

**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, February 22, 2011 at 4:30 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:

- |                  |  |
|------------------|--|
| 4:30 – 5:15 p.m. | Proposed Civil Penalties and Ticketing of Large Trucks and Commercial Vehicles in Agricultural and Residential Districts |
| 5:15 – 6:00 p.m. | Redistricting Process  |
| 6:00 – 6:45 p.m. | <i>Dinner</i>  |



Barry R. Lawrence, CMC  
Clerk, Henrico County Board of Supervisors  
February 17, 2011

**COUNTY OF HENRICO, VIRGINIA**  
**Henrico County Board Room**  
**Board of Supervisors' Agenda**  
**February 22, 2011**  
**7:00 p.m.**

**PLEDGE OF ALLEGIANCE**

**INVOCATION** – Dr. Michael J. Clingenpeel, Pastor, River Road Church, Baptist

**APPROVAL OF MINUTES** – February 8, 2011 Regular and Special Meetings

**MANAGER'S COMMENTS**

**BOARD OF SUPERVISORS' COMMENTS**

**RECOGNITION OF NEWS MEDIA**

**APPOINTMENTS**

53-11            Resolution – Appointment of Members – Keep Henrico Beautiful Committee.

**PUBLIC HEARING ITEMS**

54-11            Resolution – Amendments to the FY 2010-11 Annual Fiscal Plan: February, 2011.

55-11            Ordinance – To Amend and Reordain Section 9-2 of the Code of the County of Henrico Titled “Precincts and polling places” by Changing the Polling Place for Sullivans Precinct in the Varina District.

**PUBLIC COMMENTS**

**GENERAL AGENDA**

56-11            Resolution – Reapportionment of Magisterial Districts.

57-11            Resolution - Potential Zoning Ordinance Amendments Regarding Menu Board Signs.

58-11            Resolution - Potential Zoning Ordinance Amendments Regarding Group Homes and Assisted Living Facilities.

59-11            Resolution - Potential Zoning Ordinance Amendments Regarding Temporary Family Health Care Structures.

60-11            Resolution – Signatory Authority – Structure Removal Agreement – Three Chopt District.

61-11            Resolution – Award of Professional Engineering Services Contract – Cobbs Creek Regional Water Supply Reservoir.

- 62-11 Resolution - Award of Contract - Work Management System – Woolpert, Inc.
- 304-10 Resolution - Award of Construction Contract - Charles City Road Sewage Pumping Station - Varina District. **(Deferred from the January 25, 2011 meeting.)**
- 63-11 Resolution - Signatory Authority – Engineering Design Services for Oakleys Lane from Oakleys Place and just east of Gillies Creek (approximately 0.38 miles) - County Project #2111.50701.28004.06604 - Fairfield and Varina Districts.
- 64-11 Resolution - Signatory Authority - Amendment to Contract for Engineering Design Services - Dabbs House Road Improvements from Nine Mile Road to Creighton Road. Project #2110.50701.28004.00610 (formerly #551994-701-248-00). Varina District.
- 65-11 Resolution - Receipt of Letter of Necessity and Setting of Public Hearing - Charles City Road. Project #00984. Varina District.
- 66-11 Resolution - Acceptance of Road.



**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS' RESUME  
February 22, 2011**

---

**INVOCATION** – Dr. Michael J. Clingenpeel, Pastor, River Road Church, Baptist

**APPOINTMENTS**

**RESOLUTION – Appointment of Members – Keep Henrico Beautiful Committee.**

This Board paper appoints the following persons to the Keep Henrico Beautiful Committee for terms expiring December 31, 2012 or thereafter, when their successors shall have been appointed and qualified:

Three Chopt District	Sanjay Mittal
Varina District	_____

This Board paper also appoints the following person for a term expiring December 31, 2011 or thereafter, when his/her successor shall have been appointed and qualified:

Three Chopt District	_____
----------------------	-------

**PUBLIC HEARING ITEMS**

**RESOLUTION – Amendments to the FY 2010-11 Annual Fiscal Plan: February, 2011.**

A Board paper was presented on February 8, 2011, 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 February 22, 2011. 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 Changing the Polling Place for Sullivans Precinct in the Varina District.**

This Board paper proposes an ordinance to change the polling place for Sullivans Precinct in the Varina District from Varina High School to Settlers Ridge Community Center. This change is necessary because ongoing construction at Varina High School makes the current polling place inadequate to accommodate voters.

The Electoral Board approved this change on December 8, 2010. It is being requested now so that it can be implemented for the June 14 primary election. After Board approval, it must be

submitted to the U.S. Department of Justice for preclearance under the Voting Rights Act before implementation.

## **PUBLIC COMMENTS**

### **GENERAL AGENDA**

#### **RESOLUTION – Reapportionment of Magisterial Districts.**

This Board paper officially begins the 2011 redistricting process by adopting criteria for proposed redistricting plans and encouraging public participation in the process.

#### **RESOLUTION - Potential Zoning Ordinance Amendments Regarding Menu Board Signs.**

The owner of eight McDonald's franchises in Henrico County has requested the Board to consider amending the zoning ordinance regarding menu board signs. The Code currently limits such signs as follows:

- No more than one menu board sign
- No more than 24 square feet in area
- May not display any corporate logo
- May not face any public right-of-way.

McDonald's Corporation has stated it is moving toward dual drive-thru windows. Staff has also observed this design in Chick-fil-A, Checkers, and other restaurants.

In some cases, dual drive-thru windows will require two menu board signs, one more than the zoning ordinance currently allows. McDonald's has also requested increasing the maximum area of each menu board sign from 24 square feet to 44 square feet. Finally, McDonald's has requested review of the requirement that menu board signs not face any public right-of-way.

The Director of Planning recommends the Board authorize the Planning Department to study the issue and prepare a draft amendment for consideration by the Planning Commission. The County Manager concurs with this recommendation.

#### **RESOLUTION - Potential Zoning Ordinance Amendments Regarding Group Homes and Assisted Living Facilities.**

Section 15.2-2291 of the Code of Virginia includes limitations on the local regulation of group homes for individuals with mental illness, mental retardation, or developmental disabilities. The General Assembly has amended the statute to place similar limitations on the local regulation of homes for aged, infirm or disabled persons. This amendment is necessary to bring the zoning ordinance into conformance with state law.

The Director of Planning recommends the Board authorize the Planning Department to prepare a draft amendment for consideration by the Planning Commission, and the County Manager concurs.

**RESOLUTION - Potential Zoning Ordinance Amendments Regarding Temporary Family Health Care Structures.**

The General Assembly amended the Code of Virginia to require local governments to allow for temporary family health care structures, more commonly known as “med cottages.” The new law defines that term as follows:

“Temporary family health care structure” means a transportable residential structure, providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person, that (i) is primarily assembled at a location other than its site of installation, (ii) is limited to one occupant who shall be the mentally or physically impaired person, (iii) has no more than 300 gross square feet, and (iv) complies with applicable provisions of the Industrialized Building Safety Law (§ 36-70 et seq.) and the Uniform Statewide Building Code (§ 36-97 et seq.)

Local governments are now required to allow such structures as a permitted accessory use in any single-family residential zoning district on lots zoned for single-family detached dwellings. However, local governments may require permits for such structures, may require that they be connected to utilities, may require that they be removed when no longer needed, and may inspect them periodically.

The County Attorney’s Office and Planning Department has reviewed the state code amendment and determined that the County Code should be amended to bring it into conformance.

This matter was discussed with the Board in a work session on July 13, 2010.

The Director of Planning recommends the Board authorize the Planning Department to study the issue and prepare a draft amendment for consideration by the Planning Commission, and the County Manager concurs.

**RESOLUTION – Signatory Authority – Structure Removal Agreement – Three Chopt District.**

Approval of this resolution will authorize the County Manager to execute a Structure Removal Agreement, in a form approved by the County Attorney, by and between Winston Devisser and Joyce Devisser (“Landowners”), and the County for the removal of the existing 1,440 sq. ft. Springfield School building (the “Structure”) of historic significance, located at 4821 Shady Grove Road lying in the Three Chopt District. The County desires to preserve and move the Structure to Pouncey Tract Park. Landowners agree to donate the Structure to the County, provided the County agrees to move it, and demolish, remove and dispose of the non-historic

exterior items related to the Structure, and restore any disturbed property by light site grading, stabilizing denuded areas, seeding and strawing.

The Directors of Recreation and Parks and Real Property recommend approval of this action.

**RESOLUTION – Award of Professional Engineering Services Contract – Cobbs Creek Regional Water Supply Reservoir.**

This resolution awards a professional services contract to **ARCADIS U.S., Inc.** for engineering design and construction administration services for the Cobbs Creek Regional Water Supply Reservoir to be located in Cumberland County.

On September 24, 2010, the Department of General Services received six proposals from engineering firms pursuant to RFP #10-8905-8CE, Engineering Services for Cobbs Creek Regional Water Supply Reservoir. The scope of work for this project includes providing comprehensive design and construction administration services for an 1,100 acre raw water reservoir, primary and secondary earth dams, raw water pumping station, river intake structure and raw water transfer piping. The reservoir will have an estimated capacity of 15 billion gallons with an estimated yield of 47 million gallons per day. Raw water will be pumped into the reservoir from the James River when river flows are adequate, and will be released from the reservoir during droughts and other periods when James River flows are inadequate.

Based upon the firm’s professional qualifications and experience demonstrated in the written proposals and interviews, **ARCADIS U.S., Inc.** was selected as the top ranked firm. An Agreement has been negotiated with **ARCADIS U.S., Inc.** to include:

1. Phase 1 Professional Engineering Services:

Engineering designs; land surveying; subsurface geotechnical investigations; environmental assessments, mitigation and permitting; historic resource surveys; property acquisition support; watershed computer modeling; relocation of existing electric and liquid petroleum utilities support; on-site construction materials testing and analysis; construction administration and inspections support; and operational start-up and testing assistance.

Fees: \$35,310,000

2. Phase 2 Services:

Alternate concrete dam and river intake designs; additional environmental and historic resource assessments; post-construction dam monitoring and fisheries impingement evaluation.

Fees: \$8,144,000

Total Contract Amount: \$43,454,000

The contract will provide that Phase 2 Services must be authorized in writing by the County Manager after a determination that the additional services are necessary based upon geotechnical testing and engineering design work.

The resolution authorizes the County Manager, or the Director of General Services as his designee, to execute the contract in a form approved by the County Attorney and to execute necessary amendments in an amount not to exceed 15% of the contract amount.

The contract was discussed with the Board in a work session on February 8, 2011.

The Directors of Public Utilities and General Services, the County Manager concurring, recommend approval of this resolution.

**RESOLUTION - Award of Contract - Work Management System – Woolpert, Inc.**

This resolution would award a nonprofessional services contract to Woolpert, Inc. for a Work Management System for the Department of Public Utilities. The project is to provide a complete replacement of the Hansen Work Management System used by the Department of Public Utilities for 15 years. This system is used to manage the maintenance and replacement of all water distribution, sewer collection, and solid waste assets managed by Public Utilities. Woolpert, Inc. will provide implementation services, which include software installation, software configuration, data conversion, training, and testing. Once the system is in production, Woolpert, Inc. will provide support and future software enhancements through a subcontractor.

On December 17, 2009, six proposals were received in response to RFP-#09-8728-10CS. Based upon evaluation of the proposals, the Selection Committee interviewed three firms and entered into negotiations with the following two firms:

Woolpert, Inc.	\$1,450,500.00
Timmons Group	\$1,431,200.00

Based on the written proposals, interviews, negotiations, and selection criteria specified in the RFP, the Selection Committee recommends awarding the contract for this project to Woolpert, Inc. for a cost of \$1,450,500.00.

Funding for this project is from the Water and Sewer Revenue Fund. The implementation project is expected to begin in March 2011 and to be completed by June 2012.

The resolution authorizes the County Manager, or the Director of General Services as his designee, to execute the contract in a form approved by the County Attorney and change orders within the funds available, not to exceed 15% of the original contract amount.

The Director of Public Utilities and the Director of General Services recommend approval of this Board paper, and the County Manager concurs.

**RESOLUTION - Award of Construction Contract - Charles City Road Sewage Pumping Station - Varina District.**

This Board Paper awards a construction contract to English Construction Company, Inc. in the amount of \$3,300,000.00 to construct a 4.0 mgd sewage pumping station and demolish the existing 2.5 mgd sewage pumping station located at 2807 Charles City Road.

The purpose of the project is to increase the capacity of the sewage pumping station to handle future wastewater flows. The work will begin in April 2011 and will be completed by April 2013. Funding to support the contract is available within the Water and Sewer Enterprise Fund.

Bids were received on September 29, 2010. The bidders and bid amounts are as follows:

<b>Bidders</b>	<b><u>Bid Amounts</u></b>
Southwood Builders, Inc. and Southwood Building Systems, Inc. Ashland, VA	\$3,148,860.00
English Construction Company, Inc. Lynchburg, VA	\$3,300,000.00
Mid Eastern Builders, Inc. Chesapeake, VA	\$3,417,000.00
M&W Construction Corporation Portsmouth, VA	\$3,646,770.00
Virtexco Corporation Norfolk, VA	\$4,114,700.00
Piedmont Concrete Contractors, Inc. Charlottesville, VA	\$4,122,946.00
Anderson Construction, Inc. Lynchburg, VA	\$4,227,560.00
Versar, Inc. Springfield, VA	\$4,358,656.00
Shaw Construction Corp. Williamsburg, VA	\$4,387,310.00
Waco, Inc. Sandston, VA	\$4,786,860.00

After a review and evaluation of all bids received, the Director of General Services determined that Southwood Builders, Inc. is not a responsible bidder.

The Directors of Public Utilities and General Services recommend the Board award the contract to English Construction Company, Inc., the lowest responsive and responsible bidder, in the

amount of \$3,300,000.00 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. The County Manager concurs.

This Board paper was deferred from the January 25, 2011 meeting.

**RESOLUTION - Signatory Authority - Engineering Design Services for Oakleys Lane from Oakleys Place and just east of Gillies Creek (approximately 0.38 miles) - County Project #2111.50701.28004.06604 - Fairfield and Varina Districts.**

This resolution would award an agreement with **Johnson, Mirmiran & Thompson (d/b/a JMT)** for engineering design services for Oakleys Lane improvements.

On July 16, 2010, 16 proposals were received in response to RFP #10-8872-6JK, Oakleys Lane Realignment and Improvement Project. Based upon evaluation of the proposals, the Selection Committee (consisting of Mr. Dennis Farmer, Mr. David Gunn, Mr. Rob Tieman, Mr. Brian Walker, and Ms. Robin Wilder) interviewed the following firms:

**Johnson, Mirmiran & Thompson (d/b/a JMT)**  
AECOM Technical Services  
Michael Baker, Jr., Inc.  
Timmons Group

Based on the written proposals and interviews, the committee selected **Johnson, Mirmiran & Thompson (d/b/a JMT)** as the first ranked firm to provide engineering services and has negotiated an agreement for the lump sum design fee amount of \$399,958.

100% of these costs will be funded through Capital Initiatives Funds.

The Directors of Public Works and General Services recommend that the contract be awarded to **Johnson, Mirmiran & Thompson (d/b/a JMT)**, and the County Manager concurs.

**RESOLUTION - Signatory Authority - Amendment to Contract for Engineering Design Services - Dabbs House Road Improvements from Nine Mile Road to Creighton Road. Project #2110.50701.28004.00610 (formerly #551994-701-248-00). Varina District.**

On June 8, 2004, the Board of Supervisors approved a contract with Michael Baker, Jr., Inc. for a lump sum fee of \$1,010,879.17 for the preparation of design and construction plans for improvements to Dabbs House Road from Nine Mile Road to Creighton Road.

Michael Baker, Jr., Inc. and the Department of Public Works subsequently negotiated a fixed lump sum fee of \$300,209.96 for additional work to design approximately 2,600 feet of sanitary sewer extension, 1,010 feet of sewer replacement, 4,614 feet of water main extension, and additional roadway and drainage design.

Additional design work in the amount of \$178,448.72 is now required to revise erosion and sediment control plans to meet current environmental standards, to complete design tasks to tie-in the Creighton Road Connector, and to perform additional drainage, utility, and environmental work.

This Board paper authorizes the County Manager and the Clerk to execute the amendment in a form approved by the County Attorney in the amount of \$178,448.72, together with any necessary change orders within funds available. Funds for this project will be provided from the Capital Projects Fund Project #2110.50701.28004.00610 (formerly #551994-701-248-00).

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

**RESOLUTION - Receipt of Letter of Necessity and Setting of Public Hearing - Charles City Road. Project #00984. Varina District.**

On December 8, 2009, the Board of Supervisors of the County of Henrico, Virginia directed the County Engineer to prepare a report concerning the need for constructing the portion of Charles City Road between Lisle Road and Lewis Road. The Board must hold a public hearing concerning the expediency of constructing the portion of Charles City Road between Lisle Road and Lewis Road, and notice of the hearing must be given by the Clerk of the Board.

This Board paper receives the report and sets the public hearing date for March 22, 2011 at 7 p.m. It further directs the Clerk of the Board to give timely, written notice of the date, time, and place of the hearing to the persons required by statute to receive such notice.

Funding for the proposed improvements will come from General Obligation Bonds and the General Fund, Project #00984.

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

**RESOLUTION - Acceptance of Road.**

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

- 1) 0.27 miles of Covey Run, Section C and a Resubdivision of Lots A and G of Tuckahoe Farms. Tuckahoe District.

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