

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
March 12, 2013**

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, March 12, 2013, at 7:00 p.m. in the Board Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia.

Members of the Board Present:

David A. Kaechele, Chairman, Three Chopt District
Patricia S. O'Bannon, Vice Chairman, Tuckahoe District
Richard W. Glover, Brookland District
Tyrone E. Nelson, Varina District
Frank J. Thornton, Fairfield District

Other Officials Present:

John A. Vithoukas, County Manager
Joseph P. Rapisarda, Jr., County Attorney
Carlos V. Talley, Chief Deputy Sheriff
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board
Joseph A. Casey, Deputy County Manager for Administration
Jane D. Crawley, Deputy County Manager for Community Services
Timothy A. Foster, P.E., Deputy County Manager for Community Operations
Randall R. Silber, Deputy County Manager for Community Development

Mr. Kaechele called the meeting to order at 7:00 p.m.

Mr. Kaechele led recitation of the Pledge of Allegiance and the observance of a moment of silent prayer in memory of Virginia State Police Master Trooper Junius A. Walker, who on March 7 was slain in the line of duty during a traffic stop on I-85.

On motion of Mr. Thornton, seconded by Mr. Glover, and by unanimous vote, the Board approved the minutes of the February 26, 2013, Regular and Special Meetings.

The vote of the Board was as follows:

Yes: Kaechele, O'Bannon, Glover, Nelson, Thornton

No: None

MANAGER'S COMMENTS

The final phase of a one-year upgrade to the County's Oracle Financial and Human Resources Management Systems was completed a few weeks ago by a team of general government and public school employees with the help of only one consultant. Generally an organization spends millions of dollars upgrading a system of this size and complexity and hires many consultants to do the work. Most of the employees involved with this project gave up their Thanksgiving weekend to implement the initial phase of the system and during the final phase did a huge amount of work during work hours as well as on weekends. Thanks to their efforts, which should not go unnoticed, the County had a very smooth transition to Oracle Release 12. The team included employees from the Department of Information Technology, Department of Finance, Department of Human Resources, and Henrico County Public Schools.

Following the Manager's comments, Human Resources Director Paula Reid expressed pride in the team on behalf of its leaders and asked family members of the team who were in the audience to stand and be recognized for their support during this difficult process. Information Technology Director Tom Owdom, who joined Ms. Reid and members of the team at the podium, also briefly addressed the Board.

BOARD OF SUPERVISORS' COMMENTS

Mr. Thornton noted that the Henrico High School men's basketball team has won the first state title in the school's 51-year existence. The Henrico Warriors beat the John Marshall Justices on March 8 in the first ever Virginia High School League Group AAA Boys Basketball Championship game to feature two Central Region teams or two schools that are located within a couple of miles of one another. The Warriors went 20-2 during their regular season and were 10-0 in the post-season, winning both the District and Regional titles before taking the VHSL Group AAA State Championship. They were coached by Vance Harman, a Douglas Freeman High School graduate.

RECOGNITION OF NEWS MEDIA

Mr. Kaechele recognized Graham Moomaw from the *Richmond Times-Dispatch*.

PRESENTATION

Mr. Kaechele presented a proclamation recognizing March 11 – 17, 2013, as Multiple Sclerosis Awareness Week. Accepting the proclamation was Kathryn Zapach, Director of Programs and Services for the Central Virginia Chapter of the National Multiple Sclerosis Society.

APPOINTMENTS/RESIGNATION

53-13 Resolution – Appointment of Member – Community Criminal Justice Board.

On motion of Mr. Glover, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached resolution.

54-13 Resolution – Appointment of Member – Henrico Area Mental Health & Developmental Services Board.

On motion of Mr. Thornton, seconded by Mr. Glover, and by unanimous vote, the Board approved this item – see attached resolution.

55-13 Resolution – Resignation of Member – The Cultural Arts Center at Glen Allen Foundation Board of Directors.

On motion of Mr. Glover, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS

56-13
REZ2013-
00003
Brookland
GGC Associates, LLC: Request to conditionally rezone from B-1 Business District to B-2C Business District (Conditional) Parcels 774-740-7574,-7856, and -8370 containing 1.351 acres and from B-2 Business District to B-2C Business District (Conditional) Parcel 774-740-8236 containing .807 acres, located in the southeast quadrant of the intersection of Staples Mill Road (U. S. Route 33) and Bethlehem Road.

Mr. Vithoukias noted that this item and Agenda Item No. 57-13 (case PUP2013-00005) were companion cases and would be heard together.

No one from the public spoke in opposition to these items.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote the Board followed the recommendation of the Planning Commission and approved this item with the following proffered conditions:

1. **Conceptual Plan.** Development of the Property for a Wawa convenience store shall be in general conformance with the Conceptual Plan attached hereto entitled "Wawa Brookland District Henrico County, VA. Conceptual Plan" prepared by E.D. Lewis & Associates P.C., dated December 6, 2012 (the "Conceptual Plan"), (see case file), which Conceptual Plan is conceptual in nature and may vary in detail, unless otherwise requested and specifically approved at the time of Plan of Development.

2. **Elevations.** Development of the Property for a Wawa convenience store shall be in general conformance with the architectural appearance shown on the elevations attached hereto entitled (i) "Proposed Wawa, Staples Mills and Bethlehem Roads, Brookland District, Henrico County, Virginia" prepared by LMA Architects LLC, dated May 30, 2012 and (ii) "Proposed Wawa, Staples Mills and Bethlehem Roads, Brookland District, Henrico County, Virginia, Canopy Elevations" prepared by LMA Architects LLC, dated May 30, 2012 (see case file), unless otherwise requested and specifically approved at the time of Plan of Development

3. **Exterior Materials/Architecture.** The exposed portion of each exterior wall surface (front, rear and sides) of any building (excluding rooftop screening materials for mechanical equipment) shall be similar to the exposed portions of other exterior walls of such building in architectural treatment and materials. Any building shall have exposed exterior walls (above finished grade and exclusive of trim) of brick, glass, stone, stone veneer, split face block, architectural-grade metal panels, or a combination of the foregoing, unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development. No building shall be covered with or have exposed to view any painted or unfinished concrete block, or industrial-grade metal, unless otherwise specifically approved at the time of Plan of Development.

4. **Parking Lot Lighting.** Lighting shall be directed to minimize glare on public roads and adjacent properties. Direct embedded light poles and standards shall be prohibited. Any lighting over any fuel pumps shall be recessed, flat lens fixtures.

5. **Prohibited Uses.** The following uses shall be prohibited:
 - a. billiard, bagatelle, video game or a bingo parlor;
 - b. flea markets or antique auctions;
 - c. billboards;
 - d. recycling facilities;
 - e. funeral homes, mortuaries, crematories and/or undertaking establishments;
 - f. dance halls;
 - g. truck stops;
 - h. gun shop, sales and repair;
 - i. parking garages or commercial parking lots as a principal use;
 - j. sign painting shops;

- k. free-standing communication towers;
- l. car title loan operations;
- m. adult businesses as defined by Section 24-3 of the Henrico County Code;
- n. establishments whose primary business is check cashing and/or the making of payday loans as defined and regulated by Sections 6.2-2100 et seq. and 6.2-1800 et seq. of the Code of Virginia (the foregoing shall not preclude banks, savings and loans or similar financial institutions that are not regulated by the foregoing Virginia Code sections); and
- o. bars, which, for purposes of this restriction, shall mean a business establishment whose primary business is the sale of alcoholic beverages for on-premises consumption. This restriction shall not prohibit the sale of alcoholic beverages in restaurants as licensed by the Virginia Department of Alcoholic Beverage Control.

6. **Refuse Containers/Trash Receptacles/Recycling Activities.**

Dumpsters, trash receptacles, not including convenience cans, and recycling receptacles shall be screened from public view with masonry enclosures compatible with the architectural design of the building at ground level at the Property lines as approved at the time of Plan of Development. The gates and doors on the masonry refuse screens shall be of a substantial and durable material as determined at the time of Plan of Development. Support posts, gate frames, hinges and latches shall be of a sufficient size and strength to allow the gates to function without sagging or becoming a visual eyesore as determined at the time of Plan of Development. Landscaping shall be provided to mitigate the visual impact of the dumpster pad as shown on the Conceptual Plan as determined at the time of Landscape Plan. Convenience cans shall be within or part of a decorative container.

7. **Mechanical Equipment.** Mechanical equipment shall be screened from public view at ground level at Property lines as approved at the time of Plan of Development.

8. **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 the other proffers or the unaffected part of any such proffer.

9. **Outside Speakers.** Any music being played over any outside speaker system shall be prohibited from 10:00 p.m. until 7:00 a.m.

10. **Underground Utilities.** All utility lines on the Property shall be underground, except for junction boxes, meters, gas meters, traffic control, irrigation backflow preventers, existing and/or relocated existing overhead utility lines and lines in wetland areas. Electrical junction boxes and meters shall be screened from public view at ground level at the perimeter of the tract with use of a wall, fencing, landscaping, or such other method as may be approved at the time of Plan of Development and/or subdivision review.
11. **Best Management Practice.** Any Best Management Practice structures shall be located underground.
12. **Landscaping.** Landscaping measures such as the continuous hedge along the roadways, street trees and internal trees as shown on the Conceptual Plan (see case file), shall be provided as determined at the time of Landscape Plan, unless otherwise requested and specifically approved at the time of Landscape Plan.
13. **Outside Storage.** Except for ice coolers, no merchandise shall be displayed or stored outside of the building or on sidewalks.

The vote of the Board was as follows:

Yes: Kaechele, O'Bannon, Glover, Nelson, Thornton

No: None

57-13
PUP2013-
00005
Brookland

GGC Associates, LLC: Request for a Provisional Use Permit under Sections 24-58.2(a), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to allow 24 hour operation of a proposed convenience store with fuel pumps (Wawa) on Parcels 774-740-7574, -7856, -8236, and -8370 located in the southeast quadrant of the intersection of Staples Mill Road (U. S. Route 33) and Bethlehem Road.

On motion of Mr. Glover, seconded by Mr. Nelson, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item with the following conditions:

1. This permit shall only apply to the 24-hour operation of a Wawa convenience store with fuel sales, and it shall not be transferable to any other operator or owner.
2. The installation of pay phones on site shall be prohibited.

3. Any outside speakers and/or sound system shall comply with the following standards:
 - a) Sound systems shall be equipped with controls that permit full and complete volume control; and
 - b) Sound(s) emitted from the system shall not be audible beyond a distance of one hundred (100) feet measured from the source.
4. Prior to 24-hour operation, the applicant and the Crime Prevention Unit of the Division of Police shall conduct a security survey of the property and store operations. The owner/occupant of the Wawa shall implement the mutually agreed upon security measures affecting the property.
5. The owner or operator shall be responsible for the installation, operation, and maintenance of exterior security camera(s) and video system of professional grade and quality, and rated for the exterior surveillance of retail operations. This security system shall at a minimum include:
 - a) Exterior surveillance cameras shall monitor all entrance(s), fueling area(s), parking area(s), delivery area(s), and other areas determined necessary by the Crime Prevention Unit of the Division of Police. Such security cameras shall provide clear imagery of the establishment's patrons and their vehicles.
 - b) Recordings of all activities under surveillance shall be preserved for a period of four (4) months by the applicant or owner/operator. Authorized representatives of the Henrico County Division of Police shall have full and complete access to all recordings upon request.
6. Store windows shall not be tinted or obscured by advertisements, posters, blinds, and/or visual obstructions that inhibit or hinder exterior surveillance. The installation and use of light blocking devices during daylight hours shall be permissible if approved by the Crime Prevention Unit of the Division of Police.
7. The owner or operator shall provide adequate lighting for the entrances, exits, and parking areas serving the use or location. "Adequate lighting" means lighting sufficient for clear, visual and security camera surveillance.

8. The owner or operator shall not permit loitering on the premises during hours of operation.
9. Should evidence (i.e. police calls to the premises, complaints from other businesses, criminal assaults, etc.) or registered complaints (i.e. increased public nuisance, loitering, excessive noise, etc.) indicate that 24-hour exterior operation is having adverse effects on the area, the Board of Supervisors may hold a public hearing to consider revoking the PUP, or amending all or some conditions.

The vote of the Board was as follows:

Yes: Kaechele, O'Bannon, Glover, Nelson, Thornton

No: None

58-13
PUP2013-
00002
Brookland

Chipotle Mexican Grill, Inc.: Request for a Provisional Use Permit under Sections 24-58.2(d), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to allow outdoor dining for a proposed restaurant (Chipotle) on Parcel 769-757-0921 located on the north line of Staples Mill Road (U.S. Route 33) approximately 965' northwest of its intersection with Old Staples Mill Road.

Jean Moore, Assistant Director of Planning, responded to questions from Mr. Glover.

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

Ms. Moore responded to a follow up question from Mr. Glover.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item with the following conditions:

1. The outdoor dining area shall not be in operation between 10:00 p.m. and 7:00 a.m.
2. There shall be no use of outdoor speakers.
3. The operator shall not permit food preparation outside the enclosed building.
4. The wall/fence enclosing the outdoor dining area shall be limited in height to 36 inches.

5. Outdoor lighting fixtures shall complement the style of the building. Lighting fixtures shall not produce glare for motorists or pedestrians on the adjacent rights-of-way and parking areas and shall illuminate only the outdoor dining area.
6. Access to the outdoor dining area shall be available only through the interior of the restaurant, except during an emergency when the patio fence exit gate may be utilized.
7. This permit shall apply only to Chipotle, is non-transferrable, and shall not apply to any other business in the Staples Mill Square Shopping Center.
8. The outdoor dining area shall comply with proffered conditions of rezoning case C-77C-94.
9. Trash receptacles shall be provided and properly serviced to control litter generated by this use.
10. Outdoor dining furniture, fencing, and canopies shall be of durable material and complementary to exterior features of the building.
11. The outdoor dining area shall be constructed in general conformance with the layouts and images depicted in Exhibits A - G (see case file).
12. Televisions and other video display devices shall not be allowed in the outdoor dining area.
13. Prior to operation, the applicant shall consult with the Special Services Unit within the Division of Police to discuss crime prevention recommendations and conduct a security survey of the property and restaurant operations. The applicant shall implement mutually agreed upon security recommendations resulting from this review.
14. Stand-alone heating sources shall not be used within the outdoor dining area. If provided, any exterior heat shall be from a wall-mounted, non-flame heat source or similar method as approved by the Director of Planning.

The vote of the Board was as follows:

Yes: Kaechele, O'Bannon, Glover, Nelson, Thornton

No: None

59-13
REZ2013-
00001
Three Chopt

Danielle Kenny: Request to amend proffered conditions accepted with Rezoning Case C-4C-99 on Parcel 747-766-4732 located on the west line of Sadler Road approximately 165' south of its intersection with Sadler Green Place.

Ms. Moore responded to questions from Mrs. O'Bannon and Mr. Kaechele.

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

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item with the following proffered conditions:

1. Except as amended hereby, all proffers accepted with Case C-4C-99 shall remain in full force and effect.
2. Amend Proffer 4 accepted with case C-4C-99 to read as follows:

Density. No more than thirty-one (31) lots may be developed on the property.

The vote of the Board was as follows:

Yes: Kaechele, O'Bannon, Glover, Nelson, Thornton

No: None

PUBLIC HEARINGS - OTHER ITEMS

40-13 Ordinance - Vacation of Portion of Alley Easement - Trebov Avenue Subdivision - Brookland District.

Mr. Vitoulkas that this item was deferred from the February 12, 2013, meeting and there was a request to defer it for another 30 days.

No one from the public spoke in opposition to the deferral.

On motion of Mr. Glover, seconded by Mrs. O'Bannon, and by unanimous vote, the Board deferred this item to the April 9, 2013, meeting.

The vote of the Board was as follows:

Yes: Kaechele, O'Bannon, Glover, Nelson, Thornton

No: None

60-13 Resolution - Signatory Authority - Conveyance of 0.453 Acre of Land Along Pemberton Road Abutting Pemberton Elementary School and Byrd Middle School to Virginia Department of Transportation - Tuckahoe District.

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

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached resolution.

61-13 Resolution - Signatory Authority - Lease of County Property - 3501 New Market Road - Varina District.

Jon Tracy, Director of Real Property, responded to questions from Mr. Kaechele and Mr. Nelson.

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

On motion of Mr. Nelson, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

PUBLIC COMMENTS

William Spencer, a resident of the Three Chopt District, pointed out that his son has been with the Virginia State Police for more than 27 years at the main headquarters and commented on the sadness of Master Trooper Walker's death. He offered prayers for the County's Division of Police and praised the County's Division of Fire and its public libraries. Mr. Spencer also offered personal reminiscences and complimented the County on how it is run.

GENERAL AGENDA

62-13 Resolution – Receipt of Operating and Capital Budget Estimates for Fiscal Year 2013-14 and Notice of Public Hearings on the Budget and Proposed Tax Rates.

Mr. Vithoukas narrated a slide presentation titled *Introduction of the FY14 Manager's Proposed Annual Fiscal Plan*. He began his presentation by noting that Henrico County will face unprecedented financial challenges in the next two years, especially in the area of schools. The FY14 proposed budget is balanced within the County's existing real estate tax rate, which has not been increased in the past 35 years. After closing an \$18.5 million budget gap within the real estate tax rate, the County has now cut more than

\$115 in four years. Both schools and general government have experienced difficult expenditure cuts and will require additional cuts in FY15 without additional revenue sources. Across-the-board cuts have been made in both schools and general government departments in addition to a number of targeted cuts and structural fee increases where fees should cover the cost of services provided. The County is facing fixed cost increases on nearly \$33 million in next year's budget, of which nearly \$21 million is attributable to education. The FY14 proposed \$1.1 billion budget represents a nine percent reduction from the FY13 budget and is the lowest since FY08. The FY14 proposed capital budget represents a smaller capital budget than 52 years ago. Every dollar of incremental appropriation in the proposed General Fund \$11.9 million increase can be found in two areas, education and public safety, which represents the Board's highest priorities.

During his presentation, Mr. Vithoukas elaborated on the fixed cost and necessary structural additions for the FY14 proposed budget; pointed out the addition of ten police officers and nine firefighter positions that required the elimination of 19 positions from other departments; provided examples of budget reductions; and noted that many conversations with the County's residents and business will be forthcoming to discuss the consideration of an alternate revenue source, i.e. a meals tax, which is present in 203 other localities in the Commonwealth and would be dedicated to education. He concluded his presentation by sharing the budget calendar, which will begin with the in-depth legislative budget reviews on March 18, and by thanking the Deputy County Managers, department heads, and employees who helped him craft a plan that is balanced within existing tax rates and does not resort to employee layoffs.

Mr. Kaechele thanked Mr. Vithoukas and the staff for presenting the budget and reiterated that the Board would be spending the entire next week deliberating on the budget. Mr. Vithoukas responded to questions from Mr. Glover and Mr. Nelson regarding the County's budgetary challenges and from Mrs. O'Bannon pertaining to the status of new legislation that will increase the road maintenance funds the County receives from the Virginia Department of Transportation (VDOT). Mr. Glover expressed concerns about state mandates passed by the General Assembly that have substantially increased the County's costs of participating in the Virginia Retirement System (VRS) and financially penalized County employees. Mr. Nelson pointed out that County departments have absorbed multi-year reductions and the County will have to either cut services tremendously next year or find additional revenue. Mr. Glover thanked staff for their hard work on the budget.

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached resolution.

63-13 Resolution - Award of Construction Contract - Uninterruptible Power Supply Replacement - Administration Building - Brookland District.

Chris Winstead, Director of General Services, responded to a question from Mr. Kaechele.

On motion of Mrs. O'Bannon, seconded by Mr. Glover, and by unanimous vote, the Board approved this item – see attached resolution.

64-13 Resolution - Award of Construction Contract - Eastern Government Center Chiller Replacement - Varina District.

Mr. Winstead responded to questions from Mr. Thornton and Mr. Kaechele.

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached resolution.

65-13 Resolution - Signatory Authority - Conveyance of Real Property - 4060 Innslake Drive - Three Chopt District.

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached resolution.

66-13 Resolution - SIA2013-00001 - Fairfield Area Library Relocation Site - Substantially in Accord with the 2026 Comprehensive Plan - Fairfield District.

On motion of Mr. Nelson, seconded by Mr. Thornton, with Mrs. O'Bannon absent, the Board approved this item – see attached resolution.

67-13 Resolution - Amendment to Construction Services Agreement - Eubank Tank Painting and Repairs - Varina District.

Bill Mawyer, Assistant Director of Public Utilities, responded to questions from Mr. Nelson and Mr. Kaechele.

On motion of Mr. Glover, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached resolution.

68-13 Resolution - Award of Purchase Contract - Wetland Mitigation Credits - Lakeside to Strawberry Hill Flow Equalization Pipeline.

Mr. Mawyer responded to questions from Mrs. O'Bannon and Mr. Kaechele.

On motion of Mr. Glover, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

69-13 Resolution - Award of Construction Contract - Staples Mill Road, Bremner Boulevard, and Compton Road Sewer Rehabilitation - Brookland District.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.

70-13 Resolution - Award of Contract - Engineering Design Services for Highway Safety Improvement Program Projects.

Steve Yob, Director of Public Works, responded to questions from the Board.

On motion of Glover, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

71-13 Resolution - To Accept Grant from State Department of Conservation and Recreation for Development of Local Stormwater Program Implementation Tools.

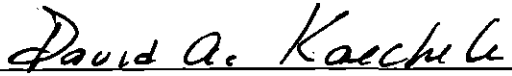
Mr. Yob responded to a question from Mrs. O'Bannon.

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached resolution.

On motion of Mr. Glover, seconded by Mr. Nelson, and by unanimous vote, the Board approved adding to the agenda a resolution numbered 72-13 and titled "Resolution - Final Settlement of *Jeffrey Carroll, et al., v. County of Henrico, Virginia*" – see attached resolution.

On motion of Mr. Nelson, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.

There being no further business, the meeting was adjourned at 8:46 p.m..


Chairman, Board of Supervisors
Henrico County, Virginia

Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

Multiple Sclerosis Awareness Week

March 11 - 17, 2013

WHEREAS, multiple sclerosis (MS), an unpredictable and often disabling disease of the central nervous system, disrupts the flow of information between an individual's body and brain; and

WHEREAS, MS is considered an autoimmune disease for which the exact cause is unknown and there is no known cure; and

WHEREAS, the disease affects more than 2.1 million people worldwide and approximately 11,000 Virginians and 3,000 Central Virginians; and

WHEREAS, it is often diagnosed in individuals aged 20 to 50 and is the most common neurological disease leading to disability in young adults; and

WHEREAS, MS not only afflicts the individual but also affects the person's family, friends, and community; and

WHEREAS, the Central Virginia Chapter of the National Multiple Sclerosis Society is located in Henrico County and provides programs and services to address the challenges faced by Henrico residents affected by MS; and

WHEREAS, the National Multiple Sclerosis Society is observing the second week of March as National Multiple Sclerosis Week to inform citizens about the disease; its diagnosis, treatment, and management; the need for research; and advances leading to a cure.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Supervisors of Henrico County, Virginia, hereby recognizes March 11 - 17, 2013, as Multiple Sclerosis Awareness Week and calls this observance to the attention of all Henrico citizens.



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

Barry R. Lawrence
Barry R. Lawrence, Clerk
March 12, 2013

Lawrence, Barry

From: Alferio, Kathryn
Sent: Monday, February 25, 2013 4:16 PM
To: Lawrence, Barry; Bud Henderson
Subject: FW: Service on the Cultural Arts Center Board

I regret to inform you that Travis Hill has decided to resign from the Board. He has been an asset to our organization serving as board member and secretary in past years. While we will miss him, i can understand his reasons for needing to cut back in different areas.

K Alferio
President
The Cultural Arts Center at Glen Allen
804-261-6210
www.artsglenallen.com

From: Travis Hill [mailto:travisghill@hotmail.com]
Sent: Sunday, February 10, 2013 10:15 PM
To: Alferio, Kathryn
Subject: Service on the Cultural Arts Center Board

Dear K:

I am writing to submit my resignation from the Board of Directors for the Cultural Arts Center at Glen Allen. My five years of service on the board were filled with terrific opportunities to meet individuals dedicated to the advancement of the Center and the Arts in the Richmond region and to enjoy some exceptional entertainment along the way. It was an honor to have the ability to serve with my fellow board members and work with an outstanding Center staff.

My own obligations continue to grow in other areas of my life and I feel it is time to step aside so the Center continues to benefit from actively engaged board members. Having assumed the Chair of the Virginia Bar Association Young Lawyers Division in January, I will need to dedicate more time to leading this organization. I will also be entering my second year on the Virginia Bar Association's Board of Governors. Between these obligations and the desire to get more involved in my two daughters' growing list of activities, I think it best to give up my seat on the board.

The Center appears to have survived the worst of the economic downturn and is poised to propel itself to new heights in bringing the Arts to the community. I've enjoyed seeing the recent announcements of new programs coming to the Center and am sorry to have to miss the event honoring the Novembers later this month. I look forward to hearing about the Center's continued successes and please let me know how I can be of assistance in the future. Given the quality and dedication of the staff and the enthusiasm of the board members, I am certain the Center will continue to thrive.

Sincerely,

Travis



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

Agenda Item No. **40-13**

Page No. 1 of i

Agenda Title: **ORDINANCE — Vacation of Portion of Alley Easement — Trebov Avenue Subdivision — Brookland District**

For Clerk's Use Only: Date: MAR 12 2013 <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input checked="" type="checkbox"/> Amended <input checked="" type="checkbox"/> Deferred to: 4/9/13	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Glover</u> Seconded by (1) <u>O'Bannon</u> (2) _____ (2) _____ REMARKS: _____ _____ _____	<table border="1"> <thead> <tr> <th></th> <th>YES</th> <th>NO</th> <th>OTHER</th> </tr> </thead> <tbody> <tr> <td>Glover, R.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Nelson, T.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Tbornton, F.</td> <td align="center">✓</td> <td></td> <td></td> </tr> </tbody> </table>		YES	NO	OTHER	Glover, R.	✓			Kaechele, D.	✓			Nelson, T.	✓			O'Bannon, P.	✓			Tbornton, F.	✓		
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O'Bannon, P.	✓																									
Tbornton, F.	✓																									

WHEREAS, Larisa Yushuvayeva, owner of Lot 1, Block C of Trebov Avenue Subdivision, has requested the County vacate the portion of an alley easement adjacent to her lot; and,

WHEREAS, this Ordinance was advertised pursuant to Va. Code § 15.2-2204, and the Board held a public hearing on February 12, 2013; and,

WHEREAS, it appears that no owner of any lot shown on the plat will be irreparably damaged by the vacation.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors that:

- (1) the portion of the alley easement shown as shaded "Vacated Portion of Alley Easement" on the attached Exhibit A is vacated in accordance with Va. Code § 15.2-2272(2);
- (2) this Ordinance shall become effective 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 as provided by law, to record a certified copy of this Ordinance in the Clerk's Office after 30 days from its passage, provided no appeal has been taken to the Circuit Court;
- (4) the Clerk is further authorized to index the Ordinance on the grantor and grantee sides of the general index to deeds in the name of **LARISA YUSHUVAYEVA**; her successors or assigns; and,
- (5) the Clerk shall note this vacation as provided in Va. Code § 15.2-2276.

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

By Agency Head *[Signature]* By County Manager *[Signature]*

Routing:
Yellow to: *Real Property*
Copy to: _____

Certified:
A Copy Teste: _____
Clerk, Board of Supervisors

Dole: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 60-13
Page No. 1 of 2

Agenda Title:

RESOLUTION — Signatory Authority — Conveyance of 0.453 Acre of Land Along Pemberton Road Abutting Pemberton Elementary School and Byrd Middle School to Virginia Department of Transportation — Tuckahoe District

For Clerk's Use Only:

BOARD OF SUPERVISORS ACTION

Date: **MAR 12 2013**

- Approved
- Denied
- Amended
- Deferred to:

Moved by (1) O'Bannon Seconded by (1) Nelson
(2) _____ (2) _____

REMARKS: **APPROVED**

YES NO OTHER

Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kacchela, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nelson, T.	<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 School Board adopted a resolution on February 28, 2013 declaring 0.453 acre of land abutting Pemberton Elementary School and Byrd Middle School to be surplus and directing its Chairman and Clerk to execute a special warranty deed of gift conveying to the County the land shown on the plat of survey titled "TWO PARCELS CONTAINING 0.453 ACRE OF RIGHT-OF-WAY TO BE CONVEYED IN FEE SIMPLE AND TWO (2) PROPOSED PERMANENT ACCESS EASEMENTS RESERVED ACROSS THE PROPERTIES OF THE COUNTY SCHOOL BOARD OF HENRICO COUNTY, VIRGINIA," revised September 5, 2012, a copy of which is attached hereto as Exhibit A; and,

WHEREAS, the County Manager has accepted the deed as authorized by prior resolution of the Board of Supervisors; and,

WHEREAS, the Commonwealth of Virginia, acting through its Department of Transportation (VDOT), wishes to maintain rights-of-way, sidewalks, curbs and gutters and to provide an improved shoulder with a closed culvert on Pemberton Road and has requested that the land be conveyed to it by special warranty deed of gift; and,

WHEREAS, the land is surplus to the County's needs; and,

WHEREAS, pursuant to Va. Code §15.2-1800, the Board desires to convey the land to VDOT without charge, and,

Whereas, the Board held an advertised public hearing regarding the conveyance of the land on March 12, 2013.

By Agency Head *[Signature]* By County Manager *[Signature]*

Routing:
Yellow to: *Real Property*
Copy to: _____

Certified:
A Copy Teste: _____
Clerk, Board of Supervisors
Date: _____

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 60-13

Page No. 2 of 2

Agenda Title: **RESOLUTION — Signatory Authority — Conveyance of 0.453 Acre of Land Along Pemberton Road Abutting Pemberton Elementary School and Byrd Middle School to Virginia Department of Transportation — Tuckahoe District**

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

1. After holding an advertised public hearing pursuant to Va. Code §15.2-1800(B), the Board determines that the land is surplus to the County's needs and that it is in the County's best interests to convey the land to VDOT.
2. The Chairman is authorized and directed to execute a special warranty deed of gift in a form approved by the County Attorney conveying the land without charge to VDOT.
3. The County Manager and the County Attorney are authorized to undertake all steps necessary to convey the land to VDOT.

Comment: The Directors of Public Works and Real Property recommend approval of this Board Paper; the County Manager concurs.

EXHIBIT A

LINE TABLE		
LINE	BEARING	LENGTH
L1	S84°35'11"W	20.87
L2	N3°31'03"E	80.81
L3	N84°35'41"E	20.10
L4	S2°32'18"W	80.50

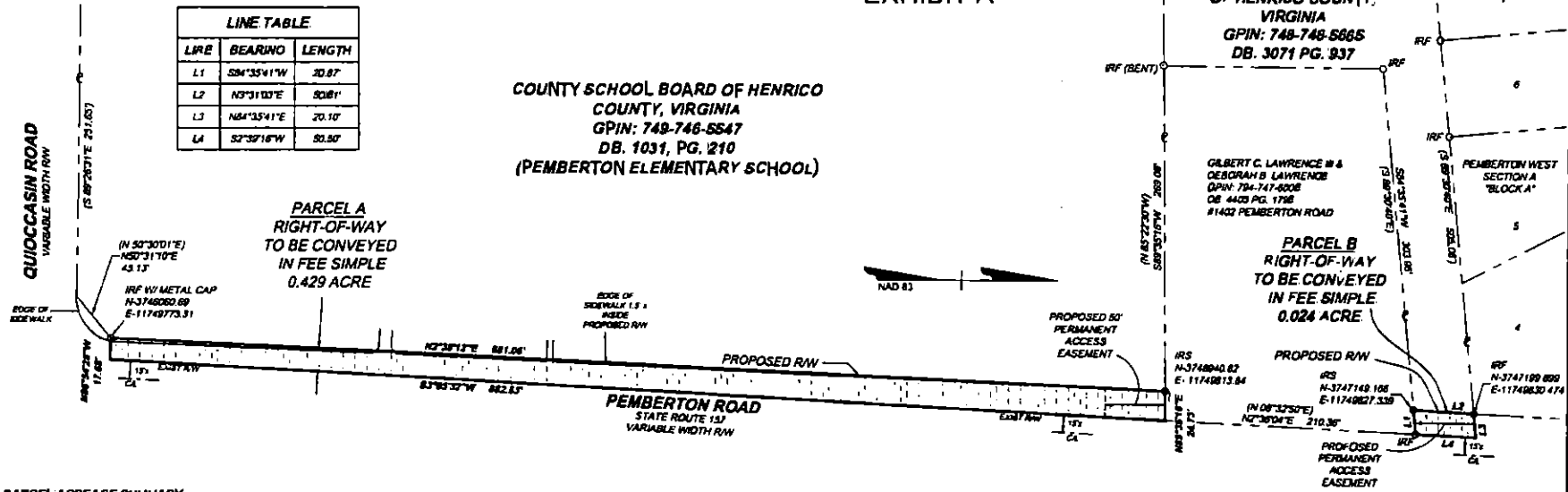
COUNTY SCHOOL BOARD OF HENRICO COUNTY, VIRGINIA
 GPIN: 749-746-5547
 DB. 1031, PG. 210
 (PEMBERTON ELEMENTARY SCHOOL)

COUNTY SCHOOL BOARD OF HENRICO COUNTY, VIRGINIA
 GPIN: 749-746-5665
 DB. 3071 PG. 937

GILBERT C. LAWRENCE III & OSGRAH B. LAWRENCE
 OPIN: 794-747-6008
 DB: 4405 PG. 1788
 #1423 PEMBERTON ROAD

PARCEL B
 RIGHT-OF-WAY
 TO BE CONVEYED
 IN FEE SIMPLE
 0.024 ACRE

PARCEL A
 RIGHT-OF-WAY
 TO BE CONVEYED
 IN FEE SIMPLE
 0.429 ACRE



PARCEL ACREAGE SUMMARY

PARCEL A - RIGHT-OF-WAY TO BE CONVEYED IN FEE SIMPLE = 0.429 ACRE / 15,639 SQ.FT.

PARCEL B - RIGHT-OF-WAY TO BE CONVEYED IN FEE SIMPLE = 0.024 ACRE / 1,024 SQ.FT.

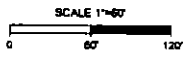
TOTAL - RIGHT-OF-WAY TO BE CONVEYED IN FEE SIMPLE = 0.453 ACRE / 19,707 SQ.FT.

NOTES:

1.) HORIZONTAL DATUM IS BASED ON NAD83, VIRGINIA STATE GRID, SOUTH ZONE. THE DATUM WAS ESTABLISHED THROUGH RTK GPS OBSERVATIONS PERFORMED ON 05-15-2012. DIFFERENTIAL CORRECTIONS OBTAINED THROUGH LOGOLA SPATIAL SYSTEM: RTK-NET, FROM NEPLANARANT ROAD7, LOCATED IN RICHMOND, VIRGINIA.

2.) (N 0°00'00"E) REPRESENT RECORDED BEARINGS AND/OR DISTANCES.

= RIGHT-OF-WAY TO BE CONVEYED IN FEE SIMPLE



REVISED DATE: 09/05/2012 - COUNTY COMMENTS
 REVISED DATE: 07/24/2012 - COUNTY COMMENTS
 REVISED DATE: 07/02/2012 - COUNTY COMMENTS

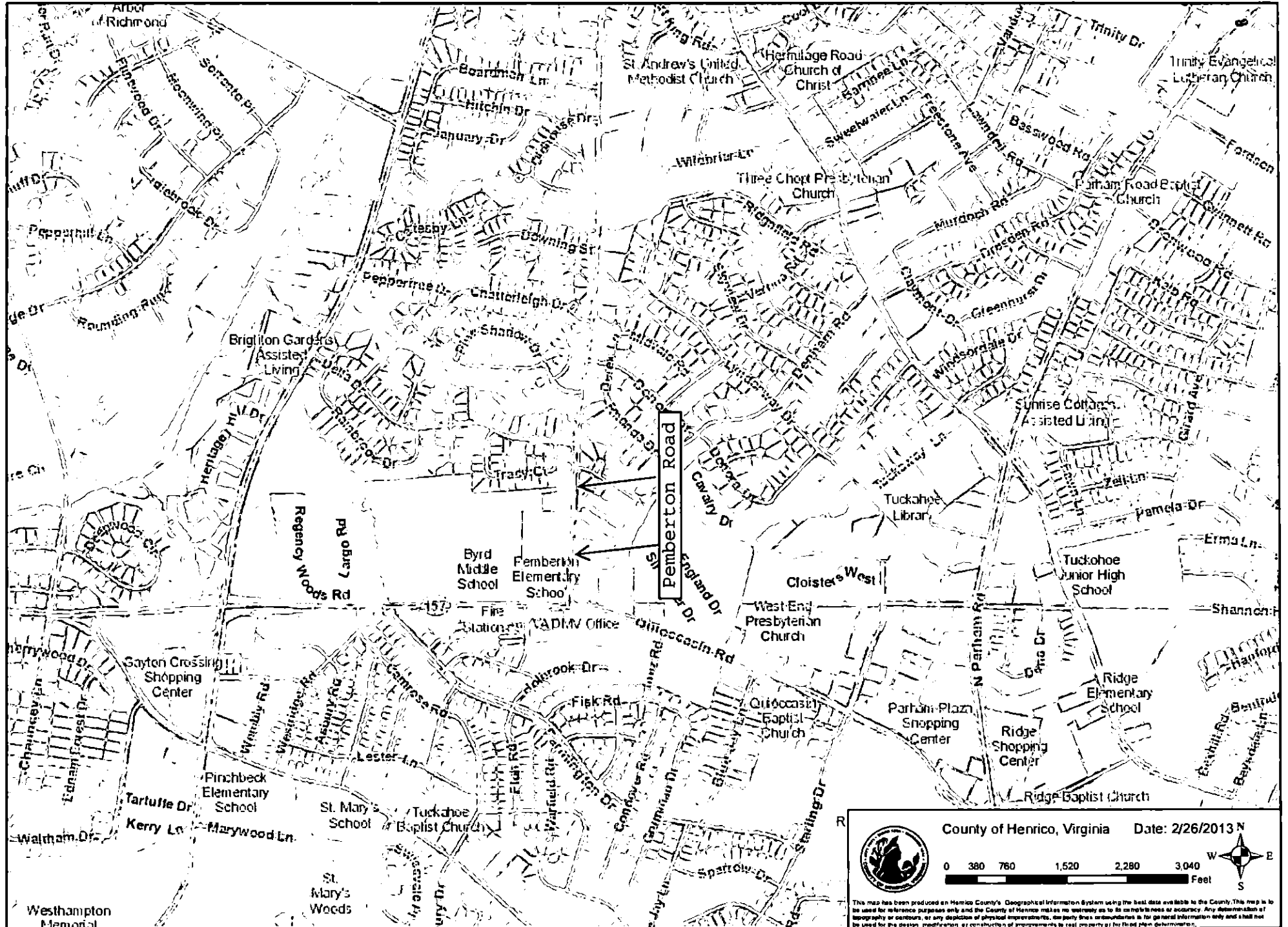
PLAT SHOWING
 TWO PARCELS CONTAINING 0.453 ACRE OF RIGHT-OF-WAY TO BE CONVEYED IN FEE SIMPLE AND TWO (2) PROPOSED PERMANENT ACCESS EASEMENTS RESERVED ACROSS THE PROPERTIES OF THE COUNTY SCHOOL BOARD OF HENRICO COUNTY, VIRGINIA
 TUCKAHOE DISTRICT, HENRICO COUNTY, VIRGINIA.

TIMMONS GROUP
 YOUR VISION ACCREVED THROUGH OURS

DATE: 06/14/2012 SURVEYED BY: BDT CAL CHK:
 SCALE: AS SHOWN DRAWN BY: BDT UTILITIES:
 I.N.: 32627

Y:\90132627-Pemberton\DWG\Sheet\Plat32627V.XPSURV.dwg

Vicinity Map-Conveyance of Land along Pemberton Rd



County of Henrico, Virginia Date: 2/26/2013 N

0 380 760 1,520 2,280 3,040 W E
Feet S

This map has been produced on Henrico County's Geographical Information System using the best data available to the County. This map is to be used for reference purposes only and the County of Henrico makes no warranty as to its completeness or accuracy. Any determination of topography or contours, or any depiction of physical improvements, are party lines or boundaries is for general information only and shall not be used for the design, construction, or construction of improvements by, for, or on behalf of the local jurisdiction.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 61-13
Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Lease of County Property — 3501
New Market Road — Varina District

For Clerk's Use Only:

Date: MAR 12 2013

- Approved
- Denied
- Amended
- Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Nelson Seconded by (1) O'Bannon
(2) _____ (2) _____

REMARKS: APPROVED

YES NO OTHER

Clover, K.
Kacchela, D.
Nelson, T.
O'Bannon, P.
Thornton, F.

WHEREAS, the County owns a dwelling on approximately three acres of land at 3501 New Market Road (the "Property"); and,

WHEREAS, James H. Croft desires to lease the Property for one year in exchange for rent of \$1.00 and Croft's performance of maintenance at the Property and monitoring activities at New Market Park, Four Mile Creek Park, and Osborne Boat Landing; 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 March 12, 2013.

NOW, THEREFORE, BE IT RESOLVED that the Board authorizes the County Manager to execute a lease agreement for the Property in a form approved by the County Attorney for a one year term commencing April 1, 2013.

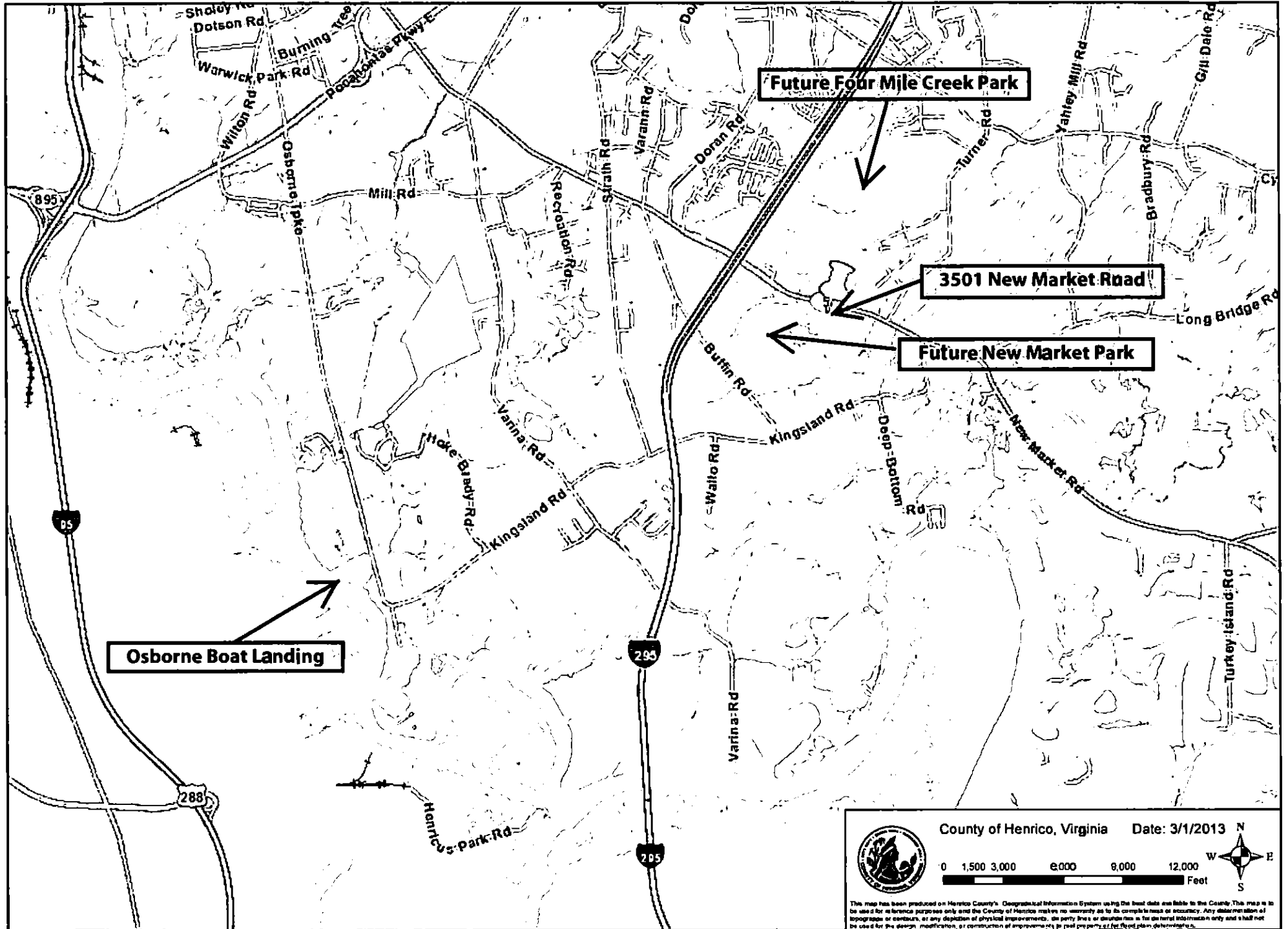
Comments: This lease will renew annually unless terminated by either party. The Directors of Real Property and Recreation and Parks recommend approval of this action; the County Manager concurs.

By Agency Head J. B. Gray By County Manager [Signature]

Routing:
Yellow to: Real Property
Copy to: _____

Certified:
A Copy Teste: _____
Clerk, Board of Supervisors
Date: _____

Vicinity Map- 3501 New Market Road



County of Henrico, Virginia Date: 3/1/2013

0 1,500 3,000 6,000 9,000 12,000 Feet

This map has been produced on Henrico County's Geographical Information System using the best data available to the County. This map is to be used for reference purposes only and the County of Henrico makes no warranty as to its complete accuracy. Any determination of topography or contours, or any depiction of physical improvements, or party lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination.

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

Agenda Item No. 6213
Page No. 1 of 2

Agenda Title **RESOLUTION - Receipt of Operating and Capital Budget Estimates for Fiscal Year 2013-14 and Notice of Public Hearings on the Budget and Proposed Tax Rates**

<p>For Clerk's Use Only:</p> <p>Date <u>MAR 12 2013</u></p> <p><input checked="" type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Amended</p> <p><input type="checkbox"/> Deferred to</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Nelson</u></p> <p>(2) _____ (2) _____</p> <p>REMARKS: APPROVED</p>	<table border="0"> <tr> <td></td> <td align="center">YES NO OTHER</td> </tr> <tr> <td>Glover, R.</td> <td align="center">/ / /</td> </tr> <tr> <td>Kaechele, D.</td> <td align="center">/ / /</td> </tr> <tr> <td>Nelson, T.</td> <td align="center">/ / /</td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center">/ / /</td> </tr> <tr> <td>Thornton, F.</td> <td align="center">/ / /</td> </tr> </table>		YES NO OTHER	Glover, R.	/ / /	Kaechele, D.	/ / /	Nelson, T.	/ / /	O'Bannon, P.	/ / /	Thornton, F.	/ / /
	YES NO OTHER													
Glover, R.	/ / /													
Kaechele, D.	/ / /													
Nelson, T.	/ / /													
O'Bannon, P.	/ / /													
Thornton, F.	/ / /													

WHEREAS, the County Manager has assembled his estimates of the resources and expenditures anticipated to be available or required during fiscal year 2013-14, for the operating and capital budgets from requests received from all County offices, divisions, boards, and departments, including the Department of Education; and,

WHEREAS, state law requires the advertisement and holding of a public hearing and the approval of an Annual Fiscal Plan for the County, and,

WHEREAS, the Board desires to advertise proposed tax rates and levies for calendar year 2013 and hold a public hearing thereon.

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

- (1) The Board hereby receives the County Manager's estimates of resources and expenditures anticipated to be available or required during fiscal year 2013-14, for the operating and capital budgets; and,
- (2) The Board hereby directs its Clerk to advertise in the Richmond Times-Dispatch on Sunday, March 24, 2013:
 - (a) A synopsis of the operating and capital budgets and a public hearing thereon to be held on Tuesday, April 9, 2013, at 6:00 p.m., in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia; and,

By Agency Head Eugene H. Wilton

By County Manager [Signature]

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. 62-13
Page No. 2 of 2

Agenda Title **RESOLUTION – Receipt of Operating and Capital Budget Estimates for Fiscal Year 2013-14 and Notice of Public Hearings on the Budget and Proposed Tax Rates**

- (b) Proposed tax rates and levies for calendar year 2013 and a public hearing thereon to be held on Tuesday, April 23, 2013, at 7:00 p.m., in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia.

- (3) The Board hereby directs its Clerk to post on or before Sunday, March 24, 2013, in a prominent public location at which notices are regularly posted at both the Eastern and Western Government Centers:
 - (a) A synopsis of the operating and capital budgets and notice of a public hearing thereon to be held on Tuesday, April 9, 2013, at 6:00 p.m. in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia; and,

 - (b) A notice of proposed tax rates and levies for calendar year 2013 and a public hearing thereon to be held on Tuesday, April 23, 2013, at 7:00 p.m. in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia.

COMMENTS: The Director of Finance recommends approval of this Board paper and the County Manager concurs.



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

Agenda Item No. **63-13**
Page No. 1 of 2

Agenda Title: Resolution – Award of Construction Contract – Uninterruptible Power Supply Replacement – Administration Building - Brookland District

<p>For Clerk's Use Only: MAR 12 2013</p> <p>Date: _____</p> <p><input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Glover</u> (2) _____ (2) _____</p> <p>REMARKS: APPROVED</p>	<p>YES NO OTHER</p> <p>Glover, R. <u>✓</u> _____</p> <p>Kaechele, D. <u>✓</u> _____</p> <p>Nelson, T. <u>✓</u> _____</p> <p>O'Bannon, P. <u>✓</u> _____</p> <p>Thornton, F. <u>✓</u> _____</p>
---	---	--

WHEREAS, the County received four bids on February 14, 2013 in response to IFB# 12-9352-12JC and Addendum 1 for replacement of the uninterruptible power supply serving the Department of Information Technology in the Administration Building, as follows:

<u>Bidder</u>	<u>Total Bid Amount</u>
A & L Electrical, Inc.	\$ 116,112.00
Hall Brothers Electrical Contractors, Inc.	\$ 123,000.00
Davis & Green, Inc.	\$ 136,733.00
Master Electrical Services, LLC.	\$ 139,500.00

WHEREAS, after review and evaluation of all bids received, it was determined that A & L Electrical Service, Inc. is the lowest responsive and responsible bidder with a bid in the amount of \$116,112.00.

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

1. A contract to furnish all labor, materials, supplies, equipment, and services necessary for the installation of the Uninterruptible Power Supply System for the Henrico County Administration Building is awarded to A & L Electrical, Inc., the lowest responsive and responsible bidder, in the amount of \$116,112.00, pursuant to IFB# 12-9352-12JC, Addendum 1, and the bid submitted by A & L Electrical, Inc.

By Agency Head By County Manager

Routing:
Yellow to: _____ Certified: _____
Copy to: _____ A Copy Teste: _____
Clerk, Board of Supervisors
Date: _____

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

Agenda Item No.
Page no. 2 of 2

63-13

Agenda Title: Resolution — Award of Construction Contract — Uninterruptible Power Supply Replacement — Administration Building — Brookland District

2. The County Manager is 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 necessary change orders within the scope of the project budget not to exceed 15% of the original contract amount.

Comments: Funding to support the contract is available within the budget. The Director of General Services recommends approval of this Board paper, and the County Manager concurs.

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

Agenda Item No. **64-23**
Page no. 2 of 2

Agenda Title: Resolution — Award of Construction Contract — Eastern Government Center Chiller Replacement — Varina District

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

1. A contract to furnish all labor, materials, supplies, equipment, and services necessary for the installation of the chiller for the Eastern Government Center Administration Building is awarded to Chamberlain Mechanical Service, Inc., the lowest responsive and responsible bidder, in the amount of **\$277,575.00**, pursuant to IFB# 13-9366-IJK and Addendum 1, and the bid submitted by Chamberlain Mechanical Service, Inc.
2. The County Manager is 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 not to exceed 15% of the original contract amount.

Comments: Funding to support the contract is available within the budget. The Director of General Services recommends approval of this Board paper, and the County Manager concurs.



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

Agenda Item No. 105-13

Page No. 1 of 1

Agenda Title: **RESOLUTION** – Signatory Authority – Conveyance of Real Property – 4060 Innslake Drive – Three Chopt District

<p>For Clerk's Use Only MAR 12 2013</p> <p>Date: _____</p> <p><input checked="" type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Amended</p> <p><input type="checkbox"/> Deferred to: _____</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Nelson</u></p> <p>(2) _____ (2) _____</p> <p>REMARKS: APPROVED</p>	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</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>Nelson, T.</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	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nelson, T.	<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																							
Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Nelson, T.	<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 owns the building and approximately 2.5 acres of land at 4060 Innslake Drive that was previously used for the Innsbrook Library and the Capital Region Employment Transition Center (the "Property"); and,

WHEREAS, the Property has been vacant since June 2012, and the County continues to incur costs for its maintenance; and,

WHEREAS, the Board desires to convey the Property to the Economic Development Authority of Henrico County, Virginia ("EDA") without charge; and,

WHEREAS, the EDA will lease the Property to a new business enterprise for a term of three years with an option to purchase at the end of the third year; and,

WHEREAS the EDA will pay the County all rents received; and,

WHEREAS, the EDA will pay the sales proceeds, less sales expenses, to the County if the Property is sold at the end of the lease term; and,

WHEREAS, if the Property is not sold at the end of the lease term, the EDA will re-convey it to the County without charge.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the Chairman and Clerk are authorized to execute a special warranty deed and any other documents necessary for the conveyance of the Property in a form approved by the County Attorney.

Comments: The Directors of Economic Development, Libraries, General Services and Real Property recommend approval of this paper; the County Manager concurs.

By Agency Head *Henry P. Farrell*
Glenn Keenan
John J. Bannan By County Manager *[Signature]*

Routing: Yellow to: *Real Property* Certified: _____
 Copy to: _____ A Copy Tests: _____
 Date: _____ Clerk, Board of Supervisors



COUNTY OF HENRICO, VIRGINIA
 BOARD OF SUPERVISORS
 MINUTE

Agenda Item No. 66-13

Page No. 1 of 2

Agenda Title: RESOLUTION — SIA2013-00001 — Fairfield Area Library Relocation Site — Substantially in Accord with the 2026 Comprehensive Plan — Fairfield District

For Clerk Use Only MAR 12 2013 Date: _____ <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>Nelson</u> Seconded by (1) <u>Shanton</u> (2) _____ (2) _____ REMARKS: APPROVED	<table border="0"> <tr> <td></td> <td style="text-align: center;">YES</td> <td style="text-align: center;">NO</td> <td style="text-align: center;">OTHER</td> </tr> <tr> <td>Glover, K.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Kacchele, D.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Nelson, T.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><u>absent</u></td> </tr> <tr> <td>Thornton, F.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>		YES	NO	OTHER	Glover, K.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kacchele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input type="checkbox"/>	<input type="checkbox"/>	<u>absent</u>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	YES	NO	OTHER																							
Glover, K.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Kacchele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
O'Bannon, P.	<input type="checkbox"/>	<input type="checkbox"/>	<u>absent</u>																							
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

WHEREAS, Section 15.2-2232(A) of the Code of Virginia requires the Planning Commission to review and to consider whether the general or approximate location, character and extent of major public facilities are substantially in accord with the County's Comprehensive Plan ("Plan"); and,

WHEREAS, the Planning Commission has reviewed the Fairfield Area Library Relocation Site at the southeast intersection of N. Labumum Avenue and Watts Lane for conformance with the Plan; and,

WHEREAS, a January 31, 2013 report presented by the Planning staff to the Planning Commission found the proposed use would not be in conflict with or a significant departure from the adopted Plan; and,

WHEREAS, on February 14, 2013, the Planning Commission reviewed the staff report and after a public hearing found the proposed Fairfield Area Library Relocation Site will further the Goals, Objectives and Policies of the Comprehensive Plan that identify the need for new public services and facilities based on projected and planned growth in accordance with the 2026 Future Land Use map; and,

WHEREAS, the Planning Commission found the proposed use of this site for the Fairfield Area Library Relocation Site would be compatible with adjacent development and existing and future residential developments in the larger vicinity; and,

WHEREAS, the Board of Supervisors has reviewed the Planning Commission's findings and concurs with its conclusions.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors finds the proposed Fairfield Area Library Relocation Site substantially in accord with the County's Comprehensive Plan.

By Agency Head By County Manager

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 Clerk, Board of Supervisors
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**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. *66-13*

Page No.2 of 2

Agenda Title: **RESOLUTION — SIA2013-00001— Fairfield Area Library Relocation Site —
Substantially in Accord with the 2026 Comprehensive Plan — Fairfield District**

Comments: The Director of Planning concurs with the finding of the Planning Commission that the proposed Fairfield Area Library Relocation Site is substantially in accord with the Plan and recommends approval of the Board paper; the County Manager concurs.



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

Agenda Item No. 67-13

Page No. 1 of 1

Agenda Title: RESOLUTION — Amendment to Construction Services Agreement — Eubank Tank Painting and Repairs — Varina District

For Clerk's Use Only: Date: <u>MAR 12 2013</u> <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>Crowe</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS: <u>APPROVED</u>	<table border="0"> <tr> <th></th> <th align="center">YES</th> <th align="center">NO</th> <th align="center">OTHER</th> </tr> <tr> <td>Glover, R.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Nelson, T.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>		YES	NO	OTHER	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nelson, T.	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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WHEREAS, on February 14, 2012, the Board awarded a contract to S & T Painting, Inc. to repair and repaint the Eubank Water Storage Tank located at 5101 Eubank Road for \$494,000; and,

WHEREAS, after the contract was awarded, it was discovered that additional work is required to repair and replace deteriorated structural components and to provide an overflow security system for the tank's overflow piping; and,

WHEREAS, the cost of the additional work will be \$205,337, a 41.6% increase above the original contract amount.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the County Manager is authorized to execute a change order to the agreement with S & T Painting, Inc., in a form approved by the County Attorney, to increase the contract amount by \$205,337.

Comment: Funding to support the contract is available in the Water and Sewer Enterprise Fund. The Directors of Public Utilities and General Services recommend approval of this Board paper, and the County Manager concurs.

By Agency Head Arthur O. Petrucci By County Manager [Signature] Page No. 1 of 1

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COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 68-13
Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Purchase Contract — Wetland Mitigation Credits — Lakeside to Strawberry Hill Flow Equalization Pipeline

For Clerk's Use Only:

Date: MAR 12 2013

- Approved
- Denied
- Amended
- Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Owens Seconded by (1) O'Bannon
(2) _____ (2) _____

REMARKS: APPROVED

YES NO OTHER

Glover, R.
Kacchela, D.
Nelson, T.
O'Bannon, P.
Thornton, F.

WHEREAS, four bids were received on February 6, 2013 in response to IFB #13-9364-ICE and Addendum No. I for the Wetlands Mitigation Credits – Lakeside to Strawberry Hill Flow Equalization Pipeline; and,

WHEREAS, the project requires the purchase of 6.78 wetland mitigation credits to offset unavoidable wetland impacts associated with the project; and,

WHEREAS, for selection and evaluation purposes, the lowest responsive bid was determined by the unit price per credit, with the following results:

<u>Bidders</u>	<u>Bid Amount per Credit</u>
TCP II Weatherbury, LLC	\$ 29,000.00
Dominion Golf of Va., LLC	\$ 34,990.00
Bottoms Bridge Environmental Redemption, LLC	\$ 38,000.00
Falling Springs LLC	\$ 43,000.00

WHEREAS, after a review and evaluation of all bids received, it was determined that TCP II Weatherbury, LLC is the lowest responsive and responsible bidder with a bid of \$29,000.00 per credit for a total contract price of \$196,620.00.

By Agency Head Allen O. Petrini By County Manager [Signature]

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COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 68-13
Page No. 2 of 2

Agenda Title: RESOLUTION — Award of Purchase Contract — Wetland Mitigation Credits
— Lakeside to Strawberry Hill Flow Equalization Pipeline

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

1. The contract to purchase 6.78 wetland mitigation credits is awarded to TCP II Weatherbury, LLC, the lowest responsive and responsible bidder, in the amount of \$ 196,620.00 pursuant to IFB #13-9364-ICE, Addendum No. 1, and the bid submitted by TCP II Weatherbury, LLC.
2. The County Manager is 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 change orders within the scope of the project budget not to exceed 15% of the original contract amount.

Comment: Funding to support the contract is available within the Water and Sewer Enterprise Fund. The Directors of Public Utilities and General Services recommend approval of this Board paper, and the County Manager concurs.



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

Agenda Item No. 109-13
Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Construction Contract — Staples Mill Road, Bremner Boulevard, and Compton Road Sewer Rehabilitation — Brookland District

For Clerk's Use Only: Date: <u>MAR 12 2013</u> <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>Chou</u> Seconded by (1) <u>Chamber</u> (2) _____ (2) _____ REMARKS: APPROVED	YES NO OTHER Glover, R. <input checked="" type="checkbox"/> _____ Kaechele, D. <input checked="" type="checkbox"/> _____ Nelson, T. <input checked="" type="checkbox"/> _____ O'Bannon, P. <input checked="" type="checkbox"/> _____ Thornton, F. <input checked="" type="checkbox"/> _____
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WHEREAS, three bids were received on January 31, 2013 in response to IFB #12-9353-12CE and Addenda Nos. 1 and 2 for the Staples Mill Road, Bremner Boulevard, and Compton Road Sewer Rehabilitation Project in the Brookland District; and,

WHEREAS, the project includes replacing approximately 1,940 linear feet of 8-inch and 12-inch diameter gravity sewer piping and 30 sewer service laterals as well as to rehabilitate approximately 1,640 linear feet of 8-inch and 12-inch diameter gravity sewer piping and 17 manholes along Staples Mill Road, Bremner Boulevard, and Compton Road northwest of the intersection of Staples Mill Road and Hilliard Road; and,

WHEREAS, the bids were as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
Perkinson Construction, LLC	\$ 851,615.00
G. L. Howard, Inc.	\$ 936,375.00
Lyttle Utilities, Inc.	\$ 953,575.00

WHEREAS, after a review and evaluation of all bids received, it was determined that Perkinson Construction, LLC is the lowest responsive and responsible bidder with a bid of \$ 851,615.00.

By Agency Head By County Manager

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

Agenda Item No. 69-13
Page No. 2 of 2

**Agenda Title: RESOLUTION — Award of Construction Contract — Staples Mill Road,
Bremener Boulevard, and Compton Road Sewer Rehabilitation — Brookland
District**

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

1. The contract is awarded to Perkinson Construction, LLC, the lowest responsive and responsible bidder, in the amount of \$851,615.00 pursuant to IFB #12-9353-12CE, Addenda Nos. 1 and 2, and the bid submitted by Perkinson Construction LLC.
2. The County Manager is 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 change orders within the scope of the project budget not to exceed 15% of the original contract amount.

Comment: Funding to support the contract is available within the Water and Sewer Enterprise Fund. The Directors of Public Utilities and General Services recommend approval of this Board paper, and the County Manager concurs.



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

Agenda Item No. **70-13**
Page No. 1 of 2

Agenda Title: **RESOLUTION** — Award of Contract — Engineering Design Services for Highway Safety Improvement Program Projects

For Clerk's Use Only: MAR 12 2013 Date: _____ <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>W. W. W. W.</u> Seconded by (1) <u>O. Bannan</u> (2) _____ (2) _____ REMARKS: APPROVED	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</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>Nelson, T.</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	Glover, R. .	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nelson, T.	<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, on August 24, 2012, seven proposals were received in response to RFP #12-9299-7CS to provide engineering services for the design of six federally-funded Highway Safety Improvement Program (HSIP) projects; and,

WHEREAS, based upon review and evaluation of the written proposals, the Selection Committee interviewed the following firms:

A. Morton Thomas & Associates, Inc.
AECOM Technical Services, Inc.

WHEREAS, based upon the written proposals and oral presentations to the Selection Committee, the committee selected A. Morion Thomas & Associates, Inc. as the first-ranked firm for the purposes of negotiations; and,

WHEREAS, the Selection Committee was unable to negotiate a satisfactory contract with A. Morton Thomas & Associates, Inc.; and,

WHEREAS, the Selection Committee subsequently negotiated an agreement with AECOM Technical Services, Inc., the second-ranked firm, for the lump sum design fee amount of \$471,098.72; and,

WHEREAS, all project costs will be reimbursed by VDOT from federal HSIP funds; and,

WHEREAS, VDOT has reviewed and approved this contract.

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

- I. A contract to provide engineering services for HSIP projects is hereby awarded to AECOM Technical Services, Inc. pursuant to RFP #12-9299-7CS dated August 3, 2012, Addendum I

By Agency Head By County Manager

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

Agenda Item No. 70-13
Page no. 2 of 2

Agenda Title: **RESOLUTION** — Award of Contract — Engineering Design Services for Highway Safety Improvement Program Projects

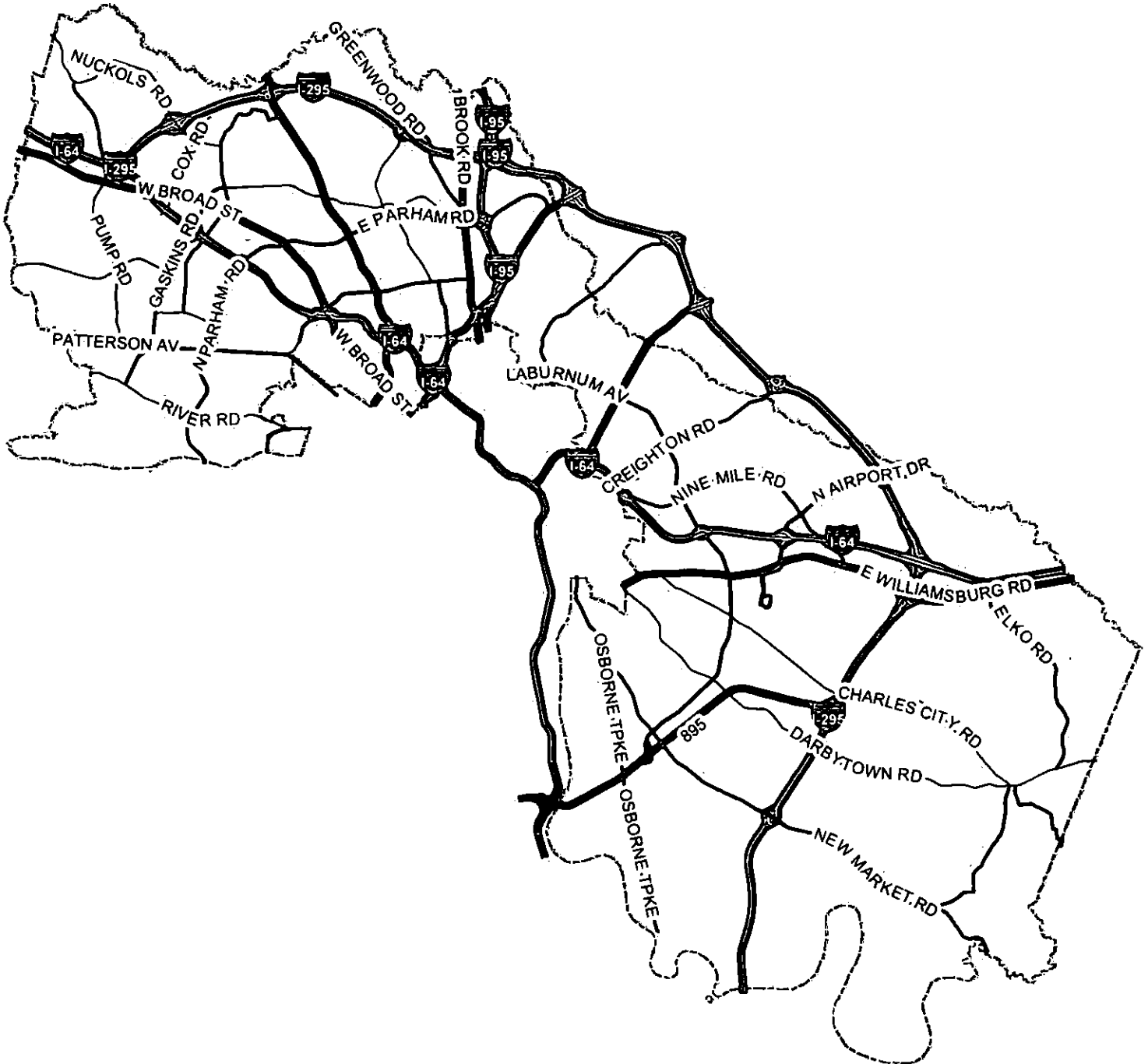
dated August 15, 2012, the proposal dated August 24, 2012 and the best and final offer dated January 8, 2013.

2. The County Manager is 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 budget not to exceed 15% of the original contract amount.

Comments: This project will be funded through the Capital Projects Fund. The individual project numbers are 2101.50701.28004.06685; 2101.50701.28004.06708; 2101.50701.28004.06709; 2101.50701.28004.06710; 2101.50701.28004.06711; and 2101.50701.28004.06712. All project costs will be reimbursed by VDOT from federal HSIP funds. The Directors of Public Works and General Services recommend approval of this Board paper, and the County Manager concurs.



HIGHWAY SAFETY IMPROVEMENT PROGRAM PROJECTS



AWARD OF CONTRACT - ENGINEERING DESIGN
SERVICES FOR HIGHWAY SAFETY IMPROVEMENT
PROGRAM PROJECTS

DISTRICT COUNTY-WIDE
DATE: MARCH 12, 2013
