

**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, November 14, 2017**, at **6:00 p.m.** in the County Manager's Conference Room located on the third floor of the Administration Building at the Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

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

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|------------------|--|
| 6:00 - 6:30 p.m. | Renovation Projects Update: Circuit Court, Recreation and Parks Main Office, and Human Services Building |
| 6:30 - 6:45 p.m. | Regular Meeting Agenda Items   |



Barry R. Lawrence, CMC  
Clerk, Henrico County Board of Supervisors  
November 9, 2017

**COUNTY OF HENRICO, VIRGINIA**  
**Henrico County Board Room**  
**Board of Supervisors' Agenda**  
**November 14, 2017**  
**7:00 p.m.**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**APPROVAL OF MINUTES** - October 24, 2017, Regular and Special Meetings

**MANAGER'S COMMENTS**

**BOARD OF SUPERVISORS' COMMENTS**

**RECOGNITION OF NEWS MEDIA**

**RESIGNATION/APPOINTMENTS**

- 281-17            Resolution - Resignation of Member - Community Criminal Justice Board.
- 282-17            Resolution - Appointment of Member - Community Criminal Justice Board.
- 283-17            Resolution - Appointment of Members to the Board of Directors - Economic Development Authority.

**PUBLIC HEARINGS – REZONING CASE AND PROVISIONAL USE PERMIT**

- 284-17            JG Laburnum, LLC and Robins Laburnum, LLC: Request to conditionally  
REZ2017-        rezone from B-2C Business District (Conditional) and B-3C Business District  
00015            (Conditional) to B-3C Business District (Conditional) Parcel 817-711-0712 and  
Varina            part of Parcels 817-711-0454 and 816-711-8151 containing 3.31 acres located  
                      approximately 290' south of Eubank Road approximately 270 feet east of its  
                      intersection with S. Laburnum Avenue. The applicant proposes an automotive  
                      body and paint shop. The use will be controlled by zoning ordinance regulations  
                      and proffered conditions. The 2026 Comprehensive Plan recommends Office and  
                      Commercial Concentration. The site is in the Airport Safety Overlay District.  
                      The Planning Commission voted to recommend the Board of Supervisors **deny**  
                      the request.
- 285-17            Ryal Tayloe, National Speed, Inc.: Request for a Provisional Use Permit under  
PUP2017-        Sections 24-58.2(c), 24-120, and 24-122.1 of Chapter 24 of the County Code to  
00019            allow auto parts sales, service, and/or installation on part of Parcel 772-748-  
Brookland        9574 located on the north side of Glenside Drive approximately 900' west of  
                      Staples Mill Road (U.S. Route 33). The existing zoning is B-2 Business  
                      District. The 2026 Comprehensive Plan recommends Commercial  
                      Concentration. The site is in the Enterprise Zone. The Planning Commission  
                      voted to recommend the Board of Supervisors **grant** the request.

## **PUBLIC HEARINGS – OTHER ITEMS**

- 286-17 Ordinance – To Amend and Reordain Sections 5-49, 5-50, and 5-53 of the Code of the County of Henrico Titled, Respectively, “Required; tax year; amount of tax; exemptions from tax,” “Due date for payment of tax,” and “Application for license; issuance” to Allow Dog Owners to Obtain Lifetime Dog Licenses.
- 287-17 Resolution - Condemnation - Utility Easements - Kenmore Road - Upham Brook Trunk Sewer Project - Heirs or Successors of Arthur E. Wilton, John A. Wilton, Jr., and Robert H. Wilton - Brookland District.
- 288-17 Resolution - Condemnation - Utility Easements - Upham Brook Trunk Sewer Project - Successors of Tetra Associates, LLC and Tetra Acquisition, LLC - Fairfield District.
- 289-17 Resolution - Hearing of Necessity - Woodman Road Extended - Brookland and Fairfield Districts.

## **PUBLIC COMMENTS**

### **GENERAL AGENDA**

- 290-17 Resolution - Authorizing the Reimbursement from the Proceeds of Bonds to be Issued by the County of Henrico, Virginia, of Expenditures for Various Public Improvement Projects to be Made in Advance of the Issuance of Such Bonds.
- 291-17 Introduction of Ordinance - To Add a New Section 20-83 Titled “Exemption for property of surviving spouses of certain persons killed in the line of duty” to Chapter 20 of the Code of the County of Henrico to Provide a Real Estate Tax Exemption for Property of Surviving Spouses of Certain Public Safety Personnel Killed in the Line of Duty.
- 292-17 Resolution - Award of Contract - Architectural and Engineering Services - Circuit Court Renovations - Brookland District.
- 293-17 Resolution - Award of Construction Contract - Maintenance and Construction Services for Filter Cells - Varina District.
- 294-17 Resolution - Award of Construction Contract - Wistar Road Sidewalk & Drainage Improvements Project (UPC 105647) - Brookland District.
- 295-17 Resolution - Award of Engineering Services Contract - Azalea Avenue Pedestrian and Signal Improvements (UPC 106299) - Fairfield District.
- 296-17 Resolution - Signatory Authority - Agreement with Virginia Department of Transportation - I-64 at Gaskins Road Interchange Modification Report (UPC 111732) - Three Chopt and Tuckahoe Districts.

297-17 Resolution - Authorization to Submit Letter of Intent to Participate in Virginia Department of Transportation Revenue Sharing Program for FY 2018-2019 and FY 2019-2020.

298-17 Resolution - Acceptance of Roads - Brookland and Three Chopt Districts.



**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS' RESUME  
November 14, 2017**

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**RESIGNATION/APPOINTMENTS**

**RESOLUTION – Resignation of Member – Community Criminal Justice Board.**

This Board paper accepts the resignation of **Randall G. Johnson, Jr.**, from the Community Criminal Justice Board as the Henrico Juvenile and Domestic Relations District Court representative.

**RESOLUTION – Appointment of Member – Community Criminal Justice Board.**

This Board paper appoints the following person to the Community Criminal Justice Board for an unexpired term ending June 30, 2018, or thereafter, when his successor shall have been appointed and qualified:

Denis F. Soden, Judge, Henrico Juvenile and Domestic Relations District Court

**RESOLUTION – Appointment of Members to the Board of Directors – Economic Development Authority.**

This Board paper appoints the following persons to the Board of Directors of the Economic Development Authority for four-year terms expiring November 13, 2021, or thereafter, when their successors shall have been appointed and qualified:

Fairfield District  
Tuckahoe District

Harold D. Parker, Jr.  
Edward S. Whitlock, III

**PUBLIC HEARINGS – REZONING CASE AND PROVISIONAL USE PERMIT**

REZ2017-00015 Varina	JG Laburnum, LLC and Robins Laburnum, LLC: Request to conditionally rezone from B-2C Business District (Conditional) and B-3C Business District (Conditional) to B-3C Business District (Conditional) Parcel 817-711-0712 and part of Parcels 817-711-0454 and 816-711-8151 containing 3.31 acres located approximately 290' south of Eubank Road approximately 270 feet east of its intersection with S. Laburnum Avenue. The applicant proposes an automotive body and paint shop. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office and Commercial Concentration. The site is in the Airport Safety Overlay District. Acting on a motion by Mr. Leabough seconded by Mr. Archer, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors <b>deny</b> the request because it would have a detrimental impact on the adjoining residential neighborhood, and it does not conform to the recommendation of the Land Use Plan.
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PUP2017-00019  
Brookland

Ryal Tayloe, National Speed, Inc.: Request for a Provisional Use Permit under Sections 24-58.2(c), 24-120, and 24-122.1 of Chapter 24 of the County Code to allow auto parts sales, service, and/or installation on part of Parcel 772-748-9574 located on the north side of Glenside Drive approximately 900' west of Staples Mill Road (U.S. Route 33). The existing zoning is B-2 Business District. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mr. Leabough, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because the conditions should minimize the potential impacts on surrounding land uses and it is reasonable in light of the surrounding uses and existing zoning on the property.

### **PUBLIC HEARINGS – OTHER ITEMS**

**ORDINANCE – To Amend and Reordain Sections 5-49, 5-50, and 5-53 of the Code of the County of Henrico Titled, Respectively, “Required; tax year; amount of tax; exemptions from tax,” “Due date for payment of tax,” and “Application for license; issuance” to Allow Dog Owners to Obtain Lifetime Dog Licenses.**

This Board paper allows dog owners to obtain lifetime dog licenses. The proposed fee for the lifetime license is \$10. The lifetime license is valid as long as the dog’s rabies vaccination is kept current and the dog’s owner resides in the County.

This ordinance was enabled by the 2017 General Assembly and was discussed by the Board in a work session on September 26, 2017. The Board approved introduction of the ordinance on October 10, 2017.

**RESOLUTION - Condemnation - Utility Easements - Kenmore Road - Upham Brook Trunk Sewer Project - Heirs or Successors of Arthur E. Wilton, John A. Wilton, Jr., and Robert H. Wilton - Brookland District.**

This Board paper authorizes condemnation proceedings to acquire a variable width permanent utility easement containing 1,989 sq. ft. and a temporary construction easement containing 1,582 sq. ft. across property on Kenmore Road owned by the heirs or successors of Arthur E. Wilton, John A. Wilton, Jr., and Robert H. Wilton (the “Owners”). The easements are needed for construction of the Upham Brook Trunk Sewer Project which is designed to prevent sanitary sewer overflows along Upham Brook during wet weather. The County has not been able to make a bona fide offer to purchase the easements because it cannot locate any Owner who can sell them.

The Board paper directs the County Manager to take the necessary steps to acquire the easements through the filing of a certificate of take and a deposit of \$100, the estimated fair market value of the easements and any damage to the residue of the property taken, in the Clerk’s Office of the Henrico County Circuit Court.

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

**RESOLUTION - Condemnation - Utility Easements - Upham Brook Trunk Sewer Project - Successors of Tetra Associates, LLC and Tetra Acquisition, LLC - Fairfield District.**

This Board paper authorizes condemnation proceedings to acquire four variable width permanent utility easements and three variable width temporary construction easements owned by Tetra Associates, LLC and Tetra Acquisition, LLC (the "Owners"). The easements are needed for construction of the Upham Brook Trunk Sewer Project which is designed to prevent sanitary sewer overflows along Upham Brook during wet weather. The County has not been able to make a bona fide offer to purchase the easements because both of the Owners are defunct and their successors are unknown.

The Board paper directs the County Manager to take the necessary steps to acquire the easements through the filing of two certificates of take and a deposit of \$115 for Tetra Associates, LLC and \$1,227 for Tetra Acquisition, LLC, the total estimated fair market value of the easements and any damage to the residue of the property taken, in the Clerk's Office of the Henrico County Circuit Court.

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

**RESOLUTION - Hearing of Necessity - Woodman Road Extended - Brookland and Fairfield Districts.**

On October 24, 2017, the Board of Supervisors received a Letter of Necessity and scheduled a public hearing on November 14, 2017, to consider the need for construction of an extension of Woodman Road.

The extension of Woodman Road would begin at the intersection of Greenwood Road and existing Woodman Road, proceed to the north and east on a new alignment to the eastern boundary of the existing Dominion Power Transmission right-of-way, and connect with the extension of Woodman Road that HHHunt will construct in conjunction with its development of River Mill. The total project length is estimated to be 0.57 miles.

The estimated total cost of the project to the County is \$6.755 million. Funding will be provided from the Capital Projects Fund.

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

**PUBLIC COMMENTS**

**GENERAL AGENDA**

**RESOLUTION – Authorizing the Reimbursement from the Proceeds of Bonds to be Issued by the County of Henrico, Virginia, of Expenditures for Various Public Improvement Projects to be Made in Advance of the Issuance of Such Bonds.**

This resolution allows for the County to continue with the planned construction of the improvements to the Richmond-Henrico Turnpike and of a new Fairfield Library and fire station on Staples Mill Road, and be reimbursed from bond proceeds project expenditures made before the issuance of the bonds. The resolution satisfies the requirement of federal tax law that the Board declare its official intent to reimburse such expenditures from bond proceeds.

**INTRODUCTION OF ORDINANCE – To Add a New Section 20-83 Titled “Exemption for property of surviving spouses of certain persons killed in the line of duty” to Chapter 20 of the Code of the County of Henrico to Provide a Real Estate Tax Exemption for Property of Surviving Spouses of Certain Public Safety Personnel Killed in the Line of Duty.**

This Board paper introduces for advertising and a public hearing on December 12, 2017, an ordinance to provide a real estate tax exemption for property of surviving spouses of certain public safety personnel killed in the line of duty. The exemption is allowed by legislation enacted by the 2017 General Assembly following a constitutional amendment approved by Virginia voters. A local ordinance is required for the exemption to take effect in the County.

The ordinance provides the exemption to the maximum extent allowed by the enabling legislation and upon the qualifications required by that legislation. The exemption would apply to the principal residence of the surviving spouse of a qualifying police officer, sheriff's deputy, fire and EMS personnel, and other public safety officials designated by Virginia law who are killed in the line of duty. The exemption would be retroactive to January 1, 2017.

This exemption was discussed by the Board in a work session on October 24, 2017.

**RESOLUTION - Award of Contract - Architectural and Engineering Services - Circuit Court Renovations - Brookland District.**

This Board paper would award a contract to Moseley Architects P.C. for architectural and engineering services to design the renovations of the Henrico County Circuit Court. The design will begin in December 2017 and will be completed by September 2018.

On September 1, 2017, the County received eight proposals in response to RFP No. 17-1468-7JCK for architectural and engineering services. The selection committee (Messrs. Tom Alford, Edward Bass, Travis Sparrow, Tom Owdom, and Richard Roberts) interviewed the following firms:

- Moseley Architects P.C.
- Dewberry Architects Inc.
- Enteros Design, P.C.

The committee selected Moseley Architects P.C. as the top-ranked firm and negotiated a fixed-price contract for \$804,033. Funding is available in the project budget.

The Board paper authorizes the County Manager, or the Purchasing Director as his designee, to execute the contract and change orders within the scope of the project budget not to exceed 15% of the original contract amount.



The Director of General Services and the Purchasing Director recommend approval of this Board paper, and the County Manager concurs.

**RESOLUTION - Award of Construction Contract - Maintenance and Construction Services for Filter Cells - Varina District.**

This Board paper would award a contract for \$448,800 to EMH Environmental, Inc. to provide maintenance and construction services for filter cells at the Water Reclamation Facility.

The work will begin in January 2018 and is to be completed by May 2018.

Two bids were received on October 10, 2017, in response to ITB #17-1499-9JCK and Addendum No. 1. The bidders and bid amounts are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
EMH Environmental, Inc. Glenwood, MD	\$448,800
Waco, Inc. Sandston, VA	\$779,500

Based upon a review of the bids, EMH Environmental, Inc. is the lowest responsive and responsible bidder.

This Board paper also authorizes the County Manager, or the Purchasing Director as his designee, to execute change orders not to exceed 15% of the original contract amount.

Funding will be provided by the Water and Sewer Revenue Fund. The Director of Public Utilities and the Purchasing Director recommend approval of this Board paper, and the County Manager concurs.

**RESOLUTION - Award of Construction Contract - Wistar Road Sidewalk & Drainage Improvements Project (UPC 105647) - Brookland District.**

This Board paper would award a construction contract for \$656,698 to EL-X Enterprises for the Wistar Road Sidewalk & Drainage Improvements project. The project consists of the installation of concrete sidewalk along Wistar Road from 300 feet south of Shrader Road to Kanipe Place, including drainage improvements, curb and gutter, and rehabilitation of existing commercial and residential entrances. The construction is anticipated to begin November 20, 2017. For selection and evaluation purposes, the lowest responsive bid was determined by multiplying the unit price times the unit quantities specified in the bid document.

The County received six bids on September 28, 2017, in response to ITB No. 17-1480-8CLE and Addenda Nos. 1, 2, and 3, with the following results:

<b>Bidder</b>	<b>Total Bid</b>
EL-X Enterprises Woodbridge, Virginia	\$656,698.00
Central Contracting Company, Inc. Richmond, Virginia	\$667,355.50
Blakemore Construction Corporation Rockville, Virginia	\$669,729.24
C. T. Purcell Excavating, Inc. Montpelier, Virginia	\$761,239.96
Capitol Carbonic Gas Corporation TA Harbor Dredge & Dock N. Chesterfield, Virginia	\$818,373.62
Messer Contracting, LLC Glen Allen, Virginia	\$923,475.00

Based upon a review of the bids, EL-X Enterprises is the lowest responsive and responsible bidder.

Funding will be through VDOT's Revenue Sharing Program.

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

**RESOLUTION - Award of Engineering Services Contract - Azalea Avenue Pedestrian and Signal Improvements (UPC 106299) - Fairfield District.**

This Board paper would award a contract for \$238,138 to Clark Nexsen, Inc. for engineering services for the Azalea Avenue Pedestrian and Signal Improvements project. This project will close sidewalk gaps along this heavily-traveled corridor that includes apartments, residential dwellings, businesses, and a school. It will also include signal and intersection upgrades to improve vehicular and pedestrian safety.

On March 24, 2017, 15 proposals were received in response to RFP #16-1299-12JK. Based upon evaluation of the written proposals, the Selection Committee interviewed the following firms:

Clark Nexsen, Inc.  
Rummel, Klepper & Kahl, LLP  
Whitman, Requardt & Associates, LLP

The Selection Committee selected Clark Nexsen, Inc. as the top-ranked firm and negotiated a fixed-price contract for \$238,138.

This Board paper grants 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 15% of the original contract amount.

This project is funded through the Federal Congestion Mitigation and Air Quality Program.

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

**RESOLUTION - Signatory Authority - Agreement with Virginia Department of Transportation - I-64 at Gaskins Road Interchange Modification Report (UPC 111732) - Three Chopt and Tuckahoe Districts.**

The Board paper would authorize the County Manager to execute a project administration agreement with the Virginia Department of Transportation (“VDOT”) under which the County will prepare a preliminary engineering study (Interchange Modification Report) of the Interstate 64 interchange at Gaskins Road.

The estimated cost for the study is \$400,000. VDOT will reimburse the County 100% of the eligible project cost from the Regional Surface Transportation Program. Because of VDOT charges, the estimated reimbursement to the County is \$388,000.

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

**RESOLUTION - Authorization to Submit Letter of Intent to Participate in Virginia Department of Transportation Revenue Sharing Program for FY 2018-2019 and FY 2019-2020.**

This Board paper would authorize the Director of Public Works to submit a letter of intent to participate in the Revenue Sharing Program of the Virginia Department of Transportation in Fiscal Year 2018-19 and Fiscal 2019-20. The program allocates state matching funds for local highway construction and maintenance projects.

There are 12 new projects for construction: (1) approximately 2,000 feet of multi-purpose trail and roadway improvements on Bethlehem Road, (2) approximately 4,000 feet of sidewalk on Hungary Road, (3) approximately 1,200 feet of sidewalk on Hunton Park Boulevard, (4) intersection improvements at Greenwood Road and Woodman Road, (5) approximately 1,100 feet of sidewalk on Creighton Road east of N. Laburnum Avenue, (6) approximately 4,100 feet of sidewalk and roadway improvements on Creighton Road west of N. Laburnum Avenue, (7) approximately 1,200 feet of sidewalk on John Rolfe Parkway, (8) approximately 750 feet of sidewalk on Ridgefield Parkway, (9) approximately 1,980 feet of sidewalk on Three Chopt Road, (10) approximately 260 feet of sidewalk on N. Parham Road and Fordson Road, (11) approximately 2,000 feet of sidewalk and roadway improvements on Pump Road, and (12) approximately 350 feet of sidewalk on Audubon Drive.

In addition, the estimated cost of the existing Revenue Sharing project to install turn lanes at the intersection of Buffin Road and New Market Road has increased from \$1,355,000 to \$2,159,500.

The County’s cost estimate for these 13 projects is \$22,123,000, and the County wishes to apply for \$9,986,500 in state matching funds. The County must submit a letter of intent to participate in the program.

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

**RESOLUTION - Acceptance of Roads - Brookland and Three Chopt Districts.**

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

- 1) 0.38 mile of Meredith Branch Estates, Section 1 — Brookland District.
- 2) 0.25 mile of Stonehurst, Section 1 — Three Chopt District.
- 3) 0.19 mile of Stonehurst, Section 2 — Three Chopt District.

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