

**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, August 12, 2014, 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:

- | | |
|------------------|---|
| 5:30 - 6:00 p.m. | Proposed Land Donation by Attack Properties |
| 6:00 - 6:30 p.m. | Regular Meeting Agenda Items |



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
August 7, 2014

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
August 12, 2014
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES – July 22, 2014, Regular and Special Meetings; and
March 17 - 20, 2014, Special Meeting

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PRESENTATION

Proclamation – Preparedness Month – September 2014.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMIT

203-14
REZ2014-
00028
Three Chopt

NV Retail: Request to conditionally rezone from A-1 Agricultural District to B-3C Business District (Conditional) Parcels 731-765-8473, 732-765-3978, -6671, 732-766-7723, -4043, 732-766-9300, 733-766-1630, and -6208 containing 62.33 acres located between the north line of W. Broad St. (U.S. Route 250) and the south line of Interstate 64 approximately 1,465' west of its intersection with N. Gayton Road. The applicant proposes retail and office uses. The uses will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Urban Mixed Use and Environmental Protection Area. The site is located in the West Broad Street Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

204-14
REZ2014-
00023
Fairfield

Bromont Group: Request to conditionally rezone from R-3 One-Family Residence District, B-1 Business District, B-2 Business District, and B-3C Business District (Conditional) to B-3C Business District (Conditional) Parcel 812-723-1692 containing 30.644 acres located on the south line of Nine Mile Road (State Route 33) approximately 750' east of its intersection with S. Laburnum Avenue. The applicant proposes retail uses. The uses will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Commercial Arterial, Environmental Protection Area, and Government. The site is located in the Airport Safety Overlay District and the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

205-14
REZ2014-
00019
Fairfield

Romm Development Company, LLC: Request to conditionally rezone from R-4 One-Family Residence District, R-5 General Residence District and O/SC Office/Service (Conditional) to RTHC Residential Townhouse District (Conditional) Parcels 782-757-2904, 782-756-3992, -4880, -6562, -6951, -9451, -6636, -4861, and part of Parcel 782-757-3717 containing 5.689 acres, located on the southwest line of E. Parham Road at its intersection with Villa Park Drive. The applicant proposes a residential townhouse development of no more than 49 units. The RTH District allows a maximum density of nine (9) units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office and Office/Service. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

206-14
REZ2014-
00026
Fairfield

Ricky Wilkerson: Request to conditionally rezone from B-1 Business District to B-3C Business District (Conditional) Parcel 803-733-5576 containing .3961 acres, located on the south line of Byron Street at its intersection with Carlton Road. The applicant proposes an auto repair shop. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is located in the Airport Safety Overlay District and the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

207-14
REZ2014-
00027
Fairfield

Peter Francisco: Request to amend proffered conditions accepted with Rezoning Case C-55C-07 on Parcel 780-749-9410 located on the west line of Lakeside Avenue at its intersection with Timberlake Avenue. The applicant proposes to amend Proffer 1 to allow a microbrewery accessory to a home brew supply store as a permitted use. The existing zoning is B-3C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. The site is located in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

208-14
PUP2014-
00015
Three Chopt

Zoës Kitchen: Request for a Provisional Use Permit under Sections 24-58.2(d), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow outdoor dining for a restaurant (Zoës Kitchen) on part of Parcel 736-762-7338 located in the southwest quadrant of the intersection of W. Broad Street (U.S. Route 250) and Lauderdale Drive. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial. The site is located West Broad Street Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

209-14 Yunus Vohra: Request to conditionally rezone from A-1 Agricultural
REZ2013- District and R-2A One-Family Residence District to R-2AC One-Family
00002 Residence District (Conditional) Parcels 764-760-9037, 764-760-8515,
Brookland 765-760-1906, and 765-760-0929 containing 5.12 acres, located on the
south line of Hungary Road at its intersection with Hastings Mill Drive.
The applicant proposes a single-family residential development not to
exceed 10 residential units. The R-2A District allows a minimum lot
size of 13,500 square feet and a maximum gross density of 3.22 units
per acre. The use will be controlled by proffered conditions and zoning
ordinance regulations. The 2026 Comprehensive Plan recommends
Suburban Residential 2, density should not exceed 3.4 units per acre.
The Planning Commission voted to recommend the Board of Supervisors
grant the request.

PUBLIC HEARINGS - OTHER ITEMS

- 210-14 Ordinance - To Amend and Reordain Section 10-137 Titled “Cutting of
weeds and grass required,” Section 10-139 Titled “Inspection of site of
violation; notice to cut,” and Section 10-140 Titled “Performance of
work by county; collection of costs,” to Reorder Section 10-141, and
to Repeal Section 10-136 Titled “Penalty” and Section 10-138 Titled
“Report of violation,” of the Code of the County of Henrico, to
Establish Uniform Standards for Cutting Weeds and Limited Exceptions
to the Cutting Requirements.
- 211-14 Ordinance – To Amend and Reordain Section 20-77 Titled “Pollution
control equipment and facilities,” Section 20-113 Titled “Exemption for
household goods and personal effects of residents,” Section 20-377
Titled “Relief from erroneous assessment; appeals,” Section 20-383
Titled “Written ruling from the director of finance,” and Section 20-843
Titled “Exemptions” of the Code of the County of Henrico to Conform
to State Legislation Exempting Certain Property and Food and Beverage
Sales from Taxation and Allowing an Administrative Appeal of Business
License Classification.
- 212-14 Ordinance – To Amend and Reordain Section 5-27 of the Code of the
County of Henrico Titled “Dogs killing or injuring livestock or poultry”
to Conform to State Legislation Allowing Animal Protection Officers to
Seize Dogs Found in the Act of Killing or Injuring Livestock or Poultry.
- 213-14 Ordinance – To Amend and Reordain Section 21-23 of the Code of the
County of Henrico Titled “Enforcement officers” to Conform to State
Legislation Eliminating the Reference to Special Police Officers.
- 214-14 Resolution – Abandonment of Portion of Old Hungary Road – Fairfield
District.

- 215-14 Ordinance - Vacation of Portion of Unimproved Right-of-Way and 40' Radius Turnaround Easement - Edson Road - Sheridan Hills - Tuckahoe District.
- 216-14 Ordinance - Vacation of Building Line - Lot 11, Section H of Rollingwood Subdivision - Tuckahoe District.
- 217-14 Ordinance - To Amend and Reordain Section 23-1 Titled "Definitions," the Title of Division 3 of Article II of Chapter 23 Titled "Septage Hauling and Disposal," Section 23-79 Titled "Approval of equipment," Section 23-81 Titled "Records of septage haulers," Section 23-117 Titled "Restricted wastes," Section 23-150 Titled "Violations," Section 23-151 Titled "Administrative enforcement remedies," Section 23-152 Titled "Enforcement," Section 23-156 Titled "Wastewater discharge permit conditions," Section 23-159 Titled "Correction of violations," Section 23-334 Titled "Customer setup charges," and Section 23-362 Titled "Sewer service charges and rates," of the Code of the County of Henrico, to Conform the County's Industrial Pretreatment and Strong Waste Program to State Requirements, to Modify Enforcement Procedures and Penalties, and to Establish a Single Setup Charge for New Water and Sewer Accounts.

PUBLIC COMMENTS

GENERAL AGENDA

- 218-14 Resolution - Contract Award - Comprehensive Agreement - Central Police Station - Fairfield District.
- 219-14 Resolution - Signatory Authority - Henrico Juvenile Detention Home Medical Services Contract.
- 220-14 Resolution - Approval of the FY 2015 and FY 2016 Community Services Board Performance Contract between the Virginia Department of Behavioral Health and Developmental Services and the Henrico Area Mental Health & Developmental Services Board.
- 221-14 Resolution - To Accept a Grant from the Virginia E-911 Services Board.
- 222-14 Resolution - Acceptance of Deed of Gift - Land Adjoining Future Greenwood Park - Brookland District.
- 223-14 Resolution - Award of Construction Contract - Shady Grove Water Storage Tanks - Exterior Cleaning & Painting - Three Chopt District.

- 224-14 Resolution - Request for Letter of Necessity – Creighton Road Improvements - Project #00985. Fairfield and Varina Districts.
- 225-14 Resolution - Request for Letter of Necessity - Dabbs House Road Improvements - Project #00610. Varina District.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
August 12, 2014**

PRESENTATION

PROCLAMATION – Preparedness Month – September 2014.

One of the most profound duties of government is ensuring the safety and security of its citizens from emergencies and disasters of all kinds. The United States Department of Homeland Security and the Federal Emergency Management Agency are joining with organizations across the nation during the month of September 2014 to highlight the importance of individual emergency preparedness. This proclamation recognizes September 2014 as Preparedness Month and calls the observance to the attention of all Henrico citizens.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMIT

REZ2014-00028
Three Chopt

NV Retail: Request to conditionally rezone from A-1 Agricultural District to B-3C Business District (Conditional) Parcels 731-765-8473, 732-765-3978, -6671, 732-766-7723, -4043, 732-766-9300, 733-766-1630, and -6208 containing 62.33 acres located between the north line of W. Broad St. (U.S. Route 250) and the south line of Interstate 64 approximately 1,465' west of its intersection with N. Gayton Road. The applicant proposes retail and office uses. The uses will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Urban Mixed Use and Environmental Protection Area. The site is located in the West Broad Street Overlay District. Acting on a motion by Mr. Branin, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors grant the request because it continues a form of zoning consistent with the area, conforms with the objectives and intent of the County's Comprehensive Plan, and the proffered conditions will assure a level of development otherwise not possible.

REZ2014-00023
Fairfield

Bromont Group: Request to conditionally rezone from R-3 One-Family Residence District, B-1 Business District, B-2 Business District, and B-3C Business District (Conditional) to B-3C Business District (Conditional) Parcel 812-723-1692 containing 30.644 acres located on the south line of Nine Mile Road (State Route 33) approximately 750' east of its intersection with S. Laburnum Avenue. The applicant proposes retail uses. The uses will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Commercial Arterial, Environmental Protection Area, and Government. The site is located in the Airport Safety Overlay District

and the Enterprise Zone. Acting on a motion by Mr. Archer, seconded by Mrs. Jones, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it conforms to the Commercial Arterial recommendation of the Comprehensive Plan and the proffered conditions would provide for a higher quality of development than would otherwise be possible.

REZ2014-
00019
Fairfield

Romm Development Company, LLC: Request to conditionally rezone from R-4 One-Family Residence District, R-5 General Residence District and O/SC Office/Service (Conditional) to RTHC Residential Townhouse District (Conditional) Parcels 782-757-2904, 782-756-3992, -4880, -6562, -6951, -9451, -6636, -4861, and part of Parcel 782-757-3717 containing 5.689 acres, located on the southwest line of E. Parham Road at its intersection with Villa Park Drive. The applicant proposes a residential townhouse development of no more than 49 units. The RTH District allows a maximum density of nine (9) units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office and Office/Service. Acting on a motion by Mr. Archer, seconded by Mrs. Jones, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it reflects the type of residential growth in the area and the proffered conditions would provide for a higher quality of development than would other be possible.

REZ2014-
00026
Fairfield

Ricky Wilkerson: Request to conditionally rezone from B-1 Business District to B-3C Business District (Conditional) Parcel 803-733-5576 containing .3961 acres, located on the south line of Byron Street at its intersection with Carlton Road. The applicant proposes an auto repair shop. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is located in the Airport Safety Overlay District and the Enterprise Zone. Acting on a motion by Mr. Archer, seconded by Mr. Branin, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it is reasonable and the proffered conditions will provide appropriate quality assurances not otherwise available.

REZ2014-
00027
Fairfield

Peter Francisco: Request to amend proffered conditions accepted with Rezoning Case C-55C-07 on Parcel 780-749-9410 located on the west line of Lakeside Avenue at its intersection with Timberlake Avenue. The applicant proposes to amend Proffer 1 to allow a microbrewery accessory to a home brew supply store as a permitted use. The existing zoning is B-3C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. The site is located in the Enterprise Zone. Acting on a motion by Mr. Archer, seconded by Mr.

Branin, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because the change does not greatly reduce the original intended purpose of the proffers and it is not expected to adversely impact the surrounding land uses in the area.

PUP2014-
00015
Three Chopt

Zoës Kitchen: Request for a Provisional Use Permit under Sections 24-58.2(d), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow outdoor dining for a restaurant (Zoës Kitchen) on part of Parcel 736-762-7338 located in the southwest quadrant of the intersection of W. Broad Street (U.S. Route 250) and Lauderdale Drive. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial. The site is located West Broad Street Overlay District. Acting on a motion by Mr. Branin, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it is reasonable in light of the surrounding uses and existing zoning on the property and it would not be detrimental to the public health, safety, welfare and values of the area.

REZ2013-
00002
Brookland

Yunus Vohra: Request to conditionally rezone from A-1 Agricultural District and R-2A One-Family Residence District to R-2AC One-Family Residence District (Conditional) Parcels 764-760-9037, 764-760-8515, 765-760-1906, and 765-760-0929 containing 5.12 acres, located on the south line of Hungary Road at its intersection with Hastings Mill Drive. The applicant proposes a single-family residential development not to exceed 10 residential units. The R-2A District allows a minimum lot size of 13,500 square feet and a maximum gross density of 3.22 units per acre. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. Acting on a motion by Mr. Witte, seconded by Mr. Branin, the Planning Commission voted 4-0 (two abstentions) to recommend the Board of Supervisors **grant** the request because it is consistent with the future land recommendations of the 2026 Comprehensive Plan.

PUBLIC HEARINGS – OTHER ITEMS

ORDINANCE – To Amend and Reordain Section 10-137 Titled “Cutting of weeds and grass required,” Section 10-139 Titled “Inspection of site of violation; notice to cut,” and Section 10-140 Titled “Performance of work by county; collection of costs,” to Renumber Section 10-141, and to Repeal Section 10-136 Titled “Penalty” and Section 10-138 Titled “Report of violation,” of the Code of the County of Henrico, to Establish Uniform Standards for Cutting Weeds and Limited Exceptions to the Cutting Requirements.

This Board paper would adopt a proposed ordinance to amend the weeds and grass provisions of Chapter 10 of the Henrico County Code. The proposed ordinance classifies weeds and grass more than 12 inches in height as a nuisance, provides uniform standards for cutting them on developed and undeveloped properties, and permits cutting by the County if the nuisance is not abated by the owner or occupant after reasonable notice. The proposed ordinance establishes exceptions for land over two acres that is enrolled in a state or federal conservation program and for land in a public utility transmission easement.

The Director of Community Revitalization recommends approval of paper, and the County Manager concurs.

ORDINANCE – To Amend and Reordain Section 20-77 Titled “Pollution control equipment and facilities,” Section 20-113 Titled “Exemption for household goods and personal effects of residents,” Section 20-377 Titled “Relief from erroneous assessment; appeals,” Section 20-383 Titled “Written ruling from the director of finance,” and Section 20-843 Titled “Exemptions” of the Code of the County of Henrico to Conform to State Legislation Exempting Certain Property and Food and Beverage Sales from Taxation and Allowing an Administrative Appeal of Business License Classification.

This ordinance amends various provisions of Chapter 20 of the County Code. The amendments conform to state legislation exempting certain property and food and beverage sales from taxation and allowing for an administrative appeal of business license classification.

This ordinance is required by legislation enacted by the 2014 General Assembly. It was discussed with the Board in a work session on July 8, 2014.

ORDINANCE – To Amend and Reordain Section 5-27 of the Code of the County of Henrico Titled “Dogs killing or injuring livestock or poultry” to Conform to State Legislation Allowing Animal Protection Officers to Seize Dogs Found in the Act of Killing or Injuring Livestock or Poultry.

This ordinance conforms to state legislation allowing animal protection officers to seize dogs found in the act of killing or injuring livestock or poultry. Prior to July 1, animal protection officers did not have discretion to seize such dogs and were legally obligated to kill them.

This ordinance is required by legislation enacted by the 2014 General Assembly. It was discussed with the Board in a work session on July 8, 2014.

ORDINANCE – To Amend and Reordain Section 21-23 of the Code of the County of Henrico Titled “Enforcement officers” to Conform to State Legislation Eliminating the Reference to Special Police Officers.

This ordinance eliminates the reference to special police officers in the County’s taxicab ordinance. This ordinance is proposed in response to legislation enacted by the 2014 General Assembly that repealed the process by which the Circuit Court appointed special police officers

for the Capital Region Airport Commission. Under the new legislation, which became effective on July 1, the Commission appoints its own police officers.

This ordinance was discussed with the Board in a work session on July 8, 2014.

RESOLUTION – Abandonment of Portion of Old Hungary Road – Fairfield District.

Approval of this Board Paper will abandon a portion of Old Hungary Road from its intersection with Cedar Grove Way to the boundary of North Run Estates, Block E. Relocated Hungary Road serves the same citizens that used the old road, and the abandonment is in accordance with the subdivision approval letter for Cedar Grove, Section 5.

The Directors of Real Property and Public Works recommend approval of this resolution; the County Manager concurs.

ORDINANCE - Vacation of Portion of Unimproved Right-of-Way and 40’ Radius Turnaround Easement - Edson Road - Sheridan Hills - Tuckahoe District.

This ordinance will vacate a portion of unimproved right-of-way for Edson Road and the 40’ radius turnaround easement at the west end of the vacated right-of-way in Sheridan Hills Subdivision, subject to the reservation of a utility and drainage easement. The owners of the adjacent property have requested this action.

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

ORDINANCE - Vacation of Building Line - Lot 11, Section H of Rollingwood Subdivision - Tuckahoe District.

This ordinance will vacate the side building line on the plat of Lot 11, Section H of the Rollingwood subdivision. The owners, J. Brian and Joy Liggan, have an existing porch which is in violation of the side building line. This vacation would allow them to enclose the front porch.

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

ORDINANCE – To Amend and Reordain Section 23-1 Titled “Definitions,” the Title of Division 3 of Article II of Chapter 23 Titled “Septage Hauling and Disposal,” Section 23-79 Titled “Approval of equipment,” Section 23-81 Titled “Records of septage haulers,” Section 23-117 Titled “Restricted wastes,” Section 23-150 Titled “Violations,” Section 23-151 Titled “Administrative enforcement remedies,” Section 23-152 Titled “Enforcement,” Section 23-156 Titled “Wastewater discharge permit conditions,” Section 23-159 Titled “Correction of violations,” Section 23-334 Titled “Customer setup charges,” and Section 23-362 Titled “Sewer service charges and rates,” of the Code of the County of Henrico, to Conform the County’s Industrial Pretreatment and Strong Waste Program to State

Requirements, to Modify Enforcement Procedures and Penalties, and to Establish a Single Setup Charge for New Water and Sewer Accounts.

This ordinance amends provisions of Chapter 23 of the Henrico County Code regulating industrial pretreatment and strong wastes. This proposed ordinance, which was requested and approved by the Virginia Department of Environmental Quality, follows a study of the maximum daily discharge limits of regulated pollutants performed by Greeley and Hansen, LLC. The ordinance

- adds arsenic and selenium to the list of regulated pollutants
- modifies enforcement procedures and civil penalties to conform to the Virginia State Water Control Law
- establishes a single setup charge of \$14.00 for all new water and sewer accounts, whether a meter is set or not, to replace the setup charge of \$19.00 on the first bill of every new water or sewer account when a new meter is set
- adds definitions of best management practices and liquid waste

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

PUBLIC COMMENTS

GENERAL AGENDA

RESOLUTION - Contract Award - Comprehensive Agreement - Central Police Station - Fairfield District.

This Board paper would award a comprehensive agreement under the Public-Private Education Facilities and Infrastructure Act of 2002 (the “PPEA”) to HPDC Partners, LLC (“HPDC”) for \$3,600,000 to design, construct, and convey a 10,000-square-foot police station at 7850 Villa Park Drive.

On May 13, 2014, the Board conducted a public hearing on the detailed proposal for the police station. The County’s Working Group (John Neal, Tim Foster, Jon Tracy, Chief Middleton, Joe Emerson, and Brandon Hinton) has negotiated a comprehensive agreement with HPDC, and the County has posted a copy on its website in compliance with the PPEA.

The Board paper determines that the comprehensive agreement serves a public purpose and awards the comprehensive agreement to HPDC. Funds are available within the Capital Projects Fund.

The Working Group recommends approval of the Board paper, and the County Manager concurs.

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

This Board paper authorizes the County Manager to sign a contract between the Department of Pediatrics, Virginia Commonwealth University Health System and the County on behalf of the Juvenile Detention Home. Through this agreement, the Department of Pediatrics will provide a licensed physician for medical services at the Detention Home. The physician will make regular scheduled visits as established by the Superintendent.

This contract will begin on July 1, 2014 and terminate on June 30, 2015. The total amount of contract is \$14,400.00 plus \$100.00 per hour for unscheduled visits to the Detention Home. Funds are available in the 2015 budget.

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

RESOLUTION – Approval of the FY 2015 and FY 2016 Community Services Board Performance Contract between the Virginia Department of Behavioral Health and Developmental Services and the Henrico Area Mental Health & Developmental Services Board.

Virginia Code § 37.2-508 provides that a performance contract negotiated between the Virginia Department of Behavioral Health and Developmental Services (the Department) and the Henrico Area Mental Health & Developmental Services Board (HAMHDS) is to serve as the primary accountability and funding mechanism between the Department and HAMHDS. Section 37.2-508 further provides that the performance contract is to be submitted by HAMHDS for approval by formal vote of the governing body of each political subdivision that established HAMHDS. The state statute was amended in 2012 in two important respects: (1) the term of the performance contract may exceed one year; and (2) the performance contract is deemed approved or renewed if the governing body of each political subdivision does not approve the contract by September 30 of each year.

Under the terms of § 37.2-508, the performance contract must:

- delineate the responsibilities of the Department and HAMHDS;
- specify conditions that must be met for the receipt of state-controlled funds;
- identify the groups of consumers to be served with state-controlled funds;
- contain consumer outcome, provider performance, consumer satisfaction, and consumer and family participation measures;

- contain mechanisms jointly developed with the Department to manage the utilization of state hospital beds;
- establish an enforcement mechanism should HAMHDS fail to comply with the contract; and
- include reporting requirements and revenue, cost, service and consumer information in a format determined by the Department.

On June 30, 2014, the Department provided to HAMHDS a Letter of Notification setting out the amount of state and federal funding that would be available to HAMHDS during FY 2015, and HAMHDS and the Department negotiated a FY 2015 and FY 2016 Community Services Board Performance Contract. HAMHDS approved the FY 2015 and FY 2016 Community Services Board Performance Contract on July 24, 2014, and recommended it to the Boards of Supervisors of Henrico, Charles City, and New Kent Counties, the three political subdivisions that established it.

The FY 2015 and FY 2016 Community Services Board Performance Contract submitted for approval by this Resolution is based on the requirements of § 37.2-508, on the FY 2014-2015 budget approved by this Board on April 22, 2014, on the Letter of Notification to HAMHDS for FY 2015 and FY 2016, and on local contributions approved by the Charles City County Board of Supervisors and the New Kent County Board of Supervisors. The term of the contract is from July 1, 2014 to June 30, 2016, if by mutual agreement of the parties it is renewed for an additional fiscal year.

RESOLUTION - To Accept a Grant From the Virginia E-911 Services Board.

This Board paper accepts a Wireless E-911 Public Safety Answering Point (PSAP) Education Program grant, in the amount of \$2,000, from the Virginia E-911 Services Board. The Police Division will use this grant, which requires no local match, to enable Division personnel to attend regional emergency communications conferences during FY15.

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

RESOLUTION – Acceptance of Deed of Gift – Land Adjoining Future Greenwood Park – Brookland District.

This Board paper authorizes the County Manager to accept from RG Investment Partners, LLC a donation of 89 acres of land located near Greenwood, Winfrey, and Bent Pine Roads in the Brookland District. The land to be donated is adjacent to a County-owned parcel that is planned to be used as Greenwood Park and is also planned to be used for recreational purposes.

The Directors of Recreation and Parks and Real Property recommend approval of this paper; the County Manager concurs.

RESOLUTION - Award of Construction Contract - Shady Grove Water Storage Tanks - Exterior Cleaning & Painting - Three Chopt District.

This Board paper awards a construction contract for \$120,000 to Town Hall Painting Corporation for the Shady Grove water storage tanks cleaning and painting project located off Shady Grove Road near Deep Run High School.

The project includes cleaning and painting the exterior surfaces of two 1.25 million gallon concrete water storage tanks. The work will begin in September and will be completed by December 2014. Funding to support the contract will be provided by the Water and Sewer Enterprise Fund.

Eleven bids were received on July 1, 2014, in response to IFB #14-9606-5E and Addendum No.1. The bidders and bid amounts are as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
Town Hall Painting Corporation Virginia Beach, VA	\$ 120,000
M. P. Barden & Sons, Inc. Powhatan, VA	\$ 125,000
Utility Service Company, Inc. Perry, GA	\$ 130,600
Horizon Bros. Painting Corp. Howell, MI	\$ 149,800
New Kent Coatings, Inc. Providence Forge, VA	\$ 168,720
D & M Painting Co. Washington, PA	\$ 189,280
Manolis Painting Company, Inc. Baltimore, MD	\$ 194,900
Strickland Waterproofing Company, Inc. Charlotte, NC	\$ 223,032
Nostos SS Contractors, LLC Reston, VA	\$ 263,800
George Kountoupes Painting Company Lincoln Park, MI	\$ 280,000
Superior Industrial Maintenance Company, Inc. Concord, NC	\$ 986,735

After a review and evaluation of all bids received, it was determined that Town Hall Painting Corporation is the lowest responsive and responsible bidder.

This Board paper grants signatory authority to the County Manager to execute a 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.

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

RESOLUTION - Request for Letter of Necessity - Creighton Road Improvements - Project #00985 - Fairfield and Varina Districts.

The Creighton Road Improvements project was approved by County voters as part of the 2000 bond referendum. This project will relieve traffic congestion and improve the safety of Creighton Road by improving its intersection with Laburnum Avenue and by bringing the road and bridge to current design standards.

A four-lane roadway between Laburnum Avenue and Sandy Lane and a new connector road to Dabbs House Road will be constructed. In addition, the bridge on Creighton Road will be replaced and the road surfaces between Stone Dale Drive and the City of Richmond limits will be leveled.

The Board Paper directs the County Engineer to examine the Creighton Road improvements and report to the Board upon the expediency of the project. It also directs the County Engineer to prepare a Letter of Necessity in accordance with Section 33.1-231 of the Code of Virginia and to file it with the Clerk of the Board.

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

RESOLUTION - Request for Letter of Necessity - Dabbs House Road Improvements - Project #00610 - Varina District.

The County has entered into an agreement with the Virginia Department of Transportation for preliminary engineering, right-of-way acquisition, utility relocation, and construction of Dabbs House Road improvements. The project will relieve traffic congestion and improve traffic safety by bringing the road to current design standards.

Dabbs House Road will be widened from Nine Mile Road to Kingsridge Parkway, and sidewalk will be constructed on the north and west side of Dabbs House Road. In addition, a right turn lane will be constructed on northbound Nine Mile Road at its intersection with Dabbs House Road.

The Board paper directs the County Engineer to examine the Dabbs House Road improvements and report to the Board upon the expediency of the project. It also directs the County Engineer to prepare a Letter of Necessity in accordance with Section 33.1-231 of the Code of Virginia and to file it with the Clerk of the Board.

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