

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

Please take notice that a special meeting of the Board of Supervisors will be held on **Tuesday, June 14, 2011 at 4:30 p.m.** in the County Manager's Conference Room located on the third floor of the Administration Building at the Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

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

4:30 – 5:45 p.m.

**Closed Meeting** for the following purposes:

1. Consultation with the County Attorney Pertaining to Probable Litigation Involving an EPA Audit of the County's Municipal Separate Storm Sewer System, Pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as Amended; and
2. Consultation with the County Attorney Pertaining to Specific Legal Matters Requiring the Provision of Legal Advice Pertaining to Zoning Case C-29C-08, Pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as Amended.

5:45 – 6:00 p.m.

*Dinner*

6:00 – 6:45 p.m.

Proposed Stormwater Utility Contract



Barry R. Lawrence, CMC  
Clerk, Henrico County Board of Supervisors  
June 9, 2011

**COUNTY OF HENRICO, VIRGINIA**  
**Henrico County Board Room**  
**Board of Supervisors' Agenda**  
**June 14, 2011**  
**7:00 p.m.**

**PLEDGE OF ALLEGIANCE**

**INVOCATION** – Rev. Mark D. White, Pastor, Chamberlayne Baptist Church

**APPROVAL OF MINUTES** – May 24, 2011 Regular and Special Meetings

**MANAGER'S COMMENTS**

**BOARD OF SUPERVISORS' COMMENTS**

**RECOGNITION OF NEWS MEDIA**

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

- 132-11 Ronald Taylor: Request to conditionally rezone from A-1 Agricultural District to  
C-5C-11 B-3C Business District (Conditional) Parcel 808-722-7565 containing  
Varina approximately 1.26 acres, located on the north line of Nine Mile Road (State  
Route 33) approximately 250' west of its intersection with E. Richmond Road.  
The applicant proposes a carwash. The use will be controlled by zoning ordinance  
regulations and proffered conditions. The Land Use Plan recommends  
Office/Service. The site is located in the Enterprise Zone and partially in the  
Airport Safety Overlay District. The Planning Commission voted to recommend  
the Board of Supervisors **grant** the request. **(Deferral requested to the July 12,  
2011 Meeting.)**
- 133-11 KCA/Laburnum, LLC: Request to amend proffered conditions accepted with  
C-19C-10 Rezoning Case C-68C-03, on Parcel 808-731-7728, located at the southeast  
Fairfield intersection of N. Laburnum Avenue and Watts Lane. The proposed amendments  
would allow townhomes in lieu of condominiums and modify proffers related to  
architectural treatment and renderings, maximum number of consecutive units,  
unit size, garages, conceptual site plan, curb and gutter and improvements for  
Watts Lane. The maximum amount of units (78) would not change. The existing  
zoning is RTHC Residential Townhouse District (Conditional). The Land Use  
Plan recommends Urban Residential; density should range from 3.4 to 6.8 units  
per acre. The site is in the Airport Safety Overlay District. The Planning  
Commission voted to recommend the Board of Supervisors **grant** the request.
- 134-11 West End Farmers' Market, LLC: Request to amend Conditions 1 and 3  
P-8-11 approved with Provisional Use Permit P-3-10, on Parcels 732-751-4078, 732-  
Tuckahoe 751-0561, and 731-751-8088 located at the southwest intersection of Ridgfield  
Parkway and Gayton Road. The applicant proposes to change the annual opening  
date and add Sunday hours of operation for an existing farmers' market. The  
existing zoning is B-3 Business District. The Land Use Plan recommends  
Commercial Concentration. The Planning Commission voted to recommend the  
Board of Supervisors **grant** the request.

## **PUBLIC HEARINGS – OTHER ITEMS**

- 135-11 Resolution – Amendments to the FY 2010-11 Annual Fiscal Plan: June, 2011.
- 136-11 Resolution - POD-13-09 (POD-52-86 Revised) - Approval of a Revised Plan of Development for Mehfoud Elementary School Addition - Varina District.

## **PUBLIC COMMENTS**

## **GENERAL AGENDA**

- 137-11 Introduction of Ordinance – To Amend and Reordain Sections 5-49(a), 5-50, 5-51(a), 5-53(a), 5-54, and 5-57 of the Code of the County of Henrico Titled, Respectively, “Required; tax year; amount of tax; exemptions from tax,” “Due date for payment of tax,” “Failure to pay tax,” “Application for license; issuance,” “License tags generally,” and “Dogs not wearing tag presumed unlicensed,” to Change the Dog License Period and to Provide for a Permanent License Tag.
- 138-11 Resolution - Signatory Authority - Henrico Juvenile Detention Home Medical Services Contract.
- 139-11 Resolution - Award of Construction Contract - Strawberry Hill Subbasin SH-01C, Part 1 Sewer Rehabilitation Project - Tuckahoe and Brookland Districts.
- 140-11 Resolution - Award of Professional Engineering Services Contract - Upham Brook Trunk Sewer - Brookland and Fairfield Districts.
- 141-11 Resolution - Award of Construction Contract - Westmoor Drive Sanitary Sewer Rehabilitation Project - Tuckahoe District.
- 142-11 Resolution - Signatory Authority - Amendment to Contract for Engineering Design Services for Sadler Road Improvements from Dominion Boulevard to 150 feet East of Cedar Branch Court (approximately 1.90 miles). County Project #00611 (formerly #552000-701-249-00); VDOT Project #9999-043-194, PE101, RW201, C501. Three Chopt District.



**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS' RESUME  
June 14, 2011**

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**INVOCATION** – Rev. Mark D. White, Pastor, Chamberlayne Baptist Church

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

- C-5C-11  
Varina
- Ronald Taylor: Request to conditionally rezone from A-1 Agricultural District to B-3C Business District (Conditional) Parcel 808-722-7565 containing approximately 1.26 acres, located on the north line of Nine Mile Road (State Route 33) approximately 250' west of its intersection with E. Richmond Road. The applicant proposes a carwash. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Office/Service. The site is located in the Enterprise Zone and partially in the Airport Safety Overlay District. Acting on a motion by Mr. Jernigan, seconded by Mr. Branin, the Planning Commission voted 4-0 (two absent) to recommend the Board of Supervisors **grant** the request because the proffered conditions will provide appropriate quality assurances not otherwise available and the proffered conditions should minimize the potential impacts on surrounding land uses. **(Deferral requested to the July 12, 2011 Meeting.)**
- C-19C-10  
Fairfield
- KCA/Laburnum, LLC: Request to amend proffered conditions accepted with Rezoning Case C-68C-03, on Parcel 808-731-7728, located at the southeast intersection of N. Laburnum Avenue and Watts Lane. The proposed amendments would allow townhomes in lieu of condominiums and modify proffers related to architectural treatment and renderings, maximum number of consecutive units, unit size, garages, conceptual site plan, curb and gutter and improvements for Watts Lane. The maximum amount of units (78) would not change. The existing zoning is RTHC Residential Townhouse District (Conditional). The Land Use Plan recommends Urban Residential; density should range from 3.4 to 6.8 units per acre. The site is in the Airport Safety Overlay District. Acting on a motion by Mr. Archer, seconded by Mr. Branin, the Planning Commission voted 4-0 (two absent) to recommend the Board of Supervisors **grant** the request because it conforms to the recommendations of the Comprehensive Plan and the changes do not greatly reduce the original intended purpose of the proffers.
- P-8-11  
Tuckahoe
- West End Farmers' Market, LLC: Request to amend Conditions 1 and 3 approved with Provisional Use Permit P-3-10, on Parcels 732-751-4078, 732-751-0561, and 731-751-8088 located at the southwest intersection of Ridgefield Parkway and Gayton Road. The applicant proposes to change the annual opening date and add Sunday hours of operation for an existing farmers' market. The existing zoning is

B-3 Business District. The Land Use Plan recommends Commercial Concentration. Acting on a motion by Mrs. Jones, seconded by Mr. Branin, the Planning Commission voted 4-0 (two absent) to recommend the Board of Supervisors **grant** the request because it would provide added services to the community and when properly regulated by the recommended special conditions, it would not be expected to adversely affect the public safety, health, or general welfare.

## **PUBLIC HEARINGS – OTHER ITEMS**

### **RESOLUTION – Amendments to the FY 2010-11 Annual Fiscal Plan: June, 2011.**

A Board paper was presented on May 24, 2011, 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 June 14, 2011. After the public hearing, at that same meeting, this paper may be approved.

### **RESOLUTION - POD-13-09 (POD-52-86 Revised) - Approval of a Revised Plan of Development for Mehfood Elementary School Addition - Varina District.**

This Board paper is for Board of Supervisors' approval of a revised plan of development, as required by Sections 24-11(b) and 24-106 of the Henrico County Code, to construct a one-story, 12-classroom building addition of 17,922 square feet to an existing elementary school and related site improvements. The 9.65-acre site is located on the west line of Buffin Road, approximately 2,000 feet south of its intersection with New Market Road (State Route 5), on parcel 818-684-0263. The property is zoned A-1, Agricultural District, and ASO, Airport Safety Overlay District, and is located in the Varina District.

The Department of Planning has coordinated the review of the plan of development with all County departments and has held a meeting with the project engineer and appropriate representatives from Henrico County Schools, the Department of Public Works, the Department of Public Utilities, the Division of Fire, the Division of Police, and the Office of Building Construction and Inspections. All design issues raised during the review of the project have been resolved.

The Director of Planning recommends approval of the plan of development, subject to the staff recommendations, the staff plan dated June 14, 2011, and the conditions listed in the Board paper, and the County Manager concurs.

## **PUBLIC COMMENTS**

## **GENERAL AGENDA**

**INTRODUCTION OF ORDINANCE – To Amend and Reordain Sections 5-49(a), 5-50, 5-51(a), 5-53(a), 5-54, and 5-57 of the Code of the County of Henrico Titled, Respectively,**

**“Required; tax year; amount of tax; exemptions from tax,” “Due date for payment of tax,” “Failure to pay tax,” “Application for license; issuance,” “License tags generally,” and “Dogs not wearing tag presumed unlicensed,” to Change the Dog License Period and to Provide for a Permanent License Tag**

This Board paper introduces for advertisement and public hearing on July 12, 2011 an ordinance to amend several Henrico Code sections relating to dog licenses. Currently, the Finance Department issues a new license for each dog every year. These amendments change the dog license period to run concurrently with a dog’s rabies vaccination effective period. In addition, these amendments allow the Finance Department to issue a permanent metal dog license tag, instead of issuing a new tag with each license renewal.

This matter was discussed with the Board of Supervisors in a work session on May 24, 2011.

**RESOLUTION - Signatory Authority - Henrico Juvenile Detention Home Medical Services Contract.**

This Board paper authorizes the County Manager to sign a contract between the Department of Pediatrics, Virginia Commonwealth University Health System and the County on behalf of the Juvenile Detention Home. Through this agreement, the Department of Pediatrics will provide a licensed physician to be responsible for the medical services of the Detention Home.

The terms of the recommended contract are clearly outlined within its contents and are in agreement with all present state laws and governing regulations relative to the practice of medical services within the Commonwealth of Virginia. This contract will begin on July 1, 2011 and terminate on June 30, 2012. Funds are available in the 2012 budget. The total amount of contract is \$13,320.00 plus \$100.00 per hour for unscheduled visits to the Detention Home in addition to regular scheduled visits as established by the Superintendent.

This Board paper is recommended by the Superintendent of the Juvenile Detention Home. The County Manager concurs.

**RESOLUTION - Award of Construction Contract - Strawberry Hill Subbasin SH-01C, Part 1 Sewer Rehabilitation Project - Tuckahoe and Brookland Districts.**

This resolution awards a contract to Piedmont Construction Co, Inc. to rehabilitate approximately 3.3 miles of 8-inch, 12-inch, and 15-inch diameter sewer piping, approximately 115 standard manholes, and approximately 310 sewer service laterals. The project also includes the replacement of approximately 0.6 miles of 3-inch, 6-inch and 8-inch diameter water mains with 6-inch, 8-inch, and 12-inch diameter water mains and approximately 75 water services. The project area is bordered by Vanderbilt Avenue to the north, Monument Avenue to the south, Millhiser Avenue to the east, and Harvard Road to the west.

The purpose of the project is to maintain the reliability of the sewer and water systems in the area by rehabilitating deteriorated piping systems installed in the 1940s and 1950s. The work is anticipated

to begin in August 2011 and to be completed by March 2013. Funding to support the contract is available within the Water and Sewer Enterprise Fund.

Four bids were received on May 3, 2011 in response to IFB # 11-9019-3CE and Addendum No. 1 for the Strawberry Hill Subbasin SH-01C, Part 1 Sewer Rehabilitation Project:

<b>Bidders</b>	<b><u>Bid Amounts</u></b>
Piedmont Construction Co., Inc. Oilville, VA	\$3,401,254.30
G. L. Howard, Inc. Rockville, VA	\$3,728,355.00
Spiniello Companies Livingston, NJ 07039	\$3,850,011.25
R.R. Snipes Construction Co., Inc. Ashland, VA	\$4,484,542.00

The County Manager, or the Director of General Services as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

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

**RESOLUTION - Award of Professional Engineering Services Contract - Upham Brook Trunk Sewer - Brookland and Fairfield Districts.**

This Board paper awards a professional services contract to Whitman Requardt & Associates, LLC for engineering design and construction administration services for the Upham Brook Trunk Sewer construction project.

On November 5, 2010, the Department of General Services received five proposals from engineering firms pursuant to RFP #10-8944-10CE. The scope of work includes providing design and construction administration services for approximately 48,000 feet of 48 inch diameter gravity trunk sewer. The proposed sewer will be located generally parallel to an existing 48 inch diameter sewer from Staples Mill Road near Dickens Road to just east of Brook Road at Upham Brook. The purpose of the project is to provide additional sewer system capacity to accommodate growth and to reduce the occurrence of sewer system overflows.

Based upon the firm's professional qualifications and experience demonstrated in its written proposal and interviews, Whitman Requardt & Associates, LLC was selected as the top-ranked firm, and an agreement has been negotiated in the amount of \$1,420,415.

The resolution authorizes the County Manager to execute the contract in a form approved by the County Attorney and to execute necessary amendments in an amount not to exceed 15% of the

contract amount. The Directors of Public Utilities and General Services recommend approval of the Board paper; the County Manager concurs.

**RESOLUTION - Award of Construction Contract - Westmoor Drive Sanitary Sewer Rehabilitation Project - Tuckahoe District.**

This resolution awards a contract to G. L. Howard, Inc. to rehabilitate approximately 1,000 linear feet of 8-inch diameter concrete sewer piping, 7 manholes and 11 house connections, all by the lining method and within easements at the rear of properties between 9302 and 9320 Westmoor Drive and between 902 and 904 Penola Drive.

The purpose of the project is to maintain the reliability of the sewer system in the area by rehabilitating deteriorated piping installed in the early 1960s. The work is anticipated to begin in August 2011 and to be completed by January 2012. Funding to support the contract is available within the Water and Sewer Enterprise Fund.

Four bids were received on March 23, 2011 in response to IFB # 11-9010-2CE and Addendum No. 1:

<u>Bidders</u>	<u>Bid Amounts</u>
Pleasants Construction, Inc. Clarksburg, MD	\$157,567.00
G. L. Howard, Inc. Rockville, VA	\$157,985.00
Piedmont Construction Company, Inc. Oilville, VA	\$162,600.00
Lyttle Utilities, Inc. Richmond, VA	\$192,100.00

Pleasants Construction, Inc. did not meet the bid requirements and was determined to be non-responsive.

The County Manager, or the Director of General Services as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

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



**RESOLUTION - Signatory Authority - Amendment to Contract for Engineering Design Services for Sadler Road Improvements from Dominion Boulevard to 150 feet East of Cedar Branch Court (approximately 1.90 miles). County Project #00611 (formerly #552000-701-249-00); VDOT Project #9999-043-194, PE101, RW201, C501. Three Chopt District.**

On February 24, 2004, the Board awarded a contract to Austin Brockenbrough & Associates, LLP for a total lump sum fee of \$928,259.00 for the preparation of design and construction plans for Sadler Road from Dominion Boulevard to 150 feet east of Cedar Branch Court (approximately 1.90 miles).

Additional work is required to separate the entire project into two phases, to update the Phase I design plans from Dominion Boulevard to Sadler Grove Road to current design criteria, and to finalize the Phase I plans for public hearing and advertisement. Austin Brockenbrough & Associates, LLP and the Department of Public Works have negotiated a fixed lump sum fee of \$398,772.00 for the additional design work.

This Board paper approves the amendment to the existing contract for the additional design work in the amount of \$398,772.00 for a revised total amount of \$1,327,031 and authorizes the County Manager to execute the amendment in a form approved by the County Attorney and any necessary change orders within funds available.

This project will be funded through Capital Projects Fund, Project #00611 (formerly #552000-701-249-00). 80% of the project's cost will be reimbursed from VDOT escrowed funds, and 20% of the project's cost will be provided by County funds.

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