

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

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, November 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  
Michael L. Wade, Sheriff  
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board  
Joseph P. Casey, Deputy County Manager for Administration  
Jane D. Crawley, Deputy County Manager for Community Services  
Timothy A. Foster, Deputy County Manager for Community Operations  
Randall R. Silber, Deputy County Manager for Community Development

Mr. Kaechele called the meeting to order at 7:03 p.m.

Mr. Kaechele led recitation of the Pledge of Allegiance and a moment of silent prayer.

On motion of Mr. Nelson, seconded by Mrs. O'Bannon, the Board approved the minutes of the October 22, 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**

Harriet Long, a retired Henrico County Public Schools middle school teacher, was introduced as the 2013 Henrico Christmas Mother. Joining her were the Chair and Co-Chair of the

Henrico County Christmas Mother Program, Lisa Orlosky of the Department of Information Technology and Tanya Harding of the County Manager's Office. Each year, the Henrico Christmas Mother Program relies on hundreds of volunteers and thousands of donors to provide new clothes, toys, books, and food to nearly 6,000 Henrico residents in need during the holiday season. This is the beginning of a significant effort by the County's employees and the Henrico community and one that is defining for both. In updating the Board on the Christmas Mother Program, Mrs. Long reflected on how she sees our county as a series of connections made up of caring citizens. She pointed to sock and food collections by public school students, gifts and donations by County employees, and volunteer program support from approximately 800 individual citizens and the 43-member Henrico Christmas Mother Council. Mrs. Long also acknowledged the wonderful job that Mrs. Harding and Mrs. Orlosky do in organizing employee volunteers and keeping her on track for County functions.

2013 represents Henrico's fifth year of being recognized in the Virginia Association of Counties' (VACo) "Go Green" Government Challenge, a friendly competition between counties throughout the Commonwealth to support and encourage green practices and sustainability in government operations. Recognition by VACo in this program represents Henrico County's commitment to environmental responsibility and significant dollar savings for our residents. The VACo scorecard for the "Go Green" Challenge considers many areas of sustainability, including the creation of an energy or sustainability plan, the conduct of energy audits at County facilities, and the purchase of power from renewable sources. A strong green building program is also included in the evaluation, which Henrico has accomplished through its adoption of the Leadership in Energy and Environmental Design (LEED) for 17 buildings. The efforts of John Neal, Director of General Services, and his predecessor have taken the County to this level of sustainability and continued to yield rewards for the County. Mr. Kaechele noted that he and Joe Casey, Deputy County Manager for Administration, attended the VACo Annual Conference during the past weekend where they proudly received this award on behalf of the County.

Henrico County Public Library was designated as a four-star library by *Library Journal*, the library field's leading professional publication. This is the sixth year the publication has assigned star ratings to public libraries and the first time Henrico County Public Library was given a star rating. This year, *Library Journal* rated 7,572 public libraries based on 2011 data and only 263 were given a star rating. Henrico rated in the top 15 of its expenditure group nationwide and was among six libraries in Virginia to receive this star rating. This external validation goes a long way towards recognizing what the following members of the County's Library Advisory Board and the public library staff do on a daily basis for all of Henrico's citizens: Gail Atkins, Chair and Varina District representative; Gregory Clay, Vice Chair and Three Chopt representative; Gloria Logan Wilkerson, Brookland District representative; Ormonde Wilkinson, Tuckahoe representative; and Harmonhinder Singh-Sandhu, Fairfield District representative. Mr. Vithoukas personally thanked the Library Advisory Board as well as Jerry McKenna, Library Director; Christine Campbell, Assistant Library Director; and Barbara Weedman, Library Public Services Administrator.

## **BOARD OF SUPERVISORS' COMMENTS**

There were no comments from the Board.

## **RECOGNITION OF NEWS MEDIA**

Mr. Kaechele recognized Ted Strong from the *Richmond Times-Dispatch* and noted that Tom Lappas from the *Henrico Citizen* was present earlier for the Board's work session.

## **PRESENTATIONS**

Mrs. O'Bannon presented a proclamation recognizing November 2013 as Pancreatic Cancer Awareness Month. Accepting the proclamation was Dorothy Fillmore, a representative of the Richmond Affiliate of the Pancreatic Cancer Action Network. Joining her on behalf of the Affiliate were Holly Buono, Casey Dokoupil, Beth Manghi, and Jeannie Murray.

208-13                      Resolution – Expressing Appreciation to Henrico County Public Schools Career and Technical Education Students.

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

Mr. Thornton presented the resolution to Mac Beaton, Director of Career and Technical Education (CTE) for Henrico County Public Schools, whose program participated in the police substation construction project at Virginia Center Commons. Joining Mr. Thornton from the County's Division of Police were Colonel Douglas Middleton, Chief, and Captain A. J. Scott, Commanding Officer of Patrol Operations for Central Station. Joining Mr. Beaton from Henrico County Public Schools were Pat Kinlaw, Acting Superintendent; William "BJ" Crowder, Principal of Highland Springs Technical Center; Brad Beazley, CTE Career Specialist; Bradley Orr, CTE House Building Coordinator; Gregg Spicer and Chip Coker, Instructors at Highland Springs Technical Center; and CTE students Roger Culbertson, Brandon Dreher, Aaron Green, and Matthew Seal. Following the presentation, Dr. Kinlaw shared his enjoyment over the exemplary partnership resulting in this outstanding station; Colonel Middleton announced the station's dedication event scheduled for December 7, 2013; and Captain Scott thanked Henrico County Public Schools, the Highland Springs Technical Center, and Mr. Beaton for their assistance and hard work.

## **APPOINTMENTS**

209-13                      Resolution - Appointment of Members to Board of Directors – Economic Development Authority.

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

### **PUBLIC HEARINGS - REZONING CASES**

210-13  
REZ2013-  
00016  
Brookland

Redco Properties, LLC: Request to conditionally rezone from B-1C Business District (Conditional), M-1 Light Industrial, and M-1C Light Industrial (Conditional) to B-2C Business District (Conditional) part of Parcel 769-756-9510 containing 1.268 acres located on the east line of Staples Mill Road (U.S Route 33) approximately 175' south of its intersection with Old Staples Mill Road.

Karen Hamilton, a resident of the Three Chopt District, objected to the development of more restaurants in the county and cited a need for more open space.

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. Development of the property for a Bojangles Restaurant shall be in general conformance with the Conceptual Plan attached hereto entitled "Bojangles – Staples Mill Road, Conceptual Layout Plan. Henrico County, Virginia", prepared by Balzer and Associates, Inc., dated September 13, 2013 (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. Development of the Property for Bojangles Restaurant shall be in general conformance with the architectural appearance shown on the elevations attached hereto entitled, "Bojangles Restaurant at Staples Mill Road, Henrico County, Virginia" prepared by Dunn & Dalton Architects, dated August 28, 2013 (see case file), unless otherwise requested and specifically approved at the time of Plan of Development.
3. The exposed portion of each exterior wall surface (front, rear and sides) of any building(s) to be constructed on the Property (excluding rooftop screening materials for mechanical equipment) shall be similar to the exposed portions of other exterior wall surfaces of such building in architectural treatment and materials (i.e.: primarily brick masonry or stone). Other architectural materials may be used on any exterior wall for trim, architectural decorations or design elements.

4. No new building constructed on the property shall be located within 50 feet of the right-of-way of Staples Mill Road.
5. A landscaped buffer area having a minimum width of twenty-five (25) feet (planted to TB25 standards with an additional continuous planting of shrubs around any parking spaces fronting Staples Mill Road) shall be maintained along the right-of-way of Staples Mill Road. Ingress and egress, access, sidewalks, grading, stormwater management facilities, signage, utility easements, and other purposes requested and specifically permitted, may be allowed in such buffer area. The landscaped area may also be breached as required by the Planning Commission or any other applicable governmental body.
6. Parking lot lighting standards shall not exceed twenty-five (25) feet in height above grade level. Parking lot lighting shall be produced from concealed sources of light, be positioned in such manner as to minimize the impact of such lighting on adjacent property and be reduced to a security level following the close of business conducted on the property.
7. No new building on the property shall exceed 35 feet in height.
8. Rooftop heating and air conditioning equipment shall be screened from public view at ground level at the Property lines by means of parapets or other architectural features, in a manner approved by the Planning Commission at the time of Plan of Development review.
9. Central trash receptacles, not including convenience cans, shall be screened from public view at ground level, unless otherwise approved at the time of POD review. Dumpster enclosure shall be constructed of masonry material similar to the primary building material.
10. All utility lines on the Property shall be underground, except for existing utilities, junction boxes, meters, utility lines in wetland areas and utility lines required to be above ground by the utility company.
11. The following uses shall not be permitted on any portion of the Property:
  - a. flea markets;
  - b. gun shop sales and repair;
  - c. private clubs and lodges, including fraternal organizations;
  - d. public dance hall;
  - e. automobile, truck, trailer, motorcycle, recreational vehicle or bus sales, rental, repair, body shops or storage;
  - f. boat and boat trailer sales, service and storage;

- g. billiard parlors; except as part of a restaurant use;
  - h. bars and taverns, except as part of a restaurant use;
  - i. massage parlors and establishments;
  - j. adult bookstores, video stores; or adult business as defined by Henrico County;
  - k. sign painting shop;
  - l. skating rinks (unless such ice skating areas are an amenity of the pedestrian-oriented shopping center), roller rinks, model racing tracks, electronic video game rooms, bingo halls;
  - m. funeral home, mortuary, crematorium and/or undertaking establishment;
  - n. parking lots, commercial (nothing herein shall preclude parking lots as an accessory use to a principally permitted use);
  - o. automotive service station;
  - p. towing service;
  - q. billboards;
  - r. truck stops;
  - s. communications towers, except as part of a permitted retail use;
  - t. self-storage facilities;
  - u. off-track betting parlors;
  - v. permanent on-site recycling collection facilities not associated with a permitted on-site retail use;
  - w. exterminating establishment;
  - x. fortune-teller, palmist, astrologist, numerologist, clairvoyant, craniologist, phrenologist, card reader, spiritual reader or similar activity;
  - y. establishments whose primary business is check cashing and/or the making of payday loans as defined and regulated by Sections 6.2 - 2,100 et seq. and 6.1 - 1,800 et seq. of the Code of Virginia in effect as of the date of the approvals of these proffers (the foregoing shall not preclude banks, savings and loans or similar financial institutions that are not regulated by the foregoing Virginia Code sections);
  - z. rifle or pistol range;
  - aa. sheet metal shop or roofing company.
12. No direct access from the Property to Staples Mill Road shall be permitted.
13. The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

The vote of the Board was as follows:

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

No: None

211-13  
REZ2013-  
00012  
Three Chopt

Welwood, LLC: Request to conditionally rezone from A-1 Agricultural District and R-2AC One-Family Residence District (Conditional) to R-2AC One-Family Residence District (Conditional) Parcels 736-769-4930, 736-769-7088, and 737-769-0243 containing 16.61 acres located between the southwest terminus of Porsche Drive and the northeast line of Kain Road approximately 200' west of its intersection with N. Gayton Road.

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

Karen Hamilton spoke against this proposed development. She expressed concerns about the impact of the proposed development on wetlands and wildlife in light of the Ramsar Convention and Migratory Bird Treaty Act and its impact on nearby property owners in terms of traffic, noise, and well pollution.

Mr. Kaechele commented that the proposed development would be an extension of an existing high quality subdivision.

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. **Maximum Density.** The maximum number of lots on the Property shall not exceed 2.0 units per acre. Any residual land that is reserved and would be combined with any land adjacent to the Property to form a buildable lot shall not be counted toward this building restriction.
2. **Lot Width.** No buildable lots shall have a lot width less than 85 feet.
3. **Minimum Finished Floor Area.** All new dwellings shall have a minimum finished floor area of 2,800 square feet, with an overall average of 3,100 square feet of finished floor area.
4. **Garages.** A minimum of a two-car garage shall be constructed on each lot except for lots originally used for model homes. No more than twenty-five (25%) of all dwellings shall have garage doors on

the front of the principal dwelling. Front loading garages shall not project beyond the front of the building. The garage door on any such front loading garage shall contain decorative elements consistent with the Bentley Subdivision adjoining the Property.

5. **Foundations.** The main body of any home shall not be constructed on a slab, provided that garages and patios may be constructed on a slab. The exposed portion below the first level of any foundations of all homes shall be constructed of brick or stone.
6. **Chimneys and Flues.** The exposed portion of a chimney shall be constructed of brick, stone or an exterior insulating finish system (E.I.F.S.). The exposed portion of a flue for a direct-vent gas fireplace shall be constructed of the same material used on the adjacent siding and shall be built on a foundation that is constructed of the same material that is used on the adjacent foundation. Closets, chimneys or gas vent units shall not be cantilevered. Bay windows shall have a foundation constructed of the same material as the foundation of the principal structure unless a different architectural design is approved by the Director of Planning.
7. **Exterior Materials.** Any dwelling, including any garage accessory to such dwelling upon the same lot whether attached or detached, shall have exposed exterior walls (above finished grade) of full standard brick, stone, cementitious siding, or a combination of the foregoing, unless otherwise approved by the Director of Planning. At least fifty percent (50%) of all dwellings (including any attached garages) on the Property shall have at least fifty percent (50%) of their front exposed exterior walls (above finished grade) constructed of brick, stone, or a combination of the foregoing unless different architectural treatment and/or materials are specifically requested and approved by the Director of Planning with respect to the exposed portion of any such wall. Various design elements such as quoin treatment, soldier courses of brick, keystones, capstones, ornamental windows, dormers, pediments, shutters, columns, and variations in the front facades with projections such as bays, porches, stoops, and gables may be incorporated to provide a variety of distinctive homes. No two of the same design styles shall be adjacent to one another.
8. **Curb and Gutter.** All roads shall be constructed with standard full-face curb and gutter (CG-2) unless otherwise requested by Public Works.
9. **Lot Clearing.** The clearing of healthy trees measuring six (6) or



more inches in diameter on the lots shall be limited to areas required to accommodate the dwellings, driveways, sidewalks, open yard areas, utility lines and any other areas typically required for the construction of a dwelling.

10. **Trees, Sod, and Irrigation.** In the front of each lot, a minimum of two (2) trees with a minimum caliper of 3½ inches shall be retained or planted prior to issuance of the final certificate of occupancy. In addition, on a corner lot, in the side yard facing the street a minimum of two (2) trees with a minimum caliper of 3½ inches shall be retained or planted prior to issuance of the final certificate of occupancy. All front and side yards shall be sodded and irrigated.
11. **Underground Utilities.** Except for junction boxes, meters and existing overhead utility lines or for technical or environmental reason, all utility lines shall be underground.
12. **Entrance Feature.** The main entrance from Kain Road shall be complemented with landscaping and a brick, stone or stucco monument entrance feature similar to the entrance feature for the Bentley Subdivision. Landscaping at the entrance feature shall include sod and an irrigation system. If required by the Planning Commission at the time of Subdivision review, the entrance on Porsche Drive from the Bentley Subdivision shall include a marker or markers identifying the new subdivision, such marker or markers to be in a location and design as approved by the Planning Commission at the time of Subdivision review.
13. **Buffers.** A minimum twenty-five (25) foot landscaped buffer, planted to the level of a transitional buffer 25, to include possible berms and/or fencing, shall be provided adjacent to the ultimate right-of-way of Kain Road. In addition, this buffer shall be identified on the subdivision plat. A landscape plan shall be submitted prior to Final Plan approval showing how this buffer will be landscaped prior to the issuance of a certificate of occupancy. A minimum fifteen (15) foot landscaped buffer, planted to the level of a transitional buffer 25, shall be provided within and/or along any lot or portion of a lot adjoining the property currently identified as GPIN 736-769-8821. Any landscaped buffer shall be irrigated and maintained by the Homeowner's Association.
14. **Dwelling Lots Adjacent to Kain Road.** No dwelling lot shall have a rear yard adjacent to Kain Road and/or adjacent to the buffer required in Proffer 13, above. Dwellings shall either front on the extension of Porsche Drive through the site, or

shall front on an easement road between the dwelling lot and the buffer and/or Kain Road. Any exterior side wall facing Kain Road shall provide a minimum of two windows or doors facing Kain Road, unless otherwise approved by the County.

15. **Sidewalks.** Sidewalks shall be constructed to Henrico County standards (a) within the Kain Road right-of-way adjoining the Property a minimum of 5 feet in width, and (b) along or within one side of Porsche Drive to connect to the existing sidewalk in Bentley.
16. **Construction.** All construction vehicles for the development on the Property shall be required to access the Property via Kain Road. During the construction of the development on the Property the hours of exterior construction shall be limited to 7:00 a.m. to 8:00 p.m., Monday through Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections. Exceptions shall require the Director of Planning's approval. Construction signs shall be posted in English and in Spanish and shall state the hours of construction.
17. **C-1 Zoning.** Applicant shall file an application for C-1 zoning for the areas within the Property that are within the 100 year flood plain, unless such areas are needed for roads, access ways or other purposes approved or required by the Planning Commission or any other governmental body or official at the time of subdivision approval. Such rezoning application shall be filed as soon as reasonably practical, but in no case later than the date of the recordation of the last subdivision plat for the last lot platted on the Property. The acreage then zoned C-1 may or may not be included in any subdivision or lot on the Property, at the sole discretion of the Applicant. This excludes any areas designated for future development on the subdivision plan at the time of Subdivision Review.
18. **Protective Covenants.** Prior to or concurrent with the recordation of a subdivision plat approved by the County of Henrico, restrictive covenants describing development controls and maintenance responsibilities for all common areas within the subdivision, including maintenance of the entrance feature shall be reviewed by the Henrico County Attorney's office and recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia.

19. **Driveways.** There shall be no direct access from any lot to Kain Road.
20. **Roads.** The internal road layout on the Property shall include, at a minimum, the following: a) the design and construction of Porsche Drive from the existing terminus in Bentley subdivision through the Property to connect with Kain Road ("Porsche Drive Extended"); and b) the design and construction of a stub road from Porsche Drive Extended to the western boundary of the Property, to accommodate future access to the property currently identified as GPIN 736-770 -5128 (the "Western Stub"). The exact location and timing of the construction of Porsche Drive Extended and the Western Stub shall be as required by the Planning Commission at the time of Subdivision, provided that the road surface for Porsche Drive Extended shall be completed in its entirety through the site prior to the issuance of a certificate of occupancy for the 18<sup>th</sup> dwelling on the Property.

If the road surface for Porsche Drive Extended is connected to the existing Bentley subdivision prior to a certificate of occupancy for the 14<sup>th</sup> home on the Property, a temporary barrier within Porsche Drive Extended shall be installed and remain in place at least until the 14<sup>th</sup> home on the Property receives a certificate of occupancy, but in all cases shall be removed prior to the issuance of a County of a certificate of occupancy for the 20<sup>th</sup> home on the Property.

21. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

The vote of the Board was as follows:

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

No: None

## **PUBLIC HEARINGS - OTHER ITEMS**

212-13

Ordinance - To Grant Comcast of Massachusetts/Virginia, Inc. the Right and Privilege to Construct, Operate, and Maintain a Cable System within the County.

Mr. Kaechele recognized Ken Dye, Director of Government and Community Affairs for Comcast, who commented on the company's great relationship and partnership with Henrico County and delivery of top-of-the

line-service and high technology to Henrico citizens.

Karen Hamilton voiced hope that Comcast will take into account the Migratory Bird Treaty Act, Western Hemisphere Convention, RAMSAR Convention, and Endangered Species Act when doing construction and that the Board will accept responsibility for enforcing these conventions and acts.

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

### **PUBLIC COMMENTS**

Kevin Stewart, a local business owner, expressed concerns regarding the manner in which the County has handled personal property tax bills for his business vehicles. Mr. Vithoukaskas introduced Mr. Stewart to Gene Walter, Director of Finance, and assured Mr. Stewart that County staff will research his case, work with him on it, and let him know its outcome.

Karen Hamilton questioned the Board about the County's future plans for transferring trash from a drop-off station near Nuckols Road to landfills located outside of the County and voiced concerns that the 623 Landfill operated by Republic Services, Inc. in Goochland County is accepting asbestos trash and contaminating her well water. Ms. Hamilton advised the Board that she will be looking into statements made by Mr. Vithoukaskas and reported in the newspaper suggesting that the County's meals tax proposal was partly due to mandates coming from higher levels of government.

### **GENERAL AGENDA**

213-13                      Resolution - SIA2013-00002 - 8511 Jesse Senior Drive Site - Substantially in Accord with the 2026 Comprehensive Plan - Tuckahoe District.

Joe Emerson, Director of Planning, narrated a brief slide presentation that depicted an aerial view of the subject property and its land use classification. He responded to a question from Mrs. O'Bannon and joined Mr. Vithoukaskas in responding to a question from Mr. Kaechele.

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

214-13                      Resolution - Award of Construction Contract - Tuckahoe Park Irrigation System - Tuckahoe District.

Neil Luther, Director of Recreation and Parks, responded to questions from Mrs. O'Bannon.

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

215-13

Resolution - Acceptance of Deeds of Gift - Land at The Ridings - Varina District.

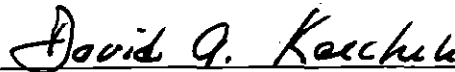
Mr. Nelson reiterated his appreciation to the developer of The Ridings subdivision for donating this land and noted that the County looks forward to utilizing it.

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

On motion of Mr. Thornton, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved adding to the agenda a resolution numbered 216-13 and titled "Resolution - To Authorize the Filing of an Application for Judicial Review of Decision of the Commissioner of the Virginia Department of Taxation - Verizon Online, LLC."

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

There being no further business, the meeting was adjourned at 8:15 p.m.



Chairman, Board of Supervisors  
Henrico County, Virginia

# Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

## PANCREATIC CANCER AWARENESS MONTH

November 2013

WHEREAS, in 2013, an estimated 45,220 people will be diagnosed with pancreatic cancer in the United States and 38,460 will die from the disease; and

WHEREAS, pancreatic cancer is one of the deadliest cancers, is the fourth leading cause of cancer death in the United States, and is the only major cancer with a five-year relative survival rate in the single digits at just six percent; and

WHEREAS, when symptoms of pancreatic cancer present themselves, it is usually too late for an optimistic prognosis, and 73 percent of pancreatic cancer patients die within the first year of their diagnosis while 94 percent of those diagnosed die within the first five years; and

WHEREAS, approximately 1,020 deaths will occur in Virginia in 2013 from pancreatic cancer; and

WHEREAS, the incidence and death rate for pancreatic cancer are increasing and pancreatic cancer is anticipated to move from the fourth to the second leading cause of cancer death in the United States by 2020; and

WHEREAS, the U.S. Congress passed the *Recalcitrant Cancer Research Act* last year, which calls on the National Cancer Institute to develop a scientific framework, or strategic plans, for pancreatic cancer and other deadly cancers, which will help provide the strategic direction and guidance needed to make true progress against these diseases; and

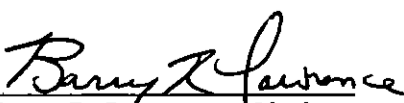
WHEREAS, sustained and adequate federal funding for medical research by the National Institutes of Health, National Cancer Institute, and other medical research centers is critical to job protection and creation in Virginia; and

WHEREAS, the Pancreatic Cancer Action Network is the national patient advocacy organization serving the pancreatic cancer community in Henrico County and nationwide through public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer; and


WHEREAS, this organization and its affiliates in Henrico County support those patients currently battling pancreatic cancer as well as those who have lost their lives to the disease, and are committed to nothing less than a cure; and

WHEREAS, the good health and well-being of the residents of Henrico County are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes; and effective treatments.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Supervisors of Henrico County, Virginia, hereby recognizes November 2013 as Pancreatic Cancer Awareness Month and calls this observance to the attention of all Henrico citizens.

  
Barry R. Lawrence, Clerk  
November 12, 2013



  
David A. Kaechele, Chairman  
Board of Supervisors



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

Agenda Item No. **208-13**  
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**Agenda Title: RESOLUTION – Expressing Appreciation to Henrico County Public Schools Career and Technical Education Students**

For Clerk's Use Only:  Date: <b>NOV 12 2013</b>  <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	<b>BOARD OF SUPERVISORS ACTION</b>	<b>YES NO OTHER</b>
	Moved by (1) <u>O'Bannon</u> Secoded by (1) <u>Nelson</u> (2) _____ (2) _____  REMARKS: <b>APPROVED</b>	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"/> _____

**WHEREAS**, on August 13, 2013, the Board of Supervisors authorized the County Manager to execute a lease for 2,907 square feet of office space in the Virginia Center Commons shopping mall for a new police substation serving central Henrico County; and

**WHEREAS**, the substation will increase the Division of Police's visibility in this area of the county and enhance security at Virginia Center Commons, one of the region's top shopping destinations; and

**WHEREAS**, students from the Henrico County Public Schools Career and Technical Education Program have partnered with the Division of Police to build the substation under the leadership of the program's director and staff; and

**WHEREAS**, approximately 60 students have participated in various facets of the construction project, including framing and installation of walls, construction of furniture, and installation of electrical service; and

**WHEREAS**, the students have done an extraordinary job with the renovations while at the same time developing a sense of ownership and a connection with the Division of Police; and

**WHEREAS**, the County has enjoyed substantial cost savings in constructing the substation as a result of the free labor provided by the students and the preliminary weekend demolition work that was performed on a voluntary basis by their instructors; and

By Agency Head \_\_\_\_\_ By County Manager [Signature]

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Clerk, Board of Supervisors

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

Agenda Item No. **208-13**  
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Agenda Title : **RESOLUTION – Expressing Appreciation to Henrico County Public Schools Career and Technical Education Students**

**WHEREAS**, on November 2, 2013, approximately 28 students from the Career and Technical Education Program and members of the Division of Police’s command staff conducted a Staff/Student Day at Virginia Center Commons to provide the public with an opportunity to see the results of this fruitful and exciting partnership; and

**WHEREAS**, the County’s public safety efforts and its interactions with Henrico youth are strengthened when the schools and police can team up on projects of significance to our community; and

**WHEREAS**, the Board of Supervisors and County Manager encourage continuation of the strong relationship that has evolved between Henrico County general government agencies and the Career and Technical Education students and staff.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Henrico County, Virginia, hereby expresses its sincere appreciation to the Henrico County Public Schools Career and Technical Education students who participated in the police substation construction project at Virginia Center Commons and also recognizes the exceptional leadership and voluntary participation in the project by the Career and Technical Education Program staff.



# Resolution



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

## *Expressing Appreciation to Henrico County Public Schools Career and Technical Education Students*

WHEREAS, on August 13, 2013, the Board of Supervisors authorized the County Manager to execute a lease for 2,907 square feet of office space in the Virginia Center Commons shopping mall for a new police substation serving central Henrico County; and

WHEREAS, the substation will increase the Division of Police's visibility in this area of the county and enhance security at Virginia Center Commons, one of the region's top shopping destinations; and

WHEREAS, students from the Henrico County Public Schools Career and Technical Education Program have partnered with the Division of Police to build the substation under the leadership of the program's director and staff; and

WHEREAS, approximately 60 students have participated in various facets of the construction project, including framing and installation of walls, construction of furniture, and installation of electrical service; and

WHEREAS, the students have done an extraordinary job with the renovations while at the same time developing a sense of ownership and a connection with the Division of Police; and

WHEREAS, the County has enjoyed substantial cost savings in constructing the substation as a result of the free labor provided by the students and the preliminary weekend demolition work that was performed on a voluntary basis by their instructors; and

WHEREAS, on November 2, 2013, approximately 28 students from the Career and Technical Education Program and members of the Division of Police's command staff conducted a Staff/Student Day at Virginia Center Commons to provide the public with an opportunity to see the results of this fruitful and exciting partnership; and

WHEREAS, the County's public safety efforts and its interactions with Henrico youth are strengthened when the schools and police can team up on projects of significance to our community; and

WHEREAS, the Board of Supervisors and County Manager encourage continuation of the strong relationship that has evolved between Henrico County general government agencies and Career and Technical Education students and staff.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia, hereby expresses its sincere appreciation to the Henrico County Public Schools Career and Technical Education students who participated in the police substation construction project at Virginia Center Commons and also recognizes the exceptional leadership and voluntary participation in the project by the Career and Technical Education Program staff



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

*Barry R. Lawrence*  
Barry R. Lawrence, Clerk  
November 12, 2013



COUNTY OF HENRICO, VIRGINIA  
 BOARD OF SUPERVISORS  
 MINUTE

Agenda Item No. 209-13  
 Page No. 1 of 1

Agenda Title: RESOLUTION – Appointment of Members to Board of Directors – Economic Development Authority

For Clerk's Use Only:  
 NOV. 12 2013  
 Date: \_\_\_\_\_  
 Approved  
 Denied  
 Amended  
 Deferred to: \_\_\_\_\_

BOARD OF SUPERVISORS ACTION  
 Moved by (1) O'Bannon Seconded by (1) Thornnton  
 (2) \_\_\_\_\_ (2) \_\_\_\_\_  
 REMARKS:  
 APPROVED

	YES	NO	OTHER
Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kachele, 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"/>
Tbornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia, appoints the following persons to the Economic Development Authority for four-year terms expiring November 13, 2017, or thereafter, when their successors shall have been appointed and qualified:

Fairfield District  
 Tuckahoe District

Harold D. Parker, Jr.  
 Marsha S. Shuler

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

By County Manager 

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 Clerk, Board of Supervisors  
 Date: \_\_\_\_\_



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

Acenda Item No. **212-13**  
Page No. 1 of 2

**\*Agenda Title: Ordinance – To Grant Comcast of Massachusetts/Virginia, Inc. the Right and Privilege to Construct, Operate, and Maintain a Cable System within the County.**

<p>For Clerk's Use Only:</p> <p>Date: <b>NOV 18 2013</b></p> <p><input checked="" type="checkbox"/> Approved  <input type="checkbox"/> Denied  <input type="checkbox"/> Amended  <input type="checkbox"/> Defended to:</p>	<p><b>BOARD OF SUPERVISORS ACTION</b></p> <p>Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Clover</u>  (2) _____ (2) _____</p> <p>REMARKS: <b>APPROVED</b></p>	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <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>Thornton, F.</td> <td></td> <td></td> <td></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**, Henrico County, Virginia entered into a franchise agreement ("Franchise Agreement") with Comcast of Massachusetts/Virginia, Inc. dated May 14, 2006, to operate a cable system to provide cable service in the County (the "Franchise"); and

**WHEREAS**, by the terms of the Franchise Agreement, the Franchise was originally scheduled to expire on May 14, 2013; and

**WHEREAS**, by letter dated July 8, 2010 from Comcast to the County, Comcast requested that the County commence renewal proceedings in accordance with Section 626(a)(1) of the Cable Communications Policy Act of 1984, as amended ("Cable Act"), 47 U.S.C § 546(a)(1); and

**WHEREAS**, by resolution adopted December 14, 2010, the Board of Supervisors authorized the Director of General Services and the County Attorney to negotiate with Comcast concerning matters relating to renewal of the Franchise; and

**WHEREAS**, those negotiations have proceeded in accordance with 47 U.S.C. § 546 and Section 7-54 of the Henrico County Code; and

**WHEREAS**, by Ordinance adopted on April 23, 2013, the term of the Franchise was extended for six months; and,

**WHEREAS**, the Parties have agreed to the terms and conditions of a new franchise agreement (the "Agreement"); and,

By Agency Head  Dy County Manager

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

Agenda Item No. **212-13**

Page No. 2 of 2

**Agenda Title: Ordinance – To Grant Comcast of Massachusetts/Virginia, Inc. the Right and Privilege to Construct, Operate, and Maintain a Cable System within the County.**

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**WHEREAS**, the parties desire to renew the existing franchise.

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

1. A nonexclusive franchise is hereby granted to Comcast of Massachusetts/Virginia, Inc. to construct, operate, and maintain a cable system within the County of Henrico, Virginia for the term and upon the conditions set forth in Chapter 7 of the Code of the County of Henrico and the Agreement, the form of which is attached hereto.
2. The County Manager is authorized to execute the Agreement on behalf of the County.
3. The previous Franchise granted to Comcast of Massachusetts/Virginia, Inc. by ordinance effective May 14, 2006 is repealed and replaced by the nonexclusive franchise granted by this ordinance.
4. The Franchise granted by this ordinance shall be in full force and effect on and after the full execution of the Agreement.

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



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

Agenda Item No. **213-13**  
Page No. 1 of 2

Agenda Title: **RESOLUTION — SIA2013-00002 — 8511 Jesse Senior Drive Site — Substantially in Accord with the 2026 Comprehensive Plan — Tuckahoe District**

For Clerk's Use Only: Date: <b>NOV 18 2013</b> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	<b>BOARD OF SUPERVISORS ACTION</b> Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS: <div style="font-size: 2em; font-weight: bold; text-align: center;">APPROVED</div>	<table border="0"> <thead> <tr> <th></th> <th>YES</th> <th>NO</th> <th>OTHER</th> </tr> </thead> <tbody> <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, E.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </tbody> </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, E.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Thornton, E.	<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 8511 Jesse Senior Drive site for conformance with the County's 2026 Comprehensive Plan; and,

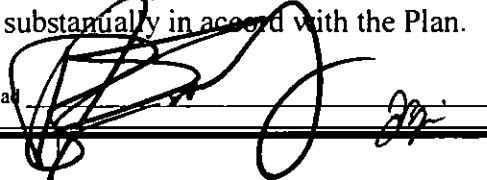

WHEREAS, a September 25, 2013 report presented by the Planning staff to the Planning Commission found the proposed use would not be in conflict with, or a significant departure from, the Plan; and,

WHEREAS, on October 10, 2013, the Planning Commission reviewed the staff report and, after a public hearing, found the proposed 8511 Jesse Senior Drive site will further the Goals, Objectives and Policies of the 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 future athletic fields or parking 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** the Board of Supervisors finds the proposed 8511 Jesse Senior Drive site substantially in accord with the Plan.

By Agency Head  By County Manager 

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

Agenda Item No. **213-13**

Page No.2 of 2

**Agenda Title: RESOLUTION — SIA2013-00002— 8511 Jesse Senior Drive Site — Substantially  
in Accord with the 2026 Comprehensive Plan — Tuckahoe District**

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**Comments: The Director of Planning concurs with the finding of the Planning Commission that the proposed 8511 Jesse Senior Drive 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. 214-13  
Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Construction Contract — Tuckahoe Park Irrigation System  
— Tuckahoe District

For Clerk's Use Only:

Date: **NOV 12 2013**

- Approved
- Denied
- Amended
- Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

**APPROVED**

YES NO OTHER

Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kachele, 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 received two bids on October 16, 2013 in response to IFB #13-9473-9VK and Addendum No. 1 for installation of an irrigation system at Tuckahoe Park, as follows:

Bidders	Bid Amount
Beem Irrigation, Inc. Jessup, MD	\$113,580.00
Enviroscape, Inc. Mechanicsville, VA	\$153,642.00

WHEREAS, after review and evaluation of the bids, the County determined that Beem Irrigation, Inc. is the lowest responsive and responsible bidder with a bid of \$113,580.00.

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 an irrigation system for Tuckahoe Park is awarded to Beem Irrigation, Inc., the lowest responsive and responsible bidder, in the amount of \$113,580.00, pursuant to IFB #13-9473-9VK, Addendum No. 1, and the bid submitted by Beem Irrigation, Inc.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.

By Agency Head *Edie*

By County Manager *[Signature]*

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

Clerk, Board of Supervisors

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

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

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

Agenda Item No.  
Page no. 2 of 2

214-13

Agenda Title: **RESOLUTION** — Award of Construction Contract — Tuckahoe Park Irrigation System — Tuckahoe District

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3. The County Manager, or the Purchasing Director 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.

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





