

COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
REGULAR MEETING  
March 9, 2010

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, March 9, 2010 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:**

Patricia S. O'Bannon, Chairman, Tuckahoe District  
Frank J. Thornton, Vice Chairman, Fairfield District  
James B. Donati, Jr., Varina District  
Richard W. Glover, Brookland District  
David A. Kaechele, Three Chopt District

**Other Officials Present:**

Virgil R. Hazelett, P.E., County Manager  
Joseph P. Rapisarda, Jr., County Attorney  
Michael L. Wade, Sheriff  
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board  
Angela N. Harper, Deputy County Manager for Special Services  
Randall R. Silber, Deputy County Manager for Community Development

Mrs. O'Bannon called the meeting to order at 7:00 p.m.

Mrs. O'Bannon led recitation of the Pledge of Allegiance.

Rev. Joseph T. Driver of Gospel Jail Ministry delivered the invocation.

On motion of Mr. Donati, seconded by Mr. Kaechele, the Board approved the minutes of the February 23, 2010 Regular and Special Meetings.

The vote of the Board was as follows:

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

No: None

**MANAGER'S COMMENTS**

There were no comments from the Manager.

## **BOARD OF SUPERVISORS' COMMENTS**

Mrs. O'Bannon noted that several members of the Board attended the National Association of Counties Legislative Conference in Washington, D.C. during the weekend preceding this Board meeting. Mr. Thornton met with Senator Warner's staff and Mrs. O'Bannon visited with another large group of Congressional staff in regards to reauthorization of the Workforce Investment Act. The Richmond region is considered a best practices location for workforce investment and the meeting participants were interested to learn of the great cooperation in this region among localities and businesses. Mr. Kaechele was instrumental in bringing the entire region under one Workforce Investment Board.

Mrs. O'Bannon recognized the following Boy Scouts who were observing the meeting to fulfill merit badge and rank requirements: Christian Barr, Preston Barshinger, Ian Campbell, Dillon Dunham, Grayson Giddings, Coleman Hoyt, Robbie Newcomb, Jason Phillips, Jack Poindexter, and Jeremy Ray from Troop 702, sponsored by Second Baptist Church; and Brandon Phillips and Peter Truslow from Troop 740, sponsored by Our Lady of Lourdes Catholic Church.

Mr. Thornton commented that Scouts are future leaders and suggested that Scouts attending Board meetings in the future be provided with a handheld microphone when they introduce themselves so their names can be clearly heard by the audience. Mrs. O'Bannon pointed out that the Board had received a list of the Scouts who were present and that their names would be documented in the minutes of this meeting that will be posted online.

## **RECOGNITION OF NEWS MEDIA**

Mrs. O'Bannon recognized Kaitlin Sherwood from WRIC-TV 8. (Luz Lazo from the *Richmond Times-Dispatch* arrived later in the meeting).

## **PRESENTATION**

Mrs. O'Bannon presented a proclamation recognizing March 2010 as Purchasing Month. Accepting the proclamation was Paul N. Proto, Director of General Services. Joining him were Cecelia H. Stowe, Purchasing Manager; Yvonne M. Daniel, Procurement Supervisor; and Marvis W. Marshall, Supplier Relations Coordinator.

## **APPOINTMENTS/RESIGNATION**

73-10                    Resolution – Appointment of Members – Board of the Reynolds Crossing Community Development Authority.

On motion of Mr. Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 73-10 – see attached resolution.

74-10                    Resolution – Appointment of Members – Finance Board.

On motion of Mr. Glover, seconded by Mr. Kaechele, and by unanimous vote, the Board approved Agenda Item No. 74-10 – see attached resolution.

75-10 Resolution – Resignation of Member – Local Emergency Planning Committee.

On motion of Mr. Glover, seconded by Mr. Kaechele, and by unanimous vote, the Board approved Agenda Item No. 75-10 – see attached resolution.

76-10 Resolution – Nomination of Member – Local Emergency Planning Committee.

On motion of Mr. Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 76-10 – see attached resolution.

### **PUBLIC HEARINGS - REZONING CASES AND PROVISIONAL USE PERMITS**

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.

Joe Emerson, Director of Planning, responded to a question from the Board.

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

On motion of Mr. Thornton, seconded by Donati, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 47-10 (C-32C-09) with the following proffered conditions:

1. **General Development.** Development of the Property shall be comparable to the attached Concept Plan by Bay Design Group (see case file). All lots fronting Barrington Road shall have a minimum lot width of seventy (70) feet. At least 50% of the remaining lots on the Property shall have a width of at least sixty (60) feet.
2. **Exterior Materials.** Exterior wall materials shall be brick, stone, premium beaded vinyl siding (a minimum of .042" nominal thickness as evidenced by the manufacturer's printed literature, which shall be provided at the time of building permit application), composite-type siding, cementitious siding or other material of comparable quality determined at the time of Plan of Development review. At least seventy-five percent (75%) of homes along Barrington Road shall have a minimum of fifty percent (50%) of their front elevations constructed of

brick, or stone or other material of comparable quality unless otherwise approved at time of P.O.D. review. At least fifty percent (50%) of the remainder of homes within the Property shall have a minimum of 50% of their front elevations constructed of brick, stone, or other material of comparable quality unless otherwise approved at time of P.O.D. review. Foundations shall be excluded from percentage calculations.

3. **Foundations.** All homes shall be constructed on a crawl space or a concrete slab elevated a minimum of 16" above finished grade and surrounded by brick or stone or other material of comparable quality and appearance to provide the appearance of a crawl space. All elevated slab foundations shall have at least 2 faux foundation vents on the front elevation. All visible exposed portions of foundations of each home below the first floor level shall be constructed of brick, or stone, or other material of comparable quality. Front steps and stoops to the main entrance of all the homes shall be constructed of brick, stone, or other material of comparable quality with a brick, stone, concrete or exposed aggregate landing unless a porch is provided at the main entrance.
4. **Chimneys and Cantilevered Features.** Other than bay windows with decorative corbels, there shall be no cantilevered chimneys, direct vent gas fireplaces, closets or other architectural features on the front or side elevations. There shall be no cantilevered chimneys or closets on the rear elevation. The exposed portions of all fireplace chimneys shall be of the same materials as the foundation or adjacent exterior treatment of the dwelling. The exposed foundations of all chimneys, direct vent gas fireplaces, closets or other architectural features on the front and side elevations shall be of the same materials as the dwelling foundation.
5. **Minimum House Size.** Single-Family Dwellings shall be a minimum of 1300 square feet of finished floor area.
6. **Density.** There shall be no more than fifty-four (54) units developed on the property.
7. **Underground Utilities.** Except for junction boxes, meters and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.
8. **Trash.** There shall be no central trash receptacles.
9. **Hours of Construction.** The hours of exterior construction including operation of bulldozers and other earthmoving equipment, shall be between 7:00 a.m. and 7:00 p.m., Monday through Friday and 8:00 a.m. and 5:00 p.m. on Saturday and Sunday, except in emergencies or where unusual circumstances require extending the specific hours in

order to complete work such as concrete pours or utility connections.

10. **Protective Covenants.** Prior to or concurrent with the recordation of the first subdivision plat approved by the County and before the conveyance of any portion of the Property covered by said subdivision plan (other than for the dedication of easements, roads or utilities) a document shall be recorded in the Clerk's Office in the Circuit Court of Henrico County, Virginia setting forth controls on the development and maintenance of such portions of the Property.
11. **Driveways.** All homes shall have an asphalt or brushed concrete driveway.
12. **Garages.** A minimum of a one car garage with interior dimensions of at least 18 feet in depth by 9 feet in width clear of as built obstructions shall be provided for at least 50% of homes on the property. At least 63% of garages shall be side or rear loaded.
13. **Roads.** All roads within the Property shall be public roads. The developer shall construct six (6) inch standard curb and gutter along all roads with the Property and along Barrington Road, as determined by the Director of Public Works at the time of subdivision or Plan of Development review. Should the dedicated property not be used for its intended purpose within thirty (30) years of the dated of dedication, title to the dedicated property shall revert to the owner or its successors in interest.
14. **Entrance Feature.** An entrance sign with brick, stone or stucco base shall be installed along Road A, at its intersection with Barrington Road and within the common area, as shown on the Concept Plan (see case file). A landscape plan for the entrance feature shall be submitted during Plan of Development review for approval by the Planning Commission.
15. **Street Trees.** Minimum 2" caliper street trees shall be provided along Barrington Road and all roads within the Property at intervals of approximately 35 feet, unless otherwise requested and approved by the Planning Commission at the time of Plan of Development review. A landscape plan for street trees shall be provided for review by the Planning Commission at the time of Plan of Development review.
16. **Fences.** Any fencing of yard shall not extend beyond the front of the house and must meet requirements regarding height, design and materials specified in covenants and restrictions to be recorded with the lots.

17. **C-1 Zoning.** The Applicant shall file an application for C-1 zoning for the areas within the Property that are within the 100-year flood plain, unless such areas are needed for roads, access ways or other purposes approved by the Planning Commission or any other governmental body or official at the time of Plan of Development review. Such rezoning application shall be filed prior to final Plan of Development approval for the Property. The acreage then zoned C-1 may or may not be included in any lot on the Property, at the discretion of the Applicant.
18. **Elevations.** A minimum of two (2) windows per side elevation shall be provided for each dwelling.
19. **Foundation Plantings.** Prior to the issuance of a final Certificate of Occupancy for any individual dwelling, foundation plantings consisting of a minimum of ten (10) shrubs for the front elevation shall be provided.
20. **Compliance Certification.** The property owner and/or builder shall provide the amount of brick (or other comparable material) used on each dwelling for all dwellings approved in the development upon the submittal of a building permit application. A cumulative count of such materials used for homes, the type of garage constructed with each home, and lot widths shall be provided upon request of the Henrico Planning Department or Permit Center.

The vote of the Board was as follows:

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

No: None

77-10  
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.

Jean Moore, Assistant Director of Planning, elaborated on the proffered condition addressing foundations at the request of Mr. Kaechele.

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

On motion of Mr. Kaechele, seconded by Mr. Glover, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 77-10 (C-3C-10) subject to the following proffered conditions:

1. **Minimum Finished Floor Area.** Two-story homes shall have a minimum of 1800 square feet of finished floor area and one-story homes shall have a minimum of 1500 square feet finished. There shall be no more than three one-story homes constructed on the property including the existing house.
2. **Foundations and Chimneys.** All new houses shall be constructed on *crawl space foundations, except for garages and basements.* The exterior portions of all residential dwelling foundation below the first floor level which is visible above grade shall be brick or stone. Any dwellings with a fireplace other than direct vent gas fireplaces or appliances will have masonry chimneys faced with brick or stone similar to the foundation. Front stoops and steps shall be constructed of *material to match the foundations.*
3. To the extent reasonably practical, the clearing of mature trees on residential lots by the developer shall be limited to trees in areas required to accommodate the structure and its normal and customary accessories, open areas and areas required to permit utility services and driveways. A minimum of two (2) trees measuring a minimum of 2" in caliper at the time of planting shall be retained or planted in the front yard of each new residential lot.
4. Except for the driveway serving the existing house on the property in its current location, there shall be no direct vehicular access to or from any residential lot developed on the property to or from Pump Road.
5. **Underground Utilities.** All proposed utilities except for junction boxes and meters shall be placed underground, unless technical or environmental reasons require otherwise.
6. **Garages.** Each residential unit on the Property shall be constructed with at least a one (1) car garage. Front loaded garages shall be recessed beyond the front line of the dwelling a minimum of two (2) feet.
7. **Cantilevering.** There shall be no cantilevered chimneys, direct vent gas fireplaces, closets or bay windows.
8. **Driveways.** All new driveways shall be constructed of either cobblestone, brick, asphalt, pre-cast pavers, concrete or other similar materials approved by the Director of Planning.
9. **Exterior Building Materials.** All new houses shall be constructed with brick, stone, cultured stone, EIFS, cementitious siding (e.g. Hardiplank, or an equivalent), or a combination of the foregoing unless different architectural treatment and/or materials are specifically

approved with respect to the exposed portion of any wall at the time of subdivision review. Fiberboard is not permitted as an exterior wall material. With the exception of the existing house on the property, which can be moved to another lot on the property, vinyl siding is prohibited.

10. **Fences.** No chain link fences shall be permitted on the Property.
11. **Construction Hours.** The hours of exterior construction activities, including operation of bulldozers and other earthmoving equipment, shall be between 7:00 a.m. - 7:00 p.m. Monday through Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections.
12. **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 of the unaffected part of any such proffer.
13. Landscaping shall be provided along Pump Road to include retention of existing trees and the planting of an evergreen hedge in an area within twenty feet of the Pump Road right-of-way. The plantings shall not interfere with the operation of the driveway as long as it exists.
14. There shall be at least one window included in each side elevation of the houses.

The vote of the Board was as follows:

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

No: None

45-10  
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.

Mr. Hazelett noted that this item was deferred by the Board at the February 9, 2010 meeting after a four-hour public hearing and that at the close of the hearing four specific items were identified to be addressed at this Board meeting. In updating the Board on the case, Director of Planning Joe Emerson commented that the applicant held a community meeting on March 1, 2010 to discuss these concerns, which the Chairman summarized on February 9, 2010 as follows: A possible reduction in the number of units in order to move the



proposed homes further away from Maybeury Elementary School, additional review of an alternative entrance location for the proposed subdivision, consideration of a relocated construction entrance, and the provision of a privacy fence along the common boundary with the school. To address those items, the applicant had submitted revised proffers to require the construction access be located off of the shared driveway with the YMCA until 25 homes have been constructed and to build a six-foot privacy fence along the site's southern property line at the time of commencement of land disturbance activities. Mr. Emerson elaborated on these proffer changes and responded to questions from the Board regarding the location and length of the proposed privacy fence and the land use designation of the subject property in the County's 2026 Comprehensive Plan. At Mr. Kaechele's request, Mr. Emerson explained how the case was compatible with surrounding developments as well as being consistent with the County's 2026 Comprehensive Plan.

Jim Theobald, representing Patterson Investments and Gummenick Properties, narrated a slide presentation highlighting the concessions that had been made by the applicant since the February 9 public hearing. He explained why the applicant had not agreed to reduce the density of the proposed development or change the proposed development's permanent access.

The following five speakers who remained in opposition to the case recapped the four concerns raised during the February 9 public hearing in a lengthy slide presentation:

- John Blackmore, a resident of the 700 block of Maybeury Drive, spoke to the fence materials clause in the newly amended proffers and the distance of radii of the proposed development's cul-se-sacs.
- Jim McGehee, a resident of the 700 block of Maybeury Drive, commented on the proposed development's construction entrance and on the access point for the residents of the community once homes have been built.
- Colleen O'Meara, a Waterford Rhye townhouse resident, referred to previous Virginia court cases in offering a rationale for rejecting the rezoning request.
- Joni Albrecht, Vice President of the Maybeury Elementary School Parent Teacher Association (PTA), elaborated on the PTA's concerns regarding the proposed development's distance from the school and buffer size.
- David "Bo" Conrad, Vice President of the Westmoor Civic Association, briefly reiterated his community's general concerns about the case.

The following persons who were opposed to the case and who did not sign up in advance also addressed the Board during the public hearing:

- Karen Hamilton, a resident of the Short Pump area, referred to the Federal Migratory Bird Treaty Act and relayed concerns pertaining to how the proposed development would disturb migratory birds.
- Larry Wood, a parent of Maybeury Elementary students, introduced a videotape narrated by his wife, Lisa, and edited by his son, Mac, profiling the Maybeury Elementary School community and highlighting concerns about the proposed development.
- Anna Swanson, a resident of 809 Maybeury Drive, voiced concerns relating to the density of the proposed development.
- Mary Reidelbach, the parent of a disabled child who attends Maybeury Elementary School's Pre-School Education for Developmentally Delayed (PEDD) program, spoke to the reasonableness of the two items from the previous hearing that had not been addressed by the applicant and referred to a study on responsible growth conducted by the Quality Growth Coalition.
- Mary Stefanik, a member of the Maybeury Elementary School PTA, commented on a request by the PTA for an amendment to the County's 2026 Comprehensive Plan to change the land use designation on the site for the proposed development.
- Heather Case, the parent of a Maybeury Elementary School parent and a resident of Watlington Road, read an open letter from the Derbyshire Neighborhood Association stating concerns about the impact of the proposed development on neighborhood roads and the school.
- John Collinson, a resident of 703 Lakewater Drive, expressed concerns about the proposed development's entrance and buffer size.

Mr. Theobald returned to the podium to respond to issues raised by the speakers during the public hearing. In concluding his slide presentation, he alluded to the case's 31 proffered conditions offered by the applicant and addressed traffic, cul-de-sac lengths, fencing, Gummenick's community involvement, site layout and proximity to the school, and development surrounding other Henrico schools. Mr. Theobald then responded to questions from the Board pertaining to the previous conveyance of land by the Gummenick family to Maybeury Elementary School and the feasibility of permanent site access off of Patterson Avenue.

Mrs. O'Bannon mentioned that any correspondence to Board members is kept as part of the public record. She commented on her consistency and fairness in considering both sides of the case and processing and disseminating information about the case. Mrs. O'Bannon noted that many of the issues that surfaced were unrelated to the zoning case. She thanked County staff for the many hours it spent on the case. Mrs. O'Bannon reviewed how she had reached decision on the case and advised that her biggest concern with the case was the density of the proposed development.

Mrs. O'Bannon made a motion to deny the case, which was seconded by Mr. Thornton. This motion was defeated. The vote of the Board was as follows:

Yes: O'Bannon, Thornton

No: Donati, Glover, Kaechele

Other members of the Board offered their perspective on the case. Mr. Kaechele acknowledged the conflicting views on the case but stated that he felt the case was reasonable and pointed out that it was supported by the Planning Commission and County's professional staff. He also commented on the Gummenicks' proven record of high quality development and concern for the county. Mr. Glover spoke to the lengthy process followed by the County in adopting the 2026 Comprehensive Plan and the ample opportunities for citizen input before the plan was adopted in 2009. Mr. Thornton remarked that the Gummenick firm has an excellent past record in Henrico but cautioned that the Board needs to listen more carefully to the citizens who are impacted by a proposed development.

On motion of Kaechele, seconded by Mr. Glover, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 45-10 (C-30C-09) with the following proffered conditions:

1. **Landscaped Strip Adjacent to Maybeury Drive and Patterson Avenue.** A planting strip easement a minimum of ten (10) feet in width shall be provided along Patterson Avenue and Maybeury Drive, which shall be planted to a Transitional Buffer 25 standard, unless such plantings are not required as a result of existing evergreen vegetation, as determined at the time of Landscape Plan review. Berms, grading, utility easements, entrances, underground BMPs, fences, signage, pedestrian walkways and any other uses, which are specifically requested and approved at the time of Plan of Development or subdivision review, shall be permitted within such landscape strip; provided, any such utility easements (other than existing) shall be extended generally perpendicular to Patterson Avenue unless otherwise requested by the Owner and specifically permitted at the time of Plan of Development or subdivision review. An asphalt walkway a minimum of

four (4) feet in width shall be provided generally along the Patterson Avenue property line, subject to receipt of all necessary approvals.

2. **Site Plan and Elevations.** Development of the Property shall be in general conformance with the illustrative conceptual plan entitled "Maybeury, Tuckahoe District, Henrico County, Virginia, Conceptual Plan", prepared by E.D. Lewis & Associates P.C., dated January 25, 2010, last revised February 25, 2010, and attached hereto, (see case file) and homes and garages shall be similar in architectural treatment (incorporating similar, but not necessarily the same, design elements, style and materials) to the elevations entitled "Conceptual Elevation, Maybeury Bungalows, Henrico County, Virginia" numbered 1 through 7, (see case file) and streetscape elevation entitled "Conceptual Elevation, October 15, 2009, Maybeury Bungalows, 1" attached hereto, (see case file) unless otherwise requested by the Owner and specifically permitted at the time of Plan of Development or subdivision review.
3. **Exterior Materials.** Any building shall have exposed exterior walls (above finished grade) predominantly of brick veneer, stone veneer, cementitious siding, or a combination of the foregoing, unless otherwise requested by the Owner and specifically permitted at the time of Plan of Development or subdivision review. Except for trim material, no home shall have exposed exterior walls of vinyl or aluminum siding.
4. **Entrance Feature.** A landscaped entrance, which may include signage, shall be provided at the access to the Property.
5. **Foundations.** All homes shall be constructed on a crawl space (not to exclude optional basements) with exterior siding on all foundations consisting of brick veneer or stone veneer. Foundation plantings shall be provided on all front elevations.
6. **Fireplace Chimneys.** The exposed portions of all fireplace chimneys shall be of brick veneer, stone veneer or cementitious siding. The exposed bases of all chimneys shall be of the same material as the building foundations. The exposed portion of a flue for a direct-vent gas fireplace shall be constructed of the same material used on the adjacent siding and shall be built on a foundation that is constructed of the same material that is used on the adjacent foundation.
7. **Lighting.** Street light standards for internal private driveways shall be provided and shall not exceed twelve (12) feet in height. The street lights shall be non-glare, decorative in style, and residential in character.
8. **Density.** There shall be no more than thirty (30) homes developed on the Property.

9. **Community Sidewalks.** Sidewalks a minimum of five (5) feet in width shall be provided along at least one side of the internal private roadways and shall be of concrete or exposed aggregate concrete.
10. **Road Certification.** Prior to the issuance of the first permanent certificate of occupancy, the Owner shall provide the Planning Department with certification from a licensed engineering firm that the roadways within the development were constructed according to the approved Plan of Development and in compliance with Henrico County road design standards and specifications, to include proper compaction of the sub-base soils, utility trenches, base stone and asphalt surface, but excluding road widths, turning radii, sight distance and vertical curves.
11. **BMP/Detention.** Any BMPs developed on the Property shall be underground. This shall not preclude rain gardens, bio-retention facilities or Low Impact Design techniques.
12. **Hours of Construction.** The hours of exterior construction, including operation of bulldozers and other earthmoving equipment, shall only be between 7:00 a.m. and 7:00 p.m., Monday through Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections. Signs, in both English and Spanish, stating the above-referenced provisions shall be posted and maintained at all entrances to the Property prior to any land disturbance activities thereon.
13. **Underground Utilities.** Except for junction boxes, meters and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.
14. **Restrictive Covenants/Homeowners' Association.** Prior to or concurrent with the recordation of the first subdivision plat and/or Plan of Development approved by the County and before the conveyance of any portion of the Property covered by said subdivision plat or Plan of Development (other than for the dedication of easements, roads or utilities), a document shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia setting forth controls on the development and maintenance of such portions of the Property. In addition, there shall be a Homeowners' Association of the owners of homes that shall be responsible for the enforcement of the restrictive covenants, including, but not limited to, maintenance of any common areas.
15. **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.

16. **Sod/Street Trees.** Each front yard and side yard to the edge of the rear of the home shall initially be sodded, exclusive of sidewalks, mulched flowerbeds and landscaping. The neighborhood shall have a street tree landscape plan in which trees shall be planted or retained equaling at least one tree with a minimum 2.5 inch caliper for each home within the front yard and one within the side yard if on a corner lot.
17. **Fencing Along Patterson Avenue.** A picket-style fence made of composite material (such as TimberTech FenceScape) a maximum of forty-two (42) inches in height shall be provided along the Patterson Avenue frontage of the Property, unless different fencing is otherwise requested by the Owner and specifically permitted at the time of Plan of Development or subdivision review.
18. **Minimum Home Size.** Homes shall have a minimum of 1,300 square feet of finished floor area.
19. **Garages.** All homes shall have a minimum of a one-car garage. The siding of garages developed on the Property shall be of the predominant material utilized on the home on the lot which the garage serves.
20. **Driveways.** Any "cart track" driveways developed on the Property shall be of exposed aggregate concrete. All other driveways shall be constructed of asphalt or exposed aggregate concrete.
21. **Porches.** Any exposed piers for any porches shall be of brick veneer or stone veneer. Porch steps shall have "backs" and not be open.
22. **Pedestrian Access to YMCA.** Pedestrian access to the adjacent YMCA shall be provided.
23. **Transportation.** Prior to the issuance of the first certificate of occupancy on the Property, transportation improvements shall be made to Maybeury Drive as specified in that certain letter from James W. Theobald on behalf of Patterson Investments, Inc. to Timothy A. Foster, Director of Public Works, dated February 8, 2010, (see case file) unless otherwise requested by the Owner and specifically permitted at the time of Plan of Development or subdivision review.
24. **Landscaped Strip Along Southern Property Line.** A planting strip easement a minimum of ten (10) feet in width shall be provided along the southern property line, which shall have trees planted to the Transitional Buffer 25 standard and one-half the number of shrubs planted to the Transitional Buffer 25 standard, unless such plantings are

not required as a result of existing evergreen vegetation, as determined at the time of Landscape Plan review. Berms, grading, utility easements, easements for maintenance of adjacent homes, pedestrian access, underground BMPs, fences and any other uses, which are specifically requested and approved at the time of Plan of Development or subdivision review, shall be permitted within such landscape strip; provided, any such utility easements (other than existing) shall be extended generally perpendicular to the southern property line unless otherwise requested by the Owner and specifically permitted at the time of Plan of Development or subdivision review. The foregoing plantings shall be installed when the home adjacent to such area is being constructed, or during the next planting season after such home is constructed.

25. **Construction Vehicle Access.** Construction access to the Property shall be from the YMCA access road until 25 homes have been constructed on the Property.
26. **Mud Wash.** The construction entrance on the YMCA access road shall have a mud wash for the washing of vehicle tires as necessary when leaving the Property.
27. **Burning.** During the period of construction on the Property, there shall be no burning of natural materials or construction debris.
28. **Front Porch Depth.** Any front porch shall have a minimum depth of six (6) feet as measured from front edge of porch to outside edge of home, excluding areas for steps and stoops.
29. **Lot Clearing.** The clearing of healthy trees measuring six (6) or more inches in diameter on any lot shall be limited to areas required to accommodate the dwellings, garages, driveways, sidewalks, open yard areas, utility lines and any other areas typically required for the construction of a dwelling as determined by the Owner.
30. **Temporary Construction Fence.** Prior to any land disturbance on the Property, a temporary construction fence a minimum of six (6) feet in height shall be installed, and shall tie into the fence provided in Proffer 31 below at:
  - a. the western end of the board fence referenced in Proffer 31 below and run generally along the Maybeury Drive property line to the beginning of the proposed entrance, and
  - b. the eastern end of the board fence referenced in Proffer 31 below and run generally along the western edge of the YMCA access road easement a distance of approximately seventy-five (75) feet.

At such time as a certificate of occupancy is issued for any of Lots 14, 15 or 16, the fence in Proffered Condition 30.a. may be removed. At such time as a certificate of occupancy is issued for Lot 27, the fence in Proffered Condition 30.b. may be removed.

31. **Fencing Along Southern Property Line.** A six (6) foot high double-sided board-on-board fence including a decorative top, generally as shown on Exhibit A attached hereto, (see case file) shall be provided generally along the southern property line beginning approximately 15' from the right-of-way of Maybeury Drive and ending approximately at the western edge of the YMCA access road easement, unless different fencing is otherwise requested by the Owner and specifically permitted at the time of Plan of Development or subdivision review. Such fence shall be installed at the commencement of land disturbance and shall be maintained by the Homeowners' Association.

The vote of the Board was as follows:

Yes: Donati, Glover, Kaechele

No: O'Bannon, Thornton

The Board recessed at 9:38 p.m. and reconvened at 9:55 p.m.

#### **PUBLIC HEARINGS - OTHER ITEMS**

78-10 Resolution – Amendments to the FY 2009-10 Annual Fiscal Plan: March, 2010.

Gene Walter, Director of Management and Budget, and Mr. Hazelett responded to questions from the Board. There was some discussion of Community Development Block Grant (CDBG) fund transfers.

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

On motion of Mr. Kaechele, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 78-10 – see attached resolution.

79-10 Resolution – Signatory Authority – Conveyance of Ingress and Egress Easement – Fairfield District.

Jon Tracy, Director of Real Property, responded to a question from the Board.

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



On motion of Mr. Thornton, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 79-10 – see attached resolution.

## PUBLIC COMMENTS

There were no comments from the public.

## GENERAL AGENDA

80-10 Resolution – Signatory Authority – Amendment to Contract for Architectural and Engineering Services – Eastern Henrico Recreation Center.

Paul Proto, Director of General Services, responded to questions from the Board. There was some discussion of the project’s construction schedule. Mr. Thornton asked to receive photographs highlighting the progress and phases of the project. He also complimented Senior Capital Projects Manager Ed Bass and Capital Projects Manager Rob Johnson on their efficacious presentation at his recent town meeting.

On motion of Mr. Thornton, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 80-10 – see attached resolution.

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.

Tim Foster, Director of Public Works, responded to questions from the Board.

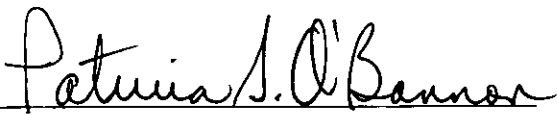
On motion of Mr. Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 81-10 – see attached resolution.

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.

Mike Jennings, Traffic Engineer, responded to a question from the Board.

On motion of Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 82-10 – see attached resolution.

There being no further business, the meeting was adjourned at 10:15 p.m.

  
\_\_\_\_\_  
Chairman, Board of Supervisors  
Henrico County, Virginia

# Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

## PURCHASING MONTH

*March 2010*

**WHEREAS**, public procurement and materials management professionals support and enhance the delivery of governmental services by promoting ethical purchasing practices; and

**WHEREAS**, public purchasing involves the management of goods, the establishment of sources and shipping through inventory and warehousing, the disposal of surplus items, and the determination of which product or service to buy to meet a specific need at the lowest possible price within the required deadline without sacrificing quality or service; and

**WHEREAS**, public purchasing and materials management professionals in Henrico County, through professional development and certification from accredited programs, are dedicated to pursuing efficiency in the operation of government and providing the highest value for taxpayers' dollars; and

**WHEREAS**, 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.

**NOW, THEREFORE, BE IT PROCLAIMED** that the Board of Supervisors of Henrico County, Virginia hereby recognizes March 2010 as Purchasing Month and encourages all County employees and Henrico citizens to join in commemorating this observance.



*Barry R. Lawrence*

Barry R. Lawrence, Clerk  
March 9, 2010

*Patricia S. O'Bannon*

Patricia S. O'Bannon, Chairman  
Board of Supervisors



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

Agenda Item No. 73-10  
Page No.

Agenda Title           **RESOLUTION - Appointment of Members - Board of the Reynolds Crossing Community Development Authority**

<p>For Clerk's Use Only:</p> <p>Date <u>MAR 9 2010</u></p> <p><input checked="" type="checkbox"/> Approved  <input type="checkbox"/> Denied  <input type="checkbox"/> Amended  <input type="checkbox"/> Deferred to</p>	<p><b>BOARD OF SUPERVISORS ACTION</b></p> <p>Moved by (1) <u>Kaechele</u>    Seconded by (1) <u>Aloner</u>  (2) _____ (2) _____</p> <p>REMARKS:  <u>APPROVED</u></p>	<table border="0"> <tr> <td></td> <td align="center">YES</td> <td align="center">NO</td> <td align="center">OTHER</td> </tr> <tr> <td>Donati, J.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Glover, R.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**BE IT RESOLVED** that the Board of Supervisors of Henrico County, Virginia appoints the following persons to the Board of the Reynolds Crossing Community Development Authority for 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

By Agency Head \_\_\_\_\_ *[Signature]*

By County Manager \_\_\_\_\_ *[Signature]*

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

Agenda Item No. 74-10  
Page No.

Agenda Title

**RESOLUTION - Appointment of Members - Finance Board**

<p>For Clerk's Use Only:</p> <p><b>MAR 9 2010</b></p> <p>Date _____</p> <p><input checked="" type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Amended</p> <p><input type="checkbox"/> Deferred to _____</p>	<p><b>BOARD OF SUPERVISORS ACTION</b></p> <p>Moved by (1) <u>Glover</u> Seconded by (1) <u>Kaechele</u></p> <p>(2) _____ (2) _____</p> <p>REMARKS: <b>APPROVED</b></p>	<table border="0"> <tr> <td></td> <td align="center"><b>YES</b></td> <td align="center"><b>NO</b></td> <td align="center"><b>OTHER</b></td> </tr> <tr> <td>Donati, J.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Glover, R.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>		<b>YES</b>	<b>NO</b>	<b>OTHER</b>	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**WHEREAS**, by ordinance adopted March 11, 2008, the Board of Supervisors created a finance board (the Finance Board) as provided by Section 15.2-1547 of the Code of Virginia to serve as trustee of funds designated by the County to be held, accumulated and invested by the Finance Board for the purpose of funding Other Post-Employment Benefits (OPEB); and

**WHEREAS**, the initial terms of the Finance Board's citizen members will expire on March 10, 2010.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Henrico County, Virginia appoints the following persons to the Finance Board as citizen members 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

<p>By Agency Head _____ <i>[Signature]</i></p> <p>Routing: Yellow to: _____</p> <p>Copy to: _____</p>	<p>By County Manager _____ <i>[Signature]</i></p> <p>Certified: A Copy Teste: _____</p> <p align="center">Clerk, Board of Supervisors</p> <p>Date: _____</p>
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**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Item No. 75-10

Page No.

Agenda Title **RESOLUTION - Resignation of Member - Local Emergency Planning Committee**

<p>For Clerk's Use Only:</p> <p>Date <b>MAR 9 2010</b></p> <p><input checked="" type="checkbox"/> Approved  <input type="checkbox"/> Denied  <input type="checkbox"/> Amended  <input type="checkbox"/> Deferred to</p>	<p align="center"><b>BOARD OF SUPERVISORS ACTION</b></p> <p>Moved by (1) <u>Celone</u> Seconded by (1) <u>Kaechele</u>  (2) _____ (2) _____</p> <p>REMARKS:  <b>APPROVED</b></p>	<table border="0"> <tr> <td></td> <td align="center"><b>YES</b></td> <td align="center"><b>NO</b></td> <td align="center"><b>OTHER</b></td> </tr> <tr> <td>Donati, J.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Glover, R.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>		<b>YES</b>	<b>NO</b>	<b>OTHER</b>	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**WHEREAS**, on January 13, 2009, Michael K. Magner was nominated for appointment to the Local Emergency Planning Committee as the Public Health Representative for a term expiring December 31, 2010; and

**WHEREAS**, by e-mail correspondence dated March 2, 2010 and directed to Barry R. Lawrence, Clerk to the Board of Supervisors, Mr. Magner submitted his resignation from the Committee.

**NOW THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Henrico County, Virginia accepts the resignation of Michael K. Magner from the Local Emergency Planning Committee.

<p>By Agency Head <u>Edwin H. Smith</u></p>	<p>By County Manager <u>Debra P. Reynolds</u></p>
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**Lawrence, Barry**

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**From:** Magner, Michael (VDH) [Michael.Magner@vdh.virginia.gov]  
**Sent:** Tuesday, March 02, 2010 12:38 PM  
**To:** Lawrence, Barry  
**Cc:** Pannell, Kevin (VDH); McRay, Anna  
**Subject:** Resignation from LEPC

Dear Mr. Lawrence,

I respectfully submit my resignation as a member of the Henrico LEPC, effective as of the date on this letter. The reason for this resignation is that I have recently left my position as the Emergency Planner at the Henrico County Health Department. I recommend that Kevin Pannell, my replacement at the Henrico County Health Department, be nominated to fill the position that I have vacated.

Kevin's Contact information is as follows:

Kevin Pannell

District Emergency Planner

Henrico County Health Department

Office: 804-501-7250

Cell: 804-366-5779

Email: Kevin.Pannell@vdh.virginia.gov

Please allow me to express my gratitude for the opportunity to serve in Henrico County LEPC. The knowledge and experience gained in this position was invaluable.

Thanks,  
Mike

Michael K. Magner, MPH  
Central Region Emergency Planner  
Virginia Department of Health  
Direct Office Number: 804-864-7486  
Cell: 804-432-9987  
Fax: 804-864-8239  
[michael.magner@vdh.virginia.gov](mailto:michael.magner@vdh.virginia.gov)



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

Agenda Item No. 70-10  
Page No.

Agenda Title      **RESOLUTION - Nomination of Member - Local Emergency Planning  
Committee**

<p>For Clerk's Use Only:</p> <p><b>MAR 9 2010</b></p> <p>Date</p> <p><input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to</p>	<p><b>BOARD OF SUPERVISORS ACTION</b></p> <p>Moved by (1) <u>Kaechele</u> Seconded by (1) <u>Glover</u> (2) _____ (2) _____</p> <p>REMARKS: <b>APPROVED</b></p>	<table border="0"> <tr> <td></td> <td align="center">YES</td> <td align="center">NO</td> <td align="center">OTHER</td> </tr> <tr> <td>Donati, J.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Glover, R.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**BE IT RESOLVED** that the Board of Supervisors of Henrico County, Virginia 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

<p>By Agency Head <u>John A. Smith</u></p>	<p>By County Manager <u>Linda R. Taylor</u></p>
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**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

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

For Clerk's Use Only: DATE: <b>MAR 9 2010</b> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to	<b>BOARD OF SUPERVISORS ACTION</b> Moved by (1) <u>Kaechele</u> Seconded by (1) <u>Thornon</u> (2) _____ (2) _____ REMARKS: <b>APPROVED</b>	<table border="0"> <tr> <td></td> <td align="center">YES</td> <td align="center">NO</td> <td align="center">OTHER</td> </tr> <tr> <td>Donati, J.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Glover, R.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Thornon, F.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornon, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**WHEREAS**, the Board of Supervisors of the County of Henrico, Virginia held an advertised public hearing on March 9, 2010 to consider proposed amendments to the Annual Fiscal Plan for fiscal year 2009-10; and,

**WHEREAS**, those citizens who appeared and wished to speak were heard.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County of Henrico, Virginia that the Annual Fiscal Plan for fiscal year 2009-10 is amended and that such funds are appropriated for expenditure in the amounts and for the purposes indicated.

OPERATING FUNDS

FUND 0101 - GENERAL FUND - General Operating

Department 22 - Social Services

22202 - VIEW Day Care

1302 00000 - Purchase of Services \$ 674,500

The Commonwealth of Virginia, Department of Social Services will reimburse the County of Henrico an additional \$301,750 of State and \$337,250 of Federal funds for the Virginia Initiative for Employment not Welfare (VIEW) Program in fiscal year 2009-10. The required County matching funds of \$35,500 will come from the fund balance in the General Fund, and is included in this \$674,500 total. Also an additional \$35,500 in ARRA funding for this program can be found elsewhere in this document that will bring the total program funding to \$3,374,912.

22504 - Special Needs Adoption

1302 00000 - Purchase of Services 130,000

The Commonwealth of Virginia, Department of Social Services, will reimburse the County of Henrico an additional \$130,000 of State funds for the mandated Special Needs Adoption Program expenditures. The total appropriation for this program in fiscal year 2009-10 will be \$1,055,376 after this addition. The Special Needs Adoption Program is funded with 100% State funds and no local matching funds are required.

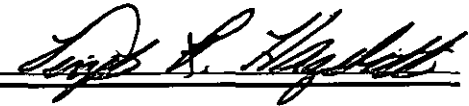
Total Social Services

\$ 804,500

By Agency Head



By County Manager



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Clerk, Board of Supervisors

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

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

Department 28 - Public Works  
28002 - Road Maintenance \$ 4,000,000  
0000 00000 Due to the amount of snowfall this winter and the cost of snow removal from County roadways, additional funding is requested by the Department of Public Works. The additional funding will be used to replace the road maintenance funding used for snow removal and to allocate additional funds for road maintenance requirements that have resulted from the severe winter weather. Funds are to come from the fund balance in the General Fund.  
Total Fund 0101 - General Fund - General Operating \$ 4,804,500

FUND 0107 - GENERAL FUND - ARRA - County General Fund

Department - 22 - Social Services  
22202 - VIEW Day Care  
1302 05272 - ARRA - VIEW Day Care \$ 35,500  
This will amend the Department of Social Services budget to incorporate additional American Recovery and Reinvestment Act (ARRA) funding for the Virginia Initiative for Employment not Welfare (VIEW) Program. An additional \$674,500 of State, Federal, and County funds for this program can be found elsewhere in this document that will bring the total program funding to \$3,374,912.  
Total Fund 0107 - ARRA - County General Fund \$ 35,500  
Total GENERAL FUND \$ 4,840,000

FUND 1102 - SPECIAL REVENUE FUND - State and Federal Grants - County

Department 05 - Commonwealth's Attorney  
05001 - Commonwealth's Attorney \$ 11,445  
0000 05230 To appropriate State funding received from the Department of Criminal Justice Services for the Virginia Domestic Violence Victim Fund. Funding will be used for office supplies and travel expenses to support the program.

Department 07 - Juvenile Detention

07002 - Juvenile Probation  
0000 05218 - Juvenile Accountability Block Grant \$ 50,551  
*The Commonwealth of Virginia, Department of Criminal Justice Services (DCJS) has, for the twelfth year, awarded the County of Henrico, a Federal Juvenile Accountability Block Grant (JABG) for \$45,495, for calendar year 2010. A match of 5% or \$2,528 will be provided by the Virginia Department of Criminal Justice Services. A County required match of 5% or \$2,528 of the total program, will come from the fund balance in the General Fund via an interfund transfer to the Special Revenue Fund. Funds are to be used to provide Multisystemic Therapy services for chronic and/or serious juvenile offenders to be provided by existing staff at Henrico Mental Health facilities.*

Department 12 - Police

12002 - Fiscal Records  
0000 05295 - Target 10 \$ 3,000  
To appropriate a donation received from Target to purchase transmitters, receivers, and headphones for use in the interview rooms.

**COUNTY OF HENRICO, VIRGINIA  
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Department 13 - Fire

13113	- Emergency Planning and Safety	
0000 05312	- <u>State Fire Programs - Training</u>	\$ 2,870
	To appropriate Training Mini-Grant funding received from the Commonwealth of Virginia Department of Fire Programs. This funding will be used to purchase a smoke generator for the Division's training program. No local match is required.	

Department 16 - General Services

16002	- Communications	
0000 05311	- <u>RAMIS Phase II</u>	\$ 1,730,000
	To appropriate funding from the Virginia Department of Emergency Management. These federal funds are pass-through from the National Preparedness Directorate (NPD) of the United States Department of Homeland Security and are being administered by the Commonwealth. Funds will be used to complete phase two of the Richmond Area Microwave Interoperability System (RAMIS) network. This phase includes the purchase and installation of equipment to create an eastern microwave ring, which would connect the counties of New Kent, Charles City, and the Henrico Jail East into the newly created RAMIS network.	

Department 23 - Recreation and Parks

23101	- <u>Director</u>	
0476 05154	- <u>Recreation Donations - Brookland Youth Baseball/Softball</u>	\$ 900
	To appropriate donations received from Shoney's of Richmond for the Brookland Youth Sports Awards.	

23101	- <u>Director</u>	
0000 00000	- <u>Recreation Donations - Youth, Arts, and Humanities</u>	\$ 3,700
	To appropriate donations received from the Richmond Square Dance Club to provide children's cultural arts programs to the residents of Henrico County.	
	Total Recreation and Parks	\$ 4,600
	Total Fund 1102 - Special Revenue Fund-State/Fed Grants-County	\$ 1,802,466

FUND 1110 - SPECIAL REVENUE FUND - Mental Health/Retardation Services

Department 26 - Mental Health/Retardation Services

26110	- Short Term Outpatient Services	
1688 00000	- <u>Virginia Healthcare Foundation</u>	\$ 125,616
	To appropriate a calendar year 2010 grant from the Virginia Healthcare Foundation. This grant will provide a clinician, psychiatric services, and medication at the Crossover Clinic and will improve access for uninsured clients to mental health services and access to primary medical care for persons with a mental illness. This grant provides funding for a full-time complement III Clinician position to provide mental health services to Crossover patients.	

**COUNTY OF HENRICO, VIRGINIA  
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FUND 1119 - American Recovery and Reinvestment Act Funds

Department 27 - CATC

27004 - Workforce Partnership

0000 05225	- <u>ARRA - WIA DW 2009</u>	\$ 180,527
0000 05226	- <u>ARRA - WIA Admin 2009</u>	47,836
0000 05268	- <u>ARRA - Employment Transition Center CATC 2009</u>	250,000

To amend the Capital Area Training Consortium's budget to incorporate additional American Recovery and Reinvestment Funds awarded to the Capital Region Workforce Partnership for job search services for dislocated workers.

Total Fund 1119 American Recovery and Reinvestment Act Funds	\$ 478,363
Total SPECIAL REVENUE FUND	\$ 2,406,445
Total OPERATING FUNDS	\$ 7,246,445

CAPITAL FUNDS

FUND 2111 - CAPITAL PROJECTS FUND - Capital Initiatives

23101 - Director

0000 00000	- <u>Henrico County Historical Markers</u>	\$ 2,760
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To provide funding for historical markers for the Courtney Road Service Station and the Forest Lodge Belvedere. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.

Department 32 - Non-Departmental

32001 - Non-Departmental

0000 00000	- <u>Richmond Dragway</u>	\$ 30,000
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This amendment will provide funding to allow for sponsorship of the 2010 International Hot Rod Association's Sportsman Nationals event at the Richmond Dragway to promote economic activity in the area. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.

Department 50 - Education

50331 - Construction and Maintenance

0000 00000	- <u>Highland Springs High School Enhancements</u>	\$ 118,500
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This amendment will provide funding for facility improvements, equipment replacement, and security enhancements to the athletic training facility at Highland Springs High School. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.

Total Capital Projects Fund - Capital Initiatives	\$ 151,260
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FUND 2133 - American Recovery and Reinvestment Act Fund - Capital Improvements Fund

Department 16 - General Services

16999 - General Services Capital Projects

0000 05309	- <u>ARRA - Lighting System Upgrades</u>	\$ 1,045,249
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To appropriate federal ARRA funding of \$1,045,249 received from the U.S. Department of Energy's Efficiency and Conservation Block Grant program. This funding will be used to provide lighting system upgrades in selected general government and school buildings.

**COUNTY OF HENRICO, VIRGINIA  
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0000 05310 - ARRA - Building Automation System Upgrades 1,745,851  
 To appropriate federal ARRA funding of \$1,745,851 received from the U.S. Department of Energy's Efficiency and Conservation Block Grant program. This funding will be used for building automation projects that will upgrade and replace outdated equipment in the Administration, Administration Annex, and Courthouse buildings. In addition, outdated mechanical equipment will be replaced in the Administration building.

Total Fund 2133 - ARRA - Capital Improvements Fund	\$ 2,791,100
Total CAPITAL PROJECTS FUND -	\$ 2,942,360

FUND 5102 - Water and Sewer Construction Fund  
 31201 - Accounting  
 1001 00735 - Water Reclamation Facility \$ 724,617  
 The Virginia Department of Environmental Quality (DEQ) under the Water Quality Improvement Program has awarded a grant equal to thirty-five percent of the cost of design and installation of Nutrient Removal Technology at the Water Reclamation Facility. This amendment reflects the second reimbursement from the DEQ and brings the total reimbursement to \$5,857,459. The total estimated value of the grant is \$8,584,821.

TOTAL CAPITAL FUNDS	\$ 3,666,977
Total Amendments/Appropriations	\$ 10,913,422

**BE IT FURTHER RESOLVED** by the Board of Supervisors of the County of Henrico, Virginia, that the following appropriation for transfer between Operating funds and Capital funds from the existing projects as listed below, to the projects shown, be approved for the purpose indicated.

FROM:

CAPITAL FUNDS  
 FUND 2110 - CAPITAL PROJECTS FUND  
 Department 38 - Community Revitalization  
 38003 - CDBG \$ (41,760)  
 0000 06419 - FY07-08 CDBG Golden Road Drainage

TO:

OPERATING FUNDS  
 FUND 1102 - SPECIAL REVENUE FUND - State and Federal Grants - County  
 Department 38 - Community Revitalization  
 38003 - CDBG  
 0000 05315 - 09-10 Off-Site EZ Improvement Grants \$ 20,000  
 0000 05316 - 09-10 CONNECT Program Computer Replacement 21,760  
 Funding of \$41,760 from the United States Department of Housing and Urban Development (HUD), Community Development Block Grant (CDBG) is being reallocated from the Golden Road Drainage project to cover additional expenditures associated with the Offsite Improvement Program, which funds improvements to offsite drainage and water and sewer lines, and the purchase of replacement computers for the CONNECT Program.

	\$ 41,760
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**COUNTY OF HENRICO, VIRGINIA  
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**FROM:**

**CAPITAL FUNDS**

**FUND 2100 - CAPITAL PROJECTS FUND**

Department 38 - Community Revitalization

38003 - CDBG

0000 06419 - <u>FY07-08 CDBG Golden Road Drainage</u>	\$ (534,431)
0000 05162 - <u>FY07-08 CDBG Meadowview Park Phase I</u>	(972)
0000 05183 - <u>FY08-09 CDBG Mormac Group Home</u>	(7,990)
0000 06319 - <u>FY01-02 Howard Road Drainage</u>	(10,107)
	\$ (553,500)

**TO:**

**CAPITAL FUNDS**

**FUND 2101 - CAPITAL PROJECTS FUND**

Department 38 - Community Revitalization

38003 - CDBG

0000 05313 - <u>09-10 Playground Equipment Replacement</u>	\$ 50,000
0000 05314 - <u>09-10 Belmont Recreation Center Patio</u>	48,500
0000 05317 - <u>09-10 South Elm Road Drainage Improvements</u>	105,000
0000 05318 - <u>09-10 Sandston Ballfield Parking Lot</u>	350,000

Available funding of \$553,500 from the United States Department of Housing and Urban Development (HUD), Community Development Block Grant (CDBG) is being reallocated within the Capital Projects Fund to cover expenditures associated with Playground Equipment Replacement, the Belmont Recreation Center Patio, South Elm Road Drainage Improvements, and the Sandston Ballfield Parking Lot.

\$ 553,500

**COMMENTS:** The Director of Finance recommends approval of this Board paper and the County Manager concurs.



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

Agenda Item No. 79-10

Page No.

1 of 1

**Agenda Title RESOLUTION - Signatory Authority - Conveyance of Ingress and Egress Easement - Fairfield District**

<p>For Clerk's Use Only:</p> <p><b>MAR 9 2010</b></p> <p>Date</p> <p><input checked="" type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Amended</p> <p><input type="checkbox"/> Deferred to</p>	<p><b>BOARD OF SUPERVISORS ACTION</b></p> <p>Moved by (1) <u>Thornton</u> Seconded by (1) <u>Donati</u></p> <p>(2) _____ (2) _____</p> <p>REMARKS: <b>APPROVED</b></p>	<table border="0"> <tr> <td></td> <td align="center"><b>YES</b></td> <td align="center"><b>NO</b></td> <td align="center"><b>OTHER</b></td> </tr> <tr> <td>Donati, J.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Glover, R.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>		<b>YES</b>	<b>NO</b>	<b>OTHER</b>	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>YES</b>	<b>NO</b>	<b>OTHER</b>																							
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Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

WHEREAS, the County of Henrico, Virginia (the "County") owns a strip of land extending from Mechanicsville Turnpike to Hidden Creek Park; and,

WHEREAS, Virginia Landbank Company (the "Company") owns a parcel of land with no public road frontage (the "Parcel") east of Hartman Street and adjacent to a portion of the County's land; and,

WHEREAS, the Company has requested the County convey to it an easement for the construction of a driveway providing ingress and egress from the Parcel to Hartman Street at the location shown on the attached drawing labeled Exhibit A; and,

WHEREAS, the location of the easement will not interfere with the use of the County's land; and,

WHEREAS, this resolution was advertised pursuant to Section 15.2-1813 of the Code of Virginia, 1950, as amended, ("Va. Code") and a public hearing was held on March 9, 2010 pursuant to Va. Code Section 15.2-1800.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the Chairman and Clerk are authorized to execute a Deed of Easement, in a form approved by the County Attorney, granting to the Company an ingress and egress easement as shown on Exhibit A.

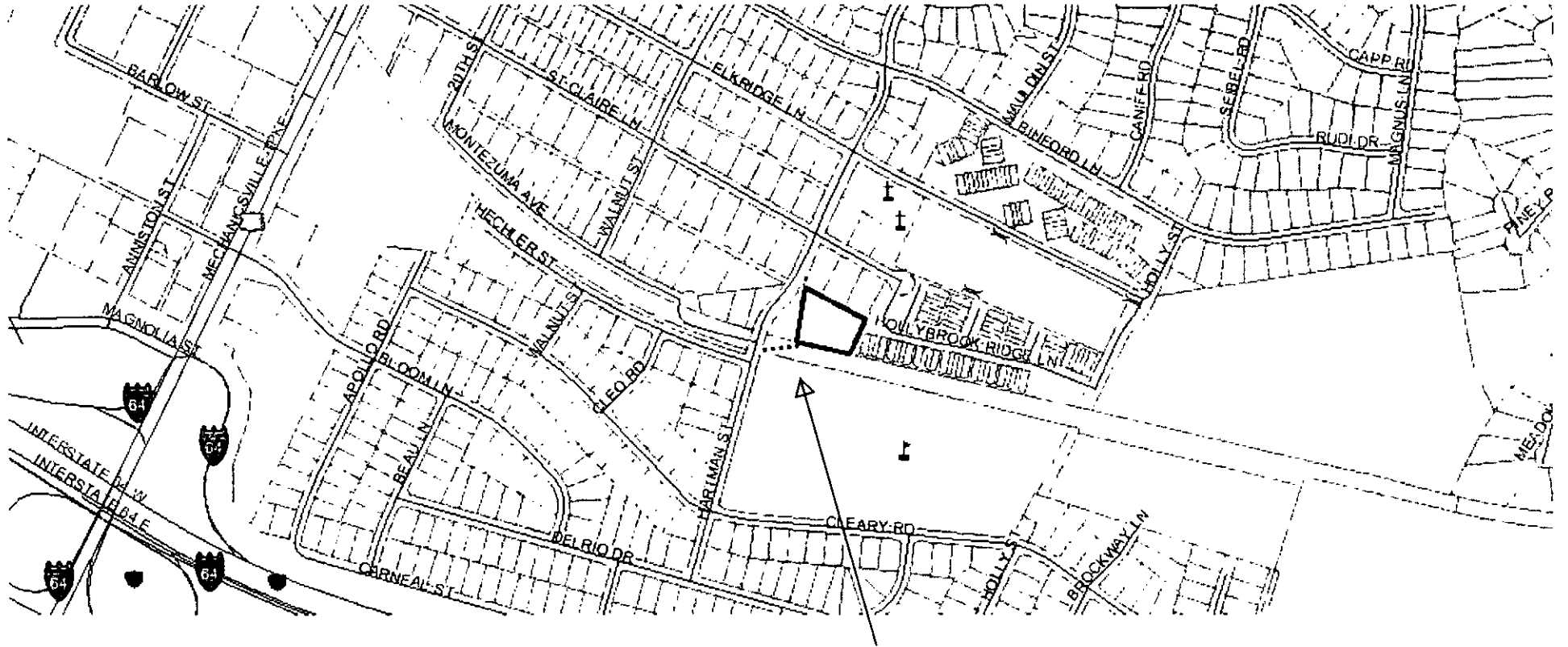
Comments: The Director of Real Property recommends approval of this Board paper; the County Manager concurs.

By Agency Head: [Signature]

By County Manager: [Signature]

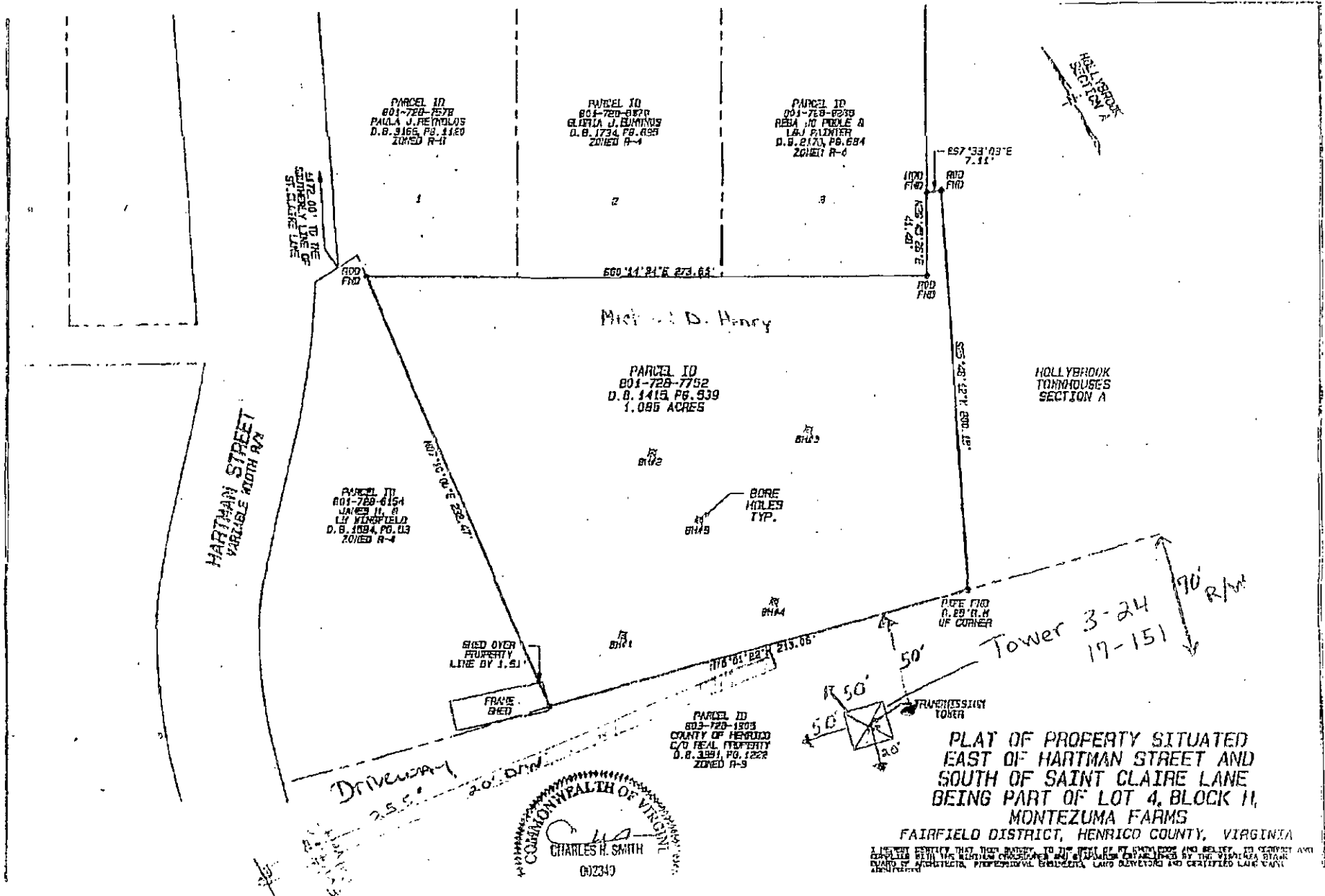
Routing:  
Yellow to: Real Property  
Copy to: \_\_\_\_\_

Certified:  
A Copy Teste: \_\_\_\_\_  
Clerk, Board of Supervisors  
Date: \_\_\_\_\_



VICINITY MAP - VIRGINIA  
LANDBANK COMPANY -  
CONVEYANCE OF INGRESS AND  
EGRESS EASEMENT





PLAT OF PROPERTY SITUATED  
 EAST OF HARTMAN STREET AND  
 SOUTH OF SAINT CLAIRE LANE  
 BEING PART OF LOT 4, BLOCK II,  
 MONTEZUMA FARMS

FAIRFIELD DISTRICT, HENRICO COUNTY, VIRGINIA

I HEREBY CERTIFY THAT THIS INSTRUMENT IS THE ACTUAL AND CORRECT AND TRULY AND FAITHFULLY PREPARED AND SUBMITTED TO ME BY THE APPLICANT AND THAT THE APPLICANT IS THE OWNER OF THE PROPERTY HEREIN DESCRIBED AND THAT I AM A LICENSED SURVEYOR AND A MEMBER OF THE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS AND CERTIFIED LAND SURVEYORS.

COMMONWEALTH OF VIRGINIA  
 CHARLES H. SMITH  
 012340







COUNTY OF HENRICO, VIRGINIA  
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Agenda Item No. 81-10  
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Agenda Title: **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**

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WHEREAS, on February 17, 2010, the Commonwealth Transportation Board approved the bid for award as required for the funding for the project; and,

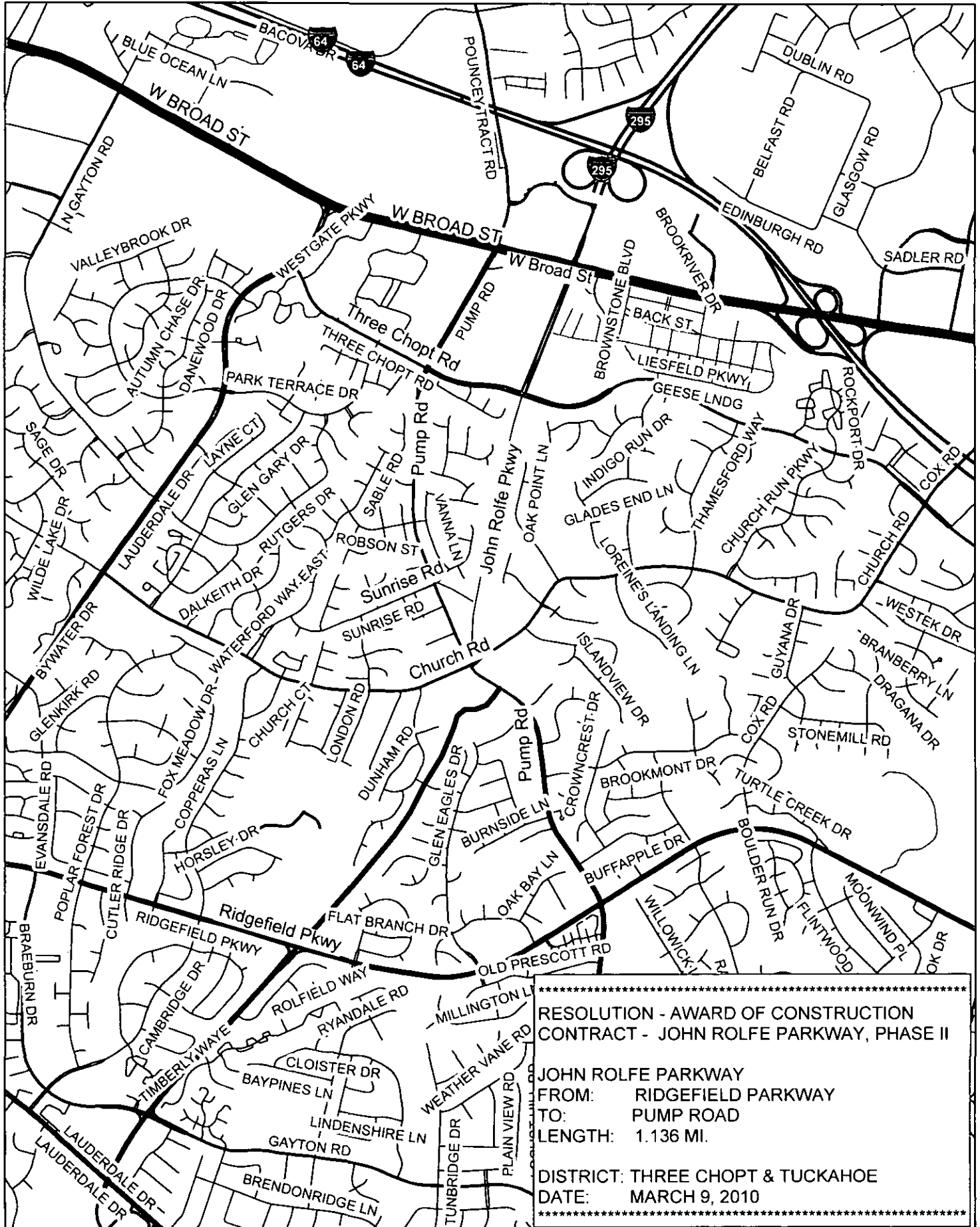
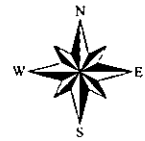
WHEREAS, the Virginia Department of Transportation has authorized the County to proceed with award of the construction contract.

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

- (1) a unit price contract to furnish all labor, materials, supplies, equipment, and services necessary for the construction of John Rolfe Parkway, Phase II from Pump Road to Ridgefield Parkway is awarded to **F.G. Pruitt, Inc.** in the amount of **\$4,410,616.78** with a completion time of 540 calendar days after notice to proceed;
- (2) the County Manager and the Clerk are authorized to execute the contract in a form approved by the County Attorney; and,
- (3) the County Manager, or the Director of General Services as his designee, is authorized to execute all necessary change orders within the scope of the project budget.

COMMENTS: 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% from Capital Improvement Fund Project #2101.50704.28004.00720 (formerly 552117-704-463-00). The Directors of Public Works and General Services recommend approval of this Board paper, and the County Manager concurs.

# JOHN ROLFE PARKWAY



\*\*\*\*\*  
**RESOLUTION - AWARD OF CONSTRUCTION CONTRACT - JOHN ROLFE PARKWAY, PHASE II**  
 JOHN ROLFE PARKWAY  
 FROM: RIDGEFIELD PARKWAY  
 TO: PUMP ROAD  
 LENGTH: 1.136 MI.  
 DISTRICT: THREE CHOPT & TUCKAHOE  
 DATE: MARCH 9, 2010  
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**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Item No. **Q2-10**

Page No. 2 of 2

**Agenda Title: 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**

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WHEREAS, the citizens in the area of this road requesting the increased fine have collected signatures from 75% of the residents; and,

WHEREAS, this road is a local residential street with a posted speed limit of 25 mph.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County that the County Manager is authorized and directed to install signs on Gayton Station Boulevard from North Gayton Road to .06 miles west of Gayton Meadows Terrace advising citizens of an additional fine of \$200 for exceeding the posted speed limit on this road.

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