

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

Please take notice that a special meeting of the Board of Supervisors will be held on **Tuesday, April 25, 2017**, at **5:30 p.m.** in the County Manager's Conference Room located on the third floor of the Administration Building at the Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

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

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|------------------|---|
| 5:30 - 5:45 p.m. | Excel to Excellence Learning Center - Use of Former Varina Library Site |
| 5:45 - 6:30 p.m. | Citizens' Communication Survey |
| 6:30 - 6:45 p.m. | Regular Meeting Agenda Items |



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
April 20, 2017

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
April 25, 2017
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES – April 11, 2017, Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PRESENTATIONS

Proclamation – Correctional Officers Week – May 7 – 13, 2017.

Proclamation – Bike Month – May 2017.

Proclamation – Drug Court Month – May 2017.

Proclamation – Older Americans Month – May 2017.

116-17 Resolution – Supporting the Regional Plan for School Readiness 2017-2020.

APPOINTMENTS

117-17 Resolution – Appointment of Members – Board of Real Estate Review and Equalization.

118-17 Resolution – Appointment of Member – Historic Preservation Advisory Committee.

PUBLIC HEARING ITEMS

119-17 Resolution – Real Estate Tax Levies, 2017.

120-17 Resolution – Personal Property, Aircraft, Manufactured Homes, Qualifying Vehicles Owned or Leased by Members of a Volunteer Rescue Squad or Volunteer Fire Department, Disabled Veterans' Vehicles, Motor Vehicles Specially Equipped to Provide Transportation for Physically Handicapped Individuals, Computer Equipment and Peripherals Used in a Data Center, Machinery and Tools, and Machinery and Tools for Semiconductor Manufacturers Tax Levies, 2017.

121-17 Ordinance – To Amend and Reordain the Following Sections of the Code of the County of Henrico Titled:

20-414 “Enumerated; amount of license tax”

20-416 “Scientific research and development services”

20-446 “Enumerated; amount of license tax”
 20-475 “Enumerated; amount of tax”
 20-506 “Tax on owners and operators”
 20-507 “Tax on promoters generally”
 20-509 “Tax on promoters of athletic contests or races”
 20-531 “Levy of tax; amount”
 20-559 “Amount of tax”
 20-560 “Speculative builders”
 20-600 “Hotels”
 20-601 “Restaurants, soda fountains and similar businesses”
 20-624 “Small loan companies”
 20-625 “Persons other than small loan companies lending money for purchase of
 chattels secured by liens; purchasers of conditional sales contracts”
 20-626 “Other moneylenders”
 20-627 “Persons making first mortgage loans or purchasing mortgage
 notes”
 20-648 “Amount of tax”
 20-650 “Commission merchants”
 20-691 “License required; tax basis”
 20-692 “Amount of tax”
 20-793 “Term defined; amount of tax”
 20-818 “Amount of tax on persons furnishing water”
 20-819 “Amount of tax on persons furnishing heat, light and power, and gas”
 and
 20-821 “Amount of tax for telephone and telegraph businesses”

and to Repeal and Reserve the Following Sections Titled:

20-653 “Distributing houses”
 and
 20-694 “Distributing houses”

to Raise the Threshold and Deduction for Business License Taxes from \$100,000 to \$200,000 and to Clarify the Calculation of Business License Taxes for Distributing Houses.

122-17 Ordinance - To Amend and Reordain Subsections (b) and (c) of Sections 23-359 and 23-360 Titled “Water connection fees” and “Sewer connection fees,” Respectively, Subsection (a) of Section 23-361 Titled “Water service and volume charges,” and Subsection (a) of Section 23-362 Titled “Sewer service charges and rates” of the Code of the County of Henrico, to Change Utility Fees and Charges.

123-17 Ordinance – To Amend and Reordain the Following Sections of the Code of the County of Henrico Titled:

24-3 “Enumerated”
 24-13 “Accessory uses permitted”
 24-13.2 “Accessory uses permitted”
 24-30 “Accessory uses permitted”
 24-34 “Development standards”

24-37	“Accessory uses permitted”
24-39	“Accessory uses permitted”
24-50.3	“Accessory uses permitted”
24-50.8	“Accessory uses permitted”
24-50.13	“Accessory uses permitted”
24-50.21	“Accessory uses permitted”
24-50.32	“Accessory uses permitted”
24-53	“Accessory uses permitted”
24-56.1	“Accessory uses permitted”
24-57	“Development standards and conditions for permitted uses”
24-60	“Accessory uses permitted”
24-62.1	“Permitted uses”
24-64	“Accessory uses permitted”
24-68	“Accessory uses permitted”
24-72	“Accessory uses permitted”
24-75	“Accessory uses permitted”
24-101	“Neighborhood and community shopping centers”
24-106.2	“Landscaping, tree cover, screen and buffer requirements, transitional buffering and design standards”
24-121	“Conditional zoning or zone approval”

To Repeal and Reserve the Following Sections of the Code of the County of Henrico Titled:

24-85	“Signs permitted”
24-86	“Signs prohibited”
24-104	“Signs”
24-105	“Planned neighborhood”

And to Add a New Section 24-104.1 Titled “Signs” to Chapter 24 of the Code of the County of Henrico, All Relating to the Regulation of Signs.

PUBLIC COMMENTS

GENERAL AGENDA

- 99-17 Resolution – Approval of Operating and Capital Annual Fiscal Plans for Fiscal Year 2017-18 and Allocation of Car Tax Relief for Tax Year 2017. **(Deferred from the April 11, 2017, meeting.)**
- 124-17 Resolution - To Amend the Policy for Small, Minority, and Women-Owned Business in County.
- 125-17 Resolution - Signatory Authority - Acquisition of Real Property - 7500 Staples Mill Road - Brookland District.
- 126-17 Resolution - Signatory Authority - Lease Amendment - Henrico Area Mental Health and Developmental Services - Providence Forge.

- 87-17 Resolution – Signatory Authority - Radio Tower Facility Lease Agreement – Capital Region Airport Commission – 5860 Lewis Road – Varina District. **(Deferred from the March 14, 2017, meeting.)**
- 127-17 Resolution - Award of Construction Contract - Cobbs Creek Reservoir Dam and Facilities - Cumberland County.
- 128-17 Resolution - Acceptance of Roads - Three Chopt District.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
April 25, 2017**

PRESENTATIONS

PROCLAMATION - Correctional Officers Week - May 7 - 13, 2017.

National Correctional Officers Week raises awareness of the dedication, loyalty, and work of the nation's correctional deputies. In conjunction with this national observance, it is fitting to honor Henrico's correctional deputies for the important tasks they perform each day, for the many risks they take to provide for our security outside of the County's jail facilities, and for the many sacrifices they make to protect Henrico citizens. This proclamation recognizes May 7 – 13, 2017, as Correctional Officers Week; encourages all Henrico citizens to acknowledge the significance of this observance; and salutes the County's correctional deputies for their invaluable contributions to the community.

PROCLAMATION - Bike Month - May 2017.

The League of American Bicyclists has designated the month of May as National Bike Month since 1956, continuing a tradition established in earlier years by the Cycle Trade Association of celebrating and promoting American Bike Month in May. Blue Devils for Biking, a Varina High School bike club of budding advocates, has devoted a year to improving the community for biking and walking through stewardship, skill sharing, and advocacy. This proclamation recognizes May 2017 as Bike Month, the third week of May as Bike to Work Week, and May 19, 2017, as Bike to Work Day; and encourages Henrico residents to participate in the planned events and share the road safely.

PROCLAMATION - Drug Court Month - May 2017.

The National Association of Drug Court Professionals annually sponsors National Drug Court Month during the month of May. The Henrico County Adult Drug Court has served this community for over 14 years as a collaborative effort of the 14th Judicial Circuit Court, the Commonwealth's Attorney's Office, the Sheriff's Office, Henrico Area Mental Health and Developmental Services, the Police Division, the Community Corrections Program, and the Probation and Parole District 32 Office of the Virginia Department of Corrections. This proclamation recognizes May 2017 as Drug Court Month in Henrico County; salutes the men and women who have contributed to the success of the County's Adult Drug Court; and brings to the attention of Henrico residents the theme for this year's observance, *Advancing Justice*.

PROCLAMATION - Older Americans Month - May 2017.

Each May, the Administration for Community Living leads our nation's celebration of Older Americans Month. This year's theme for Older Americans Month, "Age Out Loud," is designed to give aging a new voice and reflects what today's older adults have to say. The County's Advocate for the Aging, Department of Social Services, and Division of Recreation

and Parks join with Senior Connections to enrich the lives of individuals of all ages by involving older adults in the redefinition of aging in our community. This proclamation recognizes May 2017 as Older Americans Month in Henrico County and encourages Henrico residents to take time during the month to acknowledge older adults and the people who serve them as influential and vital parts of our community.

RESOLUTION - Supporting the Regional Plan for School Readiness 2017-2020.

Smart Beginnings Greater Richmond serves as the region's coordinator for strategic early childhood initiatives. Businesses, nonprofit organizations, general government and school agencies, and philanthropic leaders have been working in partnership with Smart Beginnings to provide support to families with young children and to bring attention to the value of investing early to help young children thrive. The *Regional Plan for School Readiness 2017-2020* developed by Smart Beginnings builds on the premise that a strong start for children of all incomes from birth through age five is good for the economic vitality and well-being of the region. This resolution expresses support for the plan and recognizes the many Henrico County agencies and organizations that have contributed to it.

APPOINTMENTS

RESOLUTION - Appointment of Members - Board of Real Estate Review and Equalization.

This Board paper appoints **Robert W. Marshall** and **Herb L. Dunford, Jr.**, to the Board of Real Estate Review and Equalization. The term of these appointees shall expire December 31, 2017, or thereafter when their successors shall have been appointed and qualified.

RESOLUTION - Appointment of Member - Historic Preservation Advisory Committee.

This Board paper appoints the following person to the Historic Preservation Advisory Committee for an unexpired term ending December 31, 2017, or thereafter, when her successor shall have been appointed and qualified:

Tuckahoe District

Kay Francine Stanley

PUBLIC HEARING ITEMS

RESOLUTION – Real Estate Tax Levies, 2017.

This paper sets the real estate tax levies for calendar year 2017. The levies are to be fixed after an advertised public hearing held on April 25, 2017.

The proposed real estate tax levy is \$0.87 per \$100 of assessed valuation and represents no change from the prior year.

The proposed real estate tax levies for the Sanitary Districts represent no change from the prior year and are as follows:

Sanitary District #2: \$0.003 per \$100 of assessed valuation
Sanitary District #3: \$0.010 per \$100 of assessed valuation
Sanitary District #3.1: \$0.031 per \$100 of assessed valuation
Sanitary District #12: \$0.010 per \$100 of assessed valuation
Sanitary District #23: \$0.010 per \$100 of assessed valuation

RESOLUTION - Personal Property, Aircraft, Manufactured Homes, Qualifying Vehicles Owned or Leased by Members of a Volunteer Rescue Squad or Volunteer Fire Department, Disabled Veterans' Vehicles, Motor Vehicles Specially Equipped to Provide Transportation for Physically Handicapped Individuals, Computer Equipment and Peripherals Used in a Data Center, Machinery and Tools, and Machinery and Tools for Semiconductor Manufacturers Tax Levies, 2017.

This paper sets the levies mentioned above for calendar year 2017. The levies are to be fixed after an advertised public hearing held on April 25, 2017.

The following proposed tax levies represent no change from the prior year:

- Personal property: \$3.50 per \$100 of assessed valuation
- Aircraft: \$0.50 per \$100 of assessed valuation
- Manufactured homes: \$0.87 per \$100 of assessed valuation
- Qualifying vehicles owned or leased by members of a volunteer rescue squad or volunteer fire department: \$1.00 per \$100 of assessed valuation
- Disabled veterans' vehicles: \$0.01 per \$100 of assessed valuation
- Machinery and tools: \$0.30 per \$100 of assessed valuation
- Machinery and tools used in semiconductor manufacturing: \$0.30 per \$100 of assessed valuation
- Motor vehicles specially equipped to provide transportation for physically handicapped individuals: \$0.01 per \$100 of assessed valuation
- Tangible personal property of public service corporations and other persons with property assessed pursuant to Chapter 26 of Title 58.1 of the Code of Virginia (except aircraft, automobiles, and trucks): \$0.87 per \$100 of assessed valuation
- Property used in a research and development business: \$0.30 per \$100 of assessed valuation
- Certain generating equipment purchased after December 31, 1974, for the purpose of changing the energy source of a manufacturing plant to achieve more efficient use of any energy source: \$0.30 per \$100 of assessed valuation
- Certain property used in manufacturing, testing, or operating satellites: \$0.30 per \$100 of assessed valuation
- Certain motor vehicles, trailers, and semitrailers used to transport property for hire by a motor carrier engaged in interstate commerce: \$0.30 per \$100 of assessed valuation

The following proposed tax levies represent a decrease from the prior year:

- Computer equipment and peripherals used in a data center: \$0.40 per \$100 of assessed valuation, a decrease of \$3.10 per \$100 of assessed valuation

No change is proposed in the sanitary districts' tax levy in Sanitary Districts #2, #3, #3.1, #12, and #23 from the prior year for street lighting. Such proposed tax levies are \$0.001 for all sanitary districts per \$100 of assessed valuation, except for property taxed at the rate applicable to real property, in which case the levies are as assessed on real property.

ORDINANCE - To Amend and Reordain the Following Sections of the Code of the County of Henrico Titled:

- 20-414“Enumerated; amount of license tax”**
- 20-416“Scientific research and development services”**
- 20-446“Enumerated; amount of license tax”**
- 20-475“Enumerated; amount of tax”**
- 20-506“Tax on owners and operators”**
- 20-507“Tax on promoters generally”**
- 20-509“Tax on promoters of athletic contests or races”**
- 20-531“Levy of tax; amount”**
- 20-559“Amount of tax”**
- 20-560“Speculative builders”**
- 20-600“Hotels”**
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- 20-624“Small loan companies”**
- 20-625“Persons other than small loan companies lending money for purchase of chattels secured by liens; purchasers of conditional sales contracts”**
- 20-626“Other moneylenders”**
- 20-627 “Persons making first mortgage loans or purchasing mortgage notes”**
- 20-648“Amount of tax”**
- 20-650“Commission merchants”**
- 20-691“License required; tax basis”**
- 20-692“Amount of tax”**
- 20-793“Term defined; amount of tax”**
- 20-818“Amount of tax on persons furnishing water”**
- 20-819 “Amount of tax on persons furnishing heat, light and power, and gas”**
- and**
- 20-821“Amount of tax for telephone and telegraph businesses”**

and to Repeal and Reserve the Following Sections Titled:

- 20-653“Distributing houses”**
- and**
- 20-694“Distributing houses”**

to Raise the Threshold and Deduction for Business License Taxes from \$100,000 to \$200,000 and to Clarify the Calculation of Business License Taxes for Distributing Houses.

This Board paper makes two changes to the County's business license tax.

First, the ordinance increases the threshold for imposition of business licenses taxes from \$100,000 to \$200,000. Under the new threshold, businesses earning \$200,000 or less would not have to pay business license taxes to the County. Similarly, businesses making over \$200,000 would be able to deduct \$200,000 from their earnings before calculating the amount of their business license tax.

Second, the ordinance clarifies the calculation of business license taxes for distributing houses to conform to state law.

The Director of Finance recommends these changes, and the County Manager concurs.

ORDINANCE - To Amend and Reordain Subsections (b) and (c) of Sections 23-359 and 23-360 Titled “Water connection fees” and “Sewer connection fees,” Respectively, Subsection (a) of Section 23-361 Titled “Water service and volume charges,” and Subsection (a) of Section 23-362 Titled “Sewer service charges and rates” of the Code of the County of Henrico, to Change Utility Fees and Charges.

The ordinance would increase basic water connection fees for single-family residences approximately 5% from \$4,415 to \$4,635 and basic sewer connection fees approximately 5% from \$5,340 to \$5,605, when the developer installs all local facilities. Connection fees for other categories, such as multi-family residences, hotels, hospitals and nursing homes, and local facility fees would also increase. These changes would be effective October 1, 2017.

The ordinance would increase bimonthly service and volume charges by approximately 5% for water and sewer, including industrial strong waste charges. The total increase in water and sewer charges to the average customer using 14.25 CCF of water every two months will be \$6.61, or approximately 11¢ per day. These changes would be effective July 1, 2017.

The changes are recommended to support the operating and capital budgets, including water and sewer rehabilitation projects, as well as the Cobbs Creek Reservoir project.

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

ORDINANCE - To Amend and Reordain the Following Sections of the Code of the County of Henrico Titled:

- 24-3 “Enumerated”
- 24-13 “Accessory uses permitted”
- 24-13.2 “Accessory uses permitted”
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- 24-34 “Development standards”
- 24-37 “Accessory uses permitted”
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- 24-50.21 “Accessory uses permitted”
- 24-50.32 “Accessory uses permitted”
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24-56.1	“Accessory uses permitted”
24-57	“Development standards and conditions for permitted uses”
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24-72	“Accessory uses permitted”
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24-101	“Neighborhood and community shopping centers”
24-106.2	“Landscaping, tree cover, screen and buffer requirements, transitional buffering and design standards”
24-121	“Conditional zoning or zone approval”

To Repeal and Reserve the Following Sections of the Code of the County of Henrico Titled:

24-85	“Signs permitted”
24-86	“Signs prohibited”
24-104	“Signs”
24-105	“Planned neighborhood”

And to Add a New Section 24-104.1 Titled “Signs” to Chapter 24 of the Code of the County of Henrico, All Relating to the Regulation of Signs.

This ordinance repeals the existing sign ordinance and enacts a new sign ordinance. The new sign ordinance is designed to comply with the U.S. Supreme Court’s ruling in *Reed v. Town of Gilbert* decided June 18, 2015. Under the new sign ordinance, signs are regulated without regard to the content of the sign.

Similar to the old sign ordinance, the new sign ordinance:

1. regulates the number, size, height, illumination, motion, construction, maintenance, and location of commercial and noncommercial signs within each of the various zoning districts of the County;
2. specifies that a sign permit is required for each sign unless a specific exception applies, and it explains how a sign permit is obtained;
3. specifies which signs are prohibited, which existing signs will be considered nonconforming, and how those nonconforming signs will be regulated; and
4. regulates changeable message signs in the various zoning districts and outdoor advertising signs in the business and industrial districts.

Also, the ordinance updates various sections of the County Code to cross-reference to the new sign ordinance instead of the old sign ordinance. Finally, the ordinance repeals regulations for the establishment of Planned Neighborhood Districts.

The Planning Commission recommended approval of this Board paper at its meeting on January 12, 2017. The Board of Supervisors discussed the proposed new ordinance in a

work session on March 14, 2017. The Director of Planning also recommends approval of this Board paper, and the County Manager concurs.

PUBLIC COMMENTS

GENERAL AGENDA

RESOLUTION - Approval of Operating and Capital Annual Fiscal Plans for Fiscal Year 2017-18 and Allocation of Car Tax Relief for Tax Year 2017.

This Board paper approves the proposed Operating and Capital Annual Fiscal Plans for fiscal year 2017-18 and allocates car tax relief for tax year 2017. The Board of Supervisors deferred this paper after a public hearing on April 11, 2017.

RESOLUTION - To Amend the Policy for Small, Minority, and Women-Owned Business in County Procurement.

This Board paper would amend the Policy for Small, Minority, and Women-Owned Business in County Procurement approved by the Board of Supervisors on January 23, 2007. The amended policy is intended to facilitate the participation of small businesses, businesses owned by women, minorities, and service disabled veterans, and employment services organizations in County procurement transactions. The amendments will conform the Policy to changes in state law and assign authority to the Purchasing Director for the development of procedures to implement the policy.

The Director of Finance recommends approval of the Board paper, and the County Manager concurs.

RESOLUTION - Signatory Authority - Acquisition of Real Property - 7500 Staples Mill Road - Brookland District.

This Board paper authorizes the County Manager to execute documents necessary to acquire a 9.5732 acre parcel at 7500 Staples Mill Road for a new fire station. The property has been independently appraised at \$753,000, and the seller, Richard E. Holland, Jr. Properties, LLC, has agreed to sell it for \$695,000.

The Fire Chief and Directors of Real Property and General Services recommend approval of this Board paper.

RESOLUTION - Signatory Authority - Lease Amendment - Henrico Area Mental Health and Developmental Services - Providence Forge.

This Board paper would authorize the County Manager to execute a lease amendment for office space in the Forge Professional Building in Providence Forge for delivery of mental health services to residents of New Kent County and Charles City County under a cooperative agreement.

Henrico Area Mental Health and Developmental Services has occupied the space since 1988, and the amendment will extend the lease for a five-year term beginning on July 1,

2017. The current monthly rent of \$2,784.93 will continue for the first year and increase 3% each year thereafter.

The Directors of Henrico Area Mental Health and Developmental Services and Real Property recommend approval of the Board paper.

RESOLUTION - Signatory Authority - Radio Tower Facility Lease Agreement - Capital Region Airport Commission - 5860 Lewis Road - Varina District.

This Board paper authorizes the County Manager to execute an agreement with the Capital Region Airport Commission to lease 0.357 acres at 5860 Lewis Road and to obtain access, construction and utility easements for construction of a radio tower to support the region's new public safety radio system.

The lease term will end on January 1, 2057, or when the County no longer needs the property for the radio system, whichever comes first. The annual rent will be \$1.00.

Comments: The Police Chief and Director of Real Property recommend approval of this Board paper. **(Deferred from the March 14, 2017, meeting.)**

RESOLUTION - Award of Construction Contract - Cobbs Creek Reservoir Dam and Facilities - Cumberland County.

This Board paper would award a contract to MEB Haymes Joint Venture LLC to construct a 14.8 billion gallon reservoir, including a main earthen dam, earthen saddle dam, intake structure and piping, raw water pump station, and operations building for \$137,372,777.

The work will begin in July 2017 and is to be completed by January 2022. Funding will be provided by the Water and Sewer Revenue Fund.

Seven bids were received on March 2, 2017, in response to ITB #16-1265-9CE and Addenda No. 1 through 6. The bidders and bid amounts are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
MEB Haymes Joint Venture LLC Chesapeake, VA/Chatham, VA	\$137,372,777.00
Thalle Construction Company, Inc. Hillsborough, NC	\$140,277,000.98
Balfour Beatty Infrastructure, Inc. Wilmington, NC	\$148,925,000.00
English Construction Company, Inc. Lynchburg, VA	\$169,313,975.00
Cobbs Creek Dam Contractors Joint Venture Loves Park, IL/New York, NY	\$170,549,021.81
Barnard Construction Company, Inc. Bozeman, MT	\$179,970,306.00
Renda/JBros Joint Venture Roanoke, TX	\$209,399,308.00

Based upon a review of the bids, MEB Haymes Joint Venture LLC is the lowest responsive and responsible bidder.

The Board paper would also grant signatory authority to the County Manager to execute the contract in a form approved by the County Attorney. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 5% of the original contract amount.

The Director of Public Utilities and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.

RESOLUTION - Acceptance of Roads - Three Chopt District.

This Board paper would accept the following named and described sections of roads into the County road system for maintenance.

- 1) 0.06 mile of Broad Hill Centre, Section 1 — A Dedication of a Portion of Bon Secours Parkway — Three Chopt District.
- 2) 0.56 mile of Liesfeld Farm Drive, Section 3 — Dedication of a Portion of Liesfeld Farm — Three Chopt District.

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