

COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
REGULAR MEETING  
July 10, 2012

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, July 10, 2012 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:**

Richard W. Glover, Chairman, Brookland District  
David A. Kaechele, Vice Chairman, Three Chopt District  
Tyrone E. Nelson, Varina District  
Patricia S. O'Bannon, Tuckahoe District  
Frank J. Thornton, Fairfield District

**Other Officials Present:**

Virgil R. Hazelett, P.E., County Manager  
Joseph P. Rapisarda, Jr., County Attorney  
Carlos V. Talley, Chief Deputy Sheriff  
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board  
Timothy A. Foster, P.E., Deputy County Manager for Community Operations  
George T. Drumwright, Jr., Deputy County Manager for Community Services  
Angela N. Harper, FAICP, Deputy County Manager for Special Services  
Randall R. Silber, Deputy County Manager for Community Development  
John A. Vithoulkas, Deputy County Manager for Administration

Mr. Glover called the meeting to order at 7:05 p.m.

Mr. Glover led recitation of the Pledge of Allegiance.

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, the Board approved the minutes of the June 26, 2012 Regular Meetings.

The vote of the Board was as follows:

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

No: None

**MANAGER'S COMMENTS**

On Thursday, June 28, approximately 350 Henrico County students between the ages of 6 and 13 participated in a wreath laying ceremony at the National Law Enforcement Officers

Memorial to honor the County's fallen police officers and Virginia State Trooper Jessica Cheney. They also visited the Martin Luther King, Jr. National Memorial and observed the Changing of the Guard ritual at Arlington National Ceremony. The students are participating in the Fifth Annual Henrico Police Athletic League (PAL) summer camp, which this year is being held at Ridge and Harvie Elementary Schools. Raiford Beasley, a member of the Henrico PAL Board of Directors, elaborated on the significance of the students' experience in Washington, D.C. and Arlington. John Kilmer, President of Henrico PAL, presented a plaque to Police Chief Douglas A. Middleton containing a transcript from the June 28 Congressional Record whereby Congressman Eric Cantor honored the fallen police officers of Henrico County and recognized the tribute paid to those officers by the Henrico PAL students. Henrico PAL Board members Donald Blake and Frank Thornton joined Mr. Kilmer and Mr. Beasley for this presentation. Sgt. Kenneth Ragland, Henrico PAL's Executive Director, read a letter from Congressman Cantor that welcomed Henrico PAL to Washington, D.C. and acknowledged the program's positive impact on the future leaders of tomorrow as it carries on the values of the fallen officers.

### **BOARD OF SUPERVISORS' COMMENTS**

Mrs. O'Bannon noted the recent passing of Ruby Turner, a community activist and friend of police officers throughout the Richmond region who regularly attended events held by the Henrico Division of Police.

Mr. Glover recognized Franklin Thurston III and Phillip Thurston from Boy Scout Troop 525, sponsored by Rising Mount Zion Baptist Church, who were observing the meeting.

### **RECOGNITION OF NEWS MEDIA**

Mr. Glover recognized Randy Hallman from the *Richmond Times-Dispatch*.

### **PUBLIC HEARING - REZONING CASES AND PROVISIONAL USE PERMIT**

165-12 Westview Investments, LLC: Request to conditionally rezone from O-2 Office  
C-13C-12 District to B-1C Business District (Conditional) Parcel 774-745-5455 containing  
Brookland 1.469 acres located along the east line of Staples Mill Road (U.S. Route 33)  
approximately 220 feet north of its intersection with Northside Avenue.

David Bailey, an attorney and the owner of the Environmental Law Group, noted that his office is one lot removed from the subject site. He expressed opposition to the proposed rezoning because of the precedent it would set by mixing business district uses with existing office uses.

Jim Theobald, representing Westview Investments, LLC, presented the applicant's case. He narrated a brief slide presentation that highlighted the proposed uses for and recent improvements to the site. Mr. Theobald referred to letters of support he had received from neighbors. He responded to questions from Mr. Glover regarding the applicant's proposed uses for the site.

On motion of Mr. Kaechele, seconded by Mr. Nelson, the Board followed the recommendation of the Planning Commission and approved this item with the following proffered conditions:

Only the following uses shall be permitted on the subject property:

1. Use Restrictions. In no event shall the Property be used for crematory services or for the outdoor kenneling of animals. Uses permitted on the Property shall be limited to those uses permitted and as regulated by the O-2 District and the following B-1 uses:
  - a. hospital or clinic for small animals, dogs, cats and the like; and
  - b. studios for yoga, Pilates, massage (provided all therapists are certified by the Commonwealth of Virginia Board of Nursing) and other therapies, and accessory uses thereto.
2. Parking Lot Lighting. Parking lot lighting standards shall not exceed twenty-five (25) feet in height above grade level. All parking lot lighting fixtures shall be of low intensity and shall be positioned in such a manner as to minimize the impact of such lighting on any adjacent property. Light fixtures shall be of the type that conceals the direct source of light (such as "shoe box" type fixtures).
3. Trash Receptacles. Trash receptacles, not including convenience cans, shall be screened from public view at ground level.
4. Signage. Any detached signs on the Property shall be ground mounted monolithic-type signs, and, if lighted, such sign shall be externally lit employing ground-mounted floodlight or spotlight-type fixtures directed toward such signs and away from public rights-of-way.
5. 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.
6. HVAC. Heating and air conditioning equipment shall be screened from public view at ground level at the Property line.
7. Additions to Existing Structure. Any additions to the existing structure shall be complementary to the exterior architectural design and materials of the existing structure.

The vote of the Board was as follows:

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

No: None

166-12  
C-14-12  
Brookland  
1241 Associates, LLC: Request to rezone from R-2AC One-Family Residence District (Conditional) to C-1 Conservation District part of Parcel 775-749-1480 containing 1.032 acres located on the east line of Impala Drive at its intersection with Impala Place.

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

On motion of Mr. Kaechele, seconded by Mrs. O'Bannon, the Board followed the recommendation of the Planning Commission and approved this item. .

The vote of the Board was as follows:

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

No: None

168-12  
P-12-12  
Varina  
CVI/Rocketts Landing, LLC: Request for a Provisional Use Permit under Sections 24-32.1(u), 24-32.1(v), 24-32.1(w), 24-120 and 24-122.1 of Chapter 24 of the County Code on parts of Parcels 797-712-4180 and 797-711-6071 in order to allow an increase in building height limitations for residential townhomes, office and commercial buildings, and an increase in density for multifamily dwellings and residential townhomes.

Karen Hamilton stated her opposition to this case and asked that the County re-advertise public hearing items in the newspaper when they are deferred. Mr. Glover requested that Mr. Hazelett take this recommendation under his wing and find out if it is possible.

On motion of Mr. Nelson, seconded by Mr. Kaechele, the Board deferred this item to the July 24, 2012 meeting.

The vote of the Board was as follows:

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

No: None

167-12  
C-10C-12  
Varina  
KCA/Camp Hill Investments, LC: Request to conditionally rezone from R-2AC One-Family Residence District (Conditional) to R-2AC One-Family Residence District (Conditional) Parcels 832-688-9219, 833-686-7681, and part of Parcel

833-682-5297 containing 319.78 acres (Parcel A) located at the northwest intersection of Yahley Mill and Long Bridge Roads; from B-2C Business District (Conditional) to B-2C Business District (Conditional) parts of Parcels 829-681-6852 and 833-682-5297 containing 28.20 acres (Parcel B) located at the northwest intersection of Long Bridge Road and New Market Road (State Route 5); from C-1C Conservation District (Conditional) to C-1C Conservation District (Conditional) part of Parcel 833-682-5297 containing 4.67 acres (Parcel C) located along the east line of Turner Road approximately 1600 feet south of its intersection with Turner Forest Road; from A-1C Agricultural District (Conditional) to A-1C Agricultural District (Conditional) part of Parcel 833-682-5297 containing 13.70 acres (Parcel D) located approximately 1500 feet east of the intersection of Turner Road and Turner Forest Road; from R-2AC One-Family Residence District (Conditional) to R-5AC General Residence District (Conditional) parts of Parcels 829-681-6852 and 833-682-5297 containing 93.41 acres (Parcel E) located along the north line of Long Bridge Road east of its intersection with New Market Road (State Route 5); from R-2AC One-Family Residence District (Conditional) to RTHC Residential Townhouse District (Conditional) parts of Parcels 829-681-6852 and 833-682-5297 containing 45.39 acres (Parcel F) located approximately 1200 feet northeast of the intersection of New Market Road (State Route 5) and Kingsland Road; and from R-2AC One-Family Residence District (Conditional) to R-2AC One-Family Residence District (Conditional) part of Parcel 833-682-5297 containing 111.02 acres (Parcel G) located at the northeast intersection of Turner Road and New Market Road (State Route 5).

*Joe Emerson, Director of Planning, responded to a question from Mr. Kaechele pertaining to how the master plan portion of the proffered pattern book relates to this case.*

Bernice B. Newell expressed reservations about the case in light of the existing inventory of repossessed and vacant houses.

Ms. Hamilton spoke to the federal Migratory Bird Treaty Act and voiced concerns about the destruction of the natural habitat, including trees that are used by birds during nesting season.

Jim Theobald, representing KCA/Camp Hill Investments, LC, presented the applicant's case. He narrated a brief slide presentation that highlighted major features, amenities, and open space proposed in the master plan for the subject site. Mr. Theobald noted that the Varina Beautification Committee had sent a letter to the County in support of the case. He responded to a question from Mr. Kaechele regarding the amount of C-1 zoning on the site.

Mr. Nelson spoke to this plan's different approach and its preservation of open space. He encouraged the applicant to continue hearing from the Varina Beautification Committee and neighboring community as the plan moves forward.

On motion of Mr. Nelson, seconded by Mr. Kaechele, the Board followed the recommendation of the Planning Commission and approved this item with the following proffered conditions:

**APPLICABLE TO ALL PARCELS**

1. **Greenbelt Areas and Landscaping.** Greenbelt areas for landscaping, berms, natural open areas and scenic vistas will be provided a minimum of ninety (90) feet in width measured from the ultimate right-of-way of Route 5 exclusive of turn lanes and, on all B-2C zoned property, thirty-five (35) feet in width measured from the ultimate right-of-way of Longbridge Road, except to the extent necessary for utility easements, roads, bicycle paths, jogging trails, signage, sidewalks, fencing, access driveways for major project areas and other purposes requested and specifically permitted, or if required, at the time of subdivision approval and/or Plan of Development, or by any other governmental body, such greenbelt to be exclusive of rear or side yard requirements *for residential lots. Landscape materials in all public areas shall, to the extent possible, be comprised of species indigenous to the area. Existing and/or supplemental vegetation shall be utilized within the greenbelt adjacent to residential lots along Route 5 to substantially mitigate the impact of Route 5 on such homes. To the extent reasonably practicable at the time of development, healthy, mature trees of a minimum of six inch (6") caliper shall be retained within the aforesaid greenbelt areas.*
  
2. **Land Bay Master Plan.** At the time of submission of each tentative subdivision plan or Plan of Development, the Owner shall provide a "Land Bay Master Plan" for the land bay of which the requested tentative subdivision or Plan of Development is a part. The "Land Bay Master Plan" shall show:
  - a. The specific types and locations of all uses proposed for such land bay or portion of the land bay to the extent known;
  - b. A phasing schedule showing that adequate utilities, pedestrian access ways and roadways exist or will be constructed as part of the proposed development to serve the proposed uses or level of development within the land bay or portion of the land bay.
  
3. **Protective Covenants and Restrictions.** Prior to or concurrent with the recordation of the first subdivision plat 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. Such document shall address responsibility for maintenance of buffers and common areas.

4. **Historical Findings; Preservation of Historic Fort Southard and Battlefield Earthworks.** A site of approximately nine and one-half (9.5) acres in size accessible to the public shall be reserved for the preservation of the breastwork fort known as Fort Southard and an additional four (4) acres will be reserved to protect the battlefield earthwork trench on the northeastern portion of the Property. The Fort site shall include a non-hard surface parking area and historical marker to commemorate the Fort. The developer shall consult with the Division of Recreation and Parks in the interpretation of the Fort.
5. **Median Landscaping.** Landscaping shall be provided within any grassy medians or islands within the Property, subject to any required governmental approvals.
6. **Underground Utilities.** Except for junction boxes, meters, transmission mains and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.
7. **Public Utilities.** The public water and wastewater systems shall be used. Septic systems are prohibited. However, other water sources may be put to non-potable use such as, but not limited to, irrigation.
8. **Pattern Book.** Development of the Property shall be in general conformance with the pattern book (the "Pattern Book") and the master plan (the "Master Plan") reflected therein entitled "The Ridings Master Plan & Pattern Book" last revised June 8, 2012, filed herewith (see case file), unless otherwise requested and specifically approved at the time of subdivision plan or Plan of Development.
9. **Architectural Review Board.** All development on the Property shall be subject to approval of an Architectural Review Board which shall review and approve development of all structures on the Property in general conformance with the Pattern Book and the Master Plan prior to plans being submitted to the County. Such approval shall accompany any submittal for building permits for structures and/or Plan of Development submitted to the County for review.
10. **Transportation Improvements.** Unless otherwise requested and specifically approved at the time of subdivision plan or Plan of Development, the Developer shall make the following transportation improvements at its expense, and shall dedicate the necessary rights-of-way which are a part of the Property where the Department of Public Works determines that needed rights-of-way do not exist:

- a. Relocate, subject to the approval of the Department of Public Works and the Virginia Department of Transportation, the intersection of Longbridge Road and New Market Road east of its current location in the general vicinity shown on the Master Plan;
- b. Construct a four lane cross section along Longbridge Road from New Market Road to Site Drives #4 and #6 as such are identified in the "Traffic Impact Analysis Report for the Camp Hill Development" prepared by Ramey Kemp & Associates of Richmond, Inc. dated April, 2005 (the "TIA");
- c. Construct one eastbound left turn lane on Longbridge Road at Site Drive #4 as shown in the TIA;
- d. Construct one southbound right turn lane on Longbridge Road at Site Drive #4 as shown in the TIA;
- e. Construct one eastbound left turn lane on New Market Road at Longbridge Road;
- f. Construct one westbound right turn lane on New Market Road at Long Bridge.

The timing of the construction of the proffered transportation improvements shall be determined at time of subdivision plan and/or Plan of Development for each Land Bay as shown in the Land Bay Master Plan. Should the dedicated property not be utilized within thirty (30) years of the date of the dedication, title to the dedicated property will revert to the applicant or its successors in interest.

11. **Sidewalks.** The Entrance Road and the Village Center Street (as both are defined in the Pattern Book) shall have a sidewalk on both sides of the street. Village Streets and Townhouse Streets (as both are defined in the Pattern Book) shall have a minimum of a sidewalk on one side of the street, exclusive of cul-de-sacs, unless homes front both sides of a street, in which case sidewalks shall be provided on both sides of the street, exclusive of cul-de-sacs. Rural Roads (as defined in the Pattern Book) shall have a minimum of a sidewalk or trail on one side of the street, exclusive of cul-de-sacs.
12. **Access.** No driveways serving individual dwellings, other than driveways for access drives for major project areas, shall have direct access to and from Turner, New Market, Yahley Mill and Long Bridge Roads.



13. **Entrance Feature.** An entrance feature to include landscaping and a brick and/or stone base shall be provided at the main south access to the Property and if lit, shall be externally lit employing ground-mounted floodlight or spotlight-type fixtures directed toward such feature and away from public rights-of-way.
14. **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.

**APPLICABLE TO ALL RESIDENTIAL PROPERTY**

15. **Overall Density.** No more than six hundred fifty (650) residential units shall be constructed on the Property.
16. **Phasing.** The developer shall not request nor be entitled to receive Certificates of Occupancy for more than 100 residential units on the Property per year beginning January 1, 2013 and any permits not used in previous years may be applied to subsequent years, in addition to those otherwise permitted on an annual basis.
17. **Paved Parking.** All driveways on each individual subdivision lot shall be paved within six (6) months following receipt of a certificate of occupancy. The type of pavement may include asphalt, concrete, aggregate materials, pervious pavers or brick or stone pavers.
18. **Cantilevering.** There shall be no cantilevered chimneys, or closets. Any first floor cantilevered items shall be limited to box or bay-type windows only, shall not extend beyond a maximum of twenty-four (24) inches from the predominant plane of the side of the home, nor shall the bottom be less than three (3) feet above the grade level below. Any usable floor space on the first floor such as breakfast nooks shall not be cantilevered. Items on the second floor such as balconies, decks, box or bay-type windows may be cantilevered, but shall include decorative corbels. The exposed portions of all fireplace chimneys shall be of brick or stone.
19. **Landscaping/Buffer Along Turner and Yahley Mill Roads.** A landscaped/buffer area shall be provided a minimum of thirty-five (35) feet in width, exclusive of yard requirements, measured from the ultimate rights-of-way of Turner and Yahley Mill Roads, except to the extent necessary for utility easements, roads, bicycle paths, jogging trails, signage, sidewalks, fencing, and other purposes requested and specifically permitted, or if required, at the time of subdivision approval, or by any other governmental body, with supplemental

plantings provided in the buffer, such plantings to be determined at the time of final subdivision review. Any areas within the thirty-five (35) foot buffer along Turner Road that are currently clear of trees and shrubs, or are cleared of trees and shrubs during construction, shall be planted with new trees and shrubs pursuant to a landscape plan to be reviewed at time of final subdivision review and said landscape plan shall be in substantial conformance with the attached Exhibit entitled "Turner Road Landscape Buffer Exhibit" by cite design (see case file).

20. **Amenities**. Amenities shall include, but not be limited to, paths for pedestrian, jogging, biking, and/or equestrian purposes, one swimming pool, a club house (in general conformance with the architectural features shown in the Pattern Book, unless otherwise requested and specifically approved at the time of Plan of Development), water jets, shade structure, and children's tot lot. Completion of construction for the swimming pool shall be on or before the issuance of the two hundredth (200<sup>th</sup>) Certificate of Occupancy for homes on the Property. The paths for pedestrian, jogging, biking, and/or equestrian purposes shall connect major project areas and the commercial area of the development, as shown on each subdivision plan or Plan of Development. Such paths shall also connect to the future Virginia Capital Trail if such trail is adjacent to the Property's New Market Road frontage.
  
21. **Conservation Areas**. Notwithstanding the uses permitted and regulated by the zoning of the Property, such portion(s) of the Property which lie within a one hundred (100) year flood plain as determined by definitive engineering studies approved by the Department of Public Works, and/or such portion(s) of the Property which may be inundated by waters impounded to a maximum elevation determined in a controlled, regulated manner by a structure or structures approved by the Department of Public Works, may only be used for the following purposes:
  - a. Storm water management and/or retention areas;
  - b. Ponds, lakes and similar areas intended as aesthetic and/or recreational amenities and/or wildlife habitats;
  - c. Access drives, utility easements, signage, walkways and recreational facilities installed in a manner to minimize their impacts; and
  - d. Such additional uses to the uses identified in (a), (b) and (c) above as may be deemed compatible and of the same general character by

the Planning Administrator (Director of Planning) pursuant to Chapters 19 and 24 of the County Code (the "Zoning Ordinance").

The Owner shall, prior to Plan of Development or subdivision approval for areas that include such flood plain, apply to rezone such portions of the Property to a C-1 Conservation District.

The location and limits of such portion(s) of said Property shall be established by Plan(s) of Development and/or subdivision plats approved pursuant to the Zoning and/or Subdivision Ordinance.

22. **Yards**. Each front yard and side yard to the edge of the rear of the home on corner lots adjacent to streets shall initially be sodded, exclusive of mulched flowerbeds and landscaping. If not irrigated, such sodding shall be comprised of drought-tolerant grasses.

#### APPLICABLE TO R-2AC PROPERTY

23. **Garages**. Each R-2AC home shall have a minimum of a two-car garage, with a minimum of fifty (50) percent of such garages being side- or rear-loaded and/or detached. Any front-loading garages shall have decorative doors.
24. **Foundations**. All homes shall be constructed on a crawl space with brick or stone foundations on all exterior sides. The exterior portion of a building below the first floor elevation which is visible above grade shall be finished with brick or stone. Foundation plantings shall be provided.
25. **Home Size**. R-2AC homes shall have a minimum of two thousand two hundred (2,200) square feet of finished floor area, exclusive of garages.
26. **Street Trees**. Notwithstanding the street tree requirements set forth in the Pattern Book, trees shall be planted at an average spacing of fifty (50) feet between trees. Actual plantings shall be depicted on a street tree plan to be approved at the time of subdivision plan.
27. **Exterior Materials**. Exterior wall materials (exclusive of windows and doors) that may be used are brick, stone, cultured stone, high-grade vinyl (a minimum of .042" nominal thickness as evidenced by manufacturer's printed literature), composite-type siding, cementitious siding (e.g. Hardiplank) or a combination of the foregoing, unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall at the time of subdivision plan or Plan of Development. Twenty-five (25) percent of all R-2AC homes, in the aggregate shall have either all brick,

stone and/or cultured stone fronts, or a combination of the foregoing, excluding windows, gables, garage doors, doors, breezeways and architectural design features. All R-2AC homes utilizing either all brick, stone and/or cultured stone, or a combination of the foregoing, on the front elevation shall have the brick, stone and/or cultured stone wrap at least twelve (12) inches around the corner of the side elevation. Applicant shall maintain a record of the percentages of the materials for fronts of homes where required above and shall provide such list when and as requested by the County.

#### APPLICABLE TO R-5AC PROPERTY

28. **Garages**. Each R-5AC home shall have a minimum of a two-car garage. Homes that front on the Village Center Street, as described in the Pattern Book, shall have garages that are side- or rear-loaded and/or detached. Any front-loading garages shall have decorative doors. Any front-loading garages which are equal to or extend beyond the front façade of an R-5AC home shall include landscaping to mitigate the visual impact of such garages, as approved at the time of subdivision plan or Plan of Development.
29. **Home Size**. The minimum finished floor area of any R-5AC home, exclusive of garages, shall be seventeen-hundred (1700) square feet. A minimum of fifty percent (50%) of the R-5AC homes shall have a minimum of two thousand (2000) square feet of finished floor area, exclusive of garages.
30. **Foundations**. All R-5AC homes shall be constructed on a crawl space with brick or stone foundations on all exterior sides. The exterior portion of a building below the first floor elevation which is visible above grade shall be finished with brick or stone.
31. **Street Trees**. Notwithstanding the street tree requirements set forth in the Pattern Book, trees shall be planted at an average spacing of forty (40) feet between trees. Actual plantings shall be depicted on a street plan to be approved at the time of a subdivision plan.
32. **Private Streets**. Prior to issuance of a permanent Certificate of Occupancy for any home, the developer shall provide the Planning Department certification from a licensed engineering firm that the roadways within the development were constructed according to the approved plan and in compliance with Henrico County road design standards and specifications, to include proper compaction of sub-base soils, utility trenches, base stone and asphalt, but excluding road widths, turning radii, sight distance and vertical curves, or a bond in an amount satisfactory to the Director of the Department of Public Works

shall be provided to Henrico County for items not yet completed. The internal roads within the R-5AC parcel shall be private and shall be maintained by the Homeowners Association.

33. **Exterior Materials.** Exterior wall materials (exclusive of windows and doors) that may be used are brick, stone, cultured stone, high-grade vinyl (a minimum of .042" nominal thickness as evidenced by manufacturer's printed literature), composite-type siding, cementitious siding (e.g. Hardiplank) or a combination of the foregoing, unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall at the time of subdivision plan or Plan of Development. Twenty-five (25) percent of all R-5AC homes, in the aggregate, including twenty-five (25) percent of the homes fronting the Village Center Street (as defined in the Pattern Book) shall have either all brick, stone and/or cultured stone fronts, or a combination of the foregoing, excluding windows, gables, garage doors, doors, breezeways and architectural design features. In addition to the above, an additional twenty-five (25) percent of all R-5AC homes fronting the Village Center Street, in the aggregate, shall have either all brick, cementitious siding (e.g. Hardiplank), stone and/or cultured stone fronts, or a combination of the foregoing, excluding windows, gables, garage doors, doors, breezeways and architectural design features. There shall be no more than two (2) R-5AC homes which front the Village Center Street with the same elevation next to one another. All homes utilizing either all brick, stone and/or cultured stone, or a combination of the foregoing, on the front elevation shall have the brick, stone and/or cultured stone wrap at least twelve (12) inches around the corner of the side elevation. Applicant shall maintain a record of the percentages of the materials for fronts of homes where required above and shall provide such list when and as requested by the County.

#### APPLICABLE TO RTHC PROPERTY

34. **Foundations.** All finished floor areas, except basements, shall be constructed above grade or give the appearance of being constructed above grade. The exterior portions of all RTHC residential foundations, including the exterior portion of foundations below the first floor level which is visible above grade, shall be constructed of brick or stone. There shall be a minimum vertical height of twelve (12) inches of brick or stone above grade utilized on slab-on-grade foundations to present the appearance of a crawl space.
35. **Home Size.** RTHC homes shall have a minimum of one thousand five hundred (1,500) feet of finished floor area, exclusive of garages. A minimum of twenty-five percent (25%) of the RTHC homes shall have a

minimum of one thousand seven hundred (1,700) feet of finished floor area, exclusive of garages.

36. **Garages.** Each RTHC home shall have a minimum of a one-car garage. Any front-loading garages shall have decorative doors.
37. **Marketing.** The townhomes shall be marked for sale as "owner occupied".
38. **Street Trees.** Notwithstanding the street tree requirements set forth in the Pattern Book, trees shall be planted at an average spacing of forty (40) feet between trees. Actual plantings shall be depicted on a street tree plan to be approved at the time of subdivision plan or Plan of Development.
39. **Private Streets.** Prior to issuance of a permanent Certificate of Occupancy for any home, the developer shall provide the Planning Department certification from a licensed engineering firm that the roadways within the development were constructed according to the approved plan and in compliance with Henrico County road design standards and specifications, to include proper compaction of sub-base soils, utility trenches, base stone and asphalt, but excluding road widths, turning radii, sight distance and vertical curves, or a bond in an amount satisfactory to the Director of the Department of Public Works shall be provided to Henrico County for items not yet completed. The internal roads within the RTHC parcel shall be private and shall be maintained by the Homeowners Association.
40. **Exterior Materials.** Exterior wall materials (exclusive of windows and doors) that may be used are brick, stone, cultured stone, high-grade vinyl (a minimum of .042" nominal thickness as evidenced by manufacturer's printed literature), composite-type siding, cementitious siding (e.g. Hardiplank) or a combination of the foregoing, unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall at the time of subdivision plan or Plan of Development. Thirty-five (35) percent of all RTHC homes, in the aggregate, shall have either all brick, stone and/or cultured stone fronts, or a combination of the foregoing, excluding windows, gables, garage doors, doors, breezeways and architectural design features. There shall be no more than two (2) RTHC homes with the same elevation next to one another. All homes utilizing either all brick, stone and/or cultured stone, or a combination of the foregoing, on the front elevation shall have the brick, stone and/or cultured stone wrap at least twelve (12) inches around the corner of the side elevation. Applicant shall maintain a record of the percentages of

the materials for fronts of homes where required above and shall provide such list when and as requested by the County.

APPLICABLE TO B-2C ZONED PARCEL

41. **Prohibited Uses.** The following uses shall be prohibited:

- a. billiard, bagatelle, video game or a bingo parlor;
- b. flea markets or antique auctions;
- c. billboards;
- d. funeral homes, mortuaries, crematories and/or undertaking establishments;
- e. dance halls;
- f. attention getting devices;
- g. truck stops;
- h. gun shop, sales and repair;
- i. hotels, motels and motor lodges;
- j. communication towers;
- k. general hospitals, sanatoriums and charitable institutions for human care;
- l. massage parlors;
- m. parking garages or commercial parking lots;
- n. sign painting shops;
- o. bars, which, for purposes of this restriction, shall mean a business establishment whose primary business is the sale of alcoholic beverages for on-premises consumption. This restriction shall not prohibit the sale of alcoholic beverages in restaurants as licensed by the Virginia Department of Alcoholic Beverage Control;
- p. adult business as defined in the Henrico County Zoning Ordinance;
- q. establishments whose primary business is check cashing and/or the making of payday loans as defined and regulated by Sections 6.2-2100 et seq. and 6.2-1800 et seq. of the Code of Virginia (the foregoing shall not preclude banks, savings and loans or similar financial institutions that are not regulated by the foregoing Virginia Code sections);
- r. private club, lodge, meeting hall and fraternal organizations;
- s. self-service storage facilities;
- t. recycling collection facilities;
- u. drapery making and furniture upholstery shops;
- v. lawnmower, yard and garden equipment rental, sales and service;
- w. laundromats and self-service dry cleaning establishments; and
- x. automotive repair facilities.

42. **Detached Signage.** Any detached signs shall be compatible with the architectural design of the principal buildings.

43. **Exterior Materials/Architecture.** The exposed portion of each exterior wall surface (front, rear and sides) of any building (excluding rooftop screening materials for mechanical equipment) shall be similar to the exposed portions of other exterior walls of such building in architectural treatment and materials. Any building shall have exposed exterior walls (above finished grade) of brick, wood, E.I.F.S., high-grade vinyl (a minimum of .042" nominal thickness as evidenced by manufacturer's printed literature), cementitious siding (e.g. Hardiplank), composite-type siding, or a combination of the foregoing, unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development. No building shall be covered with or have exposed to view any painted or unfinished concrete block, sheet or corrugated aluminum or metal, unless otherwise specifically approved at the time of Plan of Development. Roofs shall be constructed of slate, simulated slate, standing seam metal or textured fiberglass shingles or cedar shakes, concrete or composition shingles. Any canopies over fuel pumps shall be of the same architectural design and materials as the principal building. All buildings on the B-2C-Zoned Property shall be of Colonial, New England Colonial or Georgian style in appearance.
44. **Parking Lot Lighting.** Parking lot lighting shall be produced from a combination of concealed sources of light and ornamental lighting of colonial lantern design. Parking lot lighting standards shall not exceed twenty (20) feet in height as measured from the grade at the base of the lighting standard and shall be positioned in such a manner as to minimize the impact of such lighting offsite.
45. **Refuse and Containers.** Except for gates and doors, all screening for refuse containers/dumpsters shall be constructed of brick. Gates and doors shall be opaque, substantial, and oriented to minimize views of the enclosures from public rights-of-way, unless otherwise requested and approved at the time of Plan of Development. Support posts, gate frames, hinges and latches shall be of a sufficient size and strength to allow the gates to function without sagging or becoming a visual eyesore as determined at the time of Plan of Development. Concrete pavement shall be used where the refuse container pad and apron are located.
46. **Trash Removal/Parking Lot Cleaning.** Pick up of refuse and parking lot cleaning shall be limited to the hours between 7:00 a.m. and 10:00 p.m., Monday through Saturday.
47. **Canopy Lighting.** Canopy lighting over any fuel pumps shall be recessed, flat lens fixtures. Light fixtures shall be of the type that conceals the direct source of light.



48. **Outside Display of Merchandise.** No ice, soda, candy or snack machines shall be permitted on the side of the buildings facing Route 5 and Long Bridge Road. The outside display of merchandise is restricted to store operation hours, except in conjunction with special promotions, ceremonies, seasonal activities or inclement weather conditions. No outside storage shall be permitted unless screened in a manner acceptable at the time of Plan of Development.
49. **Mechanical Equipment.** Mechanical equipment shall be screened from public view at ground level at the Property lines in a manner approved at the time of Plan of Development.
50. **Public Address.** No outdoor public address, paging or speaker system outside of any building, other than an intercom system which is not audible at the Property lines, shall be permitted.
51. **Retail Restriction.** Upon full development of the B-2C Parcel, the B-2C Parcel shall have two (2) or more users exclusive of outparcel users, the intent being to promote a coordinated development of multiple users rather than the use of the B-2C Parcel by a single, large retailer.
52. **Conservation Areas.** Notwithstanding the uses permitted and regulated by the zoning of the Property, such portion(s) of the Property which lie within a one hundred (100) year flood plain as determined by definitive engineering studies approved by the Department of Public Works, and/or such portions) of the Property which may be inundated by waters impounded to a maximum elevation determined in a controlled, regulated manner by a structure or structures approved by the Department of Public Works, may only be used for the following purposes:
- a. Storm water management and/or retention areas;
  - b. Ponds, lakes and similar areas intended as aesthetic and/or recreational amenities and/or wildlife habitats;
  - c. Access drives, utility easements, signage, walkways and recreational facilities installed in a manner to minimize their impacts; and
  - d. Such additional uses to the uses identified in (a), (b) and (c) above as may be deemed compatible and of the same general character by the Planning Administrator (Director of Planning) pursuant to Chapters 19 and 24 of the County Code (the "Zoning Ordinance"). The Owner shall, prior to Plan of Development or subdivision

approval for areas that include such flood plain, apply to rezone such portions of the Property to a C-1 Conservation District.

The location and limits of such portions) of said Property shall be established by Plan(s) of Development and/or subdivision plats approved pursuant to the Zoning and/or Subdivision Ordinance.

53. **Transportation Improvements.** Unless otherwise requested and specifically approved at the time of subdivision plan or Plan of Development, the Developer shall make the following transportation improvements at its expense, and shall dedicate the necessary rights-of-way which are a part of the Property where the Department of Public Works determines that needed rights-of-way do not exist:
- a. Construct one eastbound left turn lane on New Market Road at Site Drive #7 as shown in the TIA;
  - b. Construct one westbound right turn lane on New Market Road at Site Drive #7 as shown in the TIA;
  - c. Construct one westbound left turn lane on Longbridge Road at Site Drive #6 as shown in the TIA; and
  - d. Limit Site Drive #5 as shown in the TIA to right-in, right-out maneuvers only.

The timing of the construction of the proffered transportation improvements shall be determined at time of Plan of Development for each B-2C use. Should the dedicated property not be utilized within thirty (30) years of the date of the dedication, title to the dedicated property will revert to the applicant or its successors in interest.

#### **APPLICABLE TO C-1C ZONED PARCEL**

54. **Permitted Uses.** Except as provided below, access drives, parking area for Fort Southard (non-hard surface) utility easements, signage, walkways and passive recreational facilities installed in a manner to minimize their impacts shall be the only uses permitted. However, such additional uses to the aforesaid uses may be permitted as may be deemed compatible and of the same general character by the Planning Administrator (Director of Planning) pursuant to Chapters 19 and 24 of the County Code (the "Zoning Ordinance").

APPLICABLE TO A-1C ZONED PARCEL

55. Permitted Uses. Only the following uses shall be permitted:

- a. Storm water management and/or retention areas;
- b. Ponds, lakes, landscaping and similar areas intended as aesthetic and/or passive recreational amenities and/or wildlife habitats;
- c. Access drives, utility easements, signage, walkways and passive recreational facilities installed in a manner to minimize their impacts;
- d. Such additional uses to the uses identified in (a), (b) and (c) above as may be deemed compatible and of the same general character by the Planning Administrator (Director of Planning) pursuant to Chapters 19 and 24 of the County Code (the "Zoning Ordinance"); and
- e. to the extent all necessary governmental approvals are obtained, a riding club or private non-commercial stable, with no more than fifteen (15) horses being stabled, with the location of any such stable generally being in the northern quadrant of the A-1C parcel, the exact location of which to be determined at the time of Plan of Development. No horse shows shall be permitted. Manure collected from any stable will be, prior to removal, stored on a covered, concrete slab.

The vote of the Board was as follows:

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

No: None

169-12 Pouncey Tract Company of Virginia, LLC: Request to conditionally rezone from  
C-11C-12 A-1 Agricultural District to RTHC Residential Townhouse District (Conditional)  
Three Chopt Parcel 740-765-7333 containing 12.72 acres located along the east line of  
Pouncey Tract Road (State Route 271) approximately 600 feet south of its  
intersection with Twin Hickory Lake Drive.

Jean Moore, Assistant Director of Planning, responded to questions from Mr. Kaechele pertaining to the case's proffers addressing fencing and buffers. She responded to a question from Mrs. O'Bannon relating to the enforceability of a letter of private agreement submitted with the case.

Ms. Hamilton expressed concerns regarding the impact of the proposed development on traffic conditions and school capacities. She and Mr. Kaechele offered differing perspectives on future traffic projections for Pouncey Tract Road.

Larry Horton from Stylecraft Homes briefly addressed the case on behalf of the applicant. He reviewed the proposed buffers and transitional uses for the subject site.

On motion of Mr. Kaechele, seconded by Mrs. O'Bannon, the Board followed the recommendation of the Planning Commission, and approved this item with the following proffered conditions:

**Building Type and Design:**

1. **Materials:** One hundred (100) percent in the aggregate, of the visible portions of the front exterior building wall surfaces of each building of units shall be of brick or stone construction, excluding windows, doors, gables and architectural design features and the rear exterior building wall surface of buildings. The rear of Buildings Q and P will have a minimum of two (2) dormers on the second floor and all exterior building wall surfaces shall be brick or stone. Rear and side exterior building wall surfaces of each building of units shall be of cementitious siding, brick, stone, or a combination of the foregoing for all other buildings. The rear of all buildings will have a minimum of two (2) dormers on the second floor. No building shall contain more than six (6) units.
2. **Density:** There shall be no more than seventy (70) units developed on the Property.
3. **Square Footage:** All townhomes shall have at least eighteen hundred (1800) square feet of finished floor area and a minimum width of twenty-four (24) feet.
4. **Foundations:** The exposed exterior portions of any exterior residence foundations below the first floor level shall be constructed of brick or stone with a minimum of eight (8) inches or two (2) courses of brick visible above grade.
5. **Chimneys:** No chimneys or gas vents shall be cantilevered. The exposed portions of all fireplace chimneys shall be of brick or stone. This proffer shall not apply to direct vent gas fireplaces or appliances.
6. **Garages:** All townhomes shall have a minimum of a one (1) car garage with a minimum clearspace inside of ten (10) X eighteen (18) feet.

7. **Sound Suppression Measures:** Sound suppression measures shall be provided between units with at least a 55 sound coefficient rating. Prior to the issuance of a building permit, the owner or applicant shall submit construction details (cross-section), with an architect's or engineer's seal, demonstrating that construction shall provide the sound coefficient.
8. **Roof Shingles:** Dimensional roof shingles shall have a minimum of thirty (30) year warranty.
9. **Cantilevering:** No architectural features shall be cantilevered except the second story bay windows.
10. **Conceptual Site Plan and Elevations:** Development of the Property shall be in substantial conformance with (i) the architectural appearance shown on the elevations entitled "Townes at Pouncey Place" and attached hereto (see case file), and (ii) the concept plan entitled "Townes at Pouncey Place" prepared by The Bay Companies, dated February 23, 2012 and revised May 2, 2012, May 14, 2012 and May 25, 2012 and attached hereto, (see case file) unless otherwise requested and specifically approved at the time of Plan of Development. The Director of Planning or their designee shall be able to approve modifications to these exhibits after the Plan of Development has been approved.

**Site Design:**

11. **Buffers:** A minimum fifteen (15) foot wide buffer shall be provided along Twin Hickory Subdivision and a minimum ten (10) foot wide buffer shall be provided along Twin Hickory Lake Drive as shown on The Concept Plan (see case file). Through the preservation of existing vegetation and/or supplemental planting, the quantity of landscaping in the buffer shall at a minimum meet the Transitional Buffer 25 standard. Existing trees a minimum of six (6) inches in caliper shall be preserved and maintained (except for those that are dead or diseased). There shall be no buildings in the buffers, and any drainage or utility easements that pass through the buffer shall be designed to do so in a generally perpendicular manner (unless currently existing). All landscaping and buffer details shall be submitted as part of a landscaping plan for review and approval by the Planning Commission during plan of development and be in substantial conformance with The Concept Plan (see case file).

12. **Driveways:** No driveways serving individual townhomes shall have direct access to Twin Hickory Lake Drive. All driveways shall be concrete.
13. **Street Lighting:** Lighting fixtures shall be provided and shall not exceed twelve (12) feet in height above grade level. Lighting shall be non-glare, decorative in style, and residential in character.
14. **Underground Utilities:** Except for junction boxes, meters and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.
15. **Trash:** There shall be no central trash receptacles.
16. **Roads:** Prior to the issuance of the first permanent certificate of occupancy on the Property, the Owner shall provide the Planning Office with certification from a licensed engineering firm that the roadways and sidewalks within the relevant section or phase of development were constructed according to the approved Plan of Development and in compliance with Henrico County road standards and specifications to include proper compaction of the sub-base soils, utility trenches, base stone and asphalt surface, but excluding road widths and turning radii. A sidewalk connection shall be made to Pouncey Tract Road along Pouncey Place from the site.
17. **Yards:** All front yards and side yards of each unit shall be sodded and irrigated.
18. **BMP as Water Feature:** Any above-ground BMP shall be an aerated wet pond designed to be a water feature and an amenity to the Property, including the use of a fountain and/or aeration device within the BMP.
19. **Courtyard:** The Courtyard in front of Building I shall consist of benches and landscaping as a gathering place (passive amenity).
20. **Privacy Fence:** A six (6) foot Dog Ear or similar quality wood privacy fence shall be installed along the property line adjacent to the side of Building A and the adjacent commercial site (Pryor). A six (6) foot height wood privacy fence shall be installed in all rear yards between each unit. No stockade fences shall be allowed on the property.
21. **Joint Access:** If joint access is provided by the adjacent commercial property a connection will be made.
22. **Foundation Planting, Landscaping and Sod:** Each town home shall have a minimum of six (6) shrubs planted along the front foundation. The

front and side yards shall have sod, exclusive of mulched flowerbeds and landscaping, and irrigation. There shall be at least one (1) tree with a minimum caliper of two and a half (2.5) inches planted in each front yard and each side yard of each building.

23. Entrance Feature: A monument style landscaped entrance features shall, at a minimum, be located at the main entrance for the development on Pouncey Place. The entrance sign shall be ground-mounted and no more than six (6) feet in height constructed of brick and/or stone. Signage shall not be internally illuminated. A sign may also be placed on a joint sign with the Pouncey Place commercial tract at the intersection with Pouncey Tract Road and Pouncey Place.

Other:

24. 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 plat (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.
25. 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, 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.
26. C-1 Zoning: A rezoning application shall be filed for C-1 zoning for the area within the 100-year flood plain within the property, if any, prior to the recordation of the subdivision plat for the last section of the property.
27. 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.

The vote of the Board was as follows:

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

No: None

170-12 CHD2, LLC: Request to rezone from A-1 Agricultural District to R-3C One-  
C-16C-12 Family Residence District (Conditional) Parcel 738-755-8984 containing 4.717  
Three Chopt acres located at the southwest intersection of Old Pump Road and Thaddeus  
Drive.

Ms. Moore responded to a question from Mr. Kaechele relating to the status of the subdivision plan for this case. She and Neil Farmer, a representative of the applicant, responded to a question from Mr. Kaechele concerning the applicant's future plans for an existing house on the subject site.

On motion of Mr. Kaechele, seconded by Mrs. O'Bannon, the Board followed the recommendation of the Planning Commission, and approved this item with the following proffered conditions:

Only the following uses shall be permitted on the subject property:

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 1700 square feet finished. There shall be no more than three one story homes constructed on the property.
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 foundations below the first floor level which are visible above grade shall be brick or stone. Any dwelling 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. 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.
4. Cantilevering: There shall be no cantilevered chimneys, direct vent gas fireplaces, closets or bay windows.
5. Driveways: All new driveways shall be constructed of either cobblestone, brick, pre-cast pavers, concrete, exposed aggregate or other similar materials approved by the Director of Planning.



6. Fences: No chain link fences shall be permitted on the property.
7. Construction Hours: The hours of exterior construction activities, including operation of bulldozers and other earth moving equipment, shall be between 7:00 AM - 7:00 PM 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. Construction signs shall be posted in English and Spanish and state the hours of construction.
8. Severance: The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or part shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.
9. There shall be at least one window included in each side elevation of the houses.
10. Exterior Building Materials: All new houses shall be constructed with brick, stone, cultured stone, EIFS, cementitious siding (e.g. hardiplank or equivalent), or a combination of the foregoing. Fiberboard and vinyl siding are not permitted.
11. Underground Utilities: All proposed utilities except for junction boxes and meters shall be placed underground, unless technical or environmental reasons require otherwise.
12. Density: The number of building lots on the Property shall not exceed eleven (11).

The vote of the Board was as follows:

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

No: None

#### **PUBLIC HEARING - OTHER ITEM**

171-12 Resolution - POD-27-11 - Approval of a Plan of Development for Fire Station #10 - Brookland District.

Leslie News, Principal Planner, narrated a slide presentation on this POD to replace existing Fire Station #10 with a new 12,200 square foot facility on the same site. Ms. News reviewed the site's location and layout as well as proposed improvements to the site, the design of the new facility, and the project's anticipated construction schedule. She responded to a question from Mr.

Kaechele regarding elevations of the new facility and Chris Ray with Moseley Architects responded to a question from Mrs. O'Bannon pertaining to the roof design of the new facility.

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

On motion of Mr. Kaechele, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

### **PUBLIC COMMENTS**

Bernice B. Newell, a resident of the Varina District, suggested that undeveloped land be used to grow food for the needy, people who are out of work, and returning military veterans rather than to build new houses, apartments, and office buildings.

Claire Gallagher, a junior member of the American Legion Auxiliary, distributed poppies and information packets on the poppy as part of her organization's Patch Program. The poppy is a national symbol of remembrance of the nation's veterans.

### **GENERAL AGENDA**

172-12 Introduction of Resolution – Receipt of Requests for Amendments to the FY 2012-13 Annual Fiscal Plan: July, 2012.

Brandon Hinton, Budget and Management Division Director, responded to questions from Mrs. O'Bannon and Mr. Kaechele.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached introduction of resolution.

173-12 Introduction of Ordinance – To Amend and Reordain Section 20-115 of the Code of the County of Henrico Titled "Situs for taxation" to Change the Situs of Motor Vehicles Used by Full-time Students to the Vehicle Owner's Domicile.

Gene Walter, Director of Finance, responded to a question from Mrs. O'Bannon.

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached introduction of ordinance.

174-12 Resolution - Consent to Declaration of a Local Emergency.

Fire Chief Ed Smith and Mr. Hazelett responded to questions from Mrs. O'Bannon.

On motion of Mr. Nelson, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

175-12 Resolution – End of Declared Emergency.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.

Chief Smith thanked the Henrico Health Department for providing shelter and food to residents of a home for adults in Sandston during an extended power outage that resulted from the recent derecho event.

176-12 Resolution - Award of Annual Contracts for Architectural and Engineering Services.

Chris Winstead, Director of General Services, responded to questions from Mr. Glover and Mr. Kaechele. Mr. Glover asked staff to provide him with a list of the principals of the firm BCWH, Inc.

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached resolution.

177-12 Resolution - Signatory Authority - Henrico Juvenile Detention Home Medical Services Contract.

Mike Bingham, Superintendent of the Juvenile Detention Home, responded to questions from Mrs. O'Bannon.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.

178-12 Introduction of Ordinance - To Amend and Reordain Section 15-114 of the Code of the County of Henrico Titled “Retention of purchases and serviced items by dealer” to Increase the Time Precious Metals and Gems Dealers are Required to Retain Purchases and Serviced Items.

Chief Middleton responded to a question from Mrs. O'Bannon.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached introduction of ordinance.

179-12 Introduction of Ordinance - To Amend and Reordain Section 5-30 of the Code of the County of Henrico Titled “Control of dangerous or vicious dogs” to Increase the Dangerous Dog Registration Fee and Change the Registration Process.

Chief Middleton responded to questions from the Board.

On motion of Mr. Nelson, seconded by Mr. Kaechele, and by unanimous vote, the Board approved this item – see attached introduction of ordinance.

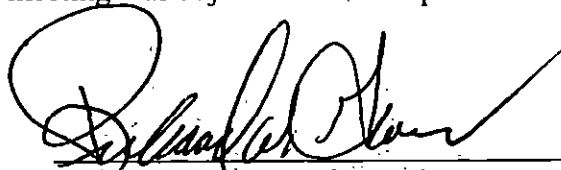
180-12 Introduction of Ordinance – To Amend and Reordain Section 15-51 of the Code of the County of Henrico Titled “Concealed handgun permit.”

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached introduction of ordinance.

181-12 Resolution – Signatory Authority – Encroachment Letter Agreement – Virginia Electric and Power Company - Varina District.

On motion of Mr. Nelson, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.

There being no further business, the meeting was adjourned at 8:54 p.m.



Chairman, Board of Supervisors  
Henrico County, Virginia



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

Agenda Item No. 171-12  
Page No. 1 of 4

Agenda Title: **RESOLUTION — POD-27-11 — Approval of a Plan of Development for Fire Station #10 — Brookland District**

<p>For Clerk's Use</p> <p><b>JUL 10 2012</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>Kaechele</u> Seconded by (1) <u>O'Bannon</u></p> <p>(2) <b>APPROVED</b></p> <p>REMARKS: _____</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>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>Nelson, T.</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	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nelson, T.	<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, Sections 24-11(b) and 24-106 of the Henrico County Code require the submission of applications for plans of development for public facilities to the Board of Supervisors; and,



WHEREAS, an application has been submitted for approval of POD-27-11, a plan of development for construction of Fire Station #10, a new, one-story 12,200 square foot fire station, to replace an existing 4,950 square foot facility on the same site at 6313 Horsepen Road; and,

WHEREAS, the 1.07-acre parcel is located at the southeast corner of the intersection of Horsepen Road and Crescent Parkway on Parcels 768-741-8168 and 9058, is zoned R-3, Single-Family Residential District, and is located in the Brookland District; and,

WHEREAS, the County Administration, including the Department of General Services, the Department of Planning, 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, has reviewed the application and recommends its approval, subject to the staff recommendations and the staff plan dated July 10, 2012; and,

WHEREAS, on July 10, 2012, the Board of Supervisors held a public hearing to receive comments on the application for approval.

**NOW, THEREFORE, BE IT RESOLVED** that the Henrico County Board of Supervisors hereby approves the application, subject to the following conditions:

By Agency Head  By County Manager 

Routing:  
Yellow to: \_\_\_\_\_  
Copy to: \_\_\_\_\_

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

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

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

Agenda Item No. 171-12

Page No. 2 of 4

Agenda Title: **RESOLUTION — POD-27-11 — Approval of a Plan of Development for Fire Station #10 — Brookland District**

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1. The Director of Public Utilities shall approve the construction plans for public water and sewer prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least 24 hours prior to the start of any County water or sewer construction.
2. The parking lot shall be subject to the requirements of Section 24-98 of the Henrico County Code.
3. The parking spaces shall be marked on the pavement surface with four-inch wide white painted traffic lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall be yellow.
4. Sufficient, effective usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
5. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
6. The plan of development shall be revised as annotated on the staff plan dated July 10, 2012, which shall be as much a part of this approval as if its details were fully described herein. Eight (8) sets of revised plans, including the detailed drainage, erosion control and utility plans shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning that all comments have been addressed, twenty-one (21) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures.
7. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
8. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
9. All ground cover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season.
10. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams and fixture specifications and mounting height details shall be submitted for Department of Planning review and approval.
11. All exterior lighting shall be designed and arranged to direct the light and glare away from nearby residential property and streets.
12. The site including the parking areas shall be kept clean of litter and debris on a daily basis. Trash container units/litter receptacles and recycling containers shall be maintained with scheduled regular pickups and shall be screened properly on all four sides. The gate(s) shall remain closed except when the receptacle(s) are being filled or serviced and shall be repaired or replaced as necessary. Details shall be included with the final site plan or required landscape plan review and approval.
13. Required fire lanes shall be marked and maintained in accordance with the Virginia Statewide Fire Prevention Code.

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

Agenda Item No. 171-12

Page No. 3 of 4

Agenda Title: **RESOLUTION — POD-27-11 — Approval of a Plan of Development for Fire Station #10 — Brookland District**

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14. Traffic control signs shall be provided as indicated on the Planning staff plan. All signs shall be fabricated as shown in The National Manual on Uniform Traffic Control Devices for Streets and Highways and The Virginia Supplement to The Manual on Uniform Traffic Control Devices for Streets and Highways.
15. The assigned property number shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 501-4284. The Planning Department must assign all property addresses.
16. The contractor shall have a set of plans approved by the Director of Public Works, Director of Public Utilities, and the County Manager available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County inspectors.
17. The property shall be developed generally as shown on the plan filed with the case and no major changes or additions to the layout shall be made without the approval of the Board of Supervisors.
18. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the engineer or land surveyor who prepared the POD plan shall furnish a statement to the effect that all construction, including water and sewer, is in conformance with the regulations and requirements of the POD.
19. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
20. Insurance Service Offices (ISO) calculations should be included on the final construction plans for approval by the Department of Public Utilities prior to issuance of a building permit.
21. Any necessary offsite drainage easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans by the Department of Public Works.
22. Deviations from County standards for pavement, curb, or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
23. Vehicles shall be parked only in approved and constructed parking spaces.
24. The construction shall be properly coordinated to ensure that safe access, circulation and adequate parking is provided for the facility. A plan to indicate the phasing of improvements and the handling of traffic (construction and employees) shall be submitted to the Department of Planning prior to the issuance of a building permit.
25. Excess right-of-way along the east line of Crescent Parkway, as shown on the approved plans, shall be vacated prior to approval of a Certificate of Occupancy.
26. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
27. A concrete sidewalk meeting County standards shall be provided along the south side of Horsepen Road and the east side of Crescent Parkway.

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

Agenda Item No. 171-12

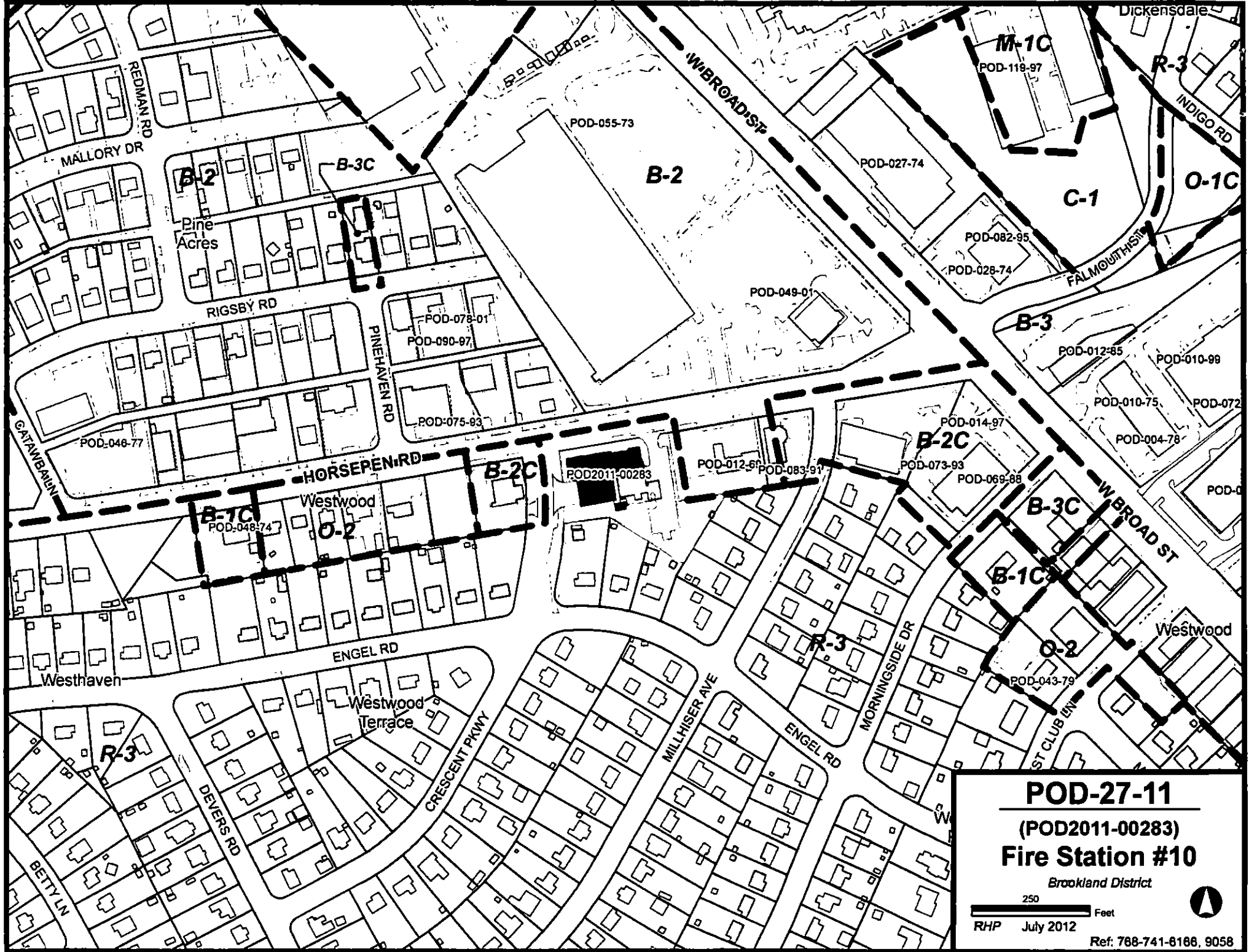
Page No. 4 of 4

Agenda Title: **RESOLUTION — POD-27-11 — Approval of a Plan of Development for Fire Station #10 —  
Brookland District**

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**COMMENTS:** The Director of Planning has reviewed the plans submitted by Stantec Consulting Services, Inc. and Moseley Architects and recommends approval, and the County Manager concurs.



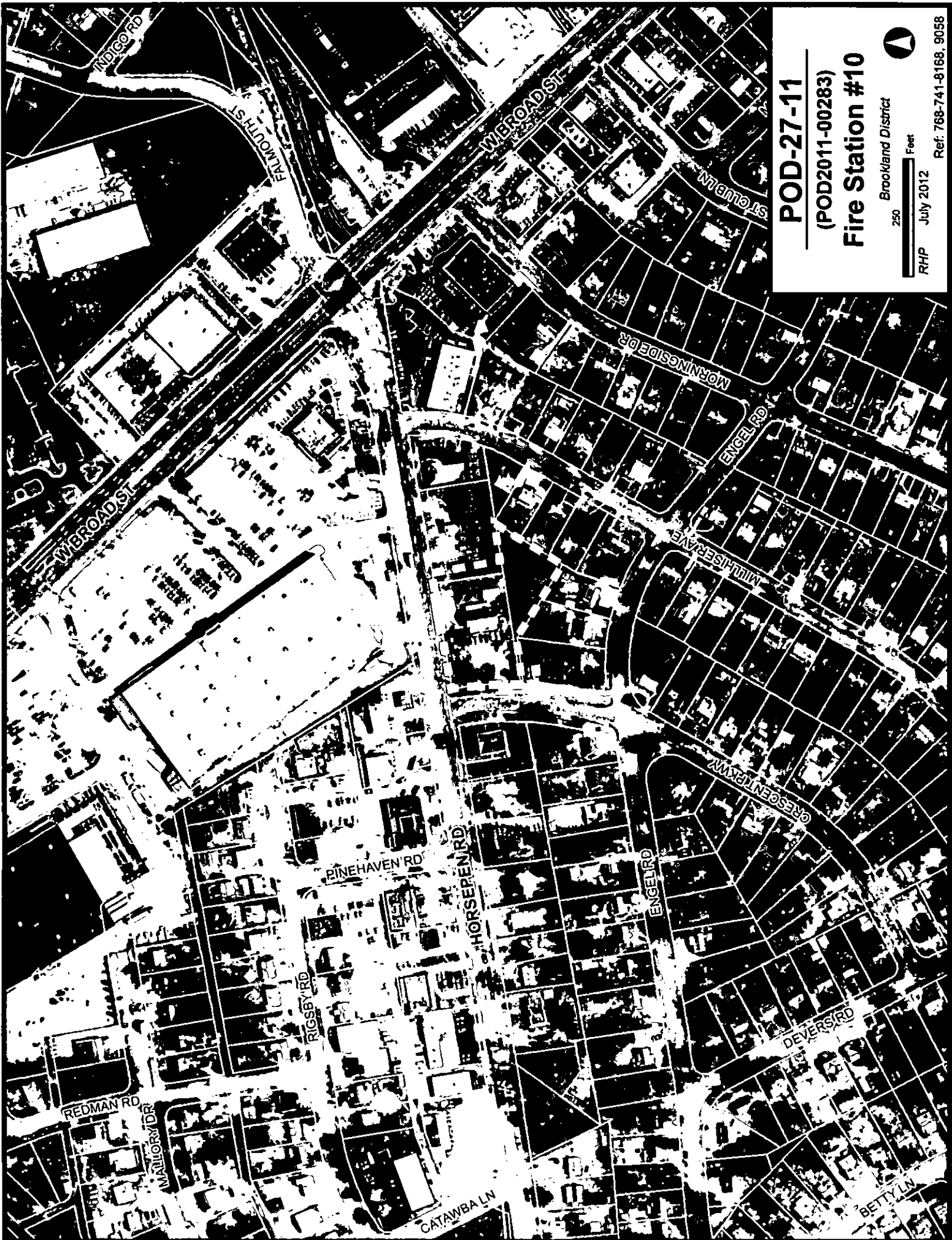


**POD-27-11**  
 (POD2011-00283)  
**Fire Station #10**  
 Brookland District

250 Feet

RHP July 2012

Ref: 768-741-6166, 9058



**POD-27-11**

(POD2011-00283)

**Fire Station #10**

Brookland District

250 Feet

RHP July 2012

Ref: 768-741-8168, 9058



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

Agenda Item No. 172-12

Page No. 1 of 1

Agenda Title **INTRODUCTION OF RESOLUTION - Receipt of Requests for Amendments to the  
FY 2012-13 Annual Fiscal Plan: July, 2012**

<p>For Clerk's Use Only:</p> <p><b>JUL 10 2012</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>Deannon</u> Seconded by (1) <u>Shanta</u></p> <p>(2) _____ (2) _____</p> <p>REMARKS: <b>APPROVE</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>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>Kacchele, 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>Nelson, T.</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>	Glover, R..	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kacchele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nelson, T.	<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**, the County Manager has provided the Board of Supervisors of the County of Henrico, Virginia, with a list dated July 3, 2012 requesting amendments to the 2012-13 Annual Fiscal Plan; and,

**WHEREAS**, the County Manager listed by department, the purpose of the request, and the source of funding to support the proposed amendments.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County of Henrico, Virginia, that the Clerk of the Board is directed to advertise a synopsis of the proposed amendments and a public hearing thereon to be held on July 24, 2012, at 7:00 p.m., in the Board Room at the Henrico County Government Center, East Parham and Hungary Spring Roads, to ascertain the views of the citizens with respect to the proposed amendments, such advertisement to be placed in the Richmond Times-Dispatch on Tuesday, July 17, 2012.

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

<p>By Agency Head <u><i>Ernie Watt Jr</i></u></p>	<p>By County Manager <u><i>D. P. ...</i></u></p>
<p>Routing:</p> <p>Yellow to: _____</p> <p>Copy to: _____</p>	<p>Certified: _____</p> <p>A Copy Teste: _____</p> <p align="right">Clerk, Board of Supervisors</p> <p>Date: _____</p>

AMENDMENT TO THE 2012-13  
ANNUAL FISCAL PLAN FOR JULY, 2012

**OPERATING FUNDS**

**GENERAL FUND - General Operating**

Board of Supervisors	\$ 7,054
Library	88,043
Sheriff	187,919
Circuit Court	22,228
Commonwealth's Attorney	36,826
Juvenile/Domestic Relations Court	15,341
Electoral Board	4,745
County Manager	29,773
County Attorney	17,390
Human Resources	31,639
Police	482,456
Fire	382,689
Finance	89,610
General Services	72,775
Internal Audit	3,423
Information Technology	74,772
Agriculture & Home Extension	793
Social Services	95,359
Recreation & Parks	81,970
Public Works	11,542
Real Property	5,003
Economic Development	6,176
Building Inspections	32,956
Planning	28,837
Permit Centers	9,250
Community Revitalization	10,129
Total General Fund - General Operating	<u>\$ 1,828,698</u>

AMENDMENT TO THE 2012-13  
ANNUAL FISCAL PLAN FOR JULY, 2012

<b>GENERAL FUND - School Board</b>	
<b>Education</b>	\$ 3,902,500
To appropriate the necessary funding to cover the increased employee benefit costs associated with Senate Bill 497, as approved by the 2012 General Assembly. This legislation requires all local government and school board employees to pay a five percent employee contribution to the Virginia Retirement System, and requires a five percent salary increase to these employees. Of the \$5,731,198 General Fund appropriation, \$1,000,000 is being funded with anticipated additional revenue associated with the Richmond Center reimbursement due to expected increased collections of hotel/motel tax revenue. In addition, \$828,698 is being funded with expected revenues from the Commonwealth of Virginia, in excess of budget estimates, for General Government purposes; and \$3,902,500 is being funded with expected revenues from the Commonwealth of Virginia, in excess of budget estimates, for Education purposes.	
<b>Total GENERAL FUND</b>	<u>\$ 5,731,198</u>
 <b>SPECIAL REVENUE FUND - SOLID WASTE</b>	
Public Utilities	\$ 25,482
 <b>WATER AND SEWER ENTERPRISE FUND</b>	
Public Utilities	\$ 159,011
 <b>BELMONT GOLF COURSE ENTERPRISE FUND</b>	
Recreation and Parks	\$ 3,870
 <b>CENTRAL AUTOMOTIVE MAINTENANCE</b>	
Central Automotive Maintenance	\$ 32,515
To appropriate the necessary funding to cover the increased employee benefit costs associated with Senate Bill 497. All additional funding in these non-General Fund functions are being funded by the respective fund balance of each of these functions.	
<b>Total OPERATING FUNDS</b>	<u>\$ 5,952,076</u>
<b>Total Amendments/Appropriations</b>	<u>\$ 5,952,076</u>



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

Agenda Item No. 173-12  
Page No. 1 of 1

**Agenda Title: INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 20-115 of the Code of the County of Henrico Titled "Situs for taxation" to Change the Situs of Motor Vehicles Used by Full-time Students to the Vehicle Owner's Domicile**

For Clerk's Use Only: <b>11-10-2012</b> Date: _____ <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>O'Bannon</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS: <div style="font-size: 2em; font-family: serif; letter-spacing: 0.5em;">             APPROVED           </div>	<table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:80%;"></th> <th style="width:10%;">YES</th> <th style="width:10%;">NO</th> <th style="width:10%;">OTHER</th> </tr> </thead> <tbody> <tr> <td>Glover, R.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Nelson, T.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Thornton, F.</td> <td align="center">✓</td> <td></td> <td></td> </tr> </tbody> </table>		YES	NO	OTHER	Glover, R.	✓			Kaechele, D.	✓			Nelson, T.	✓			O'Bannon, P.	✓			Thornton, F.	✓		
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O'Bannon, P.	✓																									
Thornton, F.	✓																									

The Clerk is directed to advertise, in the Richmond Times-Dispatch on July 24, 2012 and July 31, 2012, the following ordinance for a public hearing to be held at the Board Room on August 14, 2012 at 7:00 p.m.:

"AN ORDINANCE to amend and reordain Section 20-115 of the Code of the County of Henrico Titled "Situs for taxation" to change the situs of motor vehicles used by full-time students to the vehicle owner's domicile. A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

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

By Agency Head Eugen Walto By County Manager David L. Hays

Routing:  
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 Clerk, Board of Supervisors

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

**ORDINANCE – To Amend and Reordain Section 20-115 of the Code of the County of Henrico Titled “Situs for taxation” to Change the Situs of Motor Vehicles Used by Full-time Students to the Vehicle Owner’s Domicile**

**AN ORDINANCE to amend and reordain Section 20-115 of the Code of the County of Henrico Titled “Situs for taxation” to change the situs of motor vehicles used by full-time students to the vehicle owner’s domicile.**

**BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:**

1. That Section 20-115 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 20-115. Situs for taxation.**

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(d) In the event it cannot be determined where a motor vehicle, travel trailer, boat or airplane is normally garaged, stored or parked, the situs shall be the domicile of the owner of such property. However, if ~~the owner of the~~ a motor vehicle is used by a full-time student attending an institution of higher education, and such use establishes that the motor vehicle is normally garaged at the location of the institution of higher education, the taxing situs shall be the domicile of ~~such student the owner of the motor vehicle,~~ provided the ~~student has presented~~ owner presents sufficient evidence that he has paid a personal property tax on the motor vehicle in his domicile, upon request of the locality of the institution of higher education.

2. That this ordinance shall be in full force and effect on and after its passage as provided by law.



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 174-12

Page No. 1 of 1

Agenda Title: RESOLUTION – Consent to Declaration of a Local Emergency

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES NO OTHER
Date: JUN 10 2012	Moved by (1) Nelson Secinded by (1) O'Bannon (2) _____ (2) _____	Glover, R. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	REMARKS: <b>APPROVED</b>	Kaechele, D. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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		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, due to the impact of the derecho event on Friday, June 29, 2012, resulting in widespread damage from heavy winds, and thunderstorms, coupled with extreme heat over the weekend of June 29 – July 1, 2012, the County of Henrico faced serious conditions which imperiled the lives, safety, and property of local residents; and,

WHEREAS, the County Manager, in his capacity as Director of Emergency Management, issued a declaration of local emergency on July 1, 2012 at 9:00 a.m.; and,

WHEREAS, the local emergency was declared to ensure that County agencies could enlist the necessary resources to respond quickly and effectively to these conditions; and,

WHEREAS, consistent with the requirements of Virginia Code §44-146.21(a), the Board of Supervisors desires to consent to the declaration of local emergency by the County's Director of Emergency Management.

NOW, THEREFORE, BE IT RESOLVED that:

- (1) the Board of Supervisors hereby consents to the declaration of local emergency by the County Manager in his capacity as Director of Emergency Management of Henrico County, a copy of which is attached to and made a part of this resolution as Exhibit "A";
- (2) during this local emergency, the powers, functions, and duties of the County's Director of Emergency Management and emergency services organizations shall be those prescribed by the laws of the Commonwealth of Virginia and by the ordinances, resolutions, and approved plans of the County; and

By Agency Head Edwin M. Smith By County Manager David R. Haylett

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Clerk, Board of Supervisors

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



- (3) any action taken by County agencies or personnel pursuant to the declaration of local emergency and this resolution shall be to mitigate the effects of the declared local emergency.

Comments: The Chief of Fire recommends approval of this Board paper; the County Manager concurs.

COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS

RESOLUTION—Declaration of a Local Emergency

WHEREAS, due to the impact of the derecho event on Friday, June 29, 2012, resulting in widespread damage from heavy winds, and thunderstorms, coupled with extreme heat over the weekend of June 29 – July 1, 2012, the County of Henrico faced serious conditions which imperil the lives, safety, and property of local residents; and

WHEREAS, the declaration of a local emergency will ensure that County agencies can enlist the necessary resources to respond quickly and effectively to these conditions.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Henrico, Virginia hereby declares that a local emergency does exist throughout Henrico County.

BE IT FURTHER RESOLVED that during this local emergency the powers, functions, and duties of the County's Director of Emergency Management and Emergency Services organizations shall be those prescribed by the laws of the Commonwealth of Virginia and by the ordinances, resolutions, and approved plans of the County of Henrico.

BE IT FURTHER RESOLVED that any action taken by County agencies or personnel pursuant to this declaration by the Board of Supervisors shall be to mitigate the effects of said local emergency.

A Copy Teste: Barry Lawrence  
Clerk, Board of Supervisors

Date: 7/11/12

I, the undersigned, as the County Manager Director of Emergency Management for Henrico County, Virginia, in response to the effects of the Severe Weather events of June 29, 2012 and extreme heat impacts of June 29 – July 1, 2012 which threaten the property and the health, safety, and welfare of persons in Henrico County and in order to ensure that County agencies can enlist the necessary resources to respond quickly and effectively to these conditions, hereby declare, pursuant to Virginia Code §44-146.21(a), the existence of a Local Emergency in Henrico County.

In accordance with this Declaration, all appropriate County agencies are hereby vested with, and authorized to carry out, all powers, duties, and functions prescribed by state and local law, rules, regulations and plans as may be necessary to adequately and appropriately respond to said Local Emergency.



Virgil R. Hazelett, P.E.  
County Manager  
County of Henrico

July 1, 2012 9:00 AM  
Date and Time



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 175-12

Page No. 1 of 1

Agenda Title: RESOLUTION – End of Declared Emergency

For Clerk's Use Only:  Date: <b>Jul 10 2012</b>  <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	<p style="text-align: center;">BOARD OF SUPERVISORS ACTION</p> Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Chanta</u> (2) _____    (2) _____  REMARKS: <h1 style="text-align: center;">APPROVED</h1>	<table border="0"> <thead> <tr> <th></th> <th>YES</th> <th>NO</th> <th>OTHER</th> </tr> </thead> <tbody> <tr> <td>Glover, R.</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Kaechele, D.</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Nelson, T.</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>O'Bannon, P.</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Thornton, F.</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> </tbody> </table>		YES	NO	OTHER	Glover, R.	✓			Kaechele, D.	✓			Nelson, T.	✓			O'Bannon, P.	✓			Thornton, F.	✓		
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Thornton, F.	✓																									

WHEREAS, on July 10, 2012, the Board of Supervisors approved a resolution consenting to the County Manager's declaration on July 1, 2012 of an emergency relating to the derecho event; and,

WHEREAS, such declaration was made and consent given pursuant to §44-146.21(a) of the Code of Virginia, 1950, as amended; and,

WHEREAS, that state statute also requires the Board to "take appropriate action to end the declared emergency" when, in the Board's judgment, "all emergency actions have been taken;" and,

WHEREAS, the County Manager, in consultation with the Chief of Fire, has advised that all emergency actions relating to the derecho event have been taken.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that it finds the declared emergency occasioned by the derecho event has ended.

Comments: The Chief of Fire recommends approval of this Board Paper; the County Manager concurs.

By Agency Head Adrian W. Smith      By County Manager David L. Hight

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

Agenda Item No. i 76-12

Page No. 1 of 2

**Agenda Title: RESOLUTION - Award of Annual Contracts for Architectural and Engineering Services**

For Clerk's Use Only: <b>11 10 2012</b> Date: _____ <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>O'Bannon</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS: _____ <div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">APPROVED</div>	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <tr> <td>Glover, R.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Nelson, T.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Thornton, F.</td> <td align="center">✓</td> <td></td> <td></td> </tr> </table>		YES	NO	OTHER	Glover, R.	✓			Kaechele, D.	✓			Nelson, T.	✓			O'Bannon, P.	✓			Thornton, F.	✓		
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O'Bannon, P.	✓																									
Thornton, F.	✓																									

**WHEREAS**, on March 30, 2012, the County received 13 proposals in response to RFP #12-9213-2CS for annual contracts to provide architectural and engineering services on an as-needed basis; and

**WHEREAS**, based upon review and evaluation of the written proposals, the Selection Committee interviewed the following firms:

- BCWH, Inc.
- Moseley Architects, PC
- Rawlings Wilson & Associates, PC
- Wiley & Wilson, Inc.

**WHEREAS**, the Selection Committee selected BCWH, Inc. and Moseley Architects, PC as the two top-ranked firms and negotiated hourly rate schedules with each firm.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors:

1. Annual contracts to provide architectural and engineering services are awarded to BCWH, Inc. and Moseley Architects, PC for the period June 1, 2012 to May 31, 2013, with the option to renew each contract for two additional one-year terms, all in accordance with RFP #12-9213-2CS and the proposals submitted by each of these two firms.
2. Compensation for services rendered pursuant to the contracts will be based upon the agreed-upon hourly rate schedules contained in the contracts.
3. The fees shall not exceed \$300,000 for any single project, nor \$1,500,000 per one-year term of the contract.

By Agency Head [Signature] By County Manager [Signature]

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

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

Agenda Item No. 176-12

Page No. 2 of 2

**Agenda Title: Award of Annual Contracts for Architectural and Engineering Services**

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4. The County Manager is authorized to execute the contracts in a form approved by the County Attorney.
5. The County Manager, or the Director of General Services as his designee, is authorized to execute all change orders within the scope of the project budget.

**Comments:** Funding to support the contract is available within the project budget. The Director of General Services recommends approval of this Board paper, and the County Manager concurs.



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

Agenda Item No. 177-12

Page No. 1 of 1

Agenda Title: **Resolution – Signatory Authority - Henrico Juvenile Detention Home Medical Services Contract**

For Clerk's Use Only:  
Date: **Jul 10 2012**  
 Approved  
 Denied  
 Amended  
 Deferred to:

**BOARD OF SUPERVISORS ACTION**

Moved by (1) O'Bannon Seconded by (1) Chantre  
(2) \_\_\_\_\_ (2) \_\_\_\_\_

REMARKS:  
**APPROVED**

	YES	NO	OTHER
Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nelson, T.	<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 Henrico Juvenile Detention Home, in order to comply with state standards and to provide proper medical care for detainees, must provide medical services through a licensed physician; and,

**WHEREAS**, the physician will visit the Detention Home to review the nurse's screening and evaluation of each ward, examine detainees deemed necessary by the nurse, and be on call for consultation on a twenty-four hour per day, seven-day per week basis; and,

**WHEREAS**, the Department of Pediatrics, Virginia Commonwealth University Health System has agreed to provide these services as well as coordination of hospital and medical services at the VCU Health System; and,

**WHEREAS**, the Detention Home has negotiated a contract for these services in the amount of \$13,500 plus \$100.00 per hour for unscheduled visits to the Detention Home.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Henrico County authorizes the County Manager to execute a contract with the Department of Pediatrics, Virginia Commonwealth University Health System to provide a licensed physician to be responsible for the medical services at the Juvenile Detention Home beginning July 1, 2012 and terminating June 30, 2013.

**COMMENTS:** The Juvenile Detention Home Superintendent recommends approval, and the County Manager concurs. Funds are available in 2012-13 budget.

By Agency Head [Signature] By County Manager [Signature]

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

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

## AGREEMENT

### BETWEEN THE COUNTY OF HENRICO ON BEHALF OF THE JUVENILE DETENTION HOME AND THE DEPARTMENT OF PEDIATRICS - VIRGINIA COMMONWEALTH UNIVERSITY HEALTH SYSTEM

#### Section I. Parties

The parties to this agreement are the County of Henrico on behalf of the Henrico Juvenile Detention home, hereinafter referred to as the "Detention Home," and the Department of Pediatrics, Virginia Commonwealth University/Health System, hereinafter referred to as "Department," which will provide the physician/medical consultant, hereinafter referred to as the "physician."

#### Section II. Purpose

The purpose of this agreement is to set out the responsibilities of each party and, thereby, enable coordination and cooperation in the provision of medical services to mutual clients. This agreement will assure that appropriate medical services are available to Detention Home residents and that consultation services are available to the nurse and administration of the Detention Home.

#### Section III. Responsibilities

- A. The Department agrees to provide a licensed physician who will:
  1. Visit the Detention Home once each week, at a time mutually agreeable to the parties, to review the



nurse's screening and evaluation of each youth and to examine those youths deemed necessary by the nurse, as the Detention Home assumes full responsibility for this referral.

2. Help develop and approve all written medical policies within the Detention Home and assist in maintaining compliance with State Medical and Pharmaceutical Board Standards as well as Core, Secure Detention, and Post Disposition Standards.
3. Be on call for consultation and instructions on a twenty-four hour per day, seven days per week basis to the nurse and/or Detention Home Administration concerning any medical problem of a detainee.
4. Be available to visit and shall visit the Detention Home at other than the scheduled time if called by the Superintendent or an Assistant Superintendent when an acute medical condition occurs. Compensation for such visits shall be at the rate set out in Section III, C, 10.
5. Coordinate and facilitate medical care at VCU Health System when needed, including in the Child and Adolescent Emergency Unit, Adolescent Health Service or VCU Hospital Unit.
6. Aid the nurse and administration of the Detention Home in determining which cases can wait for

medical evaluation at the appropriate medical facility and which cases constitute a more serious emergency situation needing urgent care at Henrico Doctors' Hospital Parham Campus which has agreed to accept extreme emergency cases (extreme meaning life or death cases or those situations that cannot wait).

7. Provide recommendations to the appropriate Court or other appropriate authorities, through the nurse or Detention Home Administrator, that a youth be transferred to a mental health agency or a medical clinic or hospital, if after consultation, the physician determines that a youth requires specialized care that is not available at the Detention Home.
8. Provide special direction for the nurse and child care staff at the Detention Home for a youth requiring close medical supervision.
9. Coordinate the exchange of medical information between the Detention facility and private physicians or other regular sources of health care.

B. Miscellaneous

1. The Department agrees to provide physicians who shall abide by all present or future State laws and regulations relative to the practice of

medical services within the Commonwealth of Virginia.

2. Each physician shall assume responsibility for providing his/her own malpractice insurance, payment of taxes, and any other license fee or expenses incurred not otherwise provided for in this agreement.
  3. It is the responsibility of the Department to see that all provisions of this contract pertaining to the Department and Department physicians are met and complied with.
  4. The Services covered by this agreement shall not be subcontracted or assigned without the prior written consent of the parties.
- C. The Detention Home agrees, within the limitations of available funding (where applicable), to:
1. Not restrict any Department physician in the practice of medicine when performed in accordance with the laws of the State of Virginia.
  2. Provide the services of a nurse on a 40 hour a week basis, 8:00 a.m. to 4:30 p.m., Monday through Friday.
  3. Provide a private place with modern equipment suitable for medical staff to examine youth in the Detention Home at no cost to the Department or the physician.

4. Provide medical supplies as deemed necessary by the physician at no cost to the physician or the Department.
5. Arrange appropriate transportation through the Henrico County Sheriff's Office, Division of Police, or volunteer rescue squad ambulance, if needed, to transfer clients to VCU Health System or other medical facility for treatment.
6. Administer medication and treatments prescribed or approved by the physician and follow his orders concerning medical care to youths in the Detention Home.
7. Arrange for the payment for all medical care rendered at VCU Health System on a fee-for-service basis for youths confined at the Detention Home.
8. Arrange for the obtaining of parental or guardian consent when necessary for medical care.
9. Designate staff who are authorized to request services from the Department.
10. Compensate the Department at the rate of \$100.00 per hour for unscheduled visits to the Detention Home additional to that specified in Section III, A, 1, above.

Section IV. Purchase of Services

1. The Detention Home agrees to pay the Department \$13,500 per year in twelve equal installments of \$1,125 payable the first week of each month for the month preceding without monthly notice from the Department.
2. Additional fees, if any, as may be incurred pursuant to Section III, C, 10 shall be rendered the first week of the month following the month during which the additional fees were incurred.

Section V. Availability of Services

1. All parties to this agreement will provide services to all eligible clients without regard to race, color, sex, religion, national origin or handicap.
2. It is understood and agreed that there shall be no medical or pharmaceutical testing for experimental or research purposes.

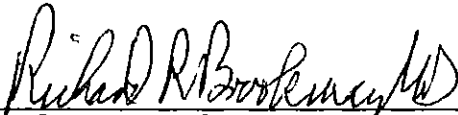
Section VI. Terms of Agreement

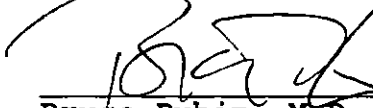
1. The agreement shall become effective July 1, 2011 and shall remain in effect for one full year. At least 90 days prior to the expiration of the agreement, a joint evaluation of the terms of the

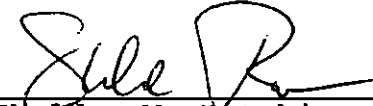
agreement shall be conducted by both parties to consider its renewal.

2. In the event that either party desires to amend or terminate this agreement prior to its expiration, 30 days written notice to this effect must be made.
3. This agreement shall automatically terminate should the Detention Home's funding of the agreement be terminated in any manner beyond the control of the Home.

Contract Agreement approved for:  
DEPARTMENT OF PEDIATRICS  
VIRGINIA COMMONWEALTH UNIVERSITY HEALTH SYSTEM

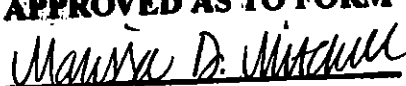
By:  Date: June 6, 2012  
Richard R. Brookman, M.D.  
Chairman, Division of Adolescent Medicine  
Virginia Commonwealth University

By:  Date: 6 June 2012  
Bruce Rubin, M.D.  
Chairman, Department of Pediatrics  
Virginia Commonwealth University

By:  Date: 06-25-12  
Sheldon M. Retchin, M.D., M.S.P.H.  
Vice President for Health Sciences and CEO  
Virginia Commonwealth University Health System

COUNTY OF HENRICO

 Date: 7/12/12  
Virgil R. Hazelett, P.E. County Manager

**APPROVED AS TO FORM**  
  
ASST. COUNTY ATTORNEY



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

Agenda Item No. 178-12  
Page No. 1 of 1

**Agenda Title: INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 15-114 of the Code of the County of Henrico Titled "Retention of purchases and serviced items by dealer" to Increase the Time Precious Metals and Gems Dealers are Required to Retain Purchases and Serviced Items**

<p>For Clerk's Use Only: <b>July 10 2012</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 align="center"><b>BOARD OF SUPERVISORS ACTION</b></p> <p>Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Thornton</u> (2) _____ (2) _____</p> <p>REMARKS: <u>A P D D D D D D D D D D D D D D D D</u></p>	<table border="0"> <thead> <tr> <th></th> <th>YES</th> <th>NO</th> <th>OTHER</th> </tr> </thead> <tbody> <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>Kacchela, 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>Nelson, T.</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> </tbody> </table>		YES	NO	OTHER	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kacchela, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nelson, T.	<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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Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

The Clerk is directed to advertise, in the Richmond Times-Dispatch on July 24, 2012 and July 31, 2012, the following ordinance for a public hearing to be held at the Board Room on August 14, 2012 at 7:00 p.m.:

"AN ORDINANCE to amend and reordain Section 15-114 of the Code of the County of Henrico Titled "Retention of purchases and serviced items by dealer" to increase the time precious metals and gems dealers are required to retain purchases and serviced items. A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

Comments: The Chief of Police recommends approval of this Board paper; the County Manager concurs.

By Agency Head [Signature] By County Manager [Signature]

Routing:  
Yellow to: \_\_\_\_\_  
Copy to: \_\_\_\_\_

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

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



**BLACKLINE**

**ORDINANCE – To Amend and Reordain Section 15-114 of the Code of the County of Henrico Titled "Retention of purchases and serviced items by dealer" to Increase the Time Precious Metals and Gems Dealers are Required to Retain Purchases and Serviced Items**

**AN ORDINANCE to amend and reordain Section 15-114 of the Code of the County of Henrico Titled "Retention of purchases and serviced items by dealer" to increase the time precious metals and gems dealers are required to retain purchases and serviced items.**

**BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:**

**1. That Section 15-114 of the Code of the County of Henrico be amended and reordained as follows:**

**Sec. 15-114. Retention of purchases and serviced Items by dealer.**

**A dealer shall retain all precious metals or gems purchased for a minimum of ten 15 calendar days from the date on which a copy of the bill of sale is received by the chief of police. Until the expiration of this retention period, the dealer shall not sell, alter or dispose of the purchased items in whole or in part or remove them from the county. If the dealer performs the service of removing precious metals or gems, he shall retain the metals or gems removed and the article from which the removal was made for a period of ten 15 calendar days after receiving such article and precious metals or gems.**

**2. That this ordinance shall be in full force and effect on and after its passage as provided by law.**



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

Agenda Item No. 179-12  
Page No. 1 of 1

**Agenda Title: INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 5-30 of the Code of the County of Henrico Titled "Control of dangerous or vicious dogs" to Increase the Dangerous Dog Registration Fee and Change the Registration Process**

For Clerk's Use Only:  Date: <u>7/10/2012</u>  <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>Nelson</u> Seconded by (1) <u>[Signature]</u> (2) _____  REMAINS: <b>APPROVED</b>	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <tr> <td>Glover, R.</td> <td align="center">—</td> <td></td> <td></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center">—</td> <td></td> <td></td> </tr> <tr> <td>Nelson, T.</td> <td align="center">—</td> <td></td> <td></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center">—</td> <td></td> <td></td> </tr> <tr> <td>Thornton, F.</td> <td align="center">—</td> <td></td> <td></td> </tr> </table>		YES	NO	OTHER	Glover, R.	—			Kaechele, D.	—			Nelson, T.	—			O'Bannon, P.	—			Thornton, F.	—		
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The Clerk is directed to advertise, in the Richmond Times-Dispatch on July 24, 2012 and July 31, 2012, the following ordinance for a public hearing to be held at the Board Room on August 14, 2012 at 7:00 p.m.:

"AN ORDINANCE to amend and reordain Section 5-30 of the Code of the County of Henrico titled "Control of dangerous or vicious dogs" to increase the dangerous dog registration fee and change the registration process. A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

Comments: The Chief of Police recommends approval of this Board paper; the County Manager concurs.

By Agency Head [Signature]      By County Manager [Signature]

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

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

**ORDINANCE – To Amend and Reordain Section 5-30 of the Code of the County of Henrico Titled "Control of dangerous or vicious dogs" to Increase the Dangerous Dog Registration Fee and Change the Registration Process**

AN ORDINANCE to amend and reordain Section 5-30 of the Code of the County of Henrico titled "Control of dangerous or vicious dogs" to increase the dangerous dog registration fee and change the registration process.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. That Section 5-30 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 5-30. Control of dangerous or vicious dogs.

.  
. .  
.

(d) Within ten 45 days of a finding that an animal is a dangerous dog, the owner of the animal shall obtain a dangerous dog registration certificate from the animal protection unit of the division of police or the director of finance for a fee of ~~\$50.00~~ \$150.00. This fee is in addition to other fees required by this chapter. The animal protection police officer or the director of finance shall provide the owner with a uniformly designed tag that identifies the animal as a dangerous dog. The owner shall affix the tag to the animal's collar and ensure that the animal wears the collar and tag at all times. All By January 31 of each year, until such time as the dangerous dog is deceased, all certificates obtained pursuant to this subsection shall be updated and renewed annually for the same a fee of \$85.00 and in the same manner as the initial certificate was obtained. The animal protection police officer shall ~~provide a copy of the dangerous dog registration certificate and verification of compliance to the state veterinarian~~ post registration information on the Virginia Dangerous Dog Registry.

.  
. .  
.

~~(g) The owner of any dog found to be dangerous shall register the animal with the Commonwealth of Virginia Dangerous Dog Registry, as established under Code of Virginia, § 3-2-6542, within 45 days of such a finding by a court of competent jurisdiction.~~

(hg) The owner of a dog found to be dangerous shall cause the animal protection unit of the division of police to be promptly notified of:

- (1) The names, addresses, and telephone numbers of all owners;
- (2) All of the means necessary to locate the owner and the dog at any time;
- (3) Any complaints or incidents of attack by the dog upon any person or cat or dog;
- (4) Any claims made or lawsuits brought as a result of any attack;
- (5) Tattoo or chip identification information, or both;
- (6) Proof of insurance or surety bond; and
- (7) The death of the dog.

(ih) If an animal has been found to be a dangerous dog, the owner shall immediately cause the animal protection unit to be notified upon learning that the animal:

- (1) Is loose or unconfined;
- (2) Bites a person or attacks another animal; or
- (3) Is sold, given away, or dies.

Any owner of a dangerous dog who relocates to a new address shall, within ten days of relocating, provide written notice to the appropriate local animal protection unit for the old address from which the animal has moved and the new address to which the animal has been moved.

(ji) Any owner or custodian of a canine or canine crossbreed or other animal is guilty of a:

(1) Class 2 misdemeanor if the canine or canine crossbreed previously declared a dangerous dog pursuant to this section, when such declaration arose out of a separate and distinct incident, attacks and injures or kills a cat or dog that is a companion animal belonging to another person; or

**(2) Class 1 misdemeanor if the canine or canine crossbreed previously declared a dangerous dog pursuant to this section, when such declaration arose out of a separate and distinct incident, bites a human being or attacks a human being causing bodily injury.**

The provisions of this subsection shall not apply to any animal that, at the time of the acts complained of, was responding to pain or injury, or was protecting itself, its kennel, its offspring, a person, or its owner's or custodian's property, or when the animal is a police dog that is engaged in the performance of its duties at the time of the attack.

**(kj) The owner of any animal that has been found to be a dangerous dog who willfully fails to comply with the requirements of this section is guilty of a misdemeanor.**

**(lk) All fees collected pursuant to this section, less the costs incurred by the animal protection unit of the division of police in producing and distributing the certificates and tags required by this ordinance, shall be paid into a special fund dedicated to paying the expenses of any training courses required under Code of Virginia, § 3.2-6556.**

2. That this ordinance shall be in full force and effect on and after its passage.



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

Agenda Item No. 180-12  
Page No. 1 of 1

**Agenda Title: INTRODUCTION OF ORDINANCE – To Amend and Reordain Section 15-51 of the Code of the County of Henrico Titled "Concealed handgun permit."**

<p>For Clerk's Use Only:</p> <p>Date: <u>Jul 10 2012</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>O'bunnes</u>      Seconded by (1) <u>Nelson</u>  (2) _____ (2) _____</p> <p>REMARKS: <b>APPROVED</b></p>	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <tr> <td>Glover, R.</td> <td>—</td> <td>—</td> <td>—</td> </tr> <tr> <td>Kaechele, D.</td> <td>—</td> <td>—</td> <td>—</td> </tr> <tr> <td>Nelson, T.</td> <td>✓</td> <td>—</td> <td>—</td> </tr> <tr> <td>O'Bannon, P.</td> <td>—</td> <td>—</td> <td>—</td> </tr> <tr> <td>Thornton, F.</td> <td>—</td> <td>—</td> <td>—</td> </tr> </table>		YES	NO	OTHER	Glover, R.	—	—	—	Kaechele, D.	—	—	—	Nelson, T.	✓	—	—	O'Bannon, P.	—	—	—	Thornton, F.	—	—	—
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Glover, R.	—	—	—																							
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Nelson, T.	✓	—	—																							
O'Bannon, P.	—	—	—																							
Thornton, F.	—	—	—																							

The Clerk is directed to advertise, in the Richmond Times-Dispatch on July 24, 2012 and July 31, 2012, the following ordinance for a public hearing to be held at the Board Room on August 14, 2012 at 7:00 p.m.:

**"AN ORDINANCE to amend and reordain Section 15-51 of the Code of the County of Henrico Titled "Concealed handgun permit." A copy of the full text of this ordinance shall be on file in the Office of the County Manager."**

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

By Agency Head [Signature] By County Manager [Signature]

Routing: Yellow to: \_\_\_\_\_ Certified: \_\_\_\_\_  
A Copy Tests: \_\_\_\_\_ Clerk, Board of Supervisors  
Date: \_\_\_\_\_

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**ORDINANCE - To Amend and Reordain Section 15-51 of the Code of the County of Henrico Titled "Concealed handgun permit."**

**AN ORDINANCE to amend and reordain Section 15-51 of the Code of the County of Henrico titled "Concealed handgun permit."**

**BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:**

**1. That Section 15-51 of the Code of the County of Henrico be amended and reordained as follows:**

**Sec. 15-51. Concealed handgun permit.**

(a) A fee of \$35.00 shall be charged for conducting an investigation pursuant to Code of Virginia, § 18.2-308 of an applicant for a concealed handgun permit.

(b) No fee shall be charged for the issuance of such permit to a person who has retired from service as:

(1) A magistrate in the Commonwealth;

(2) A special agent with the Alcoholic Beverage Control Board or as a law-enforcement officer with the Department of State Police, the Department of Game and Inland Fisheries, or a sheriff or police department, bureau or force of any political subdivision of the Commonwealth, after completing 15 years of service or after reaching age 55;

(3) A law-enforcement officer with the United States Federal Bureau of Investigation, Bureau of Alcohol, Tobacco and Firearms, Secret Service Agency, Drug Enforcement Administration, United States Citizenship and Immigration Services, Customs Service, Department of State Diplomatic Security Service, U.S. Marshals Service or Naval Criminal Investigative Service, after completing 15 years of service or after reaching age 55;

(4) A law-enforcement officer with any police or sheriff's department within the United States, the District of Columbia or any of the territories of the United States, after completing 15 years of service; or

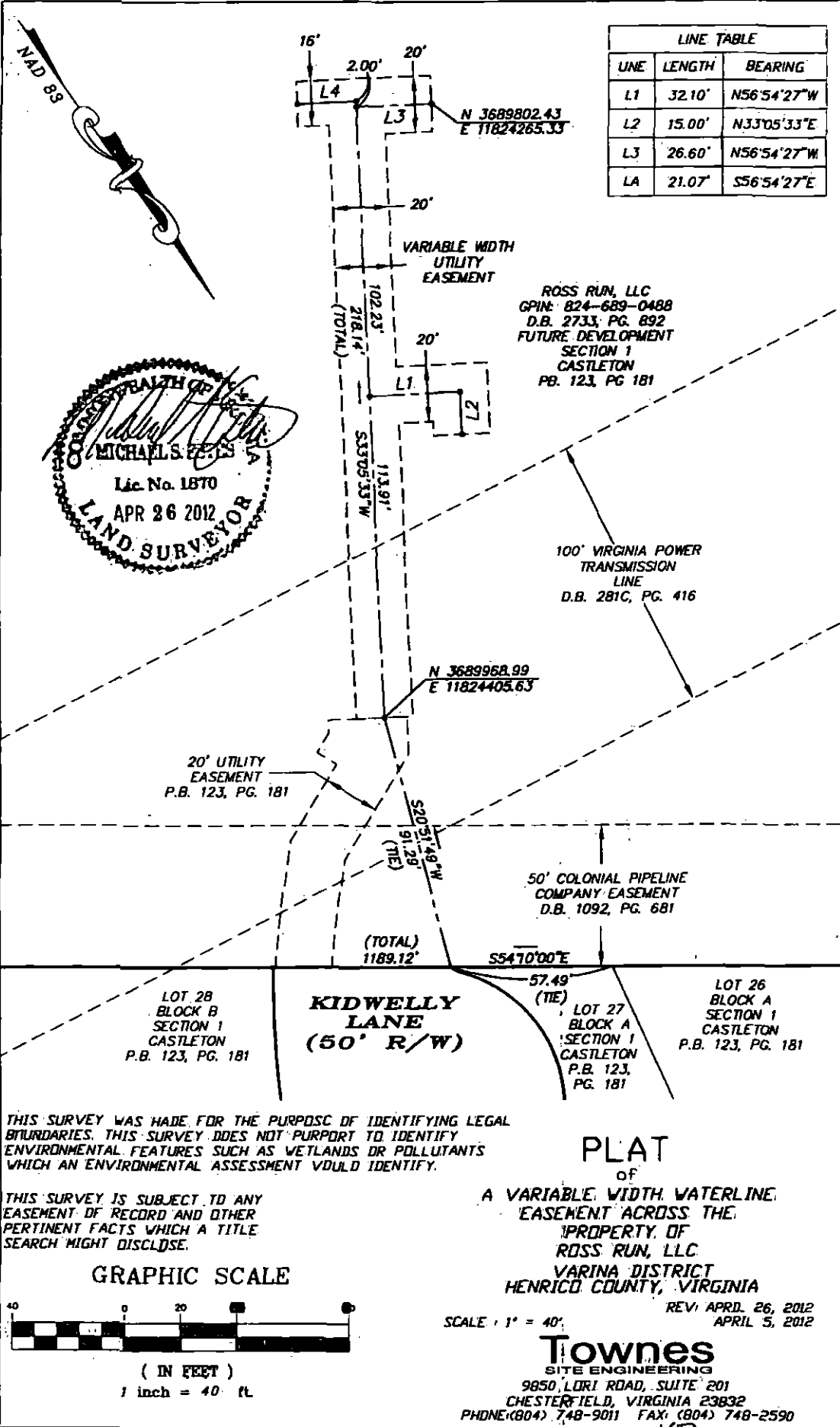
(5) A law-enforcement officer with any combination of the agencies listed in subsections (b)(2) through (b)(4) of this section, after completing 15 years of service.

~~(c) As a condition for the issuance of a concealed handgun permit, all applicants, except those seeking the renewal of an existing permit issued pursuant to Code of Virginia, § 18.2-308, shall submit to fingerprinting and provide personal descriptive information to be forwarded with the fingerprints through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history record information regarding the applicant, and obtaining fingerprint identification information from federal records pursuant to criminal investigations by state and local law enforcement agencies. Upon completion of the criminal history records check and return of the fingerprint cards to the Henrico County Division of Police by the Virginia State Police, the Henrico County Division of Police shall promptly notify the applicant that he has 21 days from the date of the notice to request return of the fingerprint cards. All fingerprint cards not claimed by the applicant within 21 days of notification by the Henrico County Division of Police shall be destroyed. Fingerprints taken for the purposes described in this section shall not be copied, held or used for any other purposes.~~

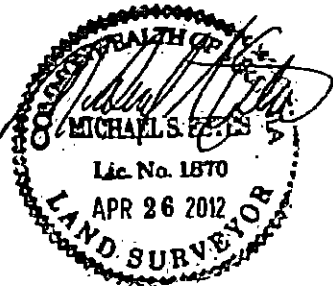
2. That this ordinance shall be in full force and effect on and after its passage.







LINE TABLE		
LINE	LENGTH	BEARING
L1	32.10'	N56°54'27"W
L2	15.00'	N33°05'33"E
L3	26.60'	N56°54'27"W
LA	21.07'	S56°54'27"E



ROSS RUN, LLC  
 G.P.N. 824-689-0488  
 D.B. 2733, PG. 892  
 FUTURE DEVELOPMENT  
 SECTION 1  
 CASTLETON  
 P.B. 123, PG. 181

100' VIRGINIA POWER  
 TRANSMISSION  
 LINE  
 D.B. 281C, PG. 416

N 3689968.99  
 E 11824405.63

20' UTILITY  
 EASEMENT  
 P.B. 123, PG. 181

50' COLONIAL PIPELINE  
 COMPANY EASEMENT  
 D.B. 1092, PG. 681

LOT 28  
 BLOCK B  
 SECTION 1  
 CASTLETON  
 P.B. 123, PG. 181

**KIDWELLY  
 LANE  
 (50' R/W)**

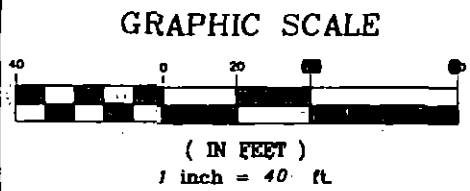
LOT 27  
 BLOCK A  
 SECTION 1  
 CASTLETON  
 P.B. 123,  
 PG. 181

LOT 26  
 BLOCK A  
 SECTION 1  
 CASTLETON  
 P.B. 123, PG. 181

THIS SURVEY WAS MADE FOR THE PURPOSE OF IDENTIFYING LEGAL  
 BOUNDARIES. THIS SURVEY DOES NOT PURPORT TO IDENTIFY  
 ENVIRONMENTAL FEATURES SUCH AS WETLANDS OR POLLUTANTS  
 WHICH AN ENVIRONMENTAL ASSESSMENT WOULD IDENTIFY.

THIS SURVEY IS SUBJECT TO ANY  
 EASEMENT OF RECORD AND OTHER  
 PERTINENT FACTS WHICH A TITLE  
 SEARCH MIGHT DISCLOSE.

**PLAT**  
 of  
 A VARIABLE WIDTH WATERLINE  
 EASEMENT ACROSS THE  
 PROPERTY OF  
 ROSS RUN, LLC  
 VARINA DISTRICT  
 HENRICO COUNTY, VIRGINIA



SCALE: 1" = 40'  
 REV: APRIL 26, 2012  
 APRIL 5, 2012

**Townes**  
 SITE ENGINEERING  
 9850 LORI ROAD, SUITE 201  
 CHESTERFIELD, VIRGINIA 23832  
 PHONE: (804) 748-9011 FAX: (804) 748-2590

DRAWN BY: MWR

CHECKED BY: KIL