

**COUNTY OF HENRICO, VIRGINIA**  
**Board of Supervisors' Agenda**  
**March 9, 2010**  
**7:00 p.m.**

**PLEDGE OF ALLEGIANCE**

**INVOCATION** – Rev. Joseph T. Driver, Gospel Jail Ministry

**APPROVAL OF MINUTES** – February 23, 2010 Regular and Special Meetings

**MANAGER'S COMMENTS**

**BOARD OF SUPERVISORS' COMMENTS**

**RECOGNITION OF NEWS MEDIA**

**PRESENTATION**

Proclamation – Purchasing Month – March 2010.

**APPOINTMENTS/RESIGNATION**

- 73-10                    Resolution – Appointment of Members – Board of the Reynolds Crossing Community Development Authority.
- 74-10                    Resolution – Appointment of Members – Finance Board.
- 75-10                    Resolution – Resignation of Member – Local Emergency Planning Committee.
- 76-10                    Resolution – Nomination of Member – Local Emergency Planning Committee.

**PUBLIC HEARINGS - REZONING CASES**

- 47-10                    Barrington Investors LTD and Elder Homes Corporation: Request to amend  
C-32C-09                proffered conditions accepted with Rezoning Case C-65C-06, on Parcels  
Fairfield                799-732-4991, 799-733-5351, -7350, -7644, -7938, -8231, -8525, -8819,  
                                 -9113, -9209, -9504, -8204, -7808, -7513, -7318, -7023, -6728, -6533,  
                                 -6338, -6143, -4535, -4830, -5025, -5223, -5419, -5614, -5810, 799-732-  
                                 8887, -8597, and -6697, located between the east line of the Chesapeake and  
                                 Ohio Railway right-of-way and the west line of Barrington Road at its  
                                 intersection with Springton Road. The applicant proposes to amend Proffer  
                                 3 related to foundations and Proffer 12 related to garages. The applicant also  
                                 proposes to delete Proffer 18 related to the walking trail. The existing  
                                 zoning is R-5AC General Residence District (Conditional). The Land Use  
                                 Plan recommends Suburban Residential 2, density should not exceed 3.4  
                                 units per acre, and Environmental Protection Area. The Planning  
                                 Commission voted to recommend the Board of Supervisors grant the  
                                 request. **(Deferred from the February 9, 2010 Meeting).**

77-10 Edward Lee Clay and Carl John Bailey Clay: Request to conditionally  
C-3C-10 rezone from A-1 Agricultural District to R-3C One-Family Residence  
Three Chopt District (Conditional), Parcel 738-756-7754, containing 1.93 acres, located  
at the northwest intersection of Sunrise and Pump Roads. The applicants  
propose a single-family residential subdivision. The R-3 District allows a  
minimum lot size of 11,000 square feet and a maximum gross density of  
3.96 units per acre. The use will be controlled by zoning ordinance  
regulations and proffered conditions. The Land Use 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.

45-10 Patterson Investments, Inc.: Request to conditionally rezone from R-2A  
C-30C-09 One-Family Residence District to R-5AC General Residence District  
Tuckahoe (Conditional), Parcel 748-741-8046, containing approximately 6.059 acres,  
located at the southeast intersection of Patterson Avenue (State Route 6) and  
Maybeury Drive. The applicant proposes a residential development of no  
more than thirty (30) homes. The R-5A District allows a minimum lot size  
of 5,625 square feet and a maximum gross density of 6.0 units per acre.  
The use will be controlled by zoning ordinance regulations and proffered  
conditions. The Land Use Plan recommends Urban Residential, with  
density ranging from 3.4 to 6.8 units per acre. The Planning Commission  
voted to recommend the Board of Supervisors grant the request. **(Deferred  
from the February 9, 2010 Meeting).**

#### PUBLIC HEARING - OTHER ITEMS

- 78-10 Resolution – Amendments to the FY 2009-10 Annual Fiscal Plan: March,  
2010.
- 79-10 Resolution – Signatory Authority – Conveyance of Ingress and Egress  
Easement – Fairfield District.

#### PUBLIC COMMENTS

#### GENERAL AGENDA

- 80-10 Resolution – Signatory Authority – Amendment to Contract for  
Architectural and Engineering Services – Eastern Henrico Recreation  
Center.
- 81-10 Resolution - Award of Construction Contract - John Rolfe Parkway, Phase  
II, from Pump Road to Ridgefield Parkway (approximately 1.136 miles).  
VDOT Project #9999-043-189, PE101, RW201, C501 County Project  
#2101.50704.28004.00720 (formerly Project #552117-704-463-00). Three  
Chopt and Tuckahoe Districts.

82-10

Resolution - To Permit Additional Fine of \$200 for Speeding on Gayton Station Boulevard from North Gayton Road to .06 miles west of Gayton Meadows Terrace.



**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS' RESUME  
March 9, 2010**

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**INVOCATION** – Rev. Joseph T. Driver, Gospel Jail Ministry

**PRESENTATION**

**PROCLAMATION – Purchasing Month – March 2010.**

The National Institute of Governmental Purchasing (NIGP) has designated the month of March as “Purchasing Month” to further expand awareness of the purchasing professionals’ role to governmental officials, the general public, business, and corporate leaders. This proclamation recognizes March 2010 as Purchasing Month in Henrico County and encourages all County employees and Henrico citizens to join in commemorating the observance.

**APPOINTMENTS/RESIGNATION**

**RESOLUTION – Appointment of Members – Board of the Reynolds Crossing Community Development Authority.**

This Board paper reappoints the following incumbent members of the Board of the Reynolds Crossing Community Development Authority for additional four-year terms expiring March 14, 2014 or thereafter, when their successors shall have been appointed and qualified:

Eugene M. Desvernine, Jr.  
Lee P. Dudley, Jr.  
Richard A. Friedman  
C. Walton Makepeace  
David H. Murphy

**RESOLUTION – Appointment of Members – Finance Board.**

On March 11, 2008, the Board of Supervisors adopted an ordinance creating the Finance Board to serve as trustee of funds designated by the County to be invested for the purpose of funding Other Post-Employment Benefits (OPEB). Pursuant to the Code of Virginia, the County’s Director of Finance serves as a member of the Finance Board for an unlimited term. The initial terms of the Finance Board’s citizen members will expire on March 10, 2010.

This Board paper reappoints the following incumbent citizen members of the Finance Board for two-year terms expiring March 10, 2012 or thereafter, when their successors shall have been appointed and qualified:

Leon T. Johnson  
Kevin D. Smith

**RESOLUTION – Resignation of Member – Local Emergency Planning Committee.**

This Board paper accepts the resignation of Michael K. Magner from the Local Emergency Planning Committee as the Public Health Representative.

**RESOLUTION – Nomination of Member – Local Emergency Planning Committee.**

This Board paper nominates the following person for appointment to the Local Emergency Planning Committee for an unexpired term ending December 31, 2010 or thereafter, when his successor shall have been appointed and qualified:

Public Health Representative

Kevin G. Pannell, Henrico Health Department

**PUBLIC HEARINGS - REZONING CASES**

C-32C-09  
Fairfield

Barrington Investors LTD and Elder Homes Corporation: Request to amend proffered conditions accepted with Rezoning Case C-65C-06, on Parcels 799-732-4991, 799-733 -5351, -7350, -7644, -7938, -8231, -8525, -8819, -9113, -9209, -9504, -8204, -7808, -7513, -7318, -7023, -6728, -6533, -6338, -6143, -4535, -4830, - 5025, - 5223, -5419, -5614, -5810, 799-732-8887, -8597, and -6697, located between the east line of the Chesapeake and Ohio Railway right-of-way and the west line of Barrington Road at its intersection with Springton Road. The applicant proposes to amend Proffer 3 related to foundations and Proffer 12 related to garages. The applicant also proposes to delete Proffer 18 related to the walking trail. The existing zoning is R-5AC General Residence District (Conditional). The Land Use Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre, and Environmental Protection Area. Acting on a motion by Mr. Archer seconded by Mr. Branin, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request to amend Proffers 3 and 18 because the changes do not greatly reduce the original intended purpose of the proffers nor are they expected to adversely impact surrounding land uses in the area. (The proposed amendment to Proffer 12 was not under consideration by the Planning Commission.) **(Deferred from the February 9, 2010 Meeting).**

C-3C-10  
Three Chopt Edward Lee Clay and Carl John Bailey Clay: Request to conditionally rezone from A-1 Agricultural District to R-3C One-Family Residence District (Conditional), Parcel 738-756-7754, containing 1.93 acres, located at the northwest intersection of Sunrise and Pump Roads. The applicants propose a single-family residential subdivision. The R-3 District allows a minimum lot size of 11,000 square feet and a maximum gross density of 3.96 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. Acting on a motion by Mr. Branin seconded by Mr. Jernigan, the Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board of Supervisors **grant** the request because it conforms to the recommendations of the Comprehensive Plan, is appropriate residential zoning at this location, and it represents a logical continuation of the one-family residential development which exists in the area.

C-30C-09  
Tuckahoe Patterson Investments, Inc.: Request to conditionally rezone from R-2A One-Family Residence District to R-5AC General Residence District (Conditional), Parcel 748-741-8046, containing approximately 6.059 acres, located at the southeast intersection of Patterson Avenue (State Route 6) and Maybeury Drive. The applicant proposes a residential development of no more than thirty (30) homes. The R-5A District allows a minimum lot size of 5,625 square feet and a maximum gross density of 6.0 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Urban Residential, with density ranging from 3.4 to 6.8 units per acre. Acting on a motion by Mrs. Jones seconded by Mr. Branin, 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, is appropriate residential zoning at this location, and the proffered conditions would provide for a higher quality of development than would otherwise be possible. **(Deferred from the February 9, 2010 Meeting).**

**PUBLIC HEARING - OTHER ITEMS**

**RESOLUTION – Amendments to the FY 2009-10 Annual Fiscal Plan: March, 2010.**

A Board paper was presented on February 23, 2010, which (a) received requests for amendments to the Annual Fiscal Plan, (b) directed the advertisement of same, and (c) set the date for a public hearing. The Board may now receive this paper, which, if approved, amends the Annual Fiscal Plan and appropriates funds for expenditure, as applicable, on March 9, 2010. After the public hearing, at that same meeting, this paper may be approved.

**RESOLUTION - Signatory Authority - Conveyance of Ingress and Egress Easement – Fairfield District.**

The approval of this resolution will authorize the Chairman and Clerk of the Board of Supervisors to execute a Deed of Easement conveying to Virginia Landbank Company (the “Company”) an ingress and egress easement so that it may construct, across a portion of County land, a driveway approximately 255 feet long to access Hartman Street. The Company’s parcel is adjacent to the County parcel and is currently landlocked with no public road frontage. The County acquired its parcel of land which extends from Mechanicsville Turnpike to Hidden Creek Park in 2001 from Virginia Electric and Power Company (“VEPCO”). VEPCO maintains a 70-foot wide transmission line easement on the County parcel. VEPCO has granted the Company an encroachment agreement for the driveway. There are no County facilities in the easement area and the driveway will not interfere with the County’s use of the property.

This resolution was deferred from the July 14, 2009 Board of Supervisors meeting and also withdrawn from the September 8, 2009 Board of Supervisors meeting, pending the outcome of the Company’s request for a variance with the Henrico County Board of Zoning Appeals on October 22, 2009.

The Real Property Department has processed this request through the Departments of Planning, Public Utilities, Public Works, and Recreation and Parks without objection.

**PUBLIC COMMENTS**

**GENERAL AGENDA**

**RESOLUTION – Signatory Authority – Amendment to Contract for Architectural and Engineering Services – Eastern Henrico Recreation Center.**

This resolution authorizes the County Manager to execute an amendment in the amount of \$40,500 to the January 19, 2007 architectural and engineering services contract with HKS, Inc. for the Eastern Henrico Recreation Center. The original contract sum was \$701,731.00 and there have been three subsequent amendments resulting in a revised contract sum of \$1,181,620.30.

On November 24, 2009, the Board awarded a contract in the amount of \$9,050,000 to Virtexco Corporation for construction of the Eastern Henrico Recreation Center. The construction contract included add alternates numbers 1 & 2 comprising Phase II improvements from the approved Master Plan. These improvements include a football field, track, bleachers, restroom shelters, concessions, additional parking, and associated site improvements, at a cost of \$1,422,000.

This amendment to the HKS, Inc. contract provides for additional services for the construction administration of the Phase II improvements enumerated above and results in a new contract amount of \$1,222,120.30.

Funding to support this contract amendment is available within the project budget.

**RESOLUTION - Award of Construction Contract - John Rolfe Parkway, Phase II, from Pump Road to Ridgefield Parkway (approximately 1.136 miles). VDOT Project #9999-043-189, PE101, RW201, C501 County Project #2101.50704.28004.00720 (formerly Project #552117-704-463-00). Three Chopt and Tuckahoe Districts.**

Ten bids were received on December 8, 2009 in response to County Bid Request #09-8702-8JK and Addenda No. 1, 2, and 3 for construction of John Rolfe Parkway, Phase II. This project consists of constructing John Rolfe Parkway, Phase II as a 4-lane roadway with turn lanes, curb and gutter, storm drainage, and sidewalks from Pump Road to Ridgefield Parkway.

The responsive bids were as follows:

<b>F.G. Pruitt, Inc.</b>	<b>\$4,410,616.78</b>
Blakemore Construction Corp.	\$4,856,285.68
Virginia Construction Co., Inc.	\$4,871,515.00
Key Construction Co., Inc.	\$4,889,845.88
Rappahannock Construction Co., Inc.	\$4,996,921.54
George Nice & Sons, Inc.	\$5,099,944.05
Central Contracting Co., Inc.	\$5,202,605.80
Sargent Corporation	\$5,360,106.05
W.C. English, Inc.	\$5,886,001.45

This Board paper awards the construction contract to **F. G. Pruitt, Inc.** in the amount of **\$4,410,616.78** and authorizes the County Manager to execute the contract in a form approved by the County Attorney.

80% of the project cost will be reimbursed by the Virginia Department of Transportation from Secondary Roads Escrow Account Funds, and the County will pay the remaining 20% of the cost from Capital Improvement Fund Project #2101.50704.28004.00720 (formerly 552117-704-463-00). As a requirement of this funding, the Commonwealth Transportation Board approved the bid for award on February 17, 2010, and the Virginia Department of Transportation has authorized award of the construction contract.

The Directors of Public Works and General Services recommend approval of this Board paper, and the County Manager concurs.

**RESOLUTION - To Permit Additional Fine of \$200 for Speeding on Gayton Station Boulevard from North Gayton Road to .06 miles west of Gayton Meadows Terrace.**

Section 46.2-878.2 of the Code of Virginia provides for the imposition of a \$200 fine for speeding, in addition to other penalties provided by law, when a locality has established a maximum speed limit for a highway in a residence district and the speed limit is indicated by appropriately placed signs. The law requires the Board of Supervisors to develop criteria for the overall applicability for the installation of the signs and to specify application of the law to particular streets before the additional fine may be imposed.



On February 10, 2004, the Board approved criteria for the County's Traffic Calming Program.

The County's Traffic Engineer has collected traffic data and has determined that Gayton Station Boulevard from North Gayton Road to .06 miles west of Gayton Meadows Terrace in the County is experiencing speeding problems and meets the criteria for traffic calming measures set forth in the Traffic Calming Program.

The citizens in the area of this road requesting the increased fine have collected signatures from 75% of the residents.

The Board paper authorizes the County Manager to place appropriate signs on Gayton Station Boulevard from North Gayton Road to .06 miles west of Gayton Meadows Terrace warning of an additional fine of \$200 for speeding.

The Director of Public Works recommends approval of this Board paper; the County Manager concurs.