

**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, July 8, 2014, at 5:15 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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| 5:15 - 5:45 p.m. | Proposed Ordinance Amendments Related to Industrial Pretreatment and Strong Wastes |
| 5:45 - 6:30 p.m. | Proposed Ordinance Amendments Resulting from 2014 State Legislation |
| 6:30 - 6:45 p.m. | Regular Meeting Agenda Items |



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
July 3, 2014

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
July 8, 2014
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES - June 24, 2014, Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

APPOINTMENT

181-14 Resolution – Appointment of Member – J. Sargeant Reynolds Community College Board.

PUBLIC HEARINGS – REZONING CASES

182-14 Welford Properties, Inc.: Request to conditionally rezone from A-1
REZ2014- Agricultural District to R-3C One-Family Residence District (Conditional)
00024 Parcels 737-755-5505 and 737-755-4807 containing 2.203 acres located on
Three Chopt the north line of Church Road at its intersection with Retrievers Ridge
Road. The applicant proposes a single family development. The use will be
controlled by zoning ordinance regulations and proffered conditions. 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.

183-14 B. Hunt Gunter: Request to conditionally rezone from R-5 General
REZ2014- Residence District to B-1C Business District (Conditional) part of Parcel
00025 732-750-7224 containing .414 acres located on the east line of Gayton Road
Tuckahoe approximately 1,685' south of its intersection with Ridgefield Parkway.
The applicant proposes an access road and parking. The uses will be
controlled by zoning ordinance regulations and proffered conditions. The
2026 Comprehensive Plan recommends, Commercial Concentration,
Office, and Multifamily Residential. The Planning Commission voted to
recommend the Board of Supervisors **grant** the request.

184-14 Dominion Youth Services: Request to conditionally rezone from O-1 Office
REZ2014- District to B-1C Business District (Conditional) Parcel 787-746-8386
00022 containing 1.338 acres located at the northeast intersection of
Fairfield Chamberlayne Road (U.S. Route 301) and Brook Hill Circle. The applicant
proposes a private, therapeutic day school. The use will be controlled by
zoning ordinance regulations and proffered conditions. The 2026
Comprehensive Plan recommends Office. The 2026 Comprehensive Plan

recommends Office and 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 COMMENTS

GENERAL AGENDA

- 185-14 Introduction of Resolution - Receipt of Requests for Amendments to the FY 2014-15 Annual Fiscal Plan: July, 2014.
- 186-14 Introduction of 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.
- 187-14 Resolution - Award of Contract - Radio Tower Structural Upgrades - Brookland District.
- 188-14 Resolution - Signatory Authority - Third Amendment to Communications Tower License Agreement - Brookland District.
- 189-14 Resolution - Award of Contract - Engineering Design Services - Meredith Branch Force Main - Brookland District.
- 190-14 Resolution - Award of Contract - Annual Engineering Services - Water and Sewage Pumping Stations - Greeley and Hansen, LLC.
- 191-14 Introduction of 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.

192-14

Resolution - Acceptance of Roads - Fairfield, Three Chopt and Varina Districts.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME**

July 8, 2014

APPOINTMENT

RESOLUTION – Appointment of Member – J. Sargeant Reynolds Community College Board.

This Board paper appoints the following person to the J. Sargeant Reynolds Community College Board for a four-year term expiring June 30, 2018, or thereafter, when his successor shall have been appointed and qualified:

Brookland District

Fred Babik

PUBLIC HEARINGS – REZONING CASES

REZ2014-
00024
Three Chopt

Welford Properties, Inc.: Request to conditionally rezone from A-1 Agricultural District to R-3C One-Family Residence District (Conditional) Parcels 737-755-5505 and 737-755-4807 containing 2.203 acres located on the north line of Church Road at its intersection with Retrievers Ridge Road. The applicant proposes a single family development. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. 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 conforms to the recommendations of the 2026 Comprehensive Plan, it would not be expected to adversely affect the pattern of zoning and land use in the area and it would permit infill development with the proper connection for roads and other public facilities.

REZ2014-
00025
Tuckahoe

B. Hunt Gunter: Request to conditionally rezone from R-5 General Residence District to B-1C Business District (Conditional) part of Parcel 732-750-7224 containing .414 acres located on the east line of Gayton Road approximately 1,685' south of its intersection with Ridgefield Parkway. The applicant proposes an access road and parking. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends, Commercial Concentration, Office, and Multifamily Residential. Acting on a motion by Mrs. Jones, seconded by Mr. Archer, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would not be expected to adversely affect the pattern

of zoning and land use in the area and it would assist in achieving the appropriate development of adjoining property.

REZ2014-
00022
Fairfield

Dominion Youth Services: Request to conditionally rezone from O-1 Office District to B-1C Business District (Conditional) Parcel 787-746-8386 containing 1.338 acres located at the northeast intersection of Chamberlayne Road (U.S. Route 301) and Brook Hill Circle. The applicant proposes a private, therapeutic day school. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office and Suburban Residential 2, density should not exceed 3.4 units per acre. 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 would not be expected to adversely affect the pattern of zoning and land use in the area and the proffered conditions will provide quality assurances not otherwise available.

PUBLIC COMMENTS

GENERAL AGENDA

INTRODUCTION OF RESOLUTION – Receipt of Requests for Amendments to the FY 2014-15 Annual Fiscal Plan: July, 2014.

Pursuant to Virginia Code Section 15.2-2507, amendments to the County’s approved budget in excess of one percent of the County’s currently adopted budget may be approved only after publishing a notice of a public hearing at least seven days before the hearing date. The budget amendments that are the subject of this paper fall under the one percent threshold that triggers the advertised public hearing requirement; nevertheless, this paper calls for their advertisement. The notice states the County’s intent to amend the budget. To that end this paper is submitted, along with a list of the requested amendments, as an introduction, so the Board may authorize the advertising for July 15, 2014 and the public hearing for July 22, 2014. A separate paper will be submitted for Board action to amend the Annual Fiscal Plan and appropriate funds for expenditure, as applicable, after the July 22, 2014 public hearing. This paper also includes, for review and approval by the Board, a project-by-project list of capital projects of the Henrico County Public Schools, to be funded with meals tax revenues appropriated for this purpose.

INTRODUCTION OF 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 introduce for advertisement and a public hearing on August 12, 2014, 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.

RESOLUTION - Award of Contract - Radio Tower Structural Upgrades - Brookland District.

This Board paper would award a sole source contract in the amount of \$116,910 to Electronic Research, Inc. to provide structural upgrades to a radio communications tower at 3245 Basie Road. The County currently leases space on the tower. The structural upgrades are necessary because the County must install additional radio equipment as part of its new public safety radio system.

Electronic Research, Inc. is the sole source for this contract because the tower owner, Clear Channel Broadcasting Inc., requires that Electronic Research, Inc. perform the structural upgrades.

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

The Chief of Police and Purchasing Director recommend approval of the Board paper, and the County Manager concurs.

RESOLUTION - Signatory Authority - Third Amendment to Communications Tower License Agreement - Brookland District.

This Board paper authorizes the County Manager to execute a third amendment to a 1997 agreement for location of the County's public safety radio system on a communications tower at 3245 Basie Road owned by Clear Channel Broadcasting, Inc.

The County plans to replace the existing system and will need space for dual operation of the new and old systems until the new system is completed in approximately 24 months. Additional space may also be needed for upgraded equipment.

The County currently pays a monthly fee of \$3,760 for use of the tower. The amendment permits the County to install the additional equipment for an additional monthly fee of \$2,200 until the new system is complete.

The Chief of Police and the Director of Real Property recommend approval of this Board paper, and the County Manager concurs.

RESOLUTION - Award of Contract - Engineering Design Services - Meredith Branch Force Main - Brookland District.

This Board paper would award a contract for \$575,000 to Dewberry Engineers, Inc. to provide comprehensive engineering design and construction administration services to replace approximately 1.3 miles of sewer piping that was installed in the Francistown and Hungary Roads area in 1977.

On December 20, 2013, the County received seven proposals in response to RFP No. 13-9507-10CS and the Selection Committee (Messrs. Ralph Claytor, Lee Maddox, Travis Linville, and Ms. Marchelle Sossong) interviewed the following firms:

Dewberry Engineers, Inc.
Greeley and Hansen, LLC
Whitman, Requardt and Associates, LLP

The Selection Committee selected Dewberry Engineers, Inc. as the top-ranked firm and negotiated a fixed price contract.

The Board paper also authorizes the County Manager to execute the contract in a form approved by the County Attorney and change orders not to exceed 15% of the contract amount.

Funding to support the agreement 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 Contract - Annual Engineering Services - Water and Sewage Pumping Stations - Greeley and Hansen, LLC.

This Board paper awards a professional services contract to Greeley and Hansen, LLC for annual engineering services for water and sewage pumping station projects.

Five proposals were received in response to RFP #14-9592-4CE. The work includes engineering studies, designs, cost estimates, and construction administration for repairs and improvements for pumping stations operated by the Department of Public Utilities. Projects will include those identified in the Capital Improvements Program as well as those that address unforeseen and emergency conditions.

Based upon professional qualifications and experience in providing these services demonstrated in the written proposals and interviews, the Selection Committee selected Greeley and Hansen, LLC as the top-ranked firm. The contract term will be for one year after contract award, with the option to renew for two additional one-year terms. The project fee shall not exceed \$300,000 for any single project, and the total amount of fees for all projects shall not exceed \$1,500,000 in the contract term. Engineering fees will be determined at the beginning of each project and will be based upon negotiated hourly rates.

The resolution authorizes the County Manager to execute the contract in a form approved by the County Attorney.

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

INTRODUCTION OF 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 Board paper would introduce for advertisement of a public hearing on August 12, 2014 a proposed ordinance to amend provisions of Chapter 23 of the Henrico County Code related to 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 proposed 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.

RESOLUTION - Acceptance of Roads – Fairfield, Three Chopt and Varina Districts.

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

- 1) 0.30 miles of Woodman Glen, Section 1. Fairfield District.
- 2) 0.55 miles of Martin's Ridge, Section 2. Three Chopt District.
- 3) 1.49 miles of Turner Forest, Section A. Varina District.

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