change the Name of “Animal Protection Officer” to “Animal Protection Police Officer.”**

This Board paper proposes an ordinance that would change the name of Animal Protection Officers to Animal Protection Police Officers (“APPOs”) in several sections of the County Code. The APPOs, who are certified by the State Department of Criminal Justice Services, would be able to enforce State game laws as well as the Comprehensive Animal Laws regarding companion animals, and would have full law-enforcement powers. The ordinance is the result of 2010 legislation that the Board requested.

**RESOLUTION - Condemnation - Right-of-Way and Easements - North Gayton Road Extension Project - Trustees of Christ Church Episcopal Church - Three Chopt District.**

This Board paper authorizes condemnation proceedings for property owned by the Trustees of Christ Church Episcopal Church that is needed for the construction of the North Gayton Road Extension Project.

The County needs to acquire right-of-way containing 130,930 sq. ft., permanent slope and drainage easements containing 39,196 sq. ft., temporary construction easements containing 9,001 sq. ft., a permanent easement for Virginia Electric and Power Company, a Virginia public service corporation, doing business as Dominion Virginia Power, containing 386.64 sq. ft., and permanent

easements containing 11,161.26 sq. ft. for Verizon Virginia Inc., a Virginia corporation, (collectively, the “Right-of-Way and Easements”) across the property owned by the Trustees of Christ Church Episcopal Church identified as Tax Map Parcels 737-769-4467 and 738-769-3891. Based on an independent appraisal, a bona fide offer of \$405,380 was made to and rejected by the owner.

This Board paper directs the County Manager to take the necessary steps to acquire the Right-of-Way and Easements with the right to enter the property upon the filing of a certificate of take and the deposit of \$405,380 in the Clerk’s Office of the Henrico County Circuit Court.

The Directors of Public Works and Real Property recommend approval of this Board paper, and the County Manager concurs.

## **PUBLIC COMMENTS**

## **GENERAL AGENDA**

### **RESOLUTION – Authorizing the County Manager to Request Disaster Designation and Federal Assistance for Henrico County Agricultural Producers.**

This Board paper authorizes and directs the County Manager to request the Governor of Virginia to declare Henrico County a primary drought disaster area. This declaration will make Henrico farmers (1) eligible to be considered for low-interest emergency loans from the U.S. Department of Agriculture, provided they meet certain eligibility requirement, and (2) eligible for any supplemental relief that Congress may provide in the future.

### **RESOLUTION – Approval of the FY 2011 Community Services Board Performance Contract Between the Virginia Department of Behavioral Health and Developmental Services and Henrico Area Mental Health & Developmental Services Board.**

Virginia Code § 37.2-508 provides that an annual performance contract negotiated between the Virginia Department of Behavioral Health and Developmental Services (the Department) and Henrico Area Mental Health & Developmental Services Board (HAMHDS) is to serve as the primary accountability and funding mechanism between the Department and HAMHDS. Section 37.2-508 further provides that the performance contract is to be submitted by HAMHDS for approval by formal vote of the governing body of each political subdivision that established HAMHDS.

Under the terms of § 37.2-508, the performance contract must:

- delineate the responsibilities of the Department and HAMHDS;
- specify conditions that must be met for the receipt of state-controlled funds;
- identify the groups of consumers to be served with state-controlled funds;

- contain consumer outcome, provider performance, consumer satisfaction, and consumer and family participation measures;
- contain mechanisms jointly developed with the Department to manage the utilization of state hospital beds;
- establish an enforcement mechanism should HAMHDS fail to comply with the contract; and
- include reporting requirements and revenue, cost, service and consumer information in a format determined by the Department.

In late spring of 2010, the Department provided to HAMHDS a Letter of Notification setting out the amount of state and federal funding that would be available to HAMHDS during FY 2011 and HAMHDS and the Department negotiated a FY 2011 Community Services Board Performance Contract. HAMHDS approved the FY 2011 Community Services Board Performance Contract on July 22, 2010, and recommended it to the Boards of Supervisors of Henrico, Charles City, and New Kent Counties, the three political subdivisions that established it.

The FY 2011 Community Services Board Performance Contract submitted for approval by this Resolution is based on the requirements of Va. Code § 37.2-508, on the FY 2010-2011 budget approved by this Board on April 27, 2010, on the Letter of Notification to HAMHDS for FY 2011, and on local contributions approved by the Charles City County Board of Supervisors and the New Kent County Board of Supervisors.

**RESOLUTION - Approval of Acquisition - Permanent Slope and Drainage and Temporary Construction Easements - North Gayton Road Extension Project - Katherine F. White - Three Chopt District.**

This Board paper authorizes the execution and filing of documents necessary to complete the acquisition of a permanent slope and drainage easement containing 1,264 sq. ft. and a temporary construction easement containing 475 sq. ft. for the construction of the North Gayton Road Extension Project across land in the Three Chopt District owned by Katherine F. White (the "Owner").

On April 27, 2010, the Board authorized condemnation proceedings to acquire a permanent slope and drainage easement containing 290 sq. ft. and a temporary construction easement containing 1,450 sq. ft., and on May 28, 2010, the County filed a Certificate and deposited \$2,199 with the Clerk of the Circuit Court to acquire the easements in accordance with state law.

Following negotiations between the parties, the Owner is willing to accept \$11,479 for a larger permanent slope and drainage easement containing 1,264 sq. ft. and smaller temporary construction easement containing 475 sq. ft. for the construction of the project.

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

**RESOLUTION - Award of Construction Contract - Springfield Landfill Permit 545 Landfill Gas Expansion Stage 4 - Three Chopt District.**

This resolution would award a construction contract to Sterns, Conrad & Schmidt, Consulting Engineers Inc. dba SCS Field Services in the amount of \$219,226 to install 19 methane gas wells and approximately 3,000 linear feet of 4-inch and 8-inch plastic gas header piping located at the Springfield Road Landfill in the Three Chopt District.

The purpose of the project is to expand the existing methane gas collection system in the Springfield Landfill. The work will begin in September 2010 and will be completed by February 2011. Funding to support the contract is available within the Solid Waste Special Revenue Fund.

Four bids were received on July 29, 2010 in response to Bid Request No. 10-8885-6CE and Addendum No.1 for the Springfield Landfill Permit 545 Landfill Gas Expansion Stage 4 project.

<b>Bidders</b>	<b><u>Bid Amounts</u></b>
Sterns, Conrad & Schmidt, Consulting Engineers Inc. dba SCS Field Services Reston, VA	\$219,226.00
Shaw Environmental & Infrastructure, Inc. Baton Rouge, LA	\$233,566.00
Griffin Dewatering Corp. Chesapeake, VA	\$261,850.00
Harnden Group, LLC Mechanicsburg, PA	\$289,967.00

The Directors of Public Utilities and General Services recommend the Board award the contract to Sterns, Conrad & Schmidt, Consulting Engineers Inc. dba SCS Field Services, the lowest responsive and responsible bidder, in the amount of \$219,226 and authorize the County Manager, or the Director of General Services as his designee, to execute the contract and change orders not to exceed 15% of the original contract amount, and the County Manager concurs.

**RESOLUTION - To Permit Additional Fine of \$200 for Speeding on Grey Oaks Park Road from Nuckols Road to Grey Oaks Park Drive.**

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. The law requires the Board of Supervisors to develop criteria for the overall applicability for the installation of the signs and to specify application of the law to particular streets before the additional fine may be imposed.

On February 10, 2004, the Board approved criteria for the County's Traffic Calming Program.

The County's Traffic Engineer has collected traffic data and has determined that Grey Oaks Park Road from Nuckols Road to Grey Oaks Park Drive in the County is experiencing speeding problems and meets the criteria for traffic calming measures set forth in the Traffic Calming Program.

The citizens in the area of this road requesting the increased fine have collected signatures from 76% of the residents.

The Board paper authorizes the County Manager to place appropriate signs on Grey Oaks Park Road from Nuckols Road to Grey Oaks Park Drive warning of an additional fine of \$200 for speeding.

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