

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
January 23, 2018

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, January 23, 2018 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:

Frank J. Thornton, Chairman, Fairfield District
Tyrone E. Nelson, Vice Chairman, Varina District
Courtney D. Lynch, Brookland District
Patricia S. O'Bannon, Tuckahoe District

Member of the Board Absent:

Thomas M. Branin, Three Chopt District

Other Officials Present:

John A. Vithoulkas, County Manager
Joseph P. Rapisarda, Jr., County Attorney
Alisa A. Gregory, Chief Deputy Sheriff
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board
Timothy A. Foster, P.E., Deputy County Manager for Community Operations
Douglas A. Middleton, Deputy County Manager for Public Safety
Anthony J. Romanello, Deputy County Manager for Administration
Randall R. Silber, Deputy County Manager for Community Development

Mr. Thornton called the meeting to order at 7:01 p.m. and led recitation of the Pledge of Allegiance.

The Reverend Steve Boots, Pastor of Mount Victory Baptist Church, delivered the invocation.

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved the minutes of the January 9, 2018, Regular Meeting and; November 8, 2017, Special Meeting.

The vote of the Board was as follows:

Yes: Thornton, Nelson, Lynch, O'Bannon

No: None

Absent: Branin

MANAGER'S COMMENTS

There were no comments from the Manager.

BOARD OF SUPERVISORS' COMMENTS

Mr. Thornton noted Mr. Branin was absent from the meeting. Mr. Vithoulkas explained Mr. Branin was in the Dominican Republic in a consulting role helping the country rebuild after the most recent hurricane.

RECOGNITION OF NEWS MEDIA

Mr. Thornton recognized Michael O'Connor from the *Richmond Times-Dispatch*.

PRESENTATION

Mr. Thornton presented a proclamation recognizing February 2018 as Black History Month. Accepting the proclamation was Sheila Cunningham, Recreation Coordinator for the Division of Recreation and Parks. Joining her were Jerry McKenna, Director of Libraries; Barbara Weedman, Assistant Director of Libraries; Ben Sheppard, Assistant Director of Public Relations and Media Services; and Chris Sorensen, Assistant Superintendent of Schools for Finance and Administration.

BOARD OF SUPERVISORS' COMMENTS (continued)

Mr. Thornton recognized the following students from Hermitage High School, who were observing the meeting for an Advanced Placement Government class project: J.T. Eisenberg, Layla Thacker, Tyson Shear, and Camryn Tinsley.

RESIGNATION/APPOINTMENT

22-18 Resolution - Resignation of Member - Capital Region Airport Commission.

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

23-18 Resolution - Appointment of Member - Capital Region Airport Commission.

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

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS

24-18 The Rebkee Company: Request to conditionally rezone from R-3 One-
REZ2017- Family Residential District and B-1 Business District to B-2C Business
00025 District (Conditional) on Parcel 754-747-0694 containing 2.59 acres
Three Chopt located at the northwest intersection of N. Parham and Three Chopt
Roads.

Mr. Vithoulikas noted this item and Agenda Item No. 25-18 (PUP2017-00021) were companion cases and there was a request for deferral of both items. Mrs. O'Bannon advised that Mr. Branin asked her to handle these cases in his absence. Joe Emerson, Director of Planning, clarified the request for deferral was made by the applicant.

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

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board deferred this item to the February 27, 2018, meeting.

The vote of the Board was as follows:

Yes: Thornton, Nelson, Lynch, O'Bannon

No: None

Absent: Branin

25-18
PUP2017-
00021
Three Chopt

The Rebkee Company: 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 on Parcel 754-747-0694 located at the northwest intersection of N. Parham and Three Chopt Roads.

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

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board deferred this item to the February 27, 2018, meeting.

The vote of the Board was as follows:

Yes: Thornton, Nelson, Lynch, O'Bannon

No: None

Absent: Branin

26-18
REZ2017-
00033
Three Chopt

Ronald Kody: Request to amend proffers accepted with rezoning case C-14C-87 on Parcel 749-760-0500 located on the south line of W. Broad Street (U.S. Route 250) approximately 450' east of its intersection with Cox Road.

Mrs. O'Bannon advised that Mr. Branin asked her to handle this case in his absence. She noted the case would enable the applicant to modernize the subject property by updating a proffered condition relating to building materials accepted with a 1987 rezoning case.

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

On motion of Mrs. O'Bannon, seconded by Mrs. Lynch, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved the following amended proffered condition 2:

2. Except for windows and doors and the supports therefore, the exposed exterior walls (above finish grade) of any building constructed on the property (excluding roof-top screening material for mechanical equipment) shall be either (a) ACM (Aluminum Composite Material) panels or (b) brick supplemented by natural stone, pre-cast or cast in place architectural concrete or exposed aggregate concrete. Corrugated metal accent panels shall be allowed on the East and West Elevations, not facing Broad Street.

All mechanical systems of any building shall be screened from public view.

The primary building on the Property shall be constructed generally compatible with the revised conceptual rendering (Exhibit A), (see case file) dated 10/12/17.

The brick used on all exposed exterior walls of any building constructed on the property (excluding roof-top screening material for mechanical equipment) shall be wood mold look.

There may be on the property a used car building adhering to these architectural guidelines and compatible with the existing building. Any building on the property other than the primary building and used car building shall be behind the brick wall referenced in Proffer 5 (see case file).

The vote of the Board was as follows:

Yes: Thornton, Nelson, Lynch, O'Bannon

No: None

Absent: Branin

27-18
PUP2017-
00020
Fairfield

PI Tower Development, LLC: Request for a Provisional Use Permit under Sections 24-95(a)(3), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to allow a monopole communication tower up to 136.5' in height and related equipment on part of Parcel 791-740-4089 located on the north line of Oronoco Avenue at its intersection with Pilots Lane.

Mr. Emerson responded to questions from Mrs. O'Bannon, who stated for the record that two of her grandparents and her father are buried at the cemetery on the subject property. Mrs. O'Bannon remarked she believes a communication tower is a good use for this location because revenues from the tower will go towards the perpetual maintenance of the cemetery.

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 conditions:

1. As shown on Exhibit C (see case file), the communication tower shall be a tapered monopole style not exceeding a maximum height of 136.5 feet, including any attached equipment. All external antennas shall be semi-flush-mounted, not protruding from the face of the monopole more than 24 inches.
2. Electric wires and other cables shall be prohibited on the exterior of the telecommunication tower.
3. To ensure adequate screening of the ground equipment compound, a landscaping plan substantially similar to Exhibit E (see case file) shall be submitted to the Director of Planning for approval with the tower building permit application. The plan shall show the fenced area screened by two staggered rows of Green Giant Arborvitae planted at a minimum of 6 feet in height and spaced 10 feet on center, and a row of evergreen shrubs (Ligustrum or equivalent) in front planted at a minimum of 24-30 inches in height and spaced 5 feet on center.
4. This permit shall apply only to the 3,600 square foot lease area identified on Exhibit B (see case file).
5. Application for a building permit to install the telecommunication tower must be made within one year after the Provisional Use Permit is granted by the Board of Supervisors, unless an extension of time is granted by the Director of Planning upon a written request by the applicant.
6. The applicant shall obtain approval from the Planning Commission should the FAA require the addition of standard obstruction marking and lighting (i.e. red lighting and orange and white striping) to the telecommunication tower. Any changes to the proposed galvanized finish of the telecommunication tower shall be submitted to the Director of Planning for approval.
7. When site construction is initiated as a result of this Provisional Use Permit, the applicant shall complete requirements prescribed by Chapter 10 of the Henrico County Code. In particular, land disturbance of more than 2,500 square feet will require that construction plans include a detailed drainage and erosion control plan prepared by a professional engineer certified in the State of Virginia. Ten (10) sets of the construction plans shall be submitted to the Department of Public Works for approval.

8. The co-location of as many additional users as technically feasible shall be allowed at this site.
9. Prior to the co-location of any carrier's antennas or addition of equipment lease space, a revised site plan and equipment placement details shall be submitted to the Planning Department for approval.
10. Any UHF, VHF or other type of receivers/transmitters that would interfere with the County's Division of Police emergency communications are prohibited from this telecommunication tower. The County shall have the right to install antennas and other equipment on the tower as well as place support equipment within the ground lease area, provided that all antennas and other equipment are compatible with other parties' use of the tower.
11. If ownership of the lease is transferred to another provider, the new owner shall submit a Transfer of Provisional Use Permit.
12. If the use of the tower for communication purposes is discontinued for 180 days, the antennas and all related structures shall be removed from the site within ninety (90) days. Within ten (10) business days after written request by the County, the owner of the antennas and equipment shall provide the County with written confirmation of the status of the facility, the number of and identity of users, available co-location space and such additional information as may be reasonably requested.

The vote of the Board was as follows:

Yes: Thornton, Nelson, Lynch, O'Bannon

No: None

Absent: Branin

28-18
REZ2017-
00027
Fairfield

Scott Boze: Request to conditionally rezone from B-2 Business District to B-3C Business District (Conditional) Parcel 812-724-3676 containing .981 acres located on the north line of Nine Mile Road (State Route 33) approximately 300' east of its intersection with Cedar Fork Road.

Jean Moore, Assistant Director of Planning, responded to questions from Mr. Nelson and Mrs. O'Bannon. Mr. Rapisarda recommended the Board defer this item should it wish to consider approving what he previously advised the Planning Department was a deficient proffered condition that failed to define adult businesses.

The applicant, Scott Boze, responded to concerns expressed by Mr. Thornton that he had provided insufficient information about the case. He clarified for Mr. Nelson that the intent of the proffer was to exclude adult businesses from operating on the subject site. Mr. Boze noted the subject

property is designated for commercial concentration, there has been no known opposition to the case, and his objective is to attract a quality business that can provide quality services, employment opportunities, and tax revenues.

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

Mr. Rapisarda advised the Board of its options in acting on this item. Mr. Thornton expressed a preference for deferring the case and discussed the appropriate length of a deferral with Mr. Rapisarda.

On motion of Mr. Nelson, seconded by Mrs. O'Bannon, and by unanimous vote, the Board deferred this item to the March 13, 2018, meeting.

The vote of the Board was as follows:

Yes: Thornton, Nelson, Lynch, O'Bannon

No: None

Absent: Branin

Mr. Nelson and Mr. Thornton suggested it would be helpful for the applicant to identify the proposed use of the property when he returns to the Board on March 18. Mr. Boze responded it is unlikely the information will be available at that time.

29-18
REZ2017-
00030
Brookland

Luis Cabral: Request to conditionally rezone from O-2 Office District to B-2C Business District (Conditional) Parcel 770-755-3230 containing .998 acres located at the southeast intersection of Staples Mill Road (U.S. Route 33) and E. Parham Road.

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

On motion of Mrs. Lynch, 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. **Conceptual Plan.** Development of the Property shall be in general conformance with the Conceptual Plan dated November 16, 2017, entitled "8727 Staples Mill Road - Re-Development, Rezoning Exhibit", prepared by Koontz Bryant Johnson Williams and attached hereto (the "Concept Plan"), which Concept Plan (see case file) is conceptual in nature and may vary in detail as may be approved by County review staff at the time of Plan of Development.
2. **Elevations.** Except for the existing building, any proposed building constructed on the property shall adhere to the following; the exposed portion of each exterior wall surface (front, rear, and side) of any building (excluding rooftop screening materials for mechanical

equipment, windows, doors, breezeways, gables, and other architectural design features) shall be predominantly brick with decorative features of alternate materials such as E.I.F.S., vinyl, wood, metal, or cementitious siding, 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.

3. **Height.** Except for the existing building, no proposed building constructed on the Property shall exceed thirty-five (35) feet in height to the eave of the building (or top of the roof deck beyond the parapet wall if and as applicable), unless otherwise requested and specifically approved at the time of Plan of Development.
4. **Buffers.** A minimum of an eighteen (18) foot wide landscape buffer shall be provided adjacent to the Parham Road right-of-way line and a twenty-five (25) foot wide landscape buffer shall be provided adjacent to the Staples Mill Road right-of-way line. Each buffer shall meet the transitional buffer 25 standards of the Henrico County Zoning Ordinance (section 24-106.2). In calculating the total planting requirements within the buffer, the total length of buffer shall exclude the width of all crossing access entrances and casements.
5. **Parking Lot Lighting.** Except for the existing lighting fixtures, any proposed lighting fixtures shall conform to full cut-off standards, as defined by The Illuminating Engineering Society of North America (IESNA) and shall have a maximum pole height (excluding the height of a concrete base, if applicable) of 25 feet.
6. **Use Restrictions.** The use of the Property will be restricted to those uses permitted in the B-1 Business District with the exception for the use as a restaurant with drive-thru services. In addition, the Property shall not be utilized for any of the following:
 - a. 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 (1950), in effect as 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 Section);
 - b. permanent on-site recycling collection facilities.
7. **Underground Utilities.** Except for junction boxes, meters, existing overhead utility lines and those utility services required to be above grade for technical or environmental reasons, all proposed utility lines serving the building shall be underground.

8. **Trash Enclosures.** Except for the existing trash enclosure, any proposed enclosure area for dumpsters on the Property, if provided, shall be constructed of brick on three (3) sides that is complementary to that which is utilized in the primary building. The fourth side shall be gated with an opaque material other than wood. The location of any proposed enclosures for dumpsters shall be determined at the time of Plan of Development.
9. **HVAC.** Except for the existing heating and air conditioning equipment, any proposed heating and air conditioning equipment shall be screened from the public, where viewed at ground level from the property lines, in a manner approved at the time of Plan of Development.
10. **Public Address.** No outside pagers or loudspeakers shall be permitted on the Property. However, an intercom system equipped with volume control associated with a drive through window shall be permitted. Sound from any pager, loudspeaker, or intercom system shall not be audible beyond one hundred feet (100') from the source.
11. **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.

The vote of the Board was as follows:

Yes: Thornton, Nelson, Lynch, O'Bannon

No: None

Absent: Branin

PUBLIC HEARINGS - OTHER ITEM

30-18 Resolution - POD2017-00569 - Approval of a Plan of Development for Fairfield Area Library - Fairfield District.

Planner Tony Gruelich and Chuck Wray, Vice President of BCWH Architects, responded to questions from Mrs. O'Bannon.

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

Mr. Thornton remarked that Henrico County has gone to another level with public libraries and has a feeling of exhilaration for this project.

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

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

PUBLIC COMMENTS

There were no comments from the public.

GENERAL AGENDA

- 31-18 Resolution - Approval of Western-Star Hospital Authority, Inc. d/b/a Metro Health EMS to Operate a Medical Transport Medical Service in Henrico County.

Fire Chief Tony McDowell and Lamont Doyle, the Chief Operating Officer for Western-Star Hospital Authority, responded to questions 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.

- 32-18 Introduction of Ordinance - To Amend and Reordain Section 9-2 of the Code of the County of Henrico Titled "Precincts and polling places" by Merging the Glenside Precinct Into the Johnson Precinct and by Updating the Name of the Polling Place of the Greendale Precinct, All in the Brookland District.

On motion of Mrs. Lynch, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached introduction of ordinance.

- 33-18 Resolution - Approval of New Section 457 Deferred Compensation Plan and Authorization of County Contributions for Deferred Compensation for County Attorney.

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

- 34-18 Resolution - Signatory Authority - Acquisition of Real Property - Parcel Adjacent to Roslyn Hills Park - Tuckahoe District.

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

- 35-18 Resolution - Award of Contract - Meredith Branch Force Main Replacement - Brookland District.

Chip England, Director of Public Utilities, repoded to questions 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.

36-18 Resolution - Authorizing the County to Join Pending Litigation Styled In
 Re: Liquid Aluminum Sulfate Antitrust Litigation

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

37-18 Resolution - Acceptance of Roads - Brookland District.

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

There being no further business, the meeting was adjourned at 8:10 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia

Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

BLACK HISTORY MONTH

February 2018

WHEREAS, Dr. Carter G. Woodson, a distinguished African American scholar, native Virginian, and son of former slaves, initiated Negro History Week in 1926 to coincide with the February birthdays of Frederick Douglas and Abraham Lincoln and to encourage a greater awareness and understanding of the African American heritage and experience; and

WHEREAS, Negro History Week was later renamed Black History Week and was formally re-established in 1976 as Black History Month as part of the nation's bicentennial commemoration; and

WHEREAS, each year, during the month of February, events are held throughout the United States to highlight the talents, contributions, and achievements of African Americans; and

WHEREAS, Henrico County has an intriguing African American history, and Americans of African descent have played an integral role in its development and advancement while overcoming significant legal, economic, educational, and social barriers; and

WHEREAS, communities created in Henrico by African Americans are among the oldest continuing communities in America, and the beauty of the settlements lay in the tenacity, determination, and resolve of pioneers who emerged from enslavement to create their own ideas of freedom; and

WHEREAS, the County of Henrico is proud of our cultural diversity, and regards Black History Month as a special opportunity to spotlight the stories and successes of notable African Americans; and

WHEREAS, the County celebrates Black History Month by airing documentaries on Henrico County Television (HCTV) produced by the Department of Public Relations & Media Services and offering special programs and activities through the Division of Recreation and Parks, Public Library, and Public Schools.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Supervisors of Henrico County, Virginia, hereby recognizes February 2018 as Black History Month and encourages all Henrico citizens to mark this occasion and participate in its observance.



Barry R. Lawrence
Barry R. Lawrence, Clerk
January 23, 2018

Frank J. Thornton
Frank J. Thornton, Chairman
Board of Supervisors



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 22-18

Page No. 1 of 1

Agenda Title: RESOLUTION – Resignation of Member – Capital Region Airport Commission

For Clerk's Use Only:

BOARD OF SUPERVISORS ACTION

Date: 1/23/2018

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

Moved by (1) O'Bannon Seconded by (1) Lynch
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T. ☒ ☐ ☒ about
Lynch, C. ☒ ☐ ☐
Nelson, T. ☒ ☐ ☐
O'Bannon, P. ☒ ☐ ☐
Thornton, F. ☒ ☐ ☐

WHEREAS, on January 12, 2016, Bryan E. Kornblau was appointed to the Capital Region Airport Commission (the "Commission") for a four-year term ending December 31, 2019; and

WHEREAS, Mr. Kornblau submitted his resignation from the Commission by letter dated January 4, 2018.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia, hereby accepts the resignation of Bryan E. Kornblau from the Capital Region Airport Commission.

By Agency Head

By County Manager

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

From the desk of | Bryan E. Kornblau

2250 Old Brick Road, Suite 200 | Glen Allen, VA 23060 (804) 217-6938

January 4, 2018

Via e-mail: amstanley@co.hanover.va.us

Aubrey Stanley, Chairman
Capital Region Airport Commission
1 Richard E. Byrd Terminal Drive
Richmond, VA 23250

Dear Chairman Stanley:

It is with much regret that I write to you today to communicate my resignation from the Capital Region Airport Commission. I have thoroughly enjoyed my two years on the Commission. I will fondly remember my interactions with the other members and the fine staff that does such a great job at our airport.

As you may know, I recently lost my mom, who survived my dad's passing in 2014. My wife and I have decided to relocate to Florida as of the end of last year. Therefore, it would not be possible for me to continue in my position on the Commission.

Please accept my resignation as of this date and thank you for doing so. Also, please pass on my thanks to all who continue to serve.

Respectfully,



Bryan E. Kornblau

cc: Mr. Tommy Branin (via e-mail)
Mr. Jon Mathiasen (via e-mail)

/keh



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 23-18

Page No. 1 of 1

Agenda Title: RESOLUTION – Appointment of Member – Capital Region Airport Commission

For Clerk's Use Only:

Date: 1/23/2018

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

Branin, T. ☒ ☐ absent
Lynch, C. ☒ ☐
Nelson, T. ☒ ☐
O'Bannon, P. ☒ ☐
Thornton, F. ☒ ☐

BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia, appoints the following person to the Capital Region Airport Commission for an unexpired term ending December 31, 2019, or thereafter, when his successor shall have been appointed and qualified:

Citizen At-Large Harvey L. Hinson

By Agency Head

By County Manager

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. 30-18

Page No. 1 of 3

Agenda Title: RESOLUTION — POD2017-00569 — Approval of a Plan of Development for Fairfield Area Library — Fairfield District

For Clerk's Use Only:

Date: 1/23/2018

☒ Approved

☐ Denied

☐ Amended

☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Nelson Seconded by (1) Lynch
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T. absent

Lynch, C. ✓

Nelson, T. ✓

O'Bannon, P. ✓

Thornton, F. ✓

WHEREAS, Sections 24-11(b) and 24-106 of the Henrico County Code require the submission of applications for plans of development for public facilities to the Board of Supervisors; and,

WHEREAS, an application has been submitted for approval of POD2017-00569, a plan of development to construct a two-story, 44,803-square foot public library with parking and related site improvements, as well as a future 16,000-square foot building addition; and,

WHEREAS, the 10.238-acre site is located at the southeast corner of the intersection of North Laburnum Avenue and Watts Lane on Parcel 808-731-7728; is zoned RTHC, Residential Townhouse District (Conditional) and ASO, Airport Safety Overlay District; and is located in the Fairfield District; and,

WHEREAS, the County Administration, including the Department of General Services, the Department of Planning, the Department of Public Works, the Department of Public Utilities, the Division of Fire, the Division of Police, and the Office of Building Construction and Inspections have reviewed the application, and the Administration recommends approval, subject to the staff recommendations and the staff plan dated January 23, 2018; and,

WHEREAS, on January 23, 2018, the Board of Supervisors held a public hearing to receive comments on the application for approval.

NOW, THEREFORE, BE IT RESOLVED that the Henrico County Board of Supervisors hereby approves the application, subject to the following conditions:

By Agency Head

By County Manager

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. 30-18

Page No. 2 of 3

Agenda Title: **RESOLUTION — POD2017-00569 — Approval of a Plan of Development for
Fairfield Area Library — Fairfield District**

1. The Director of Public Utilities shall approve the construction plans for public water and sewer prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least 24 hours prior to the start of any County water or sewer construction.
2. The parking lot shall be subject to the requirements of Section 24-98 of the Henrico County Code.
3. The parking spaces shall be marked on the pavement surface with four-inch wide white painted traffic lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall be yellow.
4. Sufficient, effective usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
5. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
6. The plan of development shall be revised as annotated on the staff plan dated January 23, 2018, which shall be as much a part of this approval as if its details were fully described herein. Nine (9) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning that all comments have been addressed, a minimum of fourteen (14) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plans shall be attached to the building permit application.
7. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
8. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
9. All ground cover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season.
10. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams and fixture specifications and mounting height details shall be submitted for Department of Planning review and approval.
11. All exterior lighting shall be designed and arranged to direct the light and glare away from nearby residential property and streets.
12. The site, including the parking areas, shall be kept clean of litter and debris on a daily basis. Trash container units/litter receptacles and recycling containers shall be maintained with scheduled regular pickups and shall be screened properly on all four sides. The gate(s) shall remain closed except when the receptacle(s) are being filled or serviced and shall be repaired or replaced as necessary. Details shall be included with the final site plan or required landscape plan review and approval.
13. Required fire lanes shall be marked and maintained in accordance with the Virginia Statewide Fire Prevention Code.
14. Traffic control signs shall be provided as indicated on the Planning staff plan. All signs shall be fabricated as shown in The National Manual on Uniform Traffic Control Devices for Streets and Highways and The Virginia Supplement to The Manual on Uniform Traffic Control Devices for Streets and Highways.
15. The assigned property number shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 501-4284. The Planning Department must assign all property addresses.

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

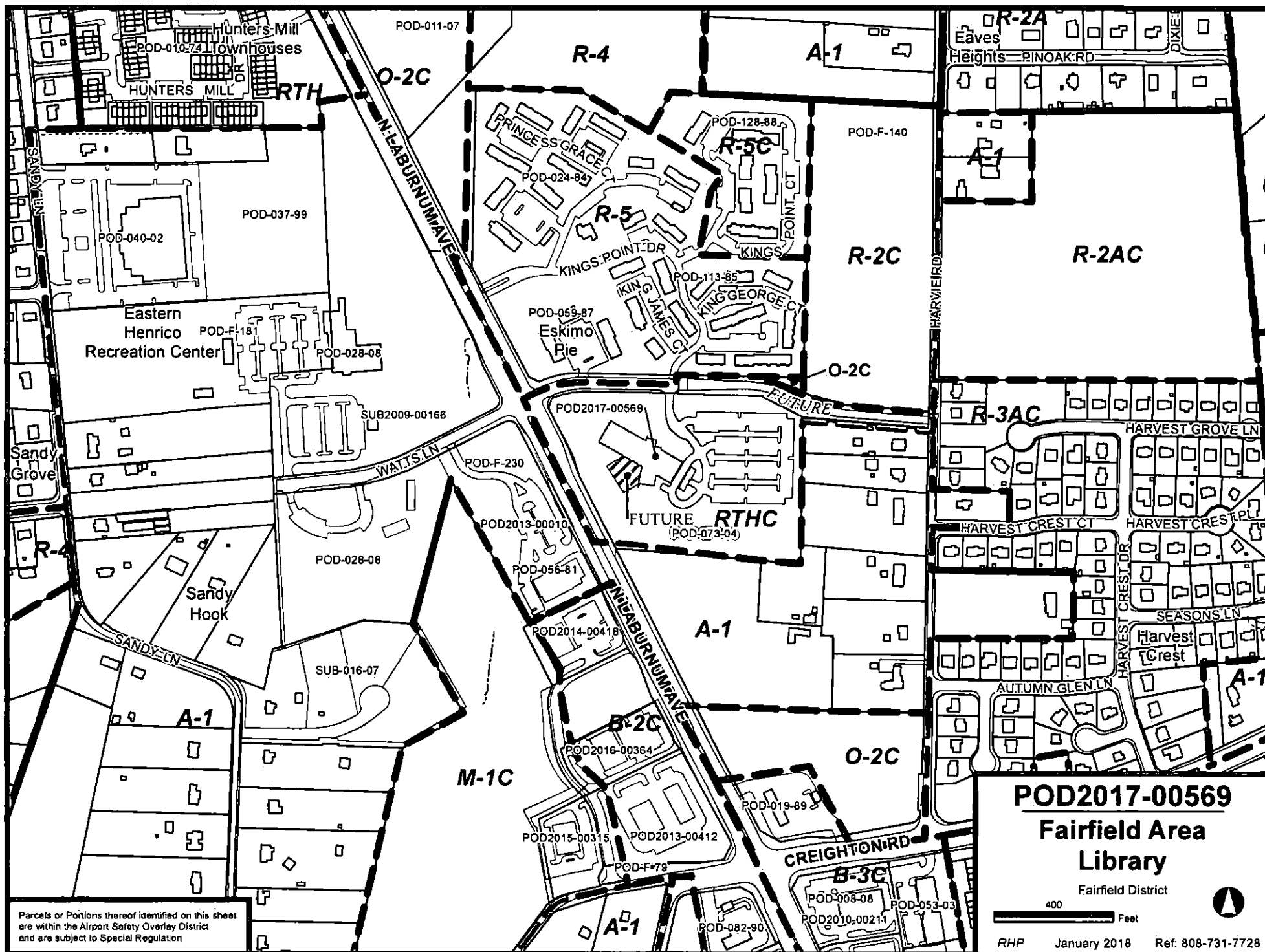
Agenda Item No. 30-18

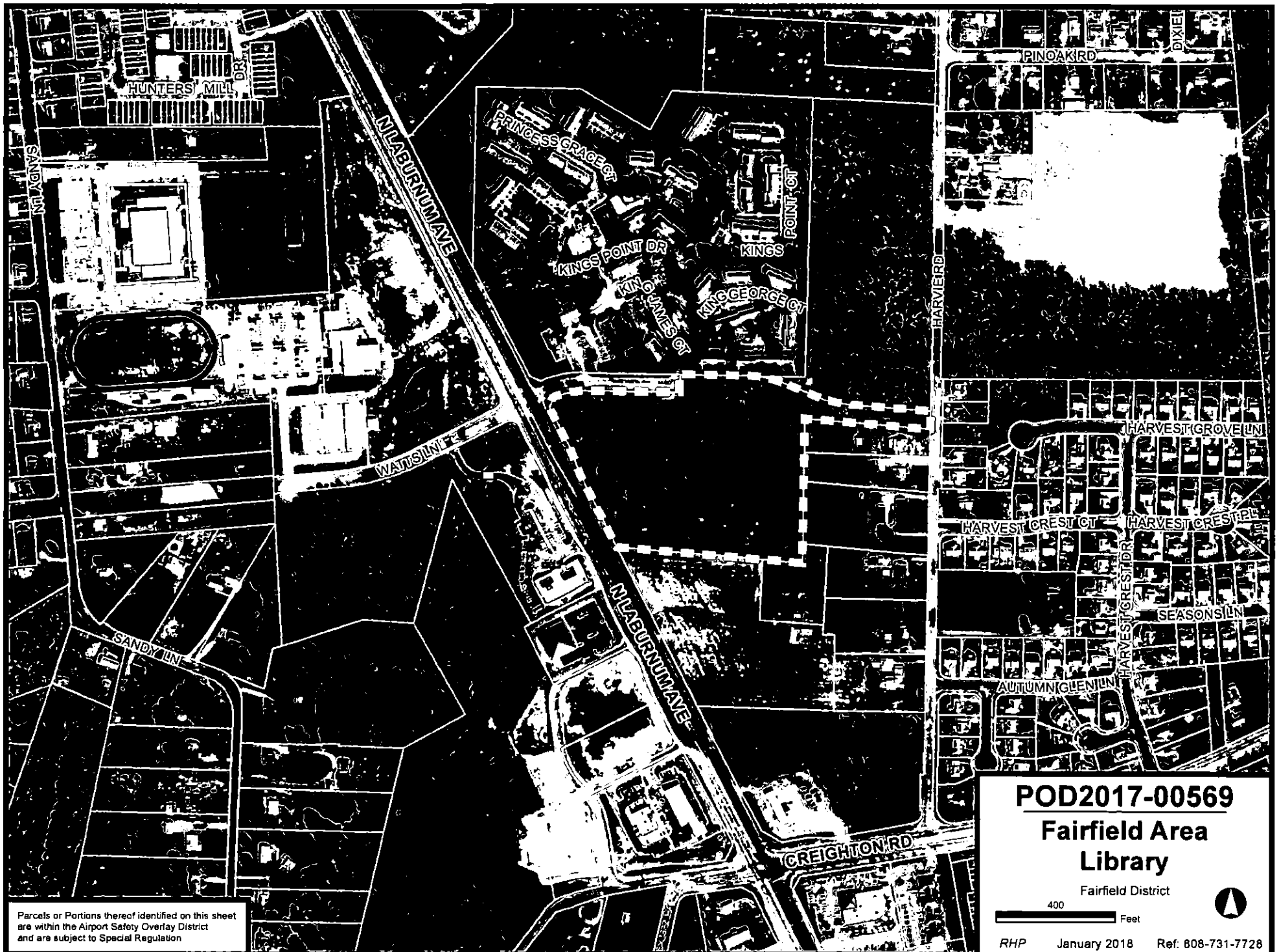
Page No. 3 of 3

Agenda Title: **RESOLUTION — POD2017-00569 — Approval of a Plan of Development for
Fairfield Area Library — Fairfield District**

16. The contractor shall have a set of plans approved by the Director of Public Works, Director of Public Utilities, and the County Manager available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County inspectors.
17. The property shall be developed generally as shown on the plan filed with the case and no major changes or additions to the layout shall be made without the approval of the Board of Supervisors.
18. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the engineer or land surveyor who prepared the POD plan shall furnish a statement to the effect that all construction, including water and sewer, is in conformance with the regulations and requirements of the POD.
19. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
20. Insurance Service Offices (ISO) calculations should be included on the final construction plans for approval by the Department of Public Utilities prior to issuance of a building permit.
21. Any necessary offsite drainage easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans by the Department of Public Works.
22. Deviations from County standards for pavement, curb, or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
23. Vehicles shall be parked only in approved and constructed parking spaces.
24. The construction shall be properly coordinated to ensure that safe access, circulation and adequate parking is provided for the facility. A plan to indicate the phasing of improvements and the handling of traffic (construction and employees) shall be submitted to the Department of Planning prior to the issuance of a building permit.
25. The subdivision plat for the extension of Watts Lane shall be recorded before final occupancy permits are issued.
26. The right-of-way for widening of North Laburnum Avenue as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
27. A concrete sidewalk meeting County standards shall be provided along the east line of North Laburnum Avenue and the south line of Watts Lane.
28. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
29. The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development and construction needed to implement this conceptual plan may be administratively reviewed and approved and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/approval.

COMMENTS: The Director of Planning has reviewed the plans submitted by Vanasse Hangen Brustlin, Inc. and BCWH and recommends approval, and the County Manager concurs.





Parcels or Portions thereof identified on this sheet
are within the Airport Safety Overlay District
and are subject to Special Regulation

POD2017-00569
Fairfield Area
Library

Fairfield District

400
Feet

RHP January 2018 Ref: 808-731-7728



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 31-18

Page No. 1 of 2

Agenda Title: RESOLUTION – Approval of Western-Star Hospital Authority, Inc. d/b/a Metro Health EMS to Operate a Medical Transport Service in Henrico County

For Clerk's Use Only: Date: 4/23/2018 <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) O'Bannon Seconded by (1) Nelson (2) _____ (2) _____ REMARKS: APPROVED	YES NO OTHER Branin, T. _____ <u>absent</u> Lynch, C. <u>✓</u> _____ Nelson, T. <u>✓</u> _____ O'Bannon, P. <u>✓</u> _____ Thornton, F. _____
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WHEREAS, Western-Star Hospital Authority, Inc. d/b/a Metro Health EMS ("Western Star") is seeking to obtain an EMS license from the Virginia Department of Health – Office of Emergency Medical Services; and

WHEREAS, Western-Star has an office located at 2101 E. Parham Rd, Suite 101, Henrico VA 23228 in the Fairfield District; and

WHEREAS, Western-Star proposes to provide medical transportation services within the County for agencies and businesses they have contracts with; and

WHEREAS, Western-Star has assured the County's Division of Fire that it will not respond to calls for emergency 911 services within the County unless requested by the County through its EMS system; and

WHEREAS, Western-Star has advised the County of its desire to operate within the County but, before it may do so, the Board of Supervisors must, pursuant to Virginia Code § 15.2-955 and 12VAC5-31-420, adopt a resolution approving its operation within the County.

By Agency Head

Anthony E. Nelson
8/23

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. 31-18

Page 2 of 2

Agenda Title: RESOLUTION – Approval of Western-Star Hospital Authority, Inc. d/b/a Metro Health EMS to Operate a Medical Transport Service in Henrico County

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

1. Western-Star Hospital is approved to provide a medical transport service within the entire geographical area of the County.
2. This approval does not authorize Western-Star to respond to calls for emergency 911 services from the general public except when so requested by the County through its EMS system.
3. Nothing in the Resolution shall be deemed to recognize Western-Star as an integral part of the official safety program of the County.

Comments: The Fire Chief recommends approval of this Board paper; the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 32-18
Page No. 1 of 1

Agenda Title: INTRODUCTION OF ORDINANCE – To Amend and Reordain Section 9-2 of the Code of the County of Henrico Titled "Precincts and polling places" by Merging the Glenside Precinct Into the Johnson Precinct and by Updating the Name of the Polling Place of the Greendale Precinct, All in the Brookland District

For Clerk's Use Only:

Date: 4/23/2018

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Wynen Seconded by (1) Nelson
(2) _____ (2) _____

REMARKS

APPROVED

YES NO OTHER

Branin, T.	_____	_____	<u>absent</u>
Lynch, C.	<u>✓</u>	_____	_____
Nelson, T.	<u>✓</u>	_____	_____
O'Bannon, P.	<u>✓</u>	_____	_____
Thornton, F.	<u>✓</u>	_____	_____

The Clerk is directed to advertise, in the Richmond Times-Dispatch on February 6, 2018, and February 13, 2018, the following ordinance for a public hearing to be held at the Board Room on February 27, 2018, at 7:00 p.m.:

"AN ORDINANCE to amend and reordain Section 9-2 of the Code of the County of Henrico titled "Precincts and polling places" by merging the Glenside Precinct into the Johnson Precinct and by updating the name of the polling place of the Greendale Precinct, all in the Brookland District. A copy of the full text of this ordinance, as well as descriptions and maps of the proposed changes, shall be on file in the Office of the County Manager."

Comments: The Registrar and Electoral Board recommend approval of this Board paper; the County Manager concurs.

By Agency Head

By County Manager

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. 33-18

Page No. 1 of 2

Agenda Title: **RESOLUTION — Approval of New Section 457 Deferred Compensation Plan and Authorization of County Contributions for Deferred Compensation for County Attorney**

For Clerk's Use Only:

Date: 4/23/2018

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

	YES	NO	OTHER
Branin, T.			absent
Lynch, C.	✓		
Nelson, T.	✓		
O'Bannon, P.	✓		
Thornton, F.			

WHEREAS, Va. Code § 51.1-603 authorizes counties by ordinance or resolution to establish deferred compensation plans for their employees and trusts for the segregation of funds resulting from compensation deferred under the plan; and,

WHEREAS, 26 U.S.C. § 457 permits such plans and regulates the federal tax treatment of compensation deferred under such plans; and,

WHEREAS, on April 8, 1981, the Board of Supervisors established a deferred compensation plan for County employees; and,

WHEREAS, the County's deferred compensation plan has been amended several times to make changes required to comply with amendments to federal tax law; and,

WHEREAS, the Board wishes to modernize its plan and trust documents for the County's Section 457 deferred compensation plan and to provide for their administration; and,

WHEREAS, the Board wishes to allow employees of the Economic Development Authority of Henrico County ("EDA") to participate in the County's Section 457 Plan; and,

WHEREAS, on August 14, 2012, the Board authorized payment of annual deferred compensation at the maximum amount permitted by applicable law for the County Manager, and such payments have been made to the County's Section 457 plan on his behalf; and,

WHEREAS, the Board now wishes to authorize payment of annual deferred compensation at the maximum amount permitted by applicable law for the County Attorney.

By Agency Head

Paul J. Riehl

4/11

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. 33-18

Page No. 2 of 2

Agenda Title: RESOLUTION — Approval of New Section 457 Deferred Compensation Plan and Authorization of County Contributions for Deferred Compensation for County Attorney

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors (1) approves the documents necessary to adopt the County's new Section 457 deferred compensation plan and trust for the plan's assets, effective March 1, 2018, (2) authorizes the participation of EDA employees in the plan upon the EDA's execution of the necessary participation agreement, (3) authorizes the County Manager to execute all amendments to the plan and trust necessary to comply with future changes in federal and state law as well as to make desired improvements in the operation of the plan, and (4) authorizes the County Manager to do all things necessary for supervision, administration, and implementation of the plan.

BE IT FURTHER RESOLVED that the Board of Supervisors authorizes the payment of annual deferred compensation at the maximum amount permitted by applicable law for the County Attorney, effective January 1, 2018.

Comments: The Director of Human Resources recommends approval of this Board paper, and the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 34-18

Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Acquisition of Real Property — Parcel Adjacent to Roslyn Hills Park — Tuckahoe District

For Clerk's Use Only:

Date: 1/23/2018

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

Branin, T.			absent
Lynch, C.	✓		
Nelson, T.	✓		
O'Bannon, P.	✓		
Thornton, F.			

WHEREAS, the Board of Supervisors desires to acquire a 0.25-acre lot adjacent to Roslyn Hills Park for additional land for the park; and,

WHEREAS, Matthew Joseph Burstein and Elinor Burstein have offered to sell the property for \$20,000.

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

- (1) the County Manager is authorized to execute documents, in a form approved by the County Attorney, to purchase the property for \$20,000; and,
- (2) the County Manager and County Attorney are authorized to undertake all steps necessary to complete the conveyance to the County, including recording the deed and obtaining a title insurance policy insuring the County's interest in the property.

Comments: The Directors of Real Property and Recreation and Parks recommend approval of this Board paper; the County Manager concurs.

By Agency Head

By County Manager

Routing:

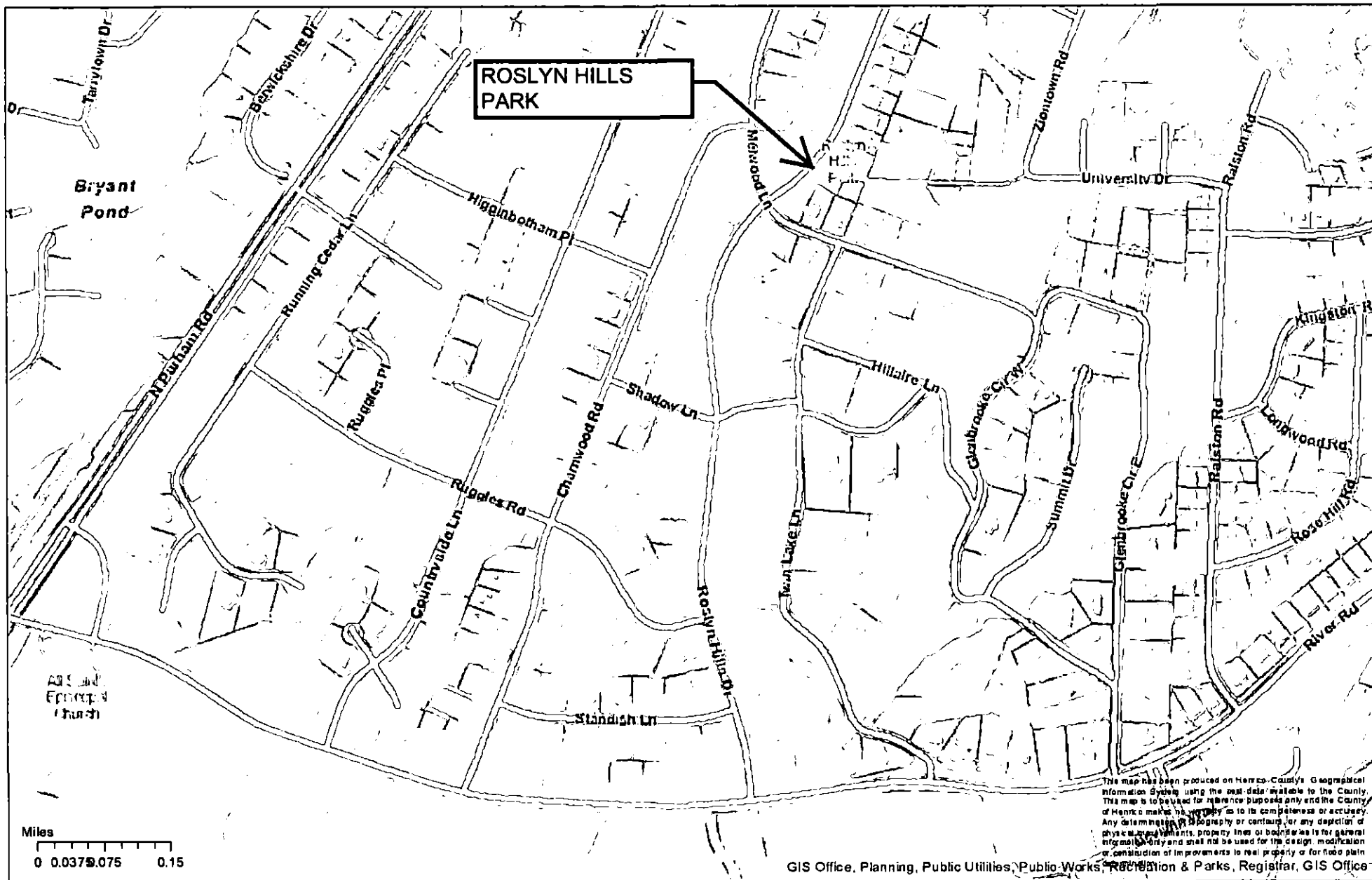
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Clerk, Board of Supervisors

Copy to: _____

Date: _____



VICINITY MAP
ROSLYN HILLS PARK
ADDITIONAL LAND - TP 754-734-4498
TUCKAHOE DISTRICT





Aerial Photo - Roslyn Park



Date: _____

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

Agenda Item No. 35-18

Page No. 2 of 2

Agenda Title: **RESOLUTION — Award of Contract — Meredith Branch Force Main Replacement —
Brookland District**

WHEREAS, after a review and evaluation of the bids, it was determined that S.J. Louis Construction, Inc. is the lowest responsive and responsible bidder with a bid of \$7,246,000.

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

1. The contract is awarded to S.J. Louis Construction, Inc., the lowest responsive and responsible bidder, in the amount of \$7,246,000 pursuant to Invitation to Bid No.17-1519-10CLE, Addenda Nos.1 and 2, and the bid submitted by S.J. Louis Construction, 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 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.

Comment: Funding will be provided by the Water and Sewer Revenue Fund. The Director of Public Utilities and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 36-18

Page No. 1 of 1

Agenda Title: **RESOLUTION — Authorizing the County to Join Pending Litigation Styled In Re: Liquid Aluminum Sulfate Antitrust Litigation**

For Clerk's Use Only:

Date: 4/23/2018

- (X) 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

Branin, T. about
Lynch, C. ☒
Nelson, T. ☒
O'Bannon, P. ☒
Thornton, F. ☒

WHEREAS, litigation styled In Re: Liquid Aluminum Sulfate Antitrust Litigation is pending in federal court (the "Litigation"); and,

WHEREAS, the Litigation involves claims of antitrust law violations resulting from a conspiracy to fix prices for aluminum sulfate; and,

WHEREAS, the City of Richmond, the City of Baltimore, and the Washington Suburban Sanitary Commission already are plaintiffs in the Litigation and are being represented by the Ballard Spahr and AquaLaw law firms; and,

WHEREAS, Chesterfield County is in the process of joining the Litigation; and,

WHEREAS, over the past 20 years, the County of Henrico purchased more than \$7 million worth of aluminum sulfate from two of the alleged conspirators; and,

WHEREAS, it is desirable for the County to join the Litigation as a plaintiff in order to recover damages it suffered as a result of the price fixing conspiracy.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County that it authorizes the County to join as a plaintiff in the Litigation, be represented by the Ballard Spahr and AquaLaw law firms, and pay its proportionate share of expenses of the Litigation upon receipt of proper invoices from either or both of the firms.

Comments: The Director of Public Utilities and County Attorney recommend approval of this Board paper; the County Manager concurs.

By Agency Head

Joseph P. Capriacchi, Jr.
Joseph P. Capriacchi, Jr.

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. 37-18

Page No. 1 of 1

Agenda Title: RESOLUTION — Acceptance of Roads — Brookland District

For Clerk's Use Only:

Date: 4/23/2018

- () Approved
() Denied
() Amended
() Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS

APPROVED

YES NO OTHER

Branin, T. _____ absent
Lynch, C. ✓ _____
Nelson, T. ✓ _____
O'Bannon, P. ✓ _____
Thornton, F. _____

BE IT RESOLVED by the Board of Supervisors of the County of Henrico that the following named and described sections of roads are accepted into the County road system for maintenance.

Claytonshire, Section A — Brookland District

Eli Place from 0.13 Mi. S. of Old Forester Lane to Claytonshire Court 0.06 Mi.
Claytonshire Court from Eli Place to 0.11 Mi. E. of Eli Place 0.11 Mi.

Total Miles 0.17 Mi.

By Agency Head

By County Manager

Routing:

Yellow to: _____

Copy to: _____

Certified:

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Clerk, Board of Supervisors

Date: _____



CLAYTONSHIRE SECTION A

