

Board of Supervisors
Patricia S. O'Bannon,
Chairman
Frank J. Thornton, Vice-
Chairman
James B. Donati, Jr.
Richard W. Glover
David A. Kaechele

County Manager
Virgil R. Hazelett, P.E.

Supervisors' Agend-O-Gram

Published by the Henrico County Manager's Office



Summary of Actions Taken by the Board on September 14, 2004

Mrs. O'Bannon led the Board, staff, and public in reciting the Pledge of Allegiance.

Rev. Vergel Maness, Pastor, Glen Allen Free Will Baptist Church, provided the invocation.

The Board approved the minutes of the August 10, 2004 Regular and Special Meetings and the March 15 – 18, 2004 Special Meeting.

MANAGER'S COMMENTS

Mr. Hazelett announced that a control panel regulating air conditioning in the Board Room had failed earlier in the day but that staff had taken corrective action to restore service. He noted that he expected the room temperature to return to its normal level while the meeting was in progress.

The Department of General Services' Purchasing Division has attained the National Institute of Governmental Purchasing's (NIGP) Outstanding Agency Accreditation Achievement Award, which recognizes excellence in public procurement by establishing a body of standards that should be in place for a solid purchasing organization. Cecelia Stowe, Purchasing Manager, accepted this honor on behalf of the County on August 9, 2004 at the NIGP 59th Annual Forum and Products Exposition in Biloxi, Mississippi. The County's Purchasing Division was one of only 24 governmental agencies to receive accreditation in 2004. Only 72 of the 2,100 eligible governmental agencies in the United States and Canada that are eligible for accreditation have received this distinction. Mrs. O'Bannon presented a certificate and trophy to Ms. Stowe and Paul Proto, Director of General Services.

The National Juvenile Detention Association has once again sponsored the Bob Rader Awards for outstanding staff members in two categories of the juvenile detention field. James Piercy, Custodian, is one of 35 workers nationwide named as a Detention Service Worker of the Year and Raymond Stanberry, Detention Counselor, is one of 37 persons selected as Line Staff Worker of the Year. At the Juvenile Detention Home's

upcoming Annual Staff Appreciation Breakfast, Mssrs. Piercy and Stanberry will receive certificates of recognition for having displayed exceptional professional ability in all phases of their duties.

Mr. Hazelett expressed appreciation to the County Divisions of Fire and Police for undertaking 94 rescues in the aftermath of Tropical Storm Gaston.

PUBLIC COMMENTS

Daniel P. Small, a resident of the Three Chopt District, expressed opposition to the proposed meals tax and advised the Board that he would oppose the proposed Spring 2005 General Obligation bond referendum if it is funded with meals tax revenue.

Gatewood S. Stoneman, a resident of the Varina District and President of the Henrico Farm Bureau, provided the Board with copies of the *Virginia Agricultural Statistics Bulletin & Resource Directory 2002* and expressed her personal support for placing multiple questions on the proposed bond referendum. She noted that the Henrico Farm Bureau had approved resolutions supporting full State repeal of the personal property tax on automobiles, the inclusion of multiple questions on the proposed County bond referendum, and adoption of a County meals tax.

Lewis Reid, a resident of the Tuckahoe District, voiced support for including multiple questions on the proposed bond referendum, funding the bond referendum with a meals tax or admissions tax as opposed to a real estate tax increase, initiating cash proffers for new development, using tax revenues generated by the Short Pump Town Center to help finance the proposed extension of Gayton Road, and ensuring that all County businesses with City zip codes are paying County taxes. Mr. Reid also expressed opposition to tax exemption status for private recreation associations and shared concerns regarding how future commercial and residential development from the Rockett's Landing project would be split between the City and the County. Further, Mr. Reid stated concerns about the quality of life for senior citizens on fixed incomes and spoke in favor of slowing down residential growth in the County.

Rose Torlina, a resident of Chesterfield County, and Ji Hong Sharpe, a resident of Hanover County, presented the Board with information on the meditative exercise known as Falun Dafa (or alternately as Falun Gong), expressed concerns about the treatment of Falun Dafa/Falun Gong practitioners by the Chinese government, and noted the free workshops and seminars conducted by Falun Dafa/Falun Gong practitioners at Deep Run Park and other Henrico County locations.

Thomas Jackson, a resident of the Fairfield District, raised concerns about the public's image of eastern Henrico County, the pace and quality of residential development occurring in that area of the County, and the absence of certain amenities in that area. He also asked the Board to consider televising its meetings and shared concerns regarding the level of influence exerted by the County's non-elected officials.

Robert Charlton, a resident of the Brookland District, conveyed concerns regarding the costs, location, and necessity of the proposed convocation center, and voiced support for placing a separate bond referendum question on the ballot for this project.

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Samuel C. Dudley, a resident of the Tuckahoe District, advised the Board that he would oppose the proposed bond referendum unless it included multiple questions.

Jeffrey Olivo, President of Lakeside Youth Baseball and a resident of the Brookland District, asked for the County's assistance in identifying a new location for his organization's ball fields, which were damaged by Tropical Storm Gaston.

Gary W. Wood, a resident of the Tuckahoe District, expressed support for placing multiple questions on the proposed bond referendum. He also suggested that the convocation center could be revisited in the future after the County had planned for public necessities.

William H. Walker, a resident of the Three Chopt District, raised concerns about the impact of the proposed meals tax on County businesses. He also spoke against presenting the proposed bond referendum to the public as a single package and taxing citizens for intangible needs.

BOARD OF SUPERVISORS' COMMENTS

Mr. Glover referred to an article that appeared on September 14, 2004 in the *Richmond Times-Dispatch* regarding a proposal by Northern Virginia legislators to use a projected \$500 million State budget surplus to fund transportation construction bonds. Mr. Glover reminded the Board that the County was part of a donor region in terms of locally generated tax revenues dedicated to transportation. He asked that the County once again appeal to the Virginia General Assembly for changes to the State's gasoline tax maintenance rates that would put the County on equal footing with Arlington County and Virginia's municipalities in the per lane mileage payments received from the State.

Mr. Thornton stated that he identified with the citizens who had expressed concerns to the Board about the bond referendum during the Public Comment period and he suggested that their comments merited reflection by the Board. He thanked the citizens for sharing their thoughts. Mrs. O'Bannon remarked that these citizens had spoken with one voice in advocating separate questions on the bond referendum.

Mr. Kaechele thanked the Board, Mr. Hazelett, County staff, and the greater Henrico community for their cards, flowers, and expressions of sympathy after his wife's passing on September 1, 2004.

Mrs. O'Bannon recognized Steven Durtschi from Boy Scout Troop 766, sponsored by the Church of Jesus Christ of Latter-day Saints – Gayton Ward, who was observing the meeting to fulfill requirements for his Citizenship in the Community, Citizenship in the Nation, and Communications Merit Badges. She also recognized Trey Rogers from Troop 569, sponsored by the Church of Jesus Christ of Latter-day Saints – Mechanicsville Ward, who had observed an earlier portion of the meeting.

RECOGNITION OF NEWS MEDIA

Mrs. O'Bannon recognized the presence of Nicole Johnson of the *Richmond Times-Dispatch*, Tom Lappas of the *Henrico Citizen*, Jonathan Spiers of the *Henrico County Leader*, and Dwight Nixon of WWBT-TV 12.

PUBLIC HEARING - REZONING CASES AND PROVISIONAL USE PERMITS

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| 252-04
C-73C-03
Deferred to October 12,
2004 Meeting | Request of WILHOOK, LLC to conditionally rezone from A-1 Agricultural District and R-1 One-Family Residence District to R-2C One-Family Residence District (Conditional), part of Parcel 744-742-5871, containing 22.753 acres, located on the north line of Patterson Avenue (Route 6) approximately 1,600 feet west of Gaskins Road. |
| 282-04
C-4C-04
Approved with Proffered
Conditions | Request of Forest Park Associates, L.L.C. to conditionally rezone from RTH Residential Townhouse District and O-2 Office District to O-2C Office District (Conditional), Parcel 758-743-7963, containing 1.815 acres, located at the northeast intersection of Santa Rosa and Three Chopt Roads. |
| 283-04
C-6C-04
Deferred to November 23,
2004 Meeting | Request of Ray Perkins to conditionally rezone from A-1 Agricultural District and C-1 Conservation District to R-2C (82.1 acres) R-2AC (89.8 acres) One-Family Residence Districts (Conditional), R-5AC (26.6 acres) General Residence District (Conditional), and RTHC (40.728 acres) Residential Townhouse District (Conditional), and C-1 (21.6 acres) Conservation District, Parcels 816-729-1884, 814-731-5764 and part of Parcel 817-731-6470, containing 260.828 acres, located at the northern terminus of Westover Avenue, extending northward to Creighton Road. |
| 284-04
C-13C-04
Deferred to October 12,
2004 Meeting | Request of Mike Fleetwood to conditionally rezone from A-1 Agricultural District, M-1 Light Industrial District and M-2 General Industrial District to M-2C General Industrial District (Conditional), Parcels 819-704-9284, 820-705-3941, 820-705-5372, 820-706-5002, 820-705-6725 and 819-703-7057, containing 105.164 acres, located at the southwest intersection of Monahan and Charles City Roads and the C&O Railroad. |

<p>285-04 C-24C-04 Approved with Proffered Conditions</p>	<p>Request of Lunsford L. Duke to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional), Parcels 761-769-6447 and 761-769-4574, containing 10.36 acres located at the southwest intersection of Staples Mill (U.S. Route 33) and Springfield Roads.</p>
<p>286-04 C-31C-04 Deferred to October 12, 2004 Meeting</p>	<p>Request of John Cabell Chenault and Marion S. Chenault to conditionally rezone from O-2 Office District to B-1C Business District (Conditional), Parcels 786-745-9691 and 787-746-0309, containing 1.49 acres, located at the northwest intersection of Chamberlayne Road (U.S. 301; State Route 2) and Wilmer Avenue.</p>
<p>287-04 C-33C-04 Deferred to October 12, 2004 Meeting</p>	<p>Request of Atlantic Senior Development, L.L.C. to conditionally rezone from B-3C Business District (Conditional), R-5 General Residence District, and C-1 Conservation District, to R-5C General Residence District (Conditional), part of Parcel 783-748-5077, containing 20.792 acres, located west side of Brook Road (U.S. Route 1), approximately 875 feet south of its intersection with Hilliard Road.</p>
<p>288-04 C-37C-04 Approved Amendment to Proffered Conditions</p>	<p>Request of Wayne & Dorothy Booze to amend proffered conditions accepted with Rezoning Case C-72C-89, on Parcel 744-739-5871, containing approximately 0.5 acre, located at the northwest intersection of Gaslight Drive and Gaslight Place in the Gaslight subdivision.</p>
<p>289-04 C-38C-04 Approved Amendments to Proffered Conditions</p>	<p>Request of Pocoshock Commons, LLC to amend proffered conditions accepted with Rezoning Case C-63C-03, on Parcel 741-751-7865, containing 2.02 acres, located at the northeast intersection of Pump Road and Ridgefield Parkway.</p>
<p>261-04 P-9-04 Deferred to October 12, 2004 Meeting</p>	<p>Request of Omnipoint Communications CAP Operations LLC for a Provisional Use Permit under Sections 24-95(a) and 24-122.1 of Chapter 24 of the County Code in order to construct a 140-foot wireless telecommunications tower, on part of Parcel 795-745-6496, containing 2,238 square feet, located on the northwest side of Richmond Henrico Turnpike approximately 1,200 feet north of Azalea Avenue.</p>
<p>290-04 P-10-04 Approved with Conditions</p>	<p>Request of J. Phillip Cornett for a Provisional Use Permit under Sections 24-58.2(d) and 24-122.1 of Chapter 24 of the County Code in order to allow a 588 square foot outside dining for Max and Erma's restaurant, on part of Parcel 737-751-3748, located on the west line of the John Rolfe Parkway right-of-way opposite Ridgefield Green Drive.</p>
<p>291-04 P-11-04</p>	<p>Request of Cugini, LLC for a Provisional Use Permit under Sections 24-58.2(d) and 24-122.1 of Chapter 24 of the County Code in order to allow an 800 square foot outside dining area for Roma's restaurant, on</p>

**Approved with
Conditions**

part of Parcel 771-752-0193, located on the west line of Staples Mill Road (U.S. Route 33) at Hermitage Road.

**292-04
P-13-04
Deferred to October 12,
2004 Meeting**

Request of RMA/Hunton, L.C. for a Provisional Use Permit under Sections 24-12.1(c) and 24-122.1 of Chapter 24 of the County Code in order to permit The Ridge at Hunton Park subdivision to be a gated community, on part of Parcel 764-774-3512, containing 49.122 acres, located along the south line of Hunton Park Boulevard, opposite Abbot's Cross Lane.

PUBLIC HEARING – OTHER ITEMS

293-04

Ordinance for Vacation of Building Line for Lot 5, Block K, Section C in Laurel Park, located in the Brookland District.

Approved

294-04

Ordinance for Vacation of Portion of Drainage Easement Reserved for BMP Site for Section C in Telegraph Run, located in the Fairfield District.

Approved

295-04

Ordinance for Vacation of Drainage and Utility Easement for Lot 49, Block A, Section 2 in Milhaven, located in the Three Chopt District.

Approved

296-04

Ordinance for Vacation of Portion of Drainage and Utility Easement for Lot 9, Block B, Section A in Pemberton Crossing, located in the Three Chopt District.

Approved

297-04

Ordinance for Vacation of Portions of Drainage and Utility Easement for Lots 2 and 3, Block D, Section B in Raintree East, located in the Tuckahoe District.

Approved

298-04

Resolution for Signatory Authority for Lease of County Property at 9455 Deep Bottom Road, located in the Varina District.

Approved

299-04

Resolution for Signatory Authority for Lease of County Property at 3501 New Market Road, located in the Varina District.

Approved

GENERAL AGENDA

300-04

Resolution to Accept a Virginia Department of Criminal Justice Services Grant Award for an Additional Probation Officer Position with the Community Corrections Program.

Approved

301-04

Introduction of Ordinance to Amend and Reordain Subsections (e) and

- Approved** (g) of Section 20-72 of the Code of the County of Henrico Titled “Elderly or permanently and totally disabled persons” to Change the Criteria For Tax Relief and to Increase the Maximum Annual Exemption.
- 302-04** Introduction of Resolution for Receipt of Requests for Amendment to the FY2004-05 Annual Fiscal Plan to (1) Reappropriate Funds for (a) **Approved** Continuing Grant Programs/Trust Funds and (b) Certain Unencumbered Balances from FY2003-04, and (2) Appropriate Funds for Certain New Programs.
- 303-04** Resolution for Award of Construction Contract for Improvements to Walkerton Tavern and The Cultural Arts Center at Glen Allen. **Approved**
- 304-04** Resolution for Award of Contract for Architectural and Engineering Services for Fire Station #5. **Approved**
- 305-04** Resolution Directing the Planning Staff to Prepare, and the Planning Commission to Review, An Amendment to the Zoning Ordinance to Provide A-1 Zoning for Parcels and Lots that Become Part of the County on January 1, 2005 Pursuant to a Boundary Line Adjustment. **Approved**
- 306-04** Resolution to Accept the Virginia Department of Motor Vehicles, Transportation Safety Services Award to the County of Henrico, Division of Police, for DUI Enforcement During the Fall 2004 Holiday Periods. **Approved**
- 307-04** Resolution for Signatory Authority for Conveyance of Easement to Verizon Virginia, Inc. for Willow Lawn Sewage Pumping Station at 5207 Markel Road, located in the Brookland District. **Approved**
- 308-04** Resolution for Signatory Authority for Conveyance of Easement to Virginia Electric and Power Company for North Park Library, located in the Fairfield District. **Approved**
- 309-04** Resolution for Signatory Authority for Quitclaim of Portions of Drainage Easements for Jamerson Park, located in the Three Chopt District. **Approved**
- 310-04** Resolution for Signatory Authority for Second Amendment of Lease Agreement for Public Safety Driver Training Facility by Capital Region Airport Commission, located in the Varina District. **Approved**
- 311-04** Resolution for Signatory Authority for Acquisition of Real Property for North Airport Drive, located in the Varina District. **Approved**
- 312-04** Resolution for Signatory Authority with Central Virginia Waste Management Authority for Special Project Service Agreement for

- Approved** Propane Tank Collection and Recycling.
- 313-04** Resolution for Signatory Authority with Central Virginia Waste Management Authority for Special Project Service Agreement for Used Tire Collection and Recycling.
- Approved**
- 314-04** Resolution for Signatory Authority with Central Virginia Waste Management Authority for Special Project Service Agreement for Household Hazardous Waste Recycling and Disposal.
- Approved**
- 315-04** Resolution for Signatory Authority with Central Virginia Waste Management Authority for Special Project Service Agreement for Grinding and Processing of Vegetation and Yard Waste.
- Approved**
- 316-04** Resolution for Award of Contract for Wilkinson Road Area Water Mains to Whitman Requardt & Associates, L.L.P.
- Approved**
- 317-04** Resolution for Recommendations for the Virginia Transportation Development Plan.
- Approved**
- 318-04** Resolution accepting Woodman Hills, Section A, and Kings Forest, located in the Brookland District; Sadler Grove, Sections A and B, located in the Three Chopt District; and Clarendon Woods, Section 1, and Stony Run Estates, Section A, located in the Fairfield District, into the County road system for maintenance.
- Approved**

Proud of Our Progress; Excited About Our Future.