

**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, September 13, 2011 at 5:00 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:

- | | |
|------------------|---|
| 5:00 – 5:45 p.m. | 2011 Commemoration Advisory Commission Update |
| 5:45 – 6:15 p.m. | Closed Meeting for Discussion and Consideration of the Acquisition of Real Property in the Brookland and Varina Districts for Public Library, Recreation, and Park Uses, Pursuant to Section 2.2-3711(A)(3) of the Code of Virginia, 1950, as Amended. |
| 6:15 – 6:45 p.m. | <i>Dinner</i> |



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
September 8, 2011

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
September 13, 2011
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION – Dr. J. Rayfield Vines, Jr., Pastor, Hungary Road Baptist Church

APPROVAL OF MINUTES – August 9, 2011 Regular and Special Meetings; August 24, 2011 and September 2, 2011 Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PRESENTATIONS

Proclamation – Constitution Week – September 17 – 23, 2011.

Proclamation – Alcohol and Drug Addiction Recovery Month – September 2011.

Proclamation - Henrico Recycling Awareness Month – September 2011.

Proclamation – Preparedness Month – September 2011.

APPOINTMENTS/RESIGNATION

194-11 Resolution - Appointment of Members – The Cultural Arts Center at Glen Allen Foundation Board of Directors.

195-11 Resolution - Resignation of Member – Henrico Area Mental Health and Developmental Services Board.

PUBLIC HEARINGS – PROVISIONAL USE PERMIT AND REZONING CASE

113-11 T.V. Wilson: Request for a Provisional Use Permit under Sections 24-62.2(a),
P-6-11 24-62.2(b), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to
Fairfield allow festivals and assembly halls in an existing building on Parcel 797-736-6692,
located on the east line of Carolina Avenue at its intersection with Pensacola
Avenue. The existing zoning is M-1 Light Industrial District. The Land Use Plan
recommends Light Industry. 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 deny the request. **(Deferred from the
May 10, 2011 meeting; withdrawn by the property owner.)**

196-11 F&M Bank – Richmond (BB&T): Request to rezone from R-4 One-Family
C-12C-11 Residence District, B-3 Business District, and O-2 Office District to B-3C
Fairfield Business District (Conditional) Parcel 783-756-2866 containing 2.706 acres
located at the northwest intersection of E. Parham Road and Hungary Road. The
applicant proposes a bank with signage. The use will be controlled by zoning
ordinance regulations and proffered conditions. The 2026 Comprehensive Plan
recommends Office. The Planning Commission voted to recommend the Board of
Supervisors **grant** the request.

PUBLIC HEARINGS – OTHER ITEMS

- 197-11 Ordinance – To Amend and Reordain Section 2-147 of the Code of the County of Henrico Titled “Funding of construction and maintenance of courthouse and jail facilities” to Impose a Two Dollar Fee in each Civil Action Filed in the County Courts.
- 198-11 Ordinance – To Amend and Reordain Section 2-81 of the Code of the County of Henrico Titled “Service charge on returned payments” to Increase the Service Charge.
- 199-11 Ordinance - To Amend and Reordain Section 24-3 Titled “Enumerated,” and Sections 24-11, 24-13.1, 24-28, 24-32, 24-38, and 24-51 Titled “Principal uses permitted,” of the Code of the County of Henrico, All to Revise the County’s Zoning Ordinance to Regulate Group Homes and Assisted Living Facilities.
- 200-11 Ordinance - To Amend and Reordain Section 24-3 Titled “Enumerated,” Section 24-13 Titled “Accessory uses permitted,” and Section 24-53 Titled “Accessory uses permitted,” and Add Section 24-100.1 Titled “Temporary family health care structures,” of the Code of the County of Henrico, All to Revise the County’s Zoning Ordinance to Permit Temporary Family Health Care Structures.
- 201-11 Ordinance - To Amend and Reordain the Planning Applications Fee Schedule to List Fees for Temporary Family Health Care Structure Permits, Appeals to the Board of Zoning Appeals, Conditional Use Permits for Accessory Structures in a Front or Side Yard, and Applications for Vacation of a Plat or Part Thereof.
- 202-11 Resolution – Signatory Authority – Quitclaim of Portion of Drainage Easement – 9450 West Broad Street – Brookland District.
- 203-11 Resolution – Signatory Authority – Quitclaim of Portion of Old Springfield Road – Brookland District.

PUBLIC COMMENTS

GENERAL AGENDA

- 204-11 Introduction of Resolution – Receipt of Requests for Amendments to the FY 2011-12 Annual Fiscal Plan to (1) Reappropriate Funds for (a) Continuing Grant Programs and (b) Certain Unencumbered Balances from FY 2010-11, and (2) Appropriate Funds for Certain New Programs.
- 205-11 Resolution – Award of Construction Contract – Renovation and Addition to Fire Station 13.
- 206-11 Resolution – Authorization to Apply for and Accept Grant to Conduct Energy Audits of Henrico Group Homes.
- 207-11 Resolution - To Accept Wireless E-911 PSAP Education Program Grant.
- 208-11 Resolution – To Accept Highway Safety Office Grant for Traffic Enforcement Activities and Equipment.
- 209-11 Resolution – To Accept Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award.
- 210-11 Resolution - Signatory Authority - Acquisition of Real Property - 10791 Old Washington Highway - Brookland District.
- 211-11 Resolution - Signatory Authority - Acquisition of Real Property – 10785 Old Washington Highway - Brookland District.
- 212-11 Resolution - Signatory Authority - Acquisition of Real Property - 1875 New Market Road - Varina District.
- 213-11 Resolution – Adoption of Division of Recreation and Parks Facility Reservation Guide for the Eastern Henrico Recreation Center.
- 214-11 Resolution - To Accept Funding from a State Grant from the Dam Safety, Flood Prevention and Protection Assistance Fund.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
September 13, 2011**

INVOCATION – Dr. J. Rayfield Vines, Jr. Pastor, Hungary Road Baptist Church

PRESENTATIONS

PROCLAMATION – Constitution Week – September 17 – 23, 2011.

September 17, 2011 marks the two hundred and twenty-fourth anniversary of the signing of the Constitution of the United States of America. This proclamation recognizes September 17 – 23, 2011 as Constitution Week and encourages Henrico citizens to reaffirm the ideals the Framers of the Constitution held in 1787.

PROCLAMATION – Alcohol and Drug Addiction Recovery Month – September 2011.

Substance abuse, co-occurring mental disorders, and co-existing physical illnesses are major health problems that affect millions of Americans of all ages, races, and ethnic backgrounds. Alcohol and Drug Addiction Recovery Month, which is nationally observed each year during the month of September, offers those involved in substance abuse treatment an opportunity to educate citizens, community organizations, public officials, and civic leaders about the effectiveness of substance abuse treatment, from both societal and financial perspectives. This proclamation recognizes September 2011 as Alcohol and Drug Addiction Recovery Month and calls upon Henrico citizens to acknowledge this year's theme, "Join the Voices of Recovery: Recovery Benefits Everyone."

Proclamation - Henrico Recycling Awareness Month.

For the past 20 years, the County of Henrico has promoted recycling and participated in regional recycling programs through the Central Virginia Waste Management Authority (CVWMA). On September 8, 2011, CVWMA launched a new curbside recycling educational initiative that is fully supported by the County. This proclamation recognizes September 2011 as Henrico Recycling Awareness Month and joins CVWMA in encouraging Henrico residents to support curbside recycling and other recycling programs that contribute to our region's high recycling rate.

PROCLAMATION – Preparedness Month – September 2011.

One of the most profound duties of government is ensuring the safety and security of its citizens from emergencies and disasters of all kinds. The United States Department of Homeland Security and the Federal Emergency Management Agency are joining with organizations across the nation during the month of September 2011 to highlight the importance of individual emergency

preparedness. This proclamation recognizes September 2011 as Preparedness Month and calls the observance to the attention of Henrico citizens.

APPOINTMENTS/RESIGNATION

RESOLUTION - Appointment of Members – The Cultural Arts Center at Glen Allen Foundation Board of Directors.

This Board paper appoints the following persons to the Cultural Arts Center at Glen Allen Foundation Board of Directors for terms expiring June 30, 2014 or thereafter, when their successors shall have been appointed and qualified:

At-Large Scott A. Garka
At-Large Peter N. Thacker, Jr.

RESOLUTION - Resignation of Member – Henrico Area Mental Health and Developmental Services Board.

This Board paper accepts the resignation of **James Cuthbertson** from the Henrico Area Mental Health and Developmental Services Board as the Three Chopt District representative.

PUBLIC HEARINGS – PROVISIONAL USE PERMIT AND REZONING CASE

P-6-11
Fairfield T.V. Wilson: Request for a Provisional Use Permit under Sections 24-62.2(a), 24-62.2(b), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to allow festivals and assembly halls in an existing building on Parcel 797-736-6692, located on the east line of Carolina Avenue at its intersection with Pensacola Avenue. The existing zoning is M-1 Light Industrial District. The Land Use Plan recommends Light Industry. The site is located in the Enterprise Zone and partially in the Airport Safety Overlay District. Acting on a motion by Mr. Archer, seconded by Mrs. Jones, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **deny** the request because it could have a detrimental impact on property owners in the vicinity and could impact the health, safety, and welfare of residents in the area. **(Deferred from the May 10, 2011 meeting; withdrawn by the property owner.)**

C-12C-11
Fairfield F&M Bank – Richmond (BB&T): Request to rezone from R-4 One-Family Residence District, B-3 Business District, and O-2 Office District to B-3C Business District (Conditional) Parcel 783-756-2866 containing 2.706 acres located at the northwest intersection of E. Parham Road and Hungary Road. The applicant proposes a bank with signage. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office. Acting on a motion by Mr. Archer seconded by Mr. Vanarsdall, the Planning Commission voted 5-0 (one abstention) to recommend the Board of

Supervisors **grant** the request because it conforms with the objectives and intent of the County's Comprehensive Plan and the proffered conditions should minimize the potential impacts on surrounding land uses.

PUBLIC HEARINGS – OTHER ITEMS

ORDINANCE – To Amend and Reordain Section 2-147 of the Code of the County of Henrico Titled “Funding of construction and maintenance of courthouse and jail facilities” to Impose a Two Dollar Fee in each Civil Action Filed in the County Courts.

This paper proposes an ordinance to impose a \$2.00 courthouse maintenance fee in each civil action filed in the County courts. This fee was authorized by the General Assembly in 2009. The additional funds may be used only for the construction, renovation, or maintenance of the courthouse and jail and court-related facilities, and to defray increases in the cost of heating, cooling, electricity, and ordinary maintenance. An identical fee has been assessed in each criminal and traffic case since 1990.

ORDINANCE – To Amend and Reordain Section 2-81 of the Code of the County of Henrico Titled “Service charge on returned payments” to Increase the Service Charge.

This paper proposes an ordinance to increase the service charge on returned payments. The County currently charges \$35.00 for returned payments, such as bad checks. State legislation enacted this year allows the County to charge \$50.00. The increase will help defray administrative costs incurred because of returned payments.

ORDINANCE - To Amend and Reordain Section 24-3 Titled “Enumerated,” and Sections 24-11, 24-13.1, 24-28, 24-32, 24-38, and 24-51 Titled “Principal uses permitted,” of the Code of the County of Henrico, All to Revise the County’s Zoning Ordinance to Regulate Group Homes and Assisted Living Facilities.

This zoning ordinance amendment implements Senate Bill 338 adopted by the 2010 General Assembly. It adds definitions for assisted living facilities and group homes and includes both as principal permitted uses in residential districts and the A-1 District.

The amendment was discussed with the Board in the July 12, 2011 work session.

The Planning Commission recommended approval after a public hearing on May 12, 2011. The Director of Planning recommends approval of this Board paper, and the County Manager concurs.

ORDINANCE - To Amend and Reordain Section 24-3 Titled “Enumerated,” Section 24-13 Titled “Accessory uses permitted,” and Section 24-53 Titled “Accessory uses permitted,” and Add Section 24-100.1 Titled “Temporary family health care structures,” of the Code of the County of Henrico, All to Revise the County’s Zoning Ordinance to Permit Temporary Family Health Care Structures.

This ordinance amendment implements legislation adopted by the 2010 General Assembly. It allows a temporary family health care structure of not more than 300 square feet located on property owned or occupied by a caregiver if the caregiver obtains a permit from the Director of Planning.

The amendment was discussed with the Board in its July 12, 2011 work session.

The Planning Commission recommended approval after a public hearing on May 12, 2011. The Director of Planning recommends approval of the Board paper, and the County Manager concurs.

ORDINANCE - To Amend and Reordain the Planning Applications Fee Schedule to List Fees for Temporary Family Health Care Structure Permits, Appeals to the Board of Zoning Appeals, Conditional Use Permits for Accessory Structures in a Front or Side Yard, and Applications for Vacation of a Plat or Part Thereof.

This paper proposes an amendment to the Planning Applications Fee Schedule. The amendment would list the following fees on the schedule: \$100 for a temporary family health care structure permit; \$300 for an appeal to the Board of Zoning Appeals; \$300 for a conditional use permit for an accessory structure in a front or side yard; and, \$150 for an application to vacate a plat or part thereof.

RESOLUTION - Signatory Authority - Quitclaim of Portion of Drainage Easement - 9450 West Broad Street - Brookland District.

This resolution authorizes the Chairman to execute a quitclaim deed releasing the County’s interest in a portion of a drainage easement at the Auto Zone site at 9450 West Broad Street. The County does not need the quitclaim property because the owner has conveyed a replacement easement to the County.

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

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

RESOLUTION – Signatory Authority – Quitclaim of Portion of Old Springfield Road – Brookland District.

This resolution authorizes the Chairman to execute a quitclaim deed releasing the County’s interest in a portion of unimproved Old Springfield Road so that AJB Properties, LLC, an adjacent owner, will be able to provide a second access to its site. The quitclaim area is unimproved and not needed for public traffic.

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

The Directors of Public Works, Public Utilities, Planning, and Real Property recommend approval of this Board paper, and the County Manager concurs.

PUBLIC COMMENTS

GENERAL AGENDA

INTRODUCTION OF RESOLUTION – Receipt of Requests for Amendments to the FY 2011-12 Annual Fiscal Plan to (1) Reappropriate Funds for (a) Continuing Grant Programs and (b) Certain Unencumbered Balances from FY 2010-11, and (2) Appropriate Funds for Certain New Programs.

Pursuant to Virginia Code Section 15.2-2507, amendments to the County’s approved budget in excess of one percent of the County’s currently adopted budget may be approved by first publishing a notice of a public hearing. The notice shall state the County’s intent to amend the budget. To that end this paper is submitted, along with a list of the requested amendments, as an introduction, so the Board may authorize the required advertising for September 20, 2011. A separate paper will be submitted at the public hearing on Tuesday, September 27, 2011, for Board action in amending the Annual Fiscal Plan and appropriating funds for expenditure, as applicable. The amendments may be approved after the public hearing at that same meeting.

This list of requests is divided into three types of amendments: (1a) Reappropriation of FY 2010-11 unexpended funds for grant programs having an ending date after June 30, 2011; (1b) Reappropriation of FY 2010-11 funds not expended or encumbered as of June 30, 2011, but needed in FY 2011-12 for purposes approved and budgeted for in FY 2010-11; and (2) new amendment/appropriation requests for FY 2011-12.

RESOLUTION – Award of Construction Contract – Renovation and Addition to Fire Station 13.

This resolution awards a construction contract to **Gulf Seaboard General Contractors, Inc. in the amount of \$2,585,000** to renovate and expand Fire Station #13. The project includes renovation of the existing 5,445 square foot building and the construction of a 3,458 square foot addition.

The existing facility will remain operational during construction of the addition. After the addition is complete, the vehicles will move into the new vehicle bays, and the firefighters will move into a temporary trailer for the remainder of the renovation.

This project is designed to comply with the Silver Certification Level, according to the U.S. Green Building Council's Leadership in Energy & Environmental Design (LEED) Rating System.

The work is scheduled to be completed within 425 calendar days after the date of written notice to proceed.

Seven bids were received on May 26, 2011 as follows:

<u>Bidder</u>	<u>Bid</u>
Haley Builders, Inc.*	\$2,110,000
Gulf Seaboard General Contractors, Inc.,	\$2,585,000
MGT Construction Management, Inc.	\$2,589,000
Loughridge & Company, LLC	\$2,605,000
Kenbridge Construction Company, Inc.	\$2,617,000
Eagle Commercial Construction, LLC	\$2,654,000
Ritchie Curbow Construction Co., Inc.	\$2,981,000

* Haley Builders, Inc. withdrew their bid due to error

Funding to support the contract is available within the project budget. The Director of General Services and the Fire Chief recommend that the Board award the contract in the amount of **\$2,585,000** to **Gulf Seaboard General Contractors, Inc.** as the lowest responsive and responsible bidder, and authorize the Director of General Services, as the County Manager's designee, to execute change orders not to exceed 15% of the original contract amount. The County Manager concurs.

RESOLUTION – Authorization to Apply for and Accept Grant to Conduct Energy Audits of Henrico Group Homes.

This Board paper authorizes the County Manager to apply for and accept a grant in the amount of \$4,500 to the Department of Mines, Minerals and Energy of the Commonwealth of Virginia to fund complete home energy audits for the County's group homes. No local match is required for this grant.

The Directors of General Services and Mental Health and Developmental Services recommend approval of this Board paper, and the County Manager concurs.

RESOLUTION – To Accept Wireless E-911 PSAP Education Program Grant.

This resolution accepts a \$2, 000 grant from the Virginia E-911 Services Board to the Division of Police for attendance by Division personnel at regional emergency communications conference. There are no local funds involved.

The Chief of Police recommends approval of this resolution, and the County Manager concurs.

RESOLUTION – To Accept Highway Safety Office Grant for Traffic Enforcement Activities and Equipment.

This resolution accepts a \$173,968 grant from the Virginia Department of Motor Vehicles Highway Safety Office to the Division of Police for traffic enforcement activities and related equipment. A local match of \$11,016 cash and \$23,778 in-kind is requested for this grant.

The Chief of Police recommends approval of this Board paper, and the County Manager concurs.

RESOLUTION – To Accept Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award.

This resolution accepts a \$83,277 grant from the U.S. Department of Justice under its Edward Byrne Memorial Justice Assistance Grant (JAG) Program. The Division of Police will use these funds to purchase software to enhance intelligence gathering and analysis. No local match is required for this award.

The Chief of Police recommends approval of this Board paper, and the County Manager concurs.

RESOLUTION - Signatory Authority - Acquisition of Real Property - 10791 Old Washington Highway - Brookland District.

This Board paper authorizes the County Manager to execute documents to purchase 2.47 +/- acres with improvements located at 10791 Old Washington Highway in the Brookland District for \$246,000. The property will be used for future park uses near the Cultural Arts Center.

The Acting Director of Recreation and Parks and Director of Real Property recommend approval of this paper, and the County Manager concurs.

RESOLUTION - Signatory Authority - Acquisition of Real Property - 10785 Old Washington Highway - Brookland District.

This Board paper authorizes the County Manager to execute documents to purchase 1.80 acres with improvements located at 10785 Old Washington Highway in the Brookland District for \$135,000. The property will be used for future park uses near the Cultural Arts Center.

The Acting Director of Recreation and Parks and Director of Real Property recommend approval of this paper, and the County Manager concurs.

RESOLUTION - Signatory Authority - Acquisition of Real Property - 1875 New Market Road - Varina District.

This Board paper authorizes the County Manager to execute documents to purchase 22.11 acres with improvements located at 1875 New Market Road in the Varina District for \$700,000. The property will be used for the new Varina library.

The Directors of Libraries and Real Property recommend approval of this paper, and the County Manager concurs.

RESOLUTION – Adoption of Division of Recreation and Parks Facility Reservation Guide for the Eastern Henrico Recreation Center.

The purpose of this Board paper is to adopt the Facility Reservation Guide governing the use of the Eastern Henrico Recreation Center (the “Center”) located at 1440 N. Laburnum Avenue in the Fairfield District. The Center is scheduled to open on October 8, 2011 and be available for rental use beginning October 10, 2011.

The recommended fees are based on the existing fees for the Deep Run Recreation Center, which is comparable in building size and room layout. The recommended policies governing use are consistent with those for other recreational facilities operated by the Division of Recreation and Parks.

RESOLUTION - To Accept Funding from a State Grant from the Dam Safety, Flood Prevention and Protection Assistance Fund.

The Henrico County Department of Public Works was awarded \$11,940 under the Dam Safety, Flood Prevention and Protection Assistance Fund.

Funds from this reimbursable grant, which requires a 50% local match, will be used towards creating dam break inundation zone maps and engineering specifications for repairs for Wellesley dam, which is owed by Henrico County (located near Lauderdale Drive and Park Terrace Drive).

The total estimated cost to complete this project is \$39,080. The difference will be covered with department capital funds via transfer.

This Board paper authorizes the Board of Supervisors of Henrico County, Virginia, accept the grant award and authorizes the County Manager to sign the appropriate documents.

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