

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

Please take notice that a special meeting of the Board of Supervisors will be held on **Tuesday, October 14, 2014, at 5:00 p.m.** in the County Manager's Conference Room located on the third floor of the Administration Building at the Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

The matters to be reviewed by the Board at this time are:

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|------------------|---|
| 5:00 - 5:15 p.m. | Office of Voter Registration and Elections Photo Voter Identification Program |
| 5:15 - 5:45 p.m. | Henrico Health Department Updates: East Clinic and Ebola Virus Outbreak       |
| 5:45 - 6:30 p.m. | Regency Area Study  |
| 6:30 - 6:50 p.m. | Regular Meeting Agenda Items  |



Barry R. Lawrence, CMC  
Clerk, Henrico County Board of Supervisors  
October 9, 2014

**COUNTY OF HENRICO, VIRGINIA**  
**Henrico County Board Room**  
**Board of Supervisors' Agenda**  
**October 14, 2014**  
**7:00 p.m.**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**APPROVAL OF MINUTES** – September 23, 2014, Regular and Special Meetings

**MANAGER'S COMMENTS**

**BOARD OF SUPERVISORS' COMMENTS**

**RECOGNITION OF NEWS MEDIA**

**PRESENTATIONS**

Proclamation – Cybersecurity Awareness Month – October 2014.

Proclamation – Domestic Violence Awareness Month – October 2014.

**PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMIT**

268-14  
PUP2014-  
00014  
Brookland

Gumenick Properties: Request for a provisional use permit under Sections 24-32.1(aa), 24-34(p), and 24-122.1 of Chapter 24 of the County Code, related to a parking plan and a comprehensive sign program for Libbie Mill Urban Mixed-Use Development on Parcels 771-740-9118, 772-740-0431, -1137, -1743, -2229, -2836, -4023, 773-739-8155, -6286, 773-740-5043, -8899, -9498, 773-741-2637, -3132, -3726, -4222, -5414, -6011, -6808, -7505, -8102, 774-739-4371, -5043, -5750, 774-740-0096, -0894, -1592, -2190, -2403, -2888, -3584, -4182, and 4708 located on the east line of Libbie Avenue approximately 310 feet north of W. Broad Street (U.S. Route 250) to its intersection with N. Crestwood Avenue, then along the east line of Spencer Road to the south line of Bethlehem Road and the west line of Staples Mill Road (U.S. Route 33). The applicant proposes alternative parking rates and signage regulations for the overall mixed-use development. The existing zoning is UMUC Urban Mixed-Use District (Conditional). The 2026 Comprehensive Plan recommends Urban Mixed-Use. A portion of the site along Libbie Avenue north of W. Broad Street (U.S. Route 250) and along Staples Mill Road (U.S. Route 33) is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

269-14  
REZ2014-  
00031  
Three Chopt

Welwood I, LLC: Request to conditionally rezone from A-1 Agricultural District to R-2AC One-Family Residence District (Conditional) part of Parcel 736-769-4930 containing .615 acres located approximately 475' northwest of the intersection of N. Gayton Road and Kain Road. The applicant proposes single-family residences. The R-2A District allows a minimum lot size of 13,500 square feet and a maximum gross density of

3.22 units per acre. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Suburban Residential 1, density should not exceed 2.4 units per acre. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

270-14  
REZ2014-  
00032  
Three Chopt

PCG1, LLC: Request to conditionally rezone from B-1 Business District and B-1C Business District (Conditional) to B-2C Business District (Conditional) Parcel 747-757-0157 containing .959 acres located at the southeast intersection of Three Chopt and Church Roads. The applicant proposes a restaurant with catering. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Commercial Concentration. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

271-14  
REZ2014-  
00033  
Three Chopt

Windsor Enterprise Corp.: Request to conditionally rezone from A-1 Agricultural District to R-2AC One-Family Residence (Conditional) part of Parcels 740-770-9386 and 740-770-7171 containing 8.789 acres located approximately 125' south of the terminus of Grey Oaks Park Lane. The applicant proposes a maximum of 22 single-family residences. The R-2A District allows a minimum lot size of 13,500 square feet and a maximum gross density of 3.22 units per acre. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Suburban Residential 1, density should not exceed 2.4 units per acre. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

272-14  
REZ2014-  
00039  
Varina

Becknell Services, LLC: Request to rezone from A-1 Agricultural District to M-1C Light Industrial (Conditional) part of Parcel 815-700-1434 containing .915 acre located approximately 400' from the west line of Darbytown Road approximately 1000' from its intersection with S. Laburnum Avenue. The applicant proposes truck/trailer parking. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Planned Industry. The site is located in the Airport Safety Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

273-14  
REZ2013-  
00021  
Tuckahoe

Geriel DeOliveira: Request to conditionally rezone from B-2 Business District to B-3C Business District (Conditional) Parcel 767-741-7271 containing .618 acres located on the north line of Horsepen Road at its intersection with Catawba Lane. The applicant proposes an automobile repair service. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is located in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **deny** the request. **(This case has been withdrawn)**

**by the applicant.)**

274-14  
REZ2014-  
00038  
Tuckahoe

Weinstein Family, LLC: Request to rezone from O-2 Office District to R-6C General Residence District (Conditional) Parcel 742-741-5065 containing 1.833 acres located at the northwest intersection of Castile and Otlyn Roads. The applicant proposes a 30 unit apartment building. The R-6 District allows a minimum lot size of 2,200 square feet and a maximum gross density of 19.8 units per acre. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Office. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

275-14  
REZ2014-  
00034  
Three Chopt

Atack WB Investors, LLC: Request to conditionally rezone from R-6C General Residence District (Conditional) and RTHC Residential Townhouse District (Conditional) to C-1C Conservation District (Conditional) part of Parcels 730-767-7336, 730-766-6366, and 731-766-4295 containing 6.422 acres located between the Goochland County line, W. Broad Street (U.S. Route 250), and Interstate 64. The applicant proposes a conservation district. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Environmental Protection Area. The site is located in the West Broad Street Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

209-14  
REZ2013-  
00002  
Brookland

Yunus Vohra: Request to conditionally rezone from A-1 Agricultural District and R-2A One-Family Residence District to R-2AC One-Family Residence District (Conditional) Parcels 764-760-9037, 764-760-8515, 765-760-1906, and 765-760-0929 containing 5.12 acres, located on the south line of Hungary Road at its intersection with Hastings Mill Drive. The applicant proposes a single-family residential development not to exceed 10 residential units. The R-2A District allows a minimum lot size of 13,500 square feet and a maximum gross density of 3.22 units per acre. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. The Planning Commission voted to recommend the Board of Supervisors **grant** the request. **(Deferred from the August 12, 2014, meeting.)**

**PUBLIC HEARINGS – OTHER ITEMS**

276-14

Ordinance - To Amend and Reordain Section 20-78 of the Code of the County of Henrico Titled “Elderly or Permanently and Totally Disabled Persons” to Increase the Maximum Annual Real Estate Tax Exemption for Qualified Real Estate Advantage Program Applicants from \$1,500 to \$2,500, Eliminate the Requirement that Applicants Pay Their Taxes by Certain Dates or Lose Their Exemption, and Conform to 2014 State Legislation.

- 277-14 Ordinance - To Amend and Reordain Section 9-2 of the Code of the County of Henrico Titled "Precincts and polling places" by Updating the Name of the Polling Place for Rollingwood Precinct in the Tuckahoe District.
- 278-14 Ordinance - To Amend and Reordain Section 24-3 Titled "Enumerated" of the Code of the County of Henrico to Conform to State Legislation Clarifying the Definition of Group Homes.
- 279-14 Ordinance - To Amend and Reordain Section 19-60 Titled "Required," Section 19-89 Titled "Required; construction plans," Section 19-90 Titled "Form and contents," Section 19-95 Titled "Recording," Section 19-97 Titled "Required," Section 19-137 Titled "Public sites and open spaces," and Section 19-165 Titled "Sanitary sewers" of the Code of the County of Henrico to Conform to State Legislation Providing for the Optional Submission of Preliminary Subdivision Plats Involving 50 or Fewer Lots.
- 280-14 Ordinance - To Amend and Reordain Section 19-90 Titled "Form and contents," Section 19-98 Titled "Family subdivision plat," and Section 24-106.3 Titled "Chesapeake Bay preservation" of the Code of the County of Henrico to Conform to State Legislation Providing for the Submission of Documentation Relating to Septic Tank Pump-Out.
- 281-14 Ordinance - To Amend and Reordain Section 23-33 of the Code of the County of Henrico Titled "Maintenance of sewage disposal system; pump-out requirement" to Conform to State Legislation Providing for the Submission of Documentation Relating to Septic Tank Pump-Out.
- 282-14 Resolution - Signatory Authority - Quitclaim of Portions of Easements - Shire Place 1 - Tuckahoe District.

## **PUBLIC COMMENTS**

### **GENERAL AGENDA**

- 283-14 Resolution – Amendments to the FY 2014-15 Annual Fiscal Plan: October 2014.
- 284-14 Resolution - Award of Annual Contract for Environmental Services.
- 285-14 Resolution - Award of Construction Contract - Replacement of Traffic Signal Mast Arm Poles - Fairfield, Three Chopt and Tuckahoe Districts.



**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS' RESUME  
October 14, 2014**

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**PRESENTATIONS**

**PROCLAMATION – Cybersecurity Awareness Month – October 2014.**

Internet users and our information infrastructure face an increasing threat of malicious cyber attack and significant financial and privacy losses due to identify theft and fraud. The Stop.Think.Connect. Campaign is a national effort coordinated by a coalition of private companies, nonprofits, and government organizations to raise awareness about cybersecurity among all digital citizens, helping them to stay safer and more secure online. The U.S. Department of Homeland Security, the Multi-State Information Sharing and Analysis Center, the National Association of State Chief Information Officers, and the National Cyber Security Alliance have declared the month of October as National Cybersecurity Awareness Month. This proclamation recognizes October 2014 as Cybersecurity Awareness Month in Henrico County and encourages Henrico citizens to learn about cybersecurity and put that knowledge into practice in their homes, schools, workplaces, and businesses.

**PROCLAMATION – Domestic Violence Awareness Month – October 2014.**

Domestic violence is a pervasive social issue affecting people of all ages, races, religions, cultures, and economic backgrounds. The County of Henrico is committed to prioritizing the problem of domestic violence in our community by increasing awareness and providing education to our citizens. This proclamation recognizes October 2014 as Domestic Violence Awareness Month and acknowledges the ongoing and coordinated efforts of local domestic violence providers and the community in addressing the problem of domestic violence.

**PUBLIC HEARING – REZONING CASES AND PROVISIONAL USE PERMIT**

PUP2014-  
00014  
Brookland

Gumenick Properties: Request for a provisional use permit under Sections 24-32.1(aa), 24-34(p), and 24-122.1 of Chapter 24 of the County Code, related to a parking plan and a comprehensive sign program for Libbie Mill Urban Mixed-Use Development on Parcels 771-740-9118, 772-740-0431, -1137, -1743, -2229, -2836, -4023, 773-739-8155, -6286, 773-740-5043, -8899, -9498, 773-741-2637, -3132, -3726, -4222, -5414, -6011, -6808, -7505, -8102, 774-739-4371, -5043,-5750, 774-740-0096, -0894, -1592, -2190, -2403, -2888, -3584, -4182, and 4708 located on the east line of Libbie Avenue approximately 310 feet north of W. Broad Street (U.S. Route 250) to its intersection with N. Crestwood Avenue, then along the east line of Spencer Road to the south line of Bethlehem Road and the west line of Staples Mill Road (U.S. Route 33). The applicant

proposes alternative parking rates and signage regulations for the overall mixed-use development. The existing zoning is UMUC Urban Mixed-Use District (Conditional). The 2026 Comprehensive Plan recommends Urban Mixed-Use. A portion of the site along Libbie Avenue north of W. Broad Street (U.S. Route 250) and along Staples Mill Road (U.S. Route 33) is in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mrs. Jones, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it does not significantly alter the intent and vision of the Urban Mixed-Use Development and would be compatible with surrounding uses and zoning patterns in the area.

REZ2014-  
00031  
Three Chopt

Welwood I, LLC: Request to conditionally rezone from A-1 Agricultural District to R-2AC One-Family Residence District (Conditional) part of Parcel 736-769-4930 containing .615 acres located approximately 475' northwest of the intersection of N. Gayton Road and Kain Road. The applicant proposes single-family residences. The R-2A District allows a minimum lot size of 13,500 square feet and a maximum gross density of 3.22 units per acre. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Suburban Residential 1, density should not exceed 2.4 units per acre. Acting on a motion by Mr. Branin, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it conforms to the recommendations of the Comprehensive Plan, continues a similar level of single family residential zoning as currently exists in the area, and the proffered conditions will provide appropriate quality assurances not otherwise possible.

REZ2014-  
00032  
Three Chopt

PCG1, LLC: Request to conditionally rezone from B-1 Business District and B-1C Business District (Conditional) to B-2C Business District (Conditional) Parcel 747-757-0157 containing .959 acres located at the southeast intersection of Three Chopt and Church Roads. The applicant proposes a restaurant with catering. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Commercial Concentration. Acting on a motion by Mr. Branin, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it conforms to the recommendations of the Comprehensive Plan and it would not be expected to adversely affect the pattern of zoning and land use in the area.

REZ2014-  
00033  
Three Chopt

Windsor Enterprise Corp.: Request to conditionally rezone from A-1 Agricultural District to R-2AC One-Family Residence (Conditional) part of Parcels 740-770-9386 and 740-770-7171 containing 8.789 acres located approximately 125' south of the terminus of Grey Oaks Park Lane. The applicant proposes a maximum of 22 single-family residences. The R-2A District allows a minimum lot size of 13,500 square feet and a maximum gross density of 3.22 units per acre. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Suburban Residential 1, density should not exceed 2.4 units per acre. Acting on a motion by Mr. Branin, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it conforms with the objectives and intent of the County's Comprehensive Plan, reflects the type of residential growth in the area, and the proffered conditions will assure a level of development otherwise not possible.

REZ2014-  
00039  
Varina

Becknell Services, LLC: Request to rezone from A-1 Agricultural District to M-1C Light Industrial (Conditional) part of Parcel 815-700-1434 containing .915 acre located approximately 400' from the west line of Darbytown Road approximately 1000' from its intersection with S. Laburnum Avenue. The applicant proposes truck/trailer parking. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Planned Industry. The site is located in the Airport Safety Overlay District. Acting on a motion by Mr. Leabough, seconded by Mrs. Jones, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it conforms to the recommendations of the Land Use Plan and the proffered conditions should minimize the potential impacts on surrounding land uses.

REZ2013-  
00021  
Tuckahoe

Geriel DeOliveira: Request to conditionally rezone from B-2 Business District to B-3C Business District (Conditional) Parcel 767-741-7271 containing .618 acres located on the north line of Horsepen Road at its intersection with Catawba Lane. The applicant proposes an automobile repair service. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is located in the Enterprise Zone. Acting on a motion by Mrs. Jones, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **deny** the request because it would likely set an adverse zoning and land use



precedent in the area and the intensity of the business development will detrimentally impact surrounding uses. **(This case has been withdrawn by the applicant.)**

REZ2014-  
00038  
Tuckahoe

Weinstein Family, LLC: Request to rezone from O-2 Office District to R-6C General Residence District (Conditional) Parcel 742-741-5065 containing 1.833 acres located at the northwest intersection of Castile and Otlyn Roads. The applicant proposes a 30 unit apartment building. The R-6 District allows a minimum lot size of 2,200 square feet and a maximum gross density of 19.8 units per acre. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Office. Acting on a motion by Mrs. Jones, seconded by Mr. Archer, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would provide for appropriate development and it would not be expected to adversely affect the pattern of zoning and land use in the area.

REZ2014-  
00034  
Three Chopt

Atack WB Investors, LLC: Request to conditionally rezone from R-6C General Residence District (Conditional) and RTHC Residential Townhouse District (Conditional) to C-1C Conservation District (Conditional) part of Parcels 730-767-7336, 730-766-6366, and 731-766-4295 containing 6.422 acres located between the Goochland County line, W. Broad Street (U.S. Route 250), and Interstate 64. The applicant proposes a conservation district. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Environmental Protection Area. The site is located in the West Broad Street Overlay District. Acting on a motion by Mr. Branin, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it was specifically required by proffer C-18C-12 and conforms to the recommendations of the Comprehensive Plan.

REZ2013-  
00002  
Brookland

Yunus Vohra: Request to conditionally rezone from A-1 Agricultural District and R-2A One-Family Residence District to R-2AC One-Family Residence District (Conditional) Parcels 764-760-9037, 764-760-8515, 765-760-1906, and 765-760-0929 containing 5.12 acres, located on the south line of Hungary Road at its intersection with Hastings Mill Drive. The applicant proposes a single-family residential development not to exceed 10 residential units. The R-2A District allows a minimum lot size of 13,500 square feet and a maximum gross density of 3.22 units per acre. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Suburban Residential 2,

density should not exceed 3.4 units per acre. Acting on a motion by Mr. Witte, seconded by Mr. Branin, the Planning Commission voted 4-0 (two abstentions) to recommend the Board of Supervisors **grant** the request because it is consistent with the future land recommendations of the 2026 Comprehensive Plan. **(Deferred from the August 12, 2014, meeting.)**

## **PUBLIC HEARINGS – OTHER ITEMS**

**ORDINANCE - To Amend and Reordain Section 20-78 of the Code of the County of Henrico Titled “Elderly or Permanently and Totally Disabled Persons” to Increase the Maximum Annual Real Estate Tax Exemption for Qualified Real Estate Advantage Program Applicants from \$1,500 to \$2,500, Eliminate the Requirement that Applicants Pay Their Taxes by Certain Dates or Lose Their Exemption, and Conform to 2014 State Legislation.**

This ordinance increases the maximum annual real estate tax exemption for qualified REAP applicants from \$1,500 to \$2,500. The ordinance also eliminates the requirement that applicants pay their taxes by certain dates or lose their tax exemption. In addition, the ordinance conforms the County Code to changes enacted by the General Assembly in 2014.

**ORDINANCE – To Amend and Reordain Section 9-2 of the Code of the County of Henrico Titled “Precincts and polling places” by Updating the Name of the Polling Place for Rollingwood Precinct in the Tuckahoe District.**

This ordinance updates the name of the polling place for Rollingwood Precinct in the Tuckahoe District.

Third Presbyterian Church is the polling place for Rollingwood Precinct. By letter dated September 9, 2014, the church informed the County its name had changed and asked the County to update its records to reflect the church’s new name, “Third Church.”

**ORDINANCE – To Amend and Reordain Section 24-3 Titled “Enumerated” of the Code of the County of Henrico to Conform to State Legislation Clarifying the Definition of Group Homes.**

This Board paper proposes an ordinance to conform Section 24-3 of the County Code to 2014 state legislation. The 2014 state legislation removes the requirement that a counselor or other staff person reside in a group home. Following the legislation, group homes are treated as single-family residences regardless of whether counselors or staff persons reside in the home. The ordinance also amends Section 24-3 to conform to state legislation by replacing the outdated term “mental retardation” with “intellectual disability.”

This ordinance was discussed with the Board in a work session on July 8, 2014. After a public hearing on September 24, 2014, the Planning Commission by unanimous vote recommended approval of the ordinance to the Board.

**ORDINANCE – To Amend and Reordain Section 19-60 Titled “Required,” Section 19-89 Titled “Required; construction plans,” Section 19-90 Titled “Form and contents,” Section 19-95 Titled “Recording,” Section 19-97 Titled “Required,” Section 19-137 Titled “Public sites and open spaces,” and Section 19-165 Titled “Sanitary sewers” of the Code of the County of Henrico to Conform to State Legislation Providing for the Optional Submission of Preliminary Subdivision Plats Involving 50 or Fewer Lots.**

This Board paper proposes an ordinance to conform Sections 19-60, 19-89, 19-90, 19-95, 19-97, 19-137, and 19-165 of the County Code to 2014 state legislation. The state legislation relates to the County’s authority to require the submission of preliminary subdivision plats to the Planning Commission for conditional approval.

As a result of the 2014 state legislation, the County may only require the submission of preliminary subdivision plats to the Planning Commission for conditional approval for subdivisions involving more than 50 lots. Under the new legislation and the conforming ordinance, the owner has the option to submit a plat with 50 or fewer lots for conditional approval.

This ordinance was discussed with the Board in a work session on July 8, 2014. After a public hearing on September 24, 2014, the Planning Commission by unanimous vote recommended approval of the ordinance to the Board.

**ORDINANCE – To Amend and Reordain Section 19-90 Titled “Form and contents,” Section 19-98 Titled “Family subdivision plat,” and Section 24-106.3 Titled “Chesapeake Bay preservation” of the Code of the County of Henrico to Conform to State Legislation Providing for the Submission of Documentation Relating to Septic Tank Pump-Out.**

This Board paper proposes an ordinance to conform Sections 19-90, 19-98, and 24-106.3 of the County Code to 2014 state legislation. The County Code sections and the state legislation relate to the requirement that owners of private sewage disposal systems in Chesapeake Bay Preservation Areas pump out their septic tanks at least once every five years. As an alternative to pumping out the septic tank, the owner may choose to submit certified documentation that the septic system has been inspected within the last five years, is functioning properly, and does not need to be pumped out.

The 2014 state legislation changes who may certify the documentation that is submitted in lieu of septic tank pump-out. The legislation requires certification by an operator or on-site soil evaluator licensed or certified under state law as being qualified to operate, maintain, or design such systems. Before the 2014 state legislation, the documentation could be certified by a sewage handler permitted by the Virginia Department of Health.

This ordinance was discussed with the Board in a work session on July 8, 2014. After a public hearing on September 24, 2014, the Planning Commission by unanimous vote recommended approval of the ordinance to the Board.

**ORDINANCE - To Amend and Reordain Section 23-33 of the Code of the County of Henrico Titled “Maintenance of sewage disposal system; pump-out requirement” to Conform to State Legislation Providing for the Submission of Documentation Relating to Septic Tank Pump-Out.**

This Board paper proposes an ordinance to conform Section 23-33 of the County Code to 2014 state legislation. The County Code section and the state legislation relate to the requirement that owners of private sewage disposal systems in Chesapeake Bay Preservation Areas pump out their septic tanks at least once every five years. As an alternative to pumping out the septic tank, the owner may choose to submit certified documentation that the septic system has been inspected within the last five years, is functioning properly, and does not need to be pumped out.

The 2014 state legislation changes who may certify the documentation that is submitted in lieu of septic tank pump-out. The legislation requires certification by an operator or on-site soil evaluator licensed or certified under state law as being qualified to operate, maintain, or design such systems. Before the 2014 state legislation, the documentation could be certified by a sewage handler permitted by the Virginia Department of Health.

**RESOLUTION - Signatory Authority - Quitclaim of Portions of Easements - Shire Place 1 - Tuckahoe District.**

This resolution authorizes the Chairman to execute a quitclaim deed releasing the County’s interest in unneeded portions of easements located near the intersection of John Rolfe Parkway and Glen Eagles Drive to the landowners, Eagle Construction of VA. Properties, LLC and ME Shire, LLC, for a consideration of \$4,420.

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

**PUBLIC COMMENTS**

**GENERAL AGENDA**

**RESOLUTION – Amendments to the FY 2014-15 Annual Fiscal Plan: October, 2014.**

At the Board’s regular meeting on September 23, 2014, the Board of Supervisors considered a request to carry forward \$886,424 in funding associated with the reappropriation of local matching funds for the Teacher Incentive Fund (TIF) grant. The item was removed from the September, 2014 Amendment to the Annual Fiscal Plan at the request of the Board of Supervisors as several questions went unanswered related to the TIF Grant. As the

Superintendent of Schools has submitted responses to the questions posed by the Board of Supervisors on September, 23, 2014, this resolution reconsiders the reappropriation of \$886,424 in local funding associated with the TIF Grant.

**RESOLUTION - Award of Annual Contract for Environmental Services.**

This Board paper would award an annual contract to Faulkner & Flynn, LLC for environmental services on an as-needed basis.

On May 9, 2014, the County received eight proposals in response to RFP No. 14-9582-4CS. Following review and evaluation of the proposals, the Selection Committee (Ms. Cecelia Stowe and Messrs. Doug Gavin, Chris Adkins, Patrick Murphy, Brian Parker, and Jason Young) interviewed the following firms:

Faulkner & Flynn, LLC  
EEE Consulting, Inc.  
Aegis Environmental, Inc.

The Selection Committee selected Faulkner & Flynn, LLC as the top-ranked firm and negotiated an hourly rate schedule with it. The fees paid in the prior three-year term were \$48,947.24. The contract term is for one year, renewable by the County for two additional one-year terms.

Funding to support this contract is available within each department's budget. The Purchasing Director recommends approval of this Board paper and the County Manager concurs.

**RESOLUTION - Award of Construction Contract - Replacement of Traffic Signal Mast Arm Poles - Fairfield, Three Chopt and Tuckahoe Districts.**

This Board paper would award a contract to B & B Signal Company, LLC for \$519,925 to replace traffic signal mast arm poles at eight intersections:

Forest Avenue and Discovery Drive (Three Chopt)  
Forest Avenue and Three Chopt Road (Three Chopt, Tuckahoe)  
Parham Road and Fordson Road (Three Chopt)  
Parham Road and Ridge Shopping Center (Tuckahoe, Three Chopt)  
Parham Road and Quioccasin Road (Tuckahoe, Three Chopt)  
Parham Road and Holly Hill Road (Tuckahoe)  
Quioccasin Road and Starling Drive (Tuckahoe)  
Parham Road and Sanctuary Drive (Fairfield)

The County received three bids on August 20, 2014 in response to IFB No. 14-9629-7VK and Addendum No. 1 with the following results:

<b>Bidder</b>	<b>Total Bid</b>
B & B Signal Company, LLC Manassas, VA	\$519,925
Dagan Electric Company Virginia Beach, VA	\$558,184
Venture Electric Midlothian, VA	\$578,760

The Board paper would award the contract to B & B Signal Company, LLC, the lowest responsive and responsible bidder. It also authorizes the County Manager, or the Purchasing Director as his designee, to execute change orders not to exceed 15% of the original contract amount.

The work is to begin in December 2014 and be completed in April 2015.

Funding for the contract is available within the Department of Public Works budget for road maintenance.

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