

COUNTY OF HENRICO, TO-WIT:

At a regular meeting of the Board of Supervisors of Henrico County, held in the Glen Echo Building Auditorium, 3810 Nine Mile Road, Eastern Government Center complex, Henrico County, Virginia, on Tuesday, the 25th of November 2008, at the hour of 7:00 p.m.

MEMBERS OF THE BOARD PRESENT

The Honorable David A. Kaechele, Chairman

The Honorable Patricia S. O'Bannon, Vice-Chairman

The Honorable James B. Donati, Jr., Varina District Supervisor

The Honorable Richard W. Glover, Brookland District Supervisor

The Honorable Frank J. Thornton, Fairfield District Supervisor

OTHER OFFICIALS PRESENT

Mr. Virgil R. Hazelett, P.E., County Manager

Mr. Joseph P. Rapisarda, Jr., County Attorney

The Honorable Michael L. Wade, Sheriff

Mr. Barry R. Lawrence, Clerk

Mr. George T. Drumwright, Jr., Deputy County Manager for Community Services

Mr. Leon T. Johnson, Deputy County Manager for Administration

Mr. Robert K. Pinkerton, P.E., Deputy County Manager for Community Operations

Mr. Randall R. Silber, Deputy County Manager for Community Development

Department Heads and Key Officials

The meeting was called to order by the Chairman at 7:02 p.m. Mr. Kaechele welcomed everyone to the meeting at the new location in the east end. He noted that the Board Room at the Government Center was being upgraded with new technology and that the Board would return there after the first of the year. Mr. Kaechele further noted that the next Board meeting on December 9 would again be held at the Glen Echo Building.

Mr. Kaechele led the Board, staff, and public in reciting the Pledge of Allegiance.

Rev. Angelo V. Chatmon, Pastor, Pilgrim Journey Baptist Church, provided the invocation.

APPROVAL OF MINUTES

Mrs. O'Bannon stated that she had not received a copy of the draft minutes from the November 12, 2008 meeting and asked if a copy was available for her to read during the next few minutes pending a temporary deferral by the Board. Mr. Lawrence responded that the draft minutes were loaded on the Board's laptop computers at their seats and that a copy had been sent to members of the Board in the previous day's Board packets. He said he could not explain why Mrs. O'Bannon had not received this information. Mr. Kaechele advised that the Board could temporarily defer action on the minutes and would move forward with the agenda.

MANAGER'S COMMENTS

For the 27th consecutive year, the Government Finance Officers Association (GFOA) of the United States and Canada has awarded the County with the Certificate of Achievement for Excellence in Financial Reporting for the County's Comprehensive Annual Financial Report. This award is the highest form of recognition in the area of governmental accounting and financial reporting and is highly regarded by Moody's, Standard & Poor's, and Fitch Investors Service as an indication of good financial management. Mr. Kaechele presented a plaque from GFOA to John Vithoulkas, Director of Finance, and Clarence Daniel, Accounting Division Manager. The Accounting Division of the Department of Finance was primarily responsible for preparing the award-winning report.

For the 20th consecutive year, the County has received the Distinguished Budget Presentation Award from GFOA after the County's budget document was reviewed and rated favorably by an expert panel of independent budget professionals. This award reflects the commitment of many individuals to meeting the highest standards of governmental budgeting and also reflects the leadership and support of elected and appointed officials as well as the expertise, professionalism, and many hours of hard work by staff. Mr. Kaechele presented a plaque from GFOA to Mr. Vithoulkas; Gene Walter, Management and Budget Division Director; and Teresa Spouse, Secretary. The entire staff in the Office of Management and Budget played a key role in the development of the County's budget.

BOARD OF SUPERVISORS' COMMENTS

Mr. Kaechele recognized Thomas Branin, the County Planning Commission's Three Chopt District Representative, who was in the audience observing the meeting.

Mr. Thornton noted that the Glen Echo Building is the site where the Board of Supervisors used to meet. He thanked his colleagues on the Board and Mr. Hazelett for bringing government closer to persons who live in eastern Henrico by opting to move the November 25 meeting to the Glen Echo Building. Mr. Kaechele pointed out that the Board would be back at the Glen Echo Building for its December 9 meeting.

RECOGNITION OF NEWS MEDIA

Mr. Kaechele recognized Melodie Martin from the *Richmond Times-Dispatch*.

APPROVAL OF MINUTES (continued)

On motion of Mrs. O'Bannon, seconded by Mr. Donati, the Board approved the minutes of the November 12, 2008 Regular and Special Meetings.

The vote of the Board was as follows:

Aye
David A. Kaechele
Patricia S. O'Bannon
James B. Donati, Jr.
Richard W. Glover
Frank J. Thornton

Nay

APPOINTMENTS

332-08 Resolution – Appointment of Members to Board of Directors – Economic Development Authority.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 332-08 – See attached Resolution.

PROVISIONAL USE PERMIT

323-08 New Cingular Wireless PCS, LLC: Request for a Provisional Use Permit under
P-16-08 Sections 24-95(a)(3), 24-120 and 24-122.1 of Chapter 24 of the County Code in
Fairfield order to construct a 120' high internal array monopole telecommunications tower and related equipment, on part of Parcel 789-754-3978, located on the west line of Upham Drive approximately 500 feet north of its intersection with Wilkinson Road (Chamberlayne Farms Shopping Center). The existing zoning is B-2C Business District (Conditional). The Land Use Plan recommends Commercial Concentration. The Planning Commission voted to recommend the Board of Supervisors grant the request. **(Deferred from November 12, 2008 meeting for decision only).**

Jean Moore, Assistant Director of Planning, briefly summarized the case, advised that staff had received no information since the previous meeting, and stated that the staff report and recommended conditions remained the same as at the previous meeting. She reiterated that staff believed that the case was consistent with the County's 2010 plans for siting telecommunications towers and recommended approval.

Mr. Kaechele pointed out that this case was heard for approximately an hour and a half at the Board's previous meeting and that Mr. Thornton had needed a little more time to explore some issues. The Board agreed not to have open discussion again on this item because everyone had an opportunity to express their thoughts at the last meeting.

Mr. Thornton provided a statement regarding his perspective on the case. He commented on the essence of communities and mentioned that the proposed communication tower was being requested for location in a community setting. While acknowledging the importance of communication towers and stating respect for both sides of the issue, Mr. Thornton expressed his view that it was not the propitious moment for this tower in this particular setting. He thanked the members

of the Planning Commission, Ms. Freye, and others for their work on the case. Mr. Thornton remarked that he was recommending denial of the case because of concerns expressed by citizens residing in surrounding neighborhoods and in the general area. He noted that he could not base a motion for denial on concerns about health effects of the tower, but could base this motion on being the voice of the community in this case. Mr. Thornton concluded that although in the future this might be a good venue for a communication tower, at the present time it is not.

On motion of Thornton, seconded by Mrs. O'Bannon, the Board did not follow the recommendation of the Planning Commission and denied Agenda Item No. 323-08 (P-16-08).

The vote of the Board was as follows:

<u>Aye</u>	<u>Nay</u>
David A. Kaechele	
Patricia S. O'Bannon	
James B. Donati, Jr.	
Richard W. Glover	
Frank J. Thornton	

PUBLIC HEARING ITEMS

333-08 Resolution – Condemnation – 0.885 +/- Acre – Vent Station Site – Elizabeth Ellen Bowyer – Varina District.

In response to questions from members of the Board, Assistant Director of Real Property Steve Price stated that the owner of this site owns and currently resides on an adjoining parcel and that negotiations with the property owner have not been successful.

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

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 333-08 – see attached Resolution.

334-08 Resolution – Signatory Authority – License Agreement for Installation of Drainage Pipe – Shurm Group Home – Varina District.

In response to questions from Mr. Kaechele, Mr. Price and Mr. Hazelett confirmed that the drainage pipe would be installed on the site of the group home and would serve an adjoining subdivision.

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

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the

Board approved Agenda Item No. 334-08 – see attached Resolution.

PUBLIC COMMENTS

A. R. Goodwin, a resident of the Varina District, expressed concerns regarding the threat of land consumption and sprawl to the County's remaining historic resources and the need for protection of these resources in the County's comprehensive planning process. Ms. Goodwin referred to a study she undertook during the past three years of the recent history of historic preservation policy in Henrico in which she included a list of historical sites and structures reported lost as of 2006. She commented that the County Planning Department's comprehensive plan outreach methods since 2004 have not sufficiently promoted public knowledge of the comprehensive plan and have resulted in limited citizen input. Ms. Goodwin asked that the Board and administration not continue to allow development to take place without the inclusion of simple historic preservation tools within the 2026 comprehensive plan draft.

GENERAL AGENDA

335-08 Introduction of Resolution – Receipt of Requests for Amendments to the FY 2008-09 Annual Fiscal Plan: December, 2008.

In response to a question from Mr. Thornton, Management and Budget Division Director Gene Walter and Mr. Hazelett explained the County's obligation for the repayment to the United States Department of Housing and Urban Development (HUD) of Housing Opportunities Made Equal (HOME) program funds previously provided to the Interfaith Housing Corporation.

In response to questions from Mr. Glover, Mr. Walter elaborated on the proposed amendment to appropriate \$452,680 of funds collected under the Circuit Court Clerk's Technology Trust Fund. Mr. Walter confirmed that the purpose of the funds is to put property records on line. Mr. Hazelett and Mr. Walter clarified for Mr. Glover the level of information that is recorded and made available. Mr. Glover stated that he thought it was ridiculous and a waste of money to put land records on the Internet when the public can get this information by coming to the County's records room and asking for it. In reference to further questions from Mr. Glover pertaining to the Clerk's acceptance and use of these funds, Mr. Hazelett said he would be more than happy to set up a work session with the Clerk to answer Mr. Glover's questions. Mr. Glover thinks that people are not necessarily interested in knowing that their records are made public on the Internet. Mr. Walter and Mr. Hazelett clarified for Mr. Kaechele that all property transactions are now recorded electronically. Mr. Glover said his understanding is that the Clerk is not obligated to post land records on the Internet unless she accepts these funds. Mr. Hazelett indicated he would try to clarify before the next Board meeting the level of property records information that is contained in the property transactions put on the Internet by the Clerk. There was further discussion of this matter by Mr. Glover, Mr. Kaechele, and Mr. Hazelett.

In response to questions from Mrs. O'Bannon, Mr. Walter explained how citizens can voluntarily donate funds to the Spay and Neuter Foundation on their Virginia tax returns and clarified that the funds received by the County from the Governor's Office of Substance Abuse Prevention for promotion of an underage drinking prevention program were from a grant for which the County applied. Fire Chief Ed Smith clarified for Mrs. O'Bannon that the replacement van funded by the Virginia Department of Emergency Management under the 2007 Homeland Security Program will be used to transport equipment. In response to a further question from Mrs. O'Bannon, Mr. Walter explained the seized asset forfeiture funds received by the County on a regular basis and used by the Commonwealth's Attorney or Division of Police for law enforcement projects.

On motion of Mr. Thornton, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 335-08 – see attached Introduction of Resolution.

336-08 Introduction Of Ordinance – Property Tax Exemption – Richmond Residential Services, Inc.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 336-08 – see attached Introduction of Ordinance.

337-08 Resolution - Receipt of Audited Annual Financial Report for Fiscal Year Ended June 30, 2008 and Acknowledgement of Discharge of Duties and Responsibilities by Audit Committee.

Director of Finance John Vithoulkas recognized external auditors Tim Conner and Kim Edwards from KPMG and County Director of Internal Audit Gary Martin who were in the audience. In response to a question from Mrs. O'Bannon, Mr. Vithoulkas commented on the positive audit received by the County. Mrs. O'Bannon noted that it was the County's best audit since 1991. Mr. Kaechele extended congratulations to all the individuals involved with the audit, including the County's Audit Committee.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 337-08 – see attached Resolution.

338-08 Resolution – Acceptance of Gift from American Family Fitness.

In response to questions from Board members, Chief Smith and Mr. Hazelett commented on where the equipment will be installed, how it may be used, and the value of the equipment. He clarified for Mr. Kaechele that some public safety personnel can use American Family Fitness in an on duty capacity at no charge if they do not have access to County fitness facilities. Mr. Thornton suggested that some of this equipment could be put at the new County recreation center that will be coming on line not too far in the future.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 338-08 – see attached Resolution.

- 339-08 Resolution – Signatory Authority - Amendment to Contract for Architectural and Engineering Services – Fire Station #8.

In response to questions from Mr. Kaechele, Director of General Services Paul Proto clarified that this contract is primarily for site planning and that a recycling operation currently at this site would not be part of the redesigned site. Mrs. O'Bannon commented that the recycling center currently on this site is used more than any other general recycling center in the County and that it could not be accommodated on the redesigned site.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 339-08 – see attached Resolution.

- 340-08 Introduction of Ordinance – To Amend and Reordain Section 21-124 of the Code of the County of Henrico Titled “Rates” by Increasing the Taxicab Rate for Each Succeeding One-Fifth Mile from \$0.40 to \$0.50 and by Changing the Waiting Time Rate from \$0.30 for Each One Minute of Waiting Time to \$0.50 for Each Eighty Seconds of Waiting Time.

Mr. Hazelett advised that the County was shooting for an effective date of January 1, 2009 for the ordinance and that *in order to make this deadline the ordinance had to be advertised in the morning newspaper in advance of this meeting and prior to the ordinance’s introduction.* In response to questions from Board members, Chief of Police Henry Stanley clarified that the ordinance is scheduled to take effect in all of the participating jurisdictions on January 1, Mr. Hazelett and Mr. Kaechele reviewed the membership and meeting schedule of the Capital Region Taxicab Advisory Board, Mr. Hazelett and Col. Stanley explained how the Division of Police licenses and controls the County’s 147 taxicabs, and Mr. Hazelett clarified that the public hearing would be held at the December 9, 2008 Board meeting.

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 340-08 – see attached Introduction of Ordinance.

- 341-08 Resolution – To Accept the GOSAP-UADO9 Grant Award to the County of Henrico, Division of Police, for Underage Drinking Prevention Efforts.

Mr. Hazelett clarified for Mr. Kaechele that the acronym GOSAP is for the Governor’s Office of Substance Abuse Prevention.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 341-08 – see attached Resolution.

342-08 Resolution ~ To Accept the Target Stores Community Relations Grant Award to the County of Henrico, Division of Police, for Community Police and Evidence Recovery Equipment.

In response to questions from Board members, Col. Stanley stated that this grant award was from a local Target store but that no representatives of Target were attending the meeting.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 342-08 – see attached Resolution.

343-08 Resolution ~ To Accept the Wal-Mart Stores Community Relations Grant Award to the County of Henrico, Division of Police, for Community Policing Equipment.

Mrs. O'Bannon advised that at her town meeting a few weeks ago on the budget and the economy a citizen asked whether money can be donated to the County. In response to a question from Mr. Donati, Col. Stanley noted that businesses making donations to the Division of Police are sent a thank you letter, have a close relationship with the agency, and also see police personnel on almost a daily basis involving issues within the stores. He clarified for Mrs. O'Bannon that this donation was not from a specific store but was made from the company's regional aspect or all stores located within the County.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 343-08 – see attached Resolution.

344-08 Resolution - Signatory Authority - Acquisition of Real Property – 1303 Mormac Road - Tuckahoe District.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board deferred this item to December 9, 2008 – see enclosed copy of Resolution.

345-08 Resolution - Signatory Authority - Award of Construction Contract - Pouncey Tract Road Water Main - C. D. Hall Construction Co., Inc.

In response to questions from Board members, Director of Public Utilities Art Petrini and Mr. Hazelett explained where the proposed pipe crosses under I-64, noted that the engineer's estimate for the project was a little over \$5 million, stated the project's estimated completion date is June 2010, and clarified that the pipe would terminate on Shady Grove Road at Mason Park subdivision.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 345-08 – see attached Resolution.

346-08 Resolution - Signatory Authority - Award of Construction Contract - Standby Power Facility for the Three Chopt Water Pumping Station - Master Electrical Services, LLC.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 346-08 – see attached Resolution.

In response to a question from Mrs. O'Bannon, Mr. Petrini noted that the engineer's estimate was \$1.3 million.

347-08 Resolution - Amendment to Construction Services Agreement - Glenwood Gardens Water System Improvements - Godsey & Son, Inc.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 347-08 – see attached Resolution.

In response to questions from Mrs. O'Bannon, Mr. Petrini and Mr. Hazelett clarified that the water main for the Pouncey Tract Road Water Main contract awarded by the Board will be constructed of ductile iron, commented on the expected life of iron pipe, explained preventative measures currently used by the County to minimize pipe corrosion, reviewed new policies developed by his agency to test for acidic soils prior to installation of new pipes, and identified the different types of pipe materials that have been used historically within the County.

348-08 Resolution - Award of Construction Contract - Tuckahoe Park Drainage Improvements, Phase 1B from Merrick Road to Mayland Drive along Dancer Road and Rudolph Road (approximately 2,030 linear feet). Project #2111.50701.28004.00678 (formerly Project #502005-709-306-03). Three Chopt District.

In response to questions from Board members, Assistant Director of Public Works Tim Foster clarified the location of Tuckahoe Park subdivision addressed by this resolution, confirmed that this contract would tie in with Phase 1A of the project, and advised that the lowest responsive bid for the project was 50 percent less than the engineer's estimate.

On motion of Mr. Thornton, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 348-08 – see attached Resolution.

349-08 Resolution – Acceptance of Roads.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 349-08 – see attached Resolution.


On motion of Mr. Donati, seconded by Mr. Thornton, and by unanimous vote, the Board approved adding to the agenda an Emergency Ordinance numbered 350-08 and titled "Emergency Ordinance to

Amend and Reordain Section 23-283 of the Code of the County of Henrico Titled "Installment payments" to Change the Interest Rate and to Amend and Reenact the Enactment Clause of Agenda Item 113-08 to Change the Effective Date for Connection Fee Increases From October 1, 2008 to January 1, 2010."

Mr. Kaechele noted that the Board did have an opportunity to review this ordinance in a work session just prior to this meeting. He commented that the ordinance was a significant opportunity and challenge to help homeowners and homebuilders in the County by rolling back connection fees to where they were before the October 1 increases for a period of 14 months and to lower the interest rate from twelve percent to approximately five percent. In response to a question from Mr. Kaechele, Mr. Hazelett advised that the public hearing on this ordinance would be scheduled for January 13, 2009.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 350-08 – see attached Emergency Ordinance.

There being no further business, the meeting was adjourned at 8:20 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 332-08
Page No.

Agenda Title

RESOLUTION - Appointment of Members to Board of Directors -
Economic Development Authority

For Clerk's Use Only: Date NOV 25 2008 <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Glover</u> Seconded by (1) <u>Thornton</u> (2) _____ (2) _____ REMARKS: APPROVED	<table><thead><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr></thead><tbody><tr><td>Donati, J.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Kaechele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></tbody></table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia appoints the following persons to the Board of Directors of the Economic Development Authority for four year terms expiring November 13, 2012 or thereafter, when their successors shall have been appointed and qualified:

Brookland District
Fairfield District
Three Chopt District

Christopher Shumaker
Benjamin B. Miles
Patrick R. Liverpool

By Agency Head _____

By County Manager Leif R. Haydel

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Tests: _____

Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 333-08
Page No. 1 of 2

Agenda Title

RESOLUTION – Condemnation – 0.885+/- Acre – Vent Station Site – Elizabeth Ellen Bowyer – Varina District

For Clerk's Use Only:

NOV 25 2008

Date

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

Moved by (1) Donati Seconded by (1) O'Bannon
(2) _____ (2) _____

REMARKS:

APPROVED

YES NO OTHER

Donati, J. ☒ ☐ ☐
Glover, R. ☒ ☐ ☐
Kaechele, D. ☒ ☐ ☐
O'Bannon, P. ☒ ☐ ☐
Thornton, F. ☒ ☐ ☐

WHEREAS, it is necessary for the County to acquire 0.885 +/- acre as shown on a plat dated May 30, 2006, last revised December 26, 2006, a reduced size copy of which is attached and marked Exhibit "A" (the "Vent Station Site") for the construction of the Four Mile Creek Trunk Sewer Rehabilitation, Yahley Mill Vent Facility Project (the "Project"), being a portion of the land in the Varina District owned by Elizabeth Ellen Bowyer (the "Owner"); and,

WHEREAS, after having been provided a copy of the County's appraisal in the amount of \$11,400, the Owner rejected the County's bona fide offer to acquire the property for this amount and supplied the County with her own appraisal in the amount of \$78,141; and,

WHEREAS, after receiving the Owner's appraisal, the County received a letter from its appraiser updating his original appraisal and estimating the just compensation due the Owner to be \$15,775, and a copy of this letter was sent to the Owner's counsel; and,

WHEREAS, during negotiations with the Owner's counsel, the County offered to acquire the property for \$15,775, but this bona fide offer has been rejected by the Owner; and,

WHEREAS, the Board of Supervisors of Henrico County, Virginia (the "Board") desires to exercise authority granted by §§ 15.2-1990, *et seq.* and 25.1-300, *et seq.* of the Code of Virginia (the "Code") to acquire title, to enter upon and take possession of the Vent Station Site and to construct the Project before the institution of condemnation proceedings; and,

WHEREAS, after advertisement in the Richmond Times-Dispatch, a public hearing was held by the Board pursuant to §15.2-1903 of the Code, at which time the Board declared its intent to enter upon and take possession of the Vent Station Site for the Project, being a portion of the Owner's property.

By Agency Head

[Signature]

By County Manager

[Signature]

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Tests: _____

Clerk, Board of Supervisors

Date: _____

RESOLUTION – Condemnation – 0.885+/- Acre – Vent Station Site – Elizabeth Ellen Bowyer – Varina District

NOW, THEREFORE, BE IT RESOLVED that:

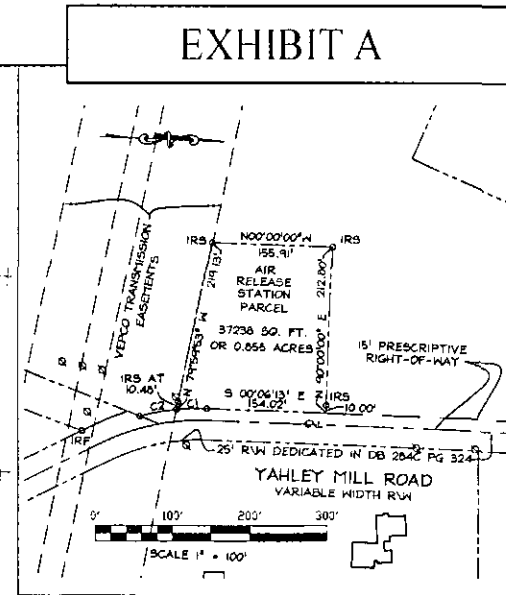
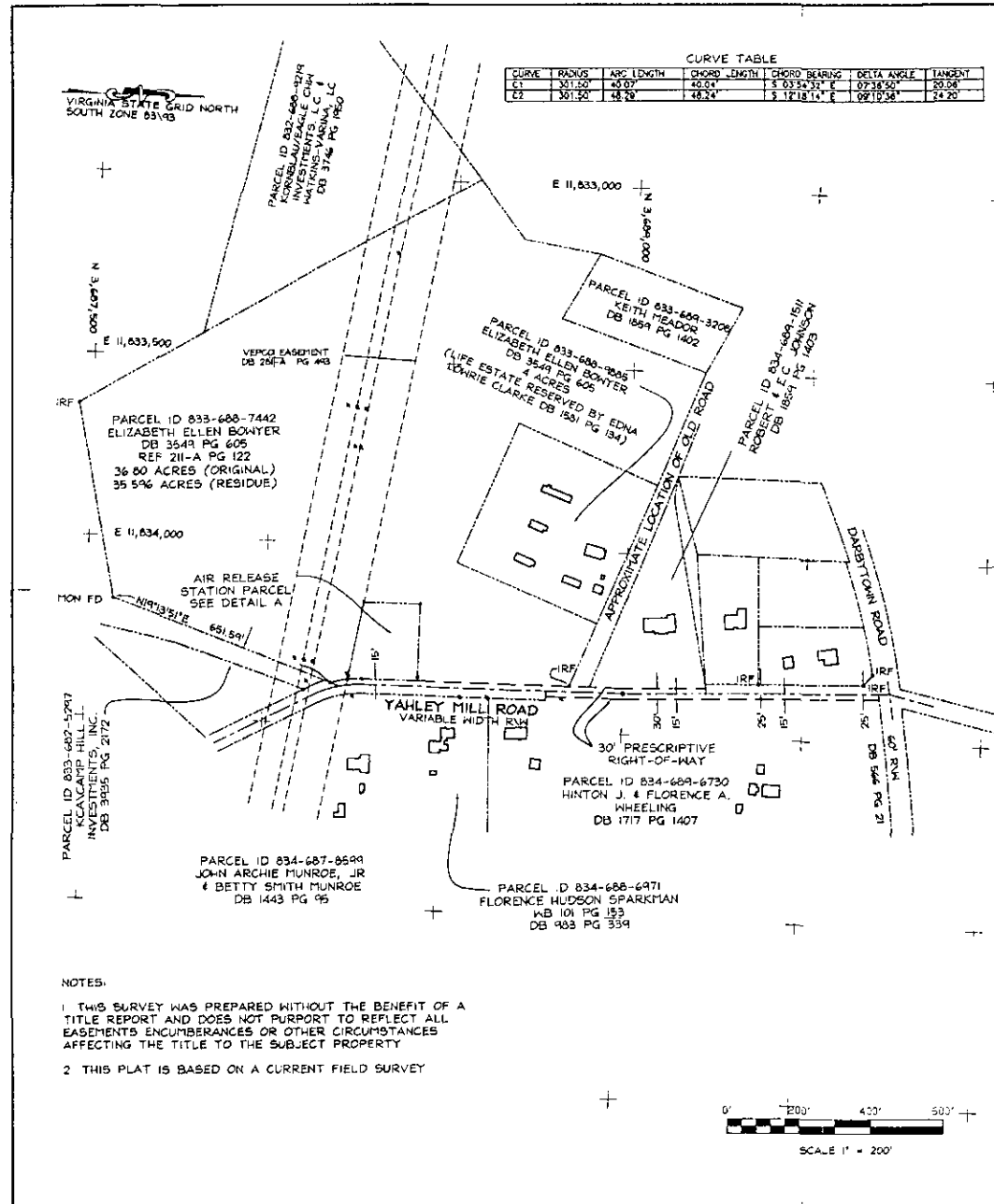
- (1) The Board finds a necessity exists to institute condemnation proceedings pursuant to the Code to acquire the Vent Station Site for the public use of constructing, operating, and maintaining the Project and to determine the amounts of compensation and damages, if any, caused by the taking, possession and acquisition of the Vent Station Site;
- (2) The Board deems it necessary to enter upon the property and take possession of the Vent Station Site in order to construct the Project prior to the time in which a condemnation case can be filed and heard in accordance with the Code;
- (3) The County Manager shall send by certified mail dated November 26, 2008, a notice advising the Owner that the County intends to enter upon and take possession of the Vent Station Site prior to the conclusion of condemnation proceedings, setting forth the compensation and damages offered by the County, and informing the Owner she has 30 days within which to contest the taking;
- (4) After the 30-day period for the Owner to contest the taking has passed, the County Attorney shall file in the Clerk's Office of the Circuit Court a certificate signed by the Chairman and Clerk of the Board and countersigned by the Director of Finance in accordance with the Code and shall deposit with the Clerk the amount of the bona fide offer listed below that has not been accepted by the Owner:

Elizabeth Ellen Bowyer - \$15,775.00; and,

- (5) The Board authorizes and directs the County Manager and the County Attorney to take all steps necessary to acquire the Vent Station Site for the public use by condemnation or other means, and to enter upon and take immediate possession of the required Vent Station Site and to also continue to seek a voluntary acquisition of the Vent Station Site.

Comments: The Real Property Department has been unsuccessful in negotiating a settlement for the acquisition of the Vent Station Site. Therefore, the Directors of Public Utilities and Real Property recommend this Board paper, and the County Manager concurs.

EXHIBIT A



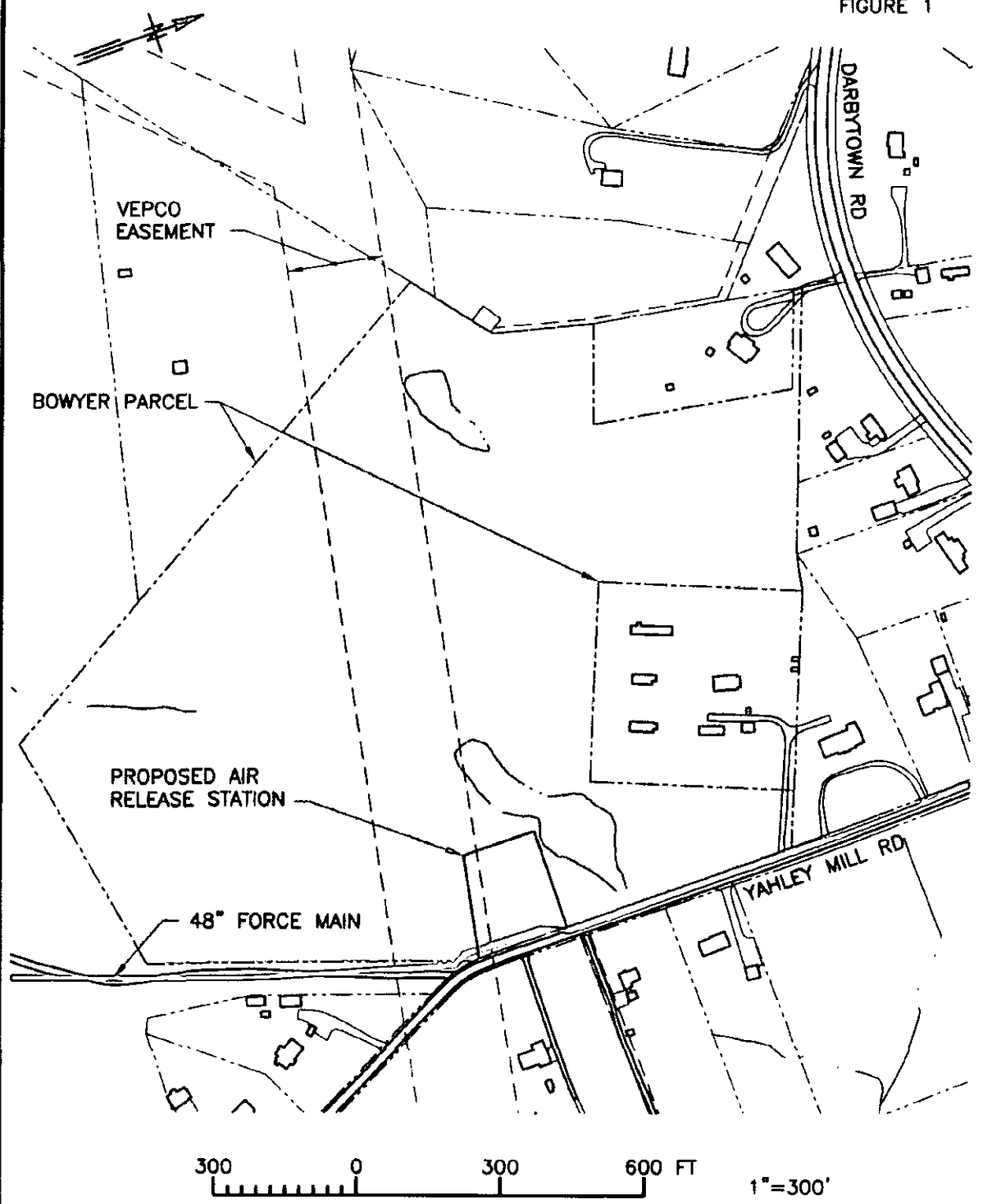
AREA TABULATION

ORIGINAL PARCEL #833-688-7442	36.80 ACRES
AIR RELEASE STATION PARCEL	0.855 ACRES
RESIDUE AREA #833-688-7442	35.945 ACRES

Dewberry	DATE	REVISION
	12-28-06	REVISED
	10-23-06	REVISED
	12-28-06	REVISED
4521 CARR DRIVE FREDERICKSBURG, VA 22408 PHONE: 540.891.1821 FAX: 540.891.1821		Dewberry & Davis LLC
PLAT SHOWING A PORTION OF THE PROPERTY OF ELIZABETH ELLEN BOWYER TO BE CONVEYED TO COUNTY OF HENRICO VIRGINIA MAGISTERIAL DISTRICT HENRICO COUNTY, VIRGINIA		
Drawn By:	MM	
Designed By:	MM	
Checked By:	MM	
Date:	MAY 30, 2006	
Scale:	1" = 200'	
County Plan Number:		
Sheet:	1 of 1	
D&D File Number:	05-054	
D&D Drawing Number:	06-C-59	

FILE: S:\CLIENT\0346_HENRICO\4MILE CK TRUNK SWR REHAB\CONTRACT 4\21 CAD FILES\21.120 WORKING\BOWYER-FIG1-OCT02 1:1 10/02/08 13:48 GH-A

FIGURE 1



PROPOSED AIR RELEASE STATION SITE
BOWYER PARCEL 1
BOWYER PARCEL 2

COUNTY OF HENRICO, VIRGINIA
EASTERN COUNTY FORCE MAIN
PROPOSED AIR RELEASE STATION SITE





COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 334-08

Page No.

1 of 1

Agenda Title

RESOLUTION - Signatory Authority - License Agreement for Installation
of Drainage Pipe - Shurm Group Home - Varina District

For Clerk's Use Only:

Date **NOV 25 2008**

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

Moved by (1) Donati Seconded by (1) O'Bannon
(2) _____ (2) _____

REMARKS

APPROVED

YES NO OTHER

Donati, J. ☒ ☐ ☐
Glover, R. ☒ ☐ ☐
Kaechele, D. ☒ ☐ ☐
O'Bannon, P. ☒ ☐ ☐
Thornton, F. ☒ ☐ ☐

WHEREAS, East West Construction, Inc., a Virginia corporation, has requested the County of Henrico, Virginia grant it a license to install drainage pipe on a portion of the County's Shurm Group Home property at 2505 National Street; and,

WHEREAS, the pipe will be a part of the off-site public drainage system serving Shurm Heights Subdivision, Section G; and,

WHEREAS, the location of this proposed drainage pipe will cause no adverse effect on the present or future use of the County's property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County, Virginia that the County Manager is authorized and directed to execute a license agreement, in a form approved by the County Attorney, on behalf of the Board granting permission for East West Construction, Inc. to enter upon and install drainage pipe on a portion of the Shurm Group Home property at 2505 National Street, labeled "Proposed 16' Construction Area" on the attached Exhibit "A."

Comments: The Directors of Public Works, MH/MR and Real Property recommend approval of this paper; the County Manager concurs.

By Agency Head

[Signature]

By County Manager

[Signature]

Routing:

Yellow to: _____

Copy to: _____

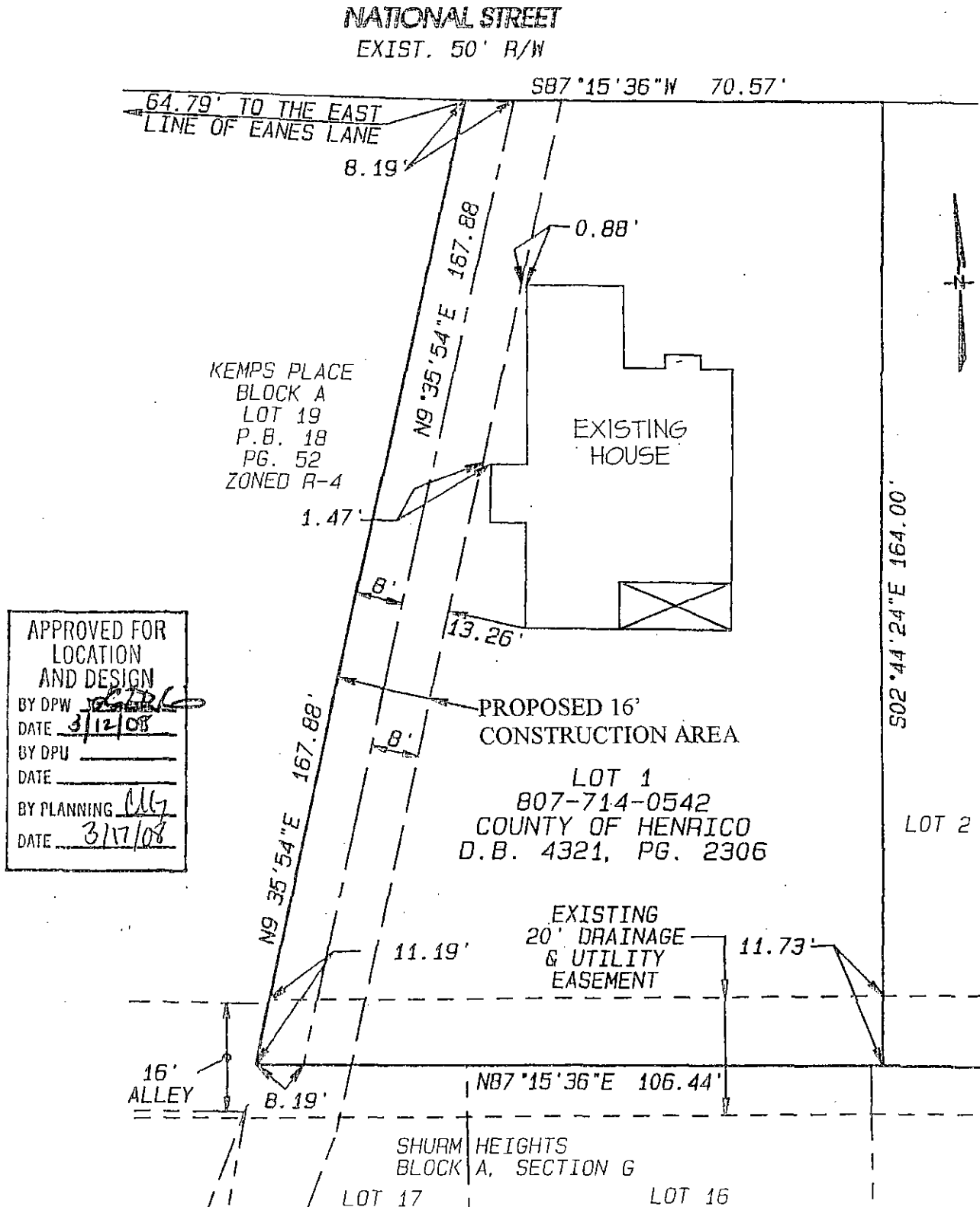
Certified:

A Copy Tests: _____

Clerk, Board of Supervisors

Date: _____

THIS PROPERTY APPEARS TO FALL WITHIN ZONE 'C' AS SHOWN ON FIRM FLOOD INSURANCE RATE MAP.



APPROVED FOR
LOCATION
AND DESIGN

BY DPW *[Signature]*

DATE 3/12/08

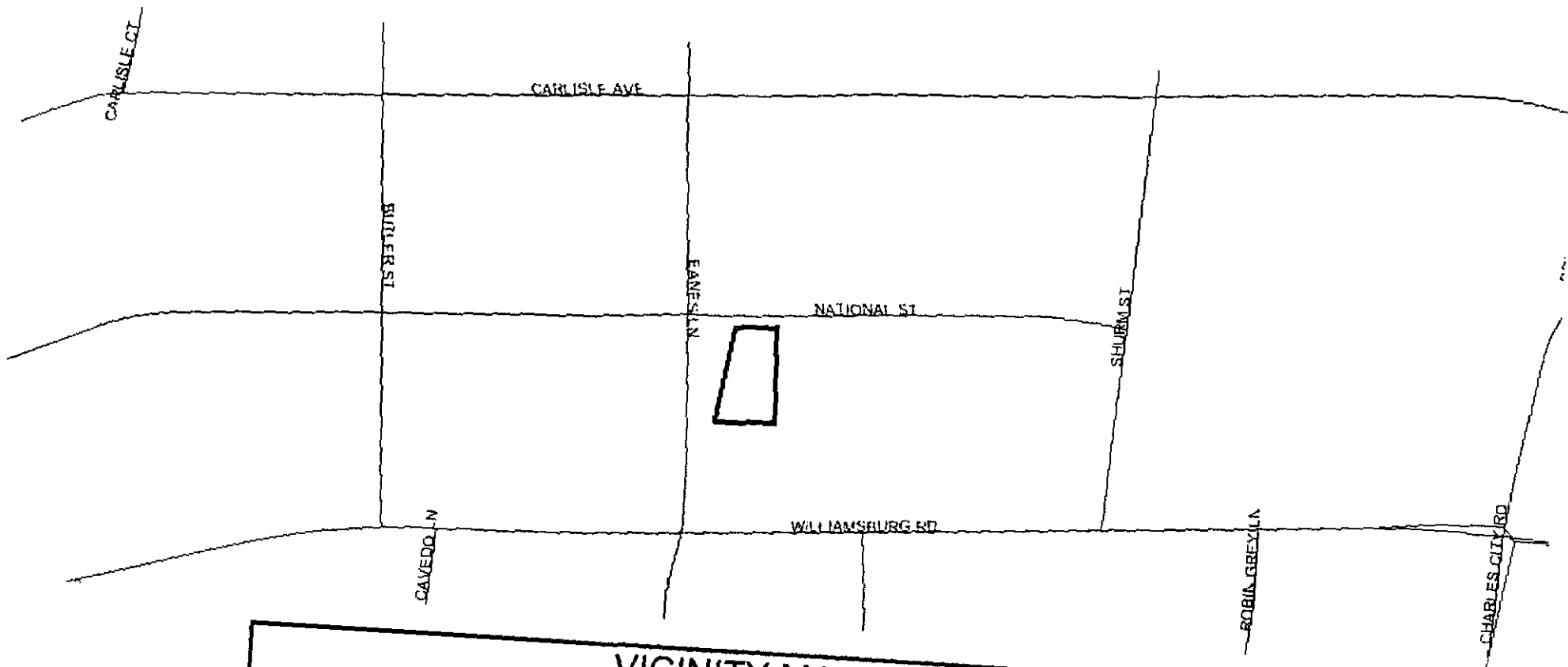
BY DPU _____

DATE _____

BY PLANNING *[Signature]*

DATE 3/17/08

EXHIBIT "A"



VICINITY MAP
2505 NATIONAL STREET

Agenda Item No. 335-08
Page No. 1 of 1

**Agenda Title INTRODUCTION OF RESOLUTION – Receipt of Requests for Amendments to the
FY 2008-09 Annual Fiscal Plan: December, 2008**

For Clerk's Use Only: Date NOV 25 2008 <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Thomson</u> Seconded by (1) <u>O'Bannon</u> (2) _____ (2) _____		YES NO OTHER Donati, J. <u>✓</u> _____ Glover, R. <u>✓</u> _____ Kaechele, D. <u>✓</u> _____ O'Bannon, P. <u>✓</u> _____ Thornton, F. <u>✓</u> _____
	REMARKS: APPROVED		

WHEREAS, the County Manager has provided the Board of Supervisors of the County of Henrico, Virginia, with a list dated November 18, 2008 requesting amendments to the 2008-09 Annual Fiscal Plan; and,

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Henrico, Virginia, that the Clerk of the Board is directed to advertise a synopsis of the proposed amendments and a public hearing thereon to be held on December 9, 2008, at 7:00 p.m., in the Glen Echo Building Auditorium located at 3810 Nine Mile Road at the Eastern Government Center complex to ascertain the views of the citizens with respect to the proposed amendments, such advertisement to be placed in the Richmond Times-Dispatch on Tuesday, December 2, 2008.

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

By Agency Head

By County Manager

Routing:

Certified:

Yellow to:

A Copy Test:

Copy to:

Clerk, Board of Supervisors

Date:

AMENDMENT TO THE 2008-09
ANNUAL FISCAL PLAN FOR DECEMBER, 2008

OPERATING FUNDS

FUND 0101 - GENERAL FUND - General Operating

Department - 04 - Circuit Court

04001 - Circuit Court Clerk \$ 452,680

0000 00000 This request will appropriate \$452,680 of funds collected under the Clerk's Technology Trust Fund. These funds, which are allocated through the Compensation Board, will be used for remote access to land records; to continue making enhancements and improvements to the current imaging system for indexes and land records; and improving access to court records in order to provide better service to the public in the records room. These funds result from fees collected by the Clerk on documents recorded in the Clerk's Office.

Total GENERAL FUND \$ 452,680

FUND 1102 - SPECIAL REVENUE FUND - State and Federal Grants - County

Department 12 - Police

12002 - Fiscal Records

0000 00173 - Bulletproof Vest \$ 11,331

Additional funds have been approved for reimbursement to the County of Henrico from the United States Department of Justice, Office of Justice Programs, under the Bulletproof Vest Partnership Program, in the amount of \$11,331. No County matching funds are required.

0000 05198 - Spay and Neuter Foundation 1,119

The Commonwealth of Virginia, Department of Taxation, has awarded the County of Henrico, \$1,119, which was designated by Henrico citizens who voluntarily donated funds to the Spay and Neuter Foundation on their 2007 Virginia tax return. Once these funds are appropriated, the Division of Police will donate these funds to the local SPCA to support sterilization programs of dogs and cats.

0000 00000 - Justice Assistance Grant 09 35,921

Funds have been received from the Justice Assistance Grant (JAG), for \$35,921. These federal funds are to be used to purchase vehicle tracking systems, covert outdoor surveillance systems, face mask systems, and sniper scopes. No County matching funds are required.

0000 00000 - GOSAP09 10,000

To appropriate funding received from the Governor's Office of Substance Abuse Prevention for promotion of an underage drinking prevention program. No County matching funds are required.

Total Police \$ 58,371

Department 13 - Fire

13113 - Emergency Planning and Safety

0000 05159 - 2007 Homeland Security Program \$ 110,923

To appropriate funding received from the Virginia Department of Emergency Management. These federal funds are pass through from the Department of Homeland Security and are being administered by the Commonwealth. Funds will be used to purchase a replacement van for the Hazardous Materials Team which will be utilized for hazardous leak and spill containment and to house personal protective equipment and tools. No County matching funds are required.

Department 28 - Public Works

28007 - Environmental Inspection

1221 00000 - Watershed Program \$ 700,000

To appropriate revenue received but not appropriated for the Watershed Program. This program is an alternative to the construction of Best Management Practice (BMP) devices. These funds are to be used for stream restoration, bank stabilization, buffer establishment, and obstruction removal.

Department 38 - Community Revitalization

38004 - HOME Projects

0000 01877 - Interfaith Housing \$ 100,000

This amendment would allow for the repayment to the United States Department of Housing and Urban Development (HUD) for HOME Program funds provided to the Interfaith Housing Corporation for the development of homes for sale to low income families in Henrico County. Interfaith Housing Corporation used the funding for the acquisition of land on Orams Lane. Interfaith Housing borrowed additional funds to complete the acquisition and development of the property. Subsequently, Interfaith Housing Corporation defaulted on the loan and the bank foreclosed on and sold the property. HUD regulations require that low income families benefit from the use of the HOME Program funds. The County is obligated to repay the funds to HUD. Funds are to come from the fund balance in the General Fund, via an interfund transfer to the Special Revenue Fund.

Total Fund 1102 - Special Revenue Fund-State/Fed Grants-County \$ 969,294

FUND 1113 - SPECIAL REVENUE FUND - Forfeitures Commonwealth's Attorney State

Department 05 - Commonwealth's Attorney

05001 - Commonwealth's Attorney

0000 00000 - Forfeitures - Commonwealth's Attorney - State \$ 5,459

Law enforcement special funds which have been received by the County of Henrico, and heretofore not appropriated for expenditure, are to be appropriated and used by the Commonwealth's Attorney for law enforcement projects as determined and approved by the County Manager or his designee.

Total SPECIAL REVENUE FUND \$ 974,753

FUND 6301 - RISK MANAGEMENT FUND

Department 16 - General Services

16001 - Risk Management

0000 00000 - Risk Management \$ 5,507,380

Funds are required to support anticipated expenses for the Workers' Compensation and Property/Liability programs for fiscal year ending June 30, 2008. This appropriation is an estimate of what will be required for the balance of the fiscal year. In fiscal year 2007-08, this amendment was appropriated in the amount of \$4,845,500. Funds are to come from the Self-Insurance Reserve in the General Fund, via an interfund transfer to the Internal Service Fund.

Total RISK MANAGEMENT FUND

\$ 5,507,380

Total OPERATING FUNDS

\$ 6,934,813

CAPITAL FUNDS**FUND 2100 - CAPITAL PROJECTS FUND**

Department 23 - Recreation and Parks

23101 - Director

0256 06435 - Tuckahoe Little League Challenger Division \$ 812,921

This amendment will provide funding for a new, fully-accessible and inclusive Challenger youth baseball field at Tuckahoe Park. The Challenger program provides opportunities for disabled youth to enjoy the benefits of Little League baseball in an athletic environment structured around their abilities. The program provides therapeutic recreation and socialization benefits; strengthens mind, body, and self-esteem; and teaches teamwork, citizenship, and fair play. Of the total amount of \$812,921, \$500,000 has been received as a donation from Tuckahoe Sports, Inc. and the remaining balance of \$312,921 is to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.

Department 28 - Public Works

28004 - Construction

0000 00000 - Adelphi Road Paving \$ 3,738

This amendment will provide funding to pave a portion of Adelphi Road north of Bronwood Road. The existing paved road is in disrepair and is currently not part of the County road system. After repairs are completed, the right of way will be added to the roadway inventory. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.

Department - 32 - Non-Departmental

32001 - Non-Departmental0000 06483 Lakeside Business Association Project

\$ 550

To provide funding for the Lakeside Business Association avenue-wide event to promote economic activities in the Lakeside community. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.

Total CAPITAL PROJECTS FUND

\$ 817,209

Total Amendments/Appropriations

\$ 7,752,022



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 336-08
Page No. 1 of 1

**Agenda Title: - INTRODUCTION OF ORDINANCE - Property Tax Exemption -
Richmond Residential Services, Inc.**

For Clerk's Use Only: Date: NOV 25 2008 <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Glover</u> Seconded by (1) <u>Thornton</u> (2) _____ (2) _____ REMARKS: APPROVED		YES NO OTHER Donati, J. <input checked="" type="checkbox"/> _____ Glover, R. <input checked="" type="checkbox"/> _____ Kaechele, D. <input checked="" type="checkbox"/> _____ O'Bannon, P. <input checked="" type="checkbox"/> _____ Thornton, F. <input checked="" type="checkbox"/> _____
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The Clerk of the Board is directed to advertise in the Richmond Times-Dispatch on December 2, 2008, the following ordinance for a public hearing to be held in the Glen Echo Building Auditorium located at 3810 Nine Mile Road at the Eastern Government Center complex on December 9, 2008 at 7:00 p.m.:

"An ordinance considering a request by Richmond Residential Services, Inc. for tax exemption for its property located at 5249 Springfield Road in the County of Henrico and used by it for charitable purposes in providing on a non-profit basis residential and training programs for individuals with mental retardation. The 2008 assessed value of this property is \$340,200 which generated \$2,959.74 in 2008 tax revenue. A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

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

By Agency Head _____

By County Manager _____

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. **337-08**

Page No. 1 of 1

Agenda Title **RESOLUTION – Receipt of Audited Annual Financial Report for Fiscal Year Ended June 30, 2008 and Acknowledgement of Discharge of Duties and Responsibilities by Audit Committee**

For Clerk's Use Only:

Date: **NOV 25 2008**

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Donati
(2) _____ (2) _____

REMARKS:

APPROVED

YES NO OTHER

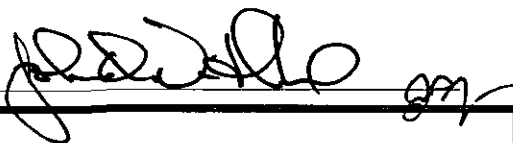
Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

BE IT RESOLVED by the Board of Supervisors of the County of Henrico, Virginia, that the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2008 including the Schedule of Expenditures of Federal Awards, is received in accordance with the Single Audit Act and OMB Circular A-133, as audited by KPMG LLP, Certified Public Accountants; and

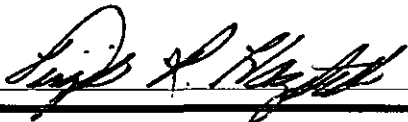
BE IT FURTHER RESOLVED that the Board acknowledges that the Henrico County Audit Committee (consisting of Board of Supervisors members from the Tuckahoe and Varina Districts plus the County Manager) having met on May 13, July 22, September 23 and November 25, 2008, discharged its duties and responsibilities by reviewing the presented External and Internal Audit Reports, Audit Plans, External Auditor Compensated Services, and Internal Audit Planning Survey.

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

By Agency Head



By County Manager



Routing:

Yellow to: _____

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Certified:

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Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 338-08
Page No. 1

Agenda Title: Resolution - Acceptance of Gift from American Family Fitness

For Clerk's Use Only: Date: NOV 25 2008 <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Glover</u> Seconded by (1) <u>Thornton</u> (2) _____ (2) _____ REMARKS: APPROVED	YES NO OTHER Donati, J. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Glover, R. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Kaechele, D. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> O'Bannon, P. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Thornton, F. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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WHEREAS, Brian Evans on behalf of American Family Fitness has donated 24 pieces of fitness equipment to Henrico County for use by the Divisions of Fire and Police.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County authorizes the County Manager to accept this generous gift from American Family Fitness and commends Brian Evans and American Family Fitness for their generosity and interest in public safety in Henrico County.

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

By Agency Head

Pedro H. Lopez

By County Manager

David R. Hight

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 339-08

Page No. 1 of 1

Agenda Title: **Resolution – Signatory Authority - Amendment to Contract for Architectural and Engineering Services – Fire Station #8**

For Clerk's Use Only: Date NOV 25 2008 <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Donati</u> (2) _____ (2) _____ REMARKS: APPROVED	<table><thead><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr></thead><tbody><tr><td>Donati, J.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Kaechele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></tbody></table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

WHEREAS, on March 8, 2006 the Board of Supervisors awarded the contract for architectural and engineering services for design and construction administration services for Fire Station #8 to ACA Architects, Inc., in the amount of \$145,500; and,

WHEREAS, the contract was subsequently amended with the current contract amount totaling \$158,615; and,

WHEREAS, it is necessary and desirable to further amend the contract in order to provide for additional services to redesign portions of the site plan and interior of the station; and,

WHEREAS, fees in the amount of \$38,978 have been negotiated for the increased scope of work.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the County Manager is hereby authorized to execute an amendment in the amount of \$38,978 to the March 8, 2006 contract with ACA Architects, Inc., resulting in a new contract sum of \$197,593, in a form approved by the County Attorney.

Comments: Funding to support this contract amendment is available within the project budget. The Director of General Services and the Chief, Division of Fire, the County Manager concurring, recommend approval of this board paper.

By Agency Head

[Signature]

By County Manager

[Signature]

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 340-08
Page No. 1 of 1

Agenda Title: INTRODUCTION OF ORDINANCE – To Amend and Reordain Section 21-124 of the Code of the County of Henrico Titled “Rates” by Increasing the Taxicab Rate for Each Succeeding One-Fifth Mile from \$0.40 to \$0.50 and by Changing the Waiting Time Rate from \$0.30 for Each One Minute of Waiting Time to \$0.50 for Each Eighty Seconds of Waiting Time

For Clerk's Use Only: NOV 25 2008 Date: _____ <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Donati</u> Seconded by (1) <u>O'Bannon</u> (2) _____ (2) _____</p> <p>REMARKS: APPROVED</p>	<table><thead><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr></thead><tbody><tr><td>Donati, J.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Kaechele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></tbody></table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

The Clerk is directed to advertise, in the Richmond Times-Dispatch on November 25, 2008 and December 2, 2008, the following ordinance for a public hearing to be held in the Glen Echo Building Auditorium located at 3810 Nine Mile Road at the Eastern Government Center complex on December 9, 2008 at 7:00 p.m.:

“AN ORDINANCE to amend and reordain Section 21-124 of the Code of the County of Henrico Titled “Rates” by increasing the taxicab rate for each succeeding one-fifth mile from \$0.40 to \$0.50 and by changing the waiting time rate from \$0.30 for each one minute of waiting time to \$0.50 for each eighty seconds of waiting time. A copy of the full text of this ordinance is available for inspection in the Office of the County Manager, Parham and Hungary Spring Roads, Henrico, Virginia.”

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

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

Routing:
Yellow to: _____
Copy to: _____

Certified:
A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

BLACKLINE

AN ORDINANCE to Amend and Reordain Section 21-124 of the Code of the County of Henrico Titled "Rates" By Increasing the Taxicab Rate for Each Succeeding One-Fifth Mile from \$0.40 to \$0.50 and by Changing the Waiting Time Rate from \$0.30 for Each One Minute of Waiting Time to \$0.50 for Each Eighty Seconds of Waiting Time

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

1. That Section 21-124 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 21-124. Rates.

-
-
-

(b) Specific rates; special contracts.

(1) The rates to be charged passengers by certificate holders or drivers of taxicabs shall be as follows, and it shall be unlawful for a certificate holder to permit or a driver to make any greater or lesser charge for the transportation of passengers and baggage:

- a. For the first one-fifth mile: \$2.50.
- b. For each succeeding one-fifth mile: ~~\$0.40~~ **\$0.50**.
- c. For each ~~one minute~~ **eighty seconds** of waiting time: ~~\$0.30~~ **\$0.50**.

-
-
-

2. That the remaining provisions of Section 21-124 of the Code of the County of Henrico shall remain unchanged and in full force and effect.

3. That this ordinance shall be in full force and effect on and after January 1, 2009.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 341-08
Page No.

Agenda Title **RESOLUTION** - To Accept The GOSAP-UAD09 Grant Award To The County Of Henrico, Division Of Police, For Underage Drinking Prevention Efforts.

For Clerk's Use Only: Date NOV 25 2008 <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Clover</u> Seconded by (1) <u>Thornton</u> (2) _____ (2) _____ REMARKS: APPROVED	<table><thead><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr></thead><tbody><tr><td>Donati, J.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Kaechele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></tbody></table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

WHEREAS, The drinking of alcohol by our youth is neither healthy for them nor good for the community as a whole; and

WHEREAS, Youth attempt reckless behavior when under the influence of alcohol; and

WHEREAS, The Division of Police strives very hard to enforce Virginia Code and Henrico County ordinances with regards to underage alcohol purchase, possession, and consumption; and

WHEREAS, The County of Henrico, Division of Police, applied for and was awarded \$10,000 in Underage Drinking Prevention funds from the Governor's Office of Substance Abuse Prevention in conjunction with the Virginia Department of Alcoholic Beverage Control Board, with no local match, to enhance "No Sale" purchases (by underage youth at retail establishments), to purchase banners with appropriate anti-drinking messages for use at high school football games, and to fund the Underage Drinking Tip Line through 2009.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Henrico County accepts this grant award and authorizes the County Manager to sign the appropriate agreement.

COMMENT: The Chief of Police and the County Manager recommend approval of this resolution. There are no local funds involved.

By Agency Head <u>[Signature]</u>	By County Manager <u>[Signature]</u>
Routing: Yellow to: _____ Copy to: _____	Certified: A Copy Teste: _____ Clerk, Board of Supervisors Date: _____

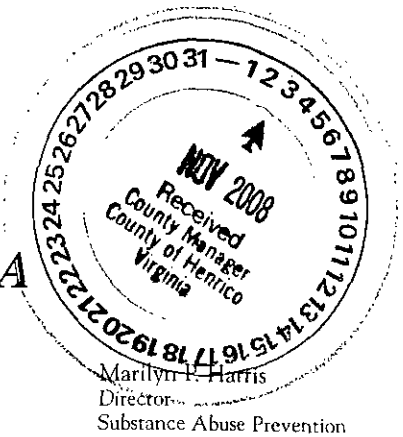


COMMONWEALTH of VIRGINIA

Office of the Governor

John W. Marshall
Secretary of Public Safety

October 20, 2008



Virgil R. Hazelett, P.E., County Manager
County of Henrico
P.O. Box 90775
Henrico, VA 23273-0775

RECEIVED

NOV 05 2008

County of Henrico
Police Planning

Dear Mr. Hazelett:

It is my pleasure to inform you that the Governor's Office on Substance Abuse Prevention (GOSAP) Grant Review Committee and the Virginia Department of Alcoholic Beverage Control Board (Va. ABC) has awarded your office a grant in the amount of \$ 10,000.00. We applaud your efforts, creativity, and dedication to raise awareness in preventing the underage use of alcoholic beverages.

**THIS GRANT WILL BE FUNDED
ONLY IF THE FOLLOWING CHANGES ARE AGREED TO:**

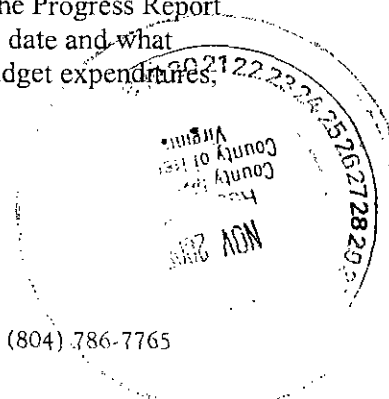
- Banners should be used at several high school events
- Do not use "Think...Don't Drink!" or "Prevention Comes First" logos on banners

All expenditures must be in accordance with the submitted budget and narrative outline within your grant application. If there are any questions regarding the appropriateness of expenditures, please call to confirm that such expenses are allowable. Throughout the year, if you need to make changes to your approved budget or program, you must have prior approval in writing from this office. Documentation of all expenses must be kept in your files and made readily available upon request by the federal government, this office or its designee.

In addition, all printed/produced materials through this grant must have the following tagline on it, "Funded by the Governor's Office on Substance Abuse Prevention and the Virginia Department of Alcoholic Beverage Control." Please retain any media items pertaining to this program.

You may begin incurring expenses toward these funds as of November 1, 2008. The termination date of this grant is September 30, 2009; all funding is to be spent by that date. There will be no extensions beyond this date. All expenditures must be incurred prior to the termination date. You must submit a Final Report by October 30, 2009.

As part of receiving the grant, please submit a Progress Report by May 31, 2009. The Progress Report is to be a summary of your success and/or pitfalls to date, a budget with expenditures to date and what your plan is for the next six months of the grant. The Final Report must include your budget expenditures, activities, copies of all news released and evaluation results.



Mr. Hazelett
October 20, 2008
Page Two

All reports must be submitted on time with one original and one copy. If you have any additional questions or comments please contact the GOSAP office at (804) 786-9072, ext. 1.

I look forward to working with you on this worthwhile project. **Please sign and return this letter and the enclosed W-9 form as soon as possible.** You may want to keep a copy for your own records. If you have any questions or need further assistance, please feel free to contact me.

Sincerely,



Marilyn P. Harris

I agree to the conditions outlined in this letter.

Signature of Chief Administrative Official

Date

Signature of Project Director

Date

Cc: Kathryn Sobczak
Samuel Gage



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 342-08
Page No.

Agenda Title

RESOLUTION - To Accept The Target Stores Community Relations Grant Award To The County Of Henrico, Division Of Police, For Community Police and Evidence Recovery Equipment.

For Clerk's Use Only:

NOV 25 2008

Date

☒ Approved

☐ Denied

☐ Amended

☐ Deferred to

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Donati
(2) _____ (2) _____

REMARKS:

APPROVED

YES NO OTHER

Donati, J. ☒ ☐ ☐

Glover, R. ☒ ☐ ☐

Kaechele, D. ☒ ☐ ☐

O'Bannon, P. ☒ ☐ ☐

Thornton, F. ☒ ☐ ☐

WHEREAS, The County of Henrico works with businesses and retail establishments to provide safe venues for their trades; and

WHEREAS, The Division of Police continues to enhance its community policing efforts as well as its evidence recovery capabilities; and

WHEREAS, The County of Henrico, Division of Police, applied for and was awarded \$1,800 in Community Relations Grant Program monies through the Target Stores, Incorporated, of Minneapolis, Minnesota, with no local match to purchase needed community policing materials and a digital video (evidence) recorder.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Henrico County accepts this grant award and authorizes the County Manager to sign the appropriate agreement.

COMMENT: The Chief of Police and the County Manager recommend approval of this resolution. There are no local funds involved.

By Agency Head

By County Manager

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Tests: _____

Clerk, Board of Supervisors

Date: _____

Gage, Sam

From: Application.Notification [Application.Notification@target.com]
Sent: Tuesday, 30 September 2008 18:02
To: Gage, Sam
Subject: Your Target grant request

Dear Mr. Gage:

Target is pleased to inform County of Henrico, Virginia, Division of Police that a grant has been approved in the amount of \$1,800. Your grant check, grant award letter, and charitable contribution receipt should arrive in the next week or two.

We ask that you identify us as "Target" if you choose to produce any announcements or articles in recognition of this grant.

Since 1946, we have given 5% of our income to the communities we serve. Target is proud to partner with organizations like yours to inspire education, make the arts affordable and accessible, and foster safe families and communities nationwide.

Thank you for the work you do every day to make a difference in your community.

Sincerely,

Target Community Relations

The Mailbox which generated this email does not receive messages. It is a box used for grant notifications only.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 343-08
Page No.

Agenda Title

RESOLUTION - To Accept The Wal-Mart Stores Community Relations Grant Award To The County Of Henrico, Division Of Police, For Community Policing Equipment.

For Clerk's Use Only: Date NOV 25 2008 <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to	BOARD OF SUPERVISORS ACTION Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Donati</u> (2) _____ (2) _____ REMARKS: APPROVED		<table><thead><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr></thead><tbody><tr><td>Donati, J.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Kaechele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></tbody></table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																								
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																								

WHEREAS, The County of Henrico works with businesses to provide residents and guests safe places to visit and shop; and

WHEREAS, The Division of Police continues to better its partnership-building; and

WHEREAS, The County of Henrico, Division of Police, applied for and was awarded \$2,500 in Community Relations Grant Program monies through the Wal-Mart Stores with no local match to purchase Community Policing Unit equipment.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Henrico County accepts this grant award and authorizes the County Manager to sign the appropriate agreement.

COMMENT: The Chief of Police and the County Manager recommend approval of this resolution. There are no local funds involved.

By Agency Head <u>[Signature]</u>	By County Manager <u>[Signature]</u>
Routing: Yellow to: _____ Copy to: _____	Certified: _____ A Copy Teste: _____ Clerk, Board of Supervisors Date: _____

SAM'S CLUB FOUNDATION

COUNTY OF HENRICO POLICE DEPARTMENT

Location: 4788

Account #: 8877 GRAND OPENING

CHECK NUMBER	CHECK AMOUNT
1477597	\$ 2,500.00

RECEIVED

OCT 21 2008

County of Henrico
Police Planning

Sam's Club # 4788
4571 LABURNUM AVE
RICHMOND VA 23231

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

SAM'S CLUB FOUNDATION
702 S.W. 8th Street
BENTONVILLE, ARKANSAS 72716

BANK OF BENTONVILLE
BENTONVILLE, AR
81-701 / 829

DATE OF CHECK	CHECK NUMBER
09/30/2008	1477597

CHECK AMOUNT
\$ *****2,500.00

Void After 180 Days

PAY TWO THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS

TO
THE
ORDER
OF
COUNTY OF HENRICO POLICE DEPARTMENT
RICHMOND VA

4788 - 8877


Executive VP, Finance and Treasurer

14775970829088161

955251921



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 344-08
Page No. 1 of 1

Agenda Title

RESOLUTION - Signatory Authority - Acquisition of Real Property - 1303 Mormac Road - Tuckahoe District

For Clerk's Use Only:

BOARD OF SUPERVISORS ACTION

Date NOV 25 2008

- ☐ Approved
☐ Denied
☐ Amended
☒ Deferred to

12/9/08

Moved by (1) O'Bannon Seconded by (1) Donati
(2) (2)

REMARKS:

YES NO OTHER

Donati, J. ☒ ☐ ☐
Glover, R. ☒ ☐ ☐
Kaechele, D. ☒ ☐ ☐
O'Bannon, P. ☒ ☐ ☐
Thornton, F. ☒ ☐ ☐

WHEREAS, the Board of Supervisors of Henrico County, Virginia desires to acquire a residential property for use as a group home for persons with mental disabilities; and,

WHEREAS, a suitable property has been located at 1303 Mormac Road (the "Property") in the Tuckahoe Magisterial District; and,

WHEREAS, Milenko Milanovic and Izabela Milanovic ("Sellers"), owners of the Property, have agreed to sell the Property to the County of Henrico, Virginia at its appraised value.

NOW, THEREFORE, BE IT RESOLVED by the Board that:

- (1) the County Manager is hereby authorized and directed to execute a purchase agreement, in a form approved by the County Attorney, by and between the Sellers and the County, for the purchase of the Property for \$218,000.00 and other considerations and conditions as specified in the agreement;
- (2) the County Attorney is directed to cause title to be examined to the Property and upon approval of the title to the Property by the County Attorney, the County Manager is authorized to accept the deed to the Property, in a form approved by the County Attorney; and
- (3) the County Manager and the County Attorney are authorized to undertake all additional administrative and legal actions necessary to acquire title to the Property.

Comments: The Directors of Mental Health and Retardation Services and Real Property recommend approval of this paper; the County Manager concurs.

By Agency Head

[Signature]

By County Manager

[Signature]

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

This AGREEMENT made this 30. day of October, 2008, by and between **MILENKO MILANOVIC AND IZABELA MILANOVIC**, husband and wife ("SELLER") and **COUNTY OF HENRICO COUNTY, VIRGINIA** ("PURCHASER").

WHEREAS, PURCHASER has decided to acquire the property on Mormac Road, in Tuckahoe Magisterial District, Henrico County, Virginia, which property is owned by SELLER; and,

WHEREAS, SELLER has agreed to sell the above mentioned property identified as Lot 4, Block CC, Section F1, Farmington, with improvements thereon being more particularly described as 1303 Mormac Road and designated GPIN 750-744-2931.

THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

1. CONVEYANCE

A. SELLER agrees to sell and PURCHASER agrees to purchase that certain parcel of real estate with improvements thereon lying in Tuckahoe Magisterial District of the County of Henrico, Virginia, more particularly described as County Tax Map Parcel 750-744-2931, commonly known as 1303 Mormac Road, hereinafter referred to as "PROPERTY."

B. SELLER agrees to convey the PROPERTY by General Warranty Deed with English covenants of title.

2. PURCHASE PRICE AND PAYMENT

A. The parties agree that the purchase price of this PROPERTY shall be TWO HUNDRED EIGHTEEN THOUSAND AND NO 100/DOLLARS (\$218,000.00). The total purchase price, less any deductions as hereinafter provided, shall be paid to SELLER by PURCHASER at closing.

3. CLOSING AND TITLE

A. This transaction shall be closed by delivery of a properly executed deed to PURCHASER, in a form approved by County Attorney's Office, against receipt by SELLER of the purchase price and upon performance of all other obligations and satisfaction of all conditions respectively incurred herein at the office of the Henrico County Real Property Department on or before December 31, 2008, or as soon thereafter as the obligations and conditions can be satisfied.

B. At closing, SELLER shall convey to PURCHASER good and marketable fee simple title to this PROPERTY, free and clear of all liens or encumbrances, but subject to agreements, conditions, and restrictions now of record provided they do not materially adversely affect the marketability of title.

4. SURVEY AND INSPECTION

A. Prior to the closing date, PURCHASER or its agents shall have the right to go onto the PROPERTY to make surveys and inspections including hazardous materials investigations. If the results of said surveys, studies and investigations indicate an unacceptable level of hazardous materials, this contract shall be voidable at the option of the PURCHASER.

B. PURCHASER agrees to furnish to SELLER copies of the studies and surveys if this transaction is not closed.

5. CLOSING COSTS

A. The SELLER will pay the following costs:

1. SELLER'S Attorney's fees, if applicable.
2. Mortgage release fees if applicable.
3. Pro rata taxes, if applicable.
4. Grantor's tax, if applicable.

B. PURCHASER will pay the following costs:

1. All recordation costs.
2. Title examination and title insurance costs.
3. Survey

6. WARRANTIES AND REPRESENTATIONS

The SELLER does hereby warrant and represent to, and covenant and agree with, PURCHASER:

A. That SELLER is the owner of good and marketable title to the subject PROPERTY, subject to existing restrictions and conditions and agreements of record.

B. That the PROPERTY is not subject to any leases, subleases or tenants in possession, and that so long as this Agreement is in effect, SELLER shall not enter into any agreement granting to any person any right with respect to the PROPERTY, or any section thereof.

C. That there are no taxes, assessments or levies of any type whatsoever, rising out of or in connection with the PROPERTY or the operation thereof, which are currently due and payable.

D. That there is no action, suit or proceeding pending to SELLER'S knowledge and belief, threatened or contemplated against, or affecting either directly or indirectly the PROPERTY.

E. That SELLER covenants it shall not encumber the Property or allow the Property to be encumbered by any liens, judgements or charges, which may affect the marketability of the title, except as may exist against the Property as of the date of this agreement. F.

That SELLER will take, or cause to be taken, all action necessary to cause the foregoing warranties and representations to remain true and correct in all respects from the date hereof through the date of closing.

7. CONDITIONS TO CLOSE

A. The performance by SELLER of all the obligations imposed on SELLER.

B. SELLER'S obligations to close hereunder shall be contingent upon PURCHASER'S performance of all the obligations imposed on PURCHASER hereunder.

8. REAL ESTATE COMMISSION

It is agreed among the Parties that Exit First Realty shall be paid a commission, at closing, by SELLER in the amount of four percent (4%) of the gross sales price.

9. MISCELLANEOUS

A. This agreement is subject to approval by the Board of Supervisors of Henrico County, Virginia.

B. This agreement constitutes the entire agreement between the parties, and it is understood and agreed that all prior agreements and discussions between the parties are merged herein. No representations, promises or inducements not included herein shall be binding on any party hereto.

C. The terms "PURCHASER" and "SELLER" shall be construed in the plural, and the appropriate gender will be read into all pronouns used herein, whenever the sense of this agreement so requires.

D. This agreement may not be changed orally, but only by an agreement in writing, signed by all parties.

E. The provisions of this agreement shall inure to the benefit of and shall be binding on the parties hereto and their respective heirs, devisees, successors, and assigns and the legal representations of their estates, as the case may apply.

F. Whenever possible, each provision of this agreement shall be interpreted in such a manner as to be valid under applicable law; but if any provision shall be ineffective to the extent of such invalidity without affecting or invalidating the remainder of this agreement.

G. This agreement is to be governed by and interpreted under the laws of the Commonwealth of Virginia.

H. In the event any condition herein be not met or the title be not acceptable in its current status to PURCHASER, contract shall be null and void and neither party shall be held liable unto one another.

I. Seller agrees to furnish, prior to closing, an inspection report on the property by a licensed and insured exterminating company. If termites, other wood destroying insects or wood destroying organisms are discovered above ground, Seller agrees to have property treated and damage, if any, repaired and bonded for one year at Seller's sole expense.

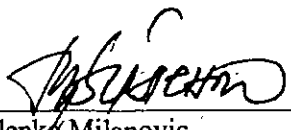
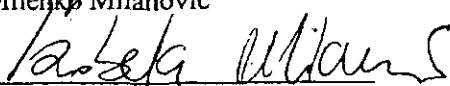
J. It is agreed among the parties that the following personal property shall convey to Purchaser from Seller: 2 refrigerators and dryer

WITNESS the following signatures and seals:

Execution Authorized By Board Minute

Date _____
Initials _____
APPROVED
Substance
Form
Signature

SELLER:

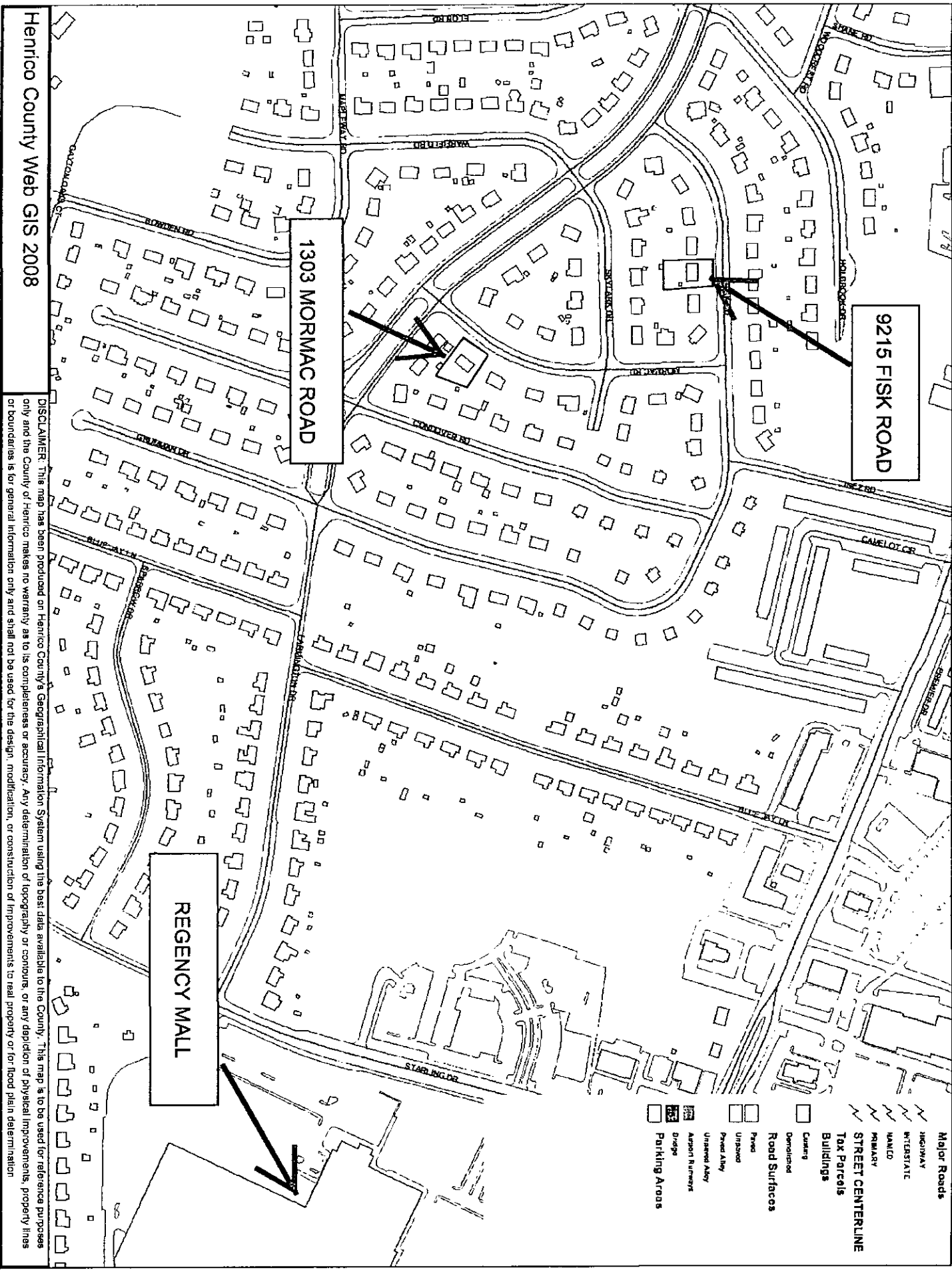

Milenko Milanovic

Izabela Milanovic

PURCHASER:

COUNTY OF HENRICO, VIRGINIA

By:

Virgil R. Hazelett, P.E.
County Manager

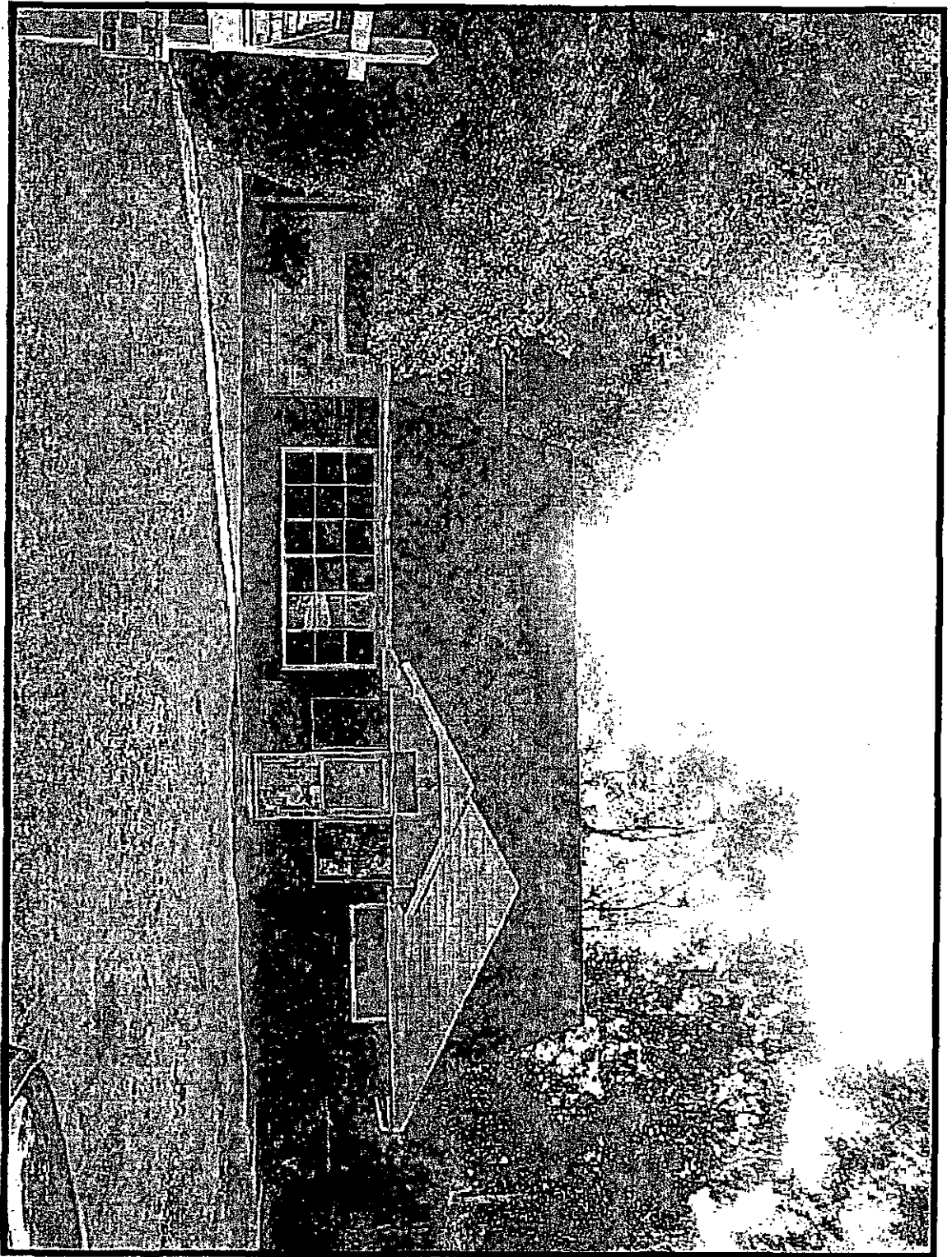


9215 FISK ROAD

1303 MORMAC ROAD

REGENCY MALL

- Major Roads**
- Highway
 - Interstate
 - Arterial
 - Primary
 - Street Centerline
- Tax Parcels**
- Buildings
 - Curbing
 - Demolished
 - Road Surfaces
 - Paved
 - Unpaved
 - Unimproved
 - Paved Alley
 - Unimproved Alley
 - Airport Runways
 - Drivage
 - Parking Areas





COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 345-08

Page No. 1 of 2

Agenda Title: **RESOLUTION — Signatory Authority — Award of Construction Contract — Pouncey Tract Road Water Main — C. D. Hall Construction Co., Inc.**

For Clerk's Use Only:

NOV 25 2008

Date: _____

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to: _____

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Donati
(2) _____ (2) _____

REMARKS:

APPROVED

YES NO OTHER

Donati, J. ☒ _____
Glover, R. ☒ _____
Kaechele, D. ☒ _____
O'Bannon, P. ☒ _____
Thornton, F. ☒ _____

WHEREAS, by Bid Request No. 08-8348-3CE, the County solicited bids for the construction of the Pouncey Tract Road Water Main project in the Three Chopt District; and,

WHEREAS, the project includes construction of approximately two miles of 24" and 30" water main generally located along Pump Road and Pouncey Tract Road between Three Chopt Road and Shady Grove Road and along Shady Grove Road; and,

WHEREAS, the project is required to provide additional water supply to the northwestern portion of the County; and,

WHEREAS, thirteen bids received from the following contractors were opened on October 9, 2008:

BIDDERS

TOTAL BID AMOUNT

C. D. Hall Construction Co., Inc.	\$3,467,795.00
Piedmont Construction Co., Inc.	\$3,504,650.00
Corman Construction, Inc.	\$3,598,500.00
Jones Sitework, Inc.	\$3,643,000.00
G.L. Howard, Inc.	\$3,870,200.00
D&M Contracting d/b/a Paramount Contracting Inc.	\$4,012,788.00
J. Sanders Construction Co.	\$4,079,000.00
R. R. Snipes Construction Co., Inc.	\$4,240,981.00
Jack L. Massie Contractor, Inc.	\$4,431,829.00
T. A. Sheets Mechanical Contractor, Inc.	\$4,825,000.00
Possie B. Chenault, Inc.	\$5,335,360.00
Simons Hauling Co., Inc.	\$5,444,961.12
Walter C. Via Enterprises, Inc.	\$6,800,000.00

By Agency Head

Arthur O'Brien

By County Manager

David R. Hylton

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. **345-08**

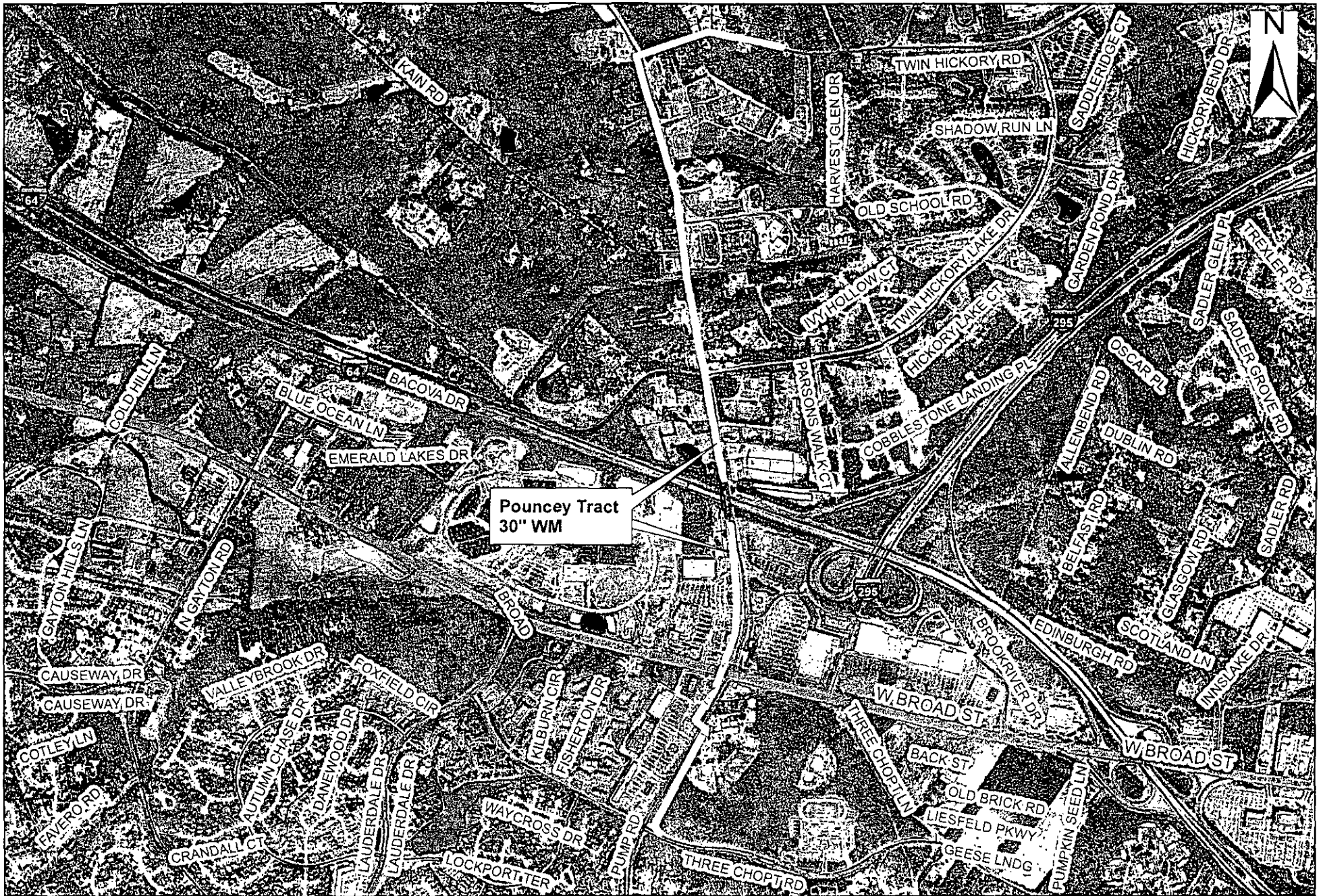
Page No. 2 of 2

Agenda Title: **RESOLUTION — Signatory Authority — Award of Construction Contract — Pouncey Tract Road
Water Main — C. D. Hall Construction Co., Inc.**

NOW, THEREFORE, BE IT RESOLVED that the Henrico County Board of Supervisors awards a contract for construction of the Pouncey Tract Road Water Mains project to the lowest responsive and responsible bidder, C. D. Hall Construction Co., Inc., in the amount of \$3,467,795.00.

BE IT FURTHER RESOLVED that the County Manager is authorized to execute the contract in a form approved by the County Attorney and change orders within the funds available, not to exceed 15% of the original contract amount.

Comment: The Director of Public Utilities recommends approval, and the County Manager concurs.



Pouncey Tract Rd 30" WM



10/7/08



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 346-08

Page No. 1 of 1

Agenda Title: **RESOLUTION — Signatory Authority — Award of Construction Contract — Standby Power Facility for the Three Chopt Water Pumping Station — Master Electrical Services, LLC**

For Clerk's Use Only: Date: NOV 25 2008 <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Thornton</u> (2) _____ (2) _____ REMARKS: APPROVED	<table><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr><tr><td>Donati, J.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Kaechele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		YES	NO	OTHER																						
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Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

WHEREAS, by Bid Request No. 08-8485-8CE, the County solicited bids for construction work for a standby power facility at the Three Chopt Water Pumping Station; and,

WHEREAS, the work includes construction of a 600kW standby electric power unit and control system to be housed in a new brick building with a standing seam metal roof; and,

WHEREAS, four bids received from the following contractors were opened on October 22, 2008:

BIDDERS

TOTAL BID AMOUNT

Master Electrical Services, LLC	\$812,000.00
Southwood Builders, Inc.	\$887,060.00
Davis & Green, Inc.	\$902,000.00
Shaw Construction Corp.	\$910,000.00

NOW, THEREFORE, BE IT RESOLVED that the Henrico County Board of Supervisors awards a construction contract for the standby power facility at the Three Chopt Water Pumping Station to the lowest responsive and responsible bidder, Master Electrical Services, LLC, in the amount of \$812,000.00.

BE IT FURTHER RESOLVED that the County Manager is authorized to execute the contract in a form approved by the County Attorney and change orders within the funds available, not to exceed 15% of the original contract amount.

Comment: The Director of Public Utilities recommends approval, and the County Manager concurs.

By Agency Head Arthur O. Petrucci By County Manager David R. Kozell

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Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 347-08

Page No. 1 of 1

Agenda Title: **RESOLUTION — Amendment to Construction Services Agreement — Glenwood Gardens Water System Improvements – Godsey & Son, Inc.**

For Clerk's Use Only: Date: NOV 25 2008 <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Donati</u> (2) _____ (2) _____ REMARKS: APPROVED	YES NO OTHER Donati, J. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Glover, R. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Kaechele, D. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> O'Bannon, P. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Thornton, F. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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WHEREAS, on March 11, 2008 the Board of Supervisors authorized a construction services agreement with Godsey & Son, Inc. for improvements to the Glenwood Gardens Water System in the amount of \$875,700; and,

WHEREAS, emergency work to replace 380 feet of deteriorated 16-inch water main and install two 16-inch butterfly valves was required in addition to the contracted improvements; and,

WHEREAS, the Department of Public Utilities has negotiated the cost of the additional work in the amount of \$157,897, an 18% increase above the original contract amount; and,

WHEREAS, Board approval of the additional work is required because the initial Board paper permitted increases up to 15% of the contract amount.

NOW, THEREFORE, BE IT RESOLVED by the Henrico County Board of Supervisors that the County Manager is hereby authorized to execute an amendment to the agreement with Godsey & Son, Inc., in a form approved by the County Attorney, to increase the contract amount by \$157,897.

Comment: The Director of Public Utilities recommends approval, and the County Manager concurs.

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

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A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 348-08
Page No. 1 of 2

Agenda Title Resolution — Award of Construction Contract — Tuckahoe Park Drainage Improvements, Phase 1B from Merrick Road to Mayland Drive along Dancer Road and Rudolph Road (approximately 2,030 linear feet). Project #2111.50701.28004.00678 (formerly Project #502005-709-306-03). Three Chopt District.

For Clerk's Use Only:

Date NOV 25 2008

☒ Approved
☐ Denied
☐ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

Moved by (1) Thornton Seconded by (1) Glover
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, 18 bids were received on October 28, 2008 in response to Bid Request No. 08-8520-9JK for Tuckahoe Park Drainage Improvements, Phase 1B; and,

WHEREAS, the project will provide construction of approximately 2,030 linear feet of storm sewer improvements; and,

WHEREAS, for selection and evaluation purposes, the lowest responsive bid was determined by multiplying the unit prices bid times the unit quantities specified in the bid documents, with the following results:

Bidder	Bid
Central Contracting Company, Inc.	\$474,526.00
Marotta & Son, LLC	\$480,902.50
G. L. Pruett, Inc.	\$499,959.96
Enviroscape, Inc.	\$528,732.00
Johnson & Glazier Construction Co., Inc.	\$545,262.71
Simons Hauling Co., Inc.	\$559,477.84

By Agency Head

By County Manager

Routing:

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Certified:

A Copy Tests:

Clerk, Board of Supervisors

Date:

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

Agenda Item No. 348-08
Page No. 2 of 2

Agenda Title Resolution — Award of Construction Contract — Tuckahoe Park Drainage Improvements, Phase 1B from Merrick Road to Mayland Drive along Dancer Road and Rudolph Road (approximately 2,030 linear feet). Project #2111.50701.28004.00678 (formerly Project #502005-709-306-03). Three Chopt District.

Southern Construction Utilities, Inc.	\$570,060.87
Lyttle Utilities, Inc.	\$587,802.00
Talley & Armstrong, Inc.	\$598,954.00
Fielder's Choice Enterprises, Inc.	\$625,944.00
J. Saunders Construction Co.	\$627,308.00
Blakemore Construction Corp.	\$653,318.57
R. R. Snipes Construction Co., Inc.	\$694,992.00
Henry S. Branscome, LLC	\$762,195.98
Branscome, Inc.	\$776,741.00
J. E. Liesfeld Contractor Inc.	\$838,174.90
C. T. Purcell Excavating Inc.	\$888,100.00
Messer Contracting, LLC	\$898,185.00

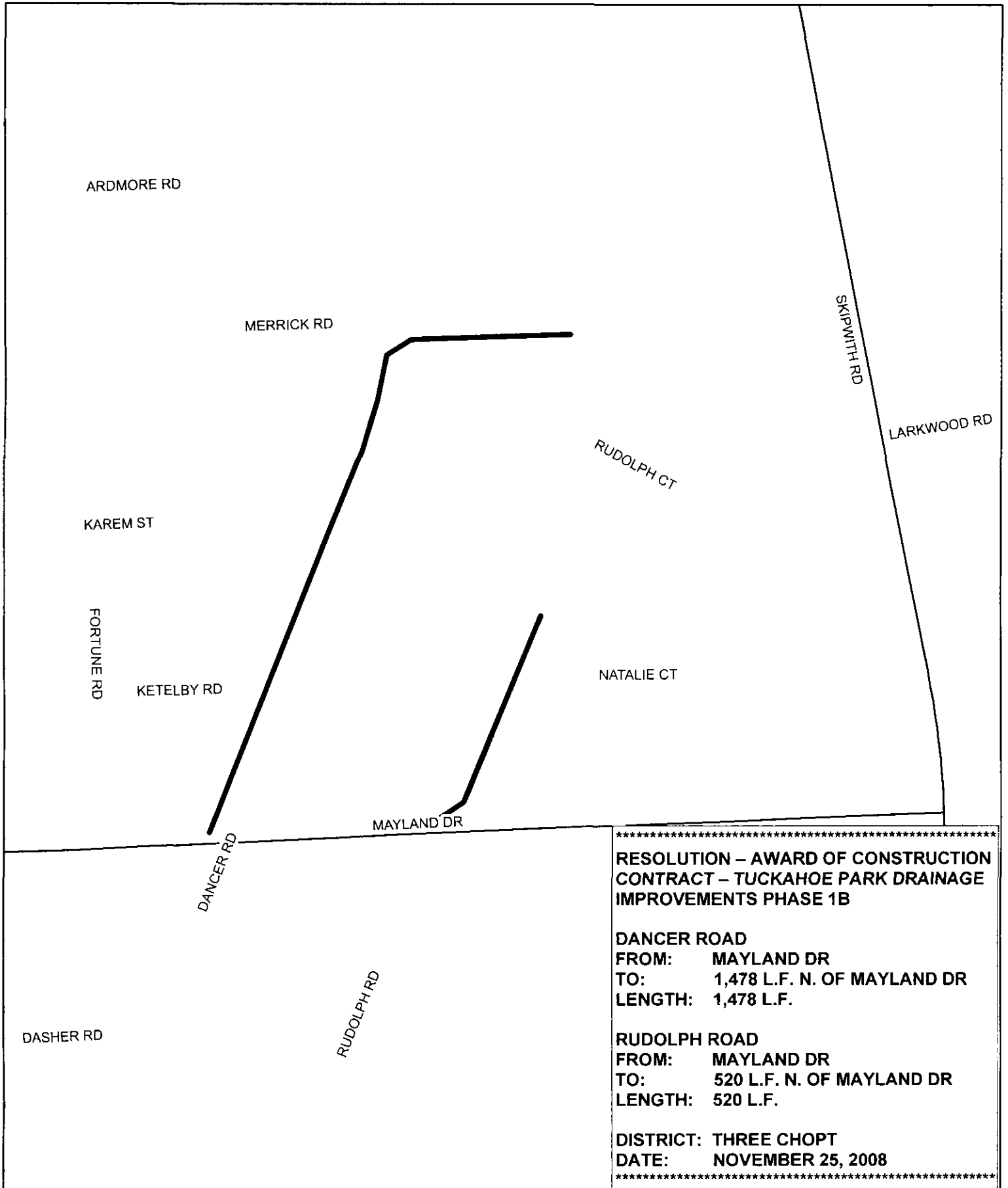
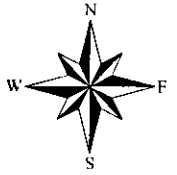
WHEREAS, based upon review and evaluation of all bids received, Central Contracting Company, Inc. is the lowest responsive and responsible bidder with a bid in the amount of \$474,526.00.

NOW, THEREFORE, BE IT RESOLVED that the Henrico County Board of Supervisors awards the contract for Tuckahoe Park Drainage Improvements, Phase 1B to Central Contracting Company, Inc. the lowest responsive and responsible bidder, in the amount of \$474,526.00; and

BE IT FURTHER RESOLVED that the County Manager and Clerk are authorized to execute the contract in a form approved by the County Attorney and to execute all necessary change orders within the scope of the project budget.

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

TUCKAHOE PARK PHASE 1B



**RESOLUTION – AWARD OF CONSTRUCTION
CONTRACT – TUCKAHOE PARK DRAINAGE
IMPROVEMENTS PHASE 1B**

DANCER ROAD

**FROM: MAYLAND DR
TO: 1,478 L.F. N. OF MAYLAND DR
LENGTH: 1,478 L.F.**

RUDOLPH ROAD

**FROM: MAYLAND DR
TO: 520 L.F. N. OF MAYLAND DR
LENGTH: 520 L.F.**

**DISTRICT: THREE CHOPT
DATE: NOVEMBER 25, 2008**



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 349-08
Page No. 1 of 1

Agenda Title: RESOLUTION - ACCEPTANCE OF ROADS

For Clerk's Use Only:

Date: NOV 25 2008

- () Approved
() Denied
() Amended
() Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon
(2)

Seconded by (1) Thornton
(2)

REMARKS:

APPROVED

YES NO OTHER

Donati, J.

Glover, R.

Kaechele, D.

O'Bannon, P.

Thornton, F.

BE IT RESOLVED by the Board of Supervisors of the County of Henrico that the following named and described sections of roads are accepted into the County road system for maintenance.

Strath Woods, Section A - Varina District

Moss Court from Strath Road to 0.15 Mi. E. of Strath Road

0.15 Mi.

Madeline Court from Moss Court to 0.15 Mi. N. of Moss Court

0.15 Mi.

Total Miles

0.30 Mi.

By Agency Head

By County Manager

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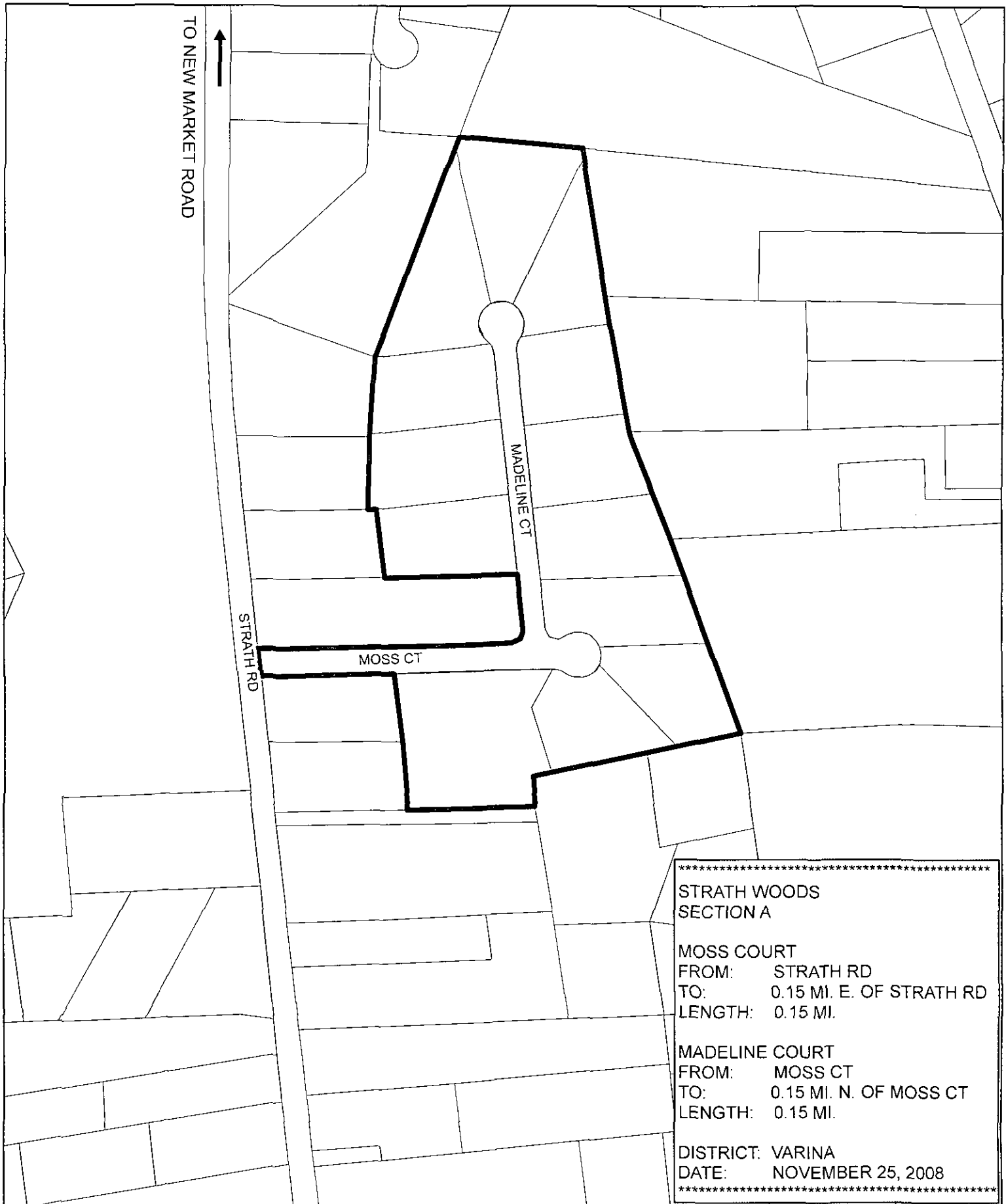
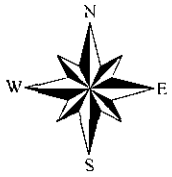
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Clerk, Board of Supervisors

Date:

STRATH WOODS SECTION A





COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 350-08
Page No. 1 of 2

Agenda Title: EMERGENCY ORDINANCE — To Amend and Reordain Section 23-283 of the Code of the County of Henrico Titled "Installment payments" to Change the Interest Rate and to Amend and Reenact the Enactment Clause of Agenda Item 113-08 to Change the Effective Date for Connection Fee Increases From October 1, 2008 to January 1, 2010

For Clerk's Use Only:

NOV 25 2008

Date:

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

1) Bung Forward
2) Approver
BOARD OF SUPERVISORS ACTION

Moved by (1) Donati
(2) Glover
Seconded by (1) Thornton
(2) Chanton

REMARKS:

APPROVED

YES NO OTHER

Donati, J. u
Glover, R. u
Kaechele, D. u
O'Bannon, P. u
Thornton, F. u

WHEREAS, for many years the Code of the County of Henrico (the "Code") has permitted installment payments for connection fees and local facilities fees; and,

WHEREAS, the Code has provided that an interest rate of 12 percent per annum be charged on the unpaid balance as required by Virginia law; and,

WHEREAS, Virginia law now allows an interest rate not to exceed 10 percent per annum; and,

WHEREAS, the Board of Supervisors wishes to amend the interest rate to reflect changed economic conditions; and,

WHEREAS, the Board wishes to defer increases in connections fees and local facilities fees that took effect October 1, 2008 until January 1, 2010 to encourage continued economic development in the County during the current economic slowdown.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Henrico County, Virginia:

1. That Section 23-283 of the Code shall be amended and reordained as follows:

By Agency Head

Arthur O'H

By County Manager

David P. Hight

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 350-08
Page No. 2 of 2

Agenda Title: EMERGENCY ORDINANCE — To Amend and Reordain Section 23-283 of the Code of the County of Henrico Titled “Installment payments” to Change the Interest Rate and to Amend and Reenact the Enactment Clause of Agenda Item 113-08 to Change the Effective Date for Connection Fee Increases From October 1, 2008 to January 1, 2010

Sec. 23-283. Installment payments.

Upon written request, any owner may pay basic connection fees and local facilities fees in installments subject to the following provisions:

- (1) Basic connection fees may be paid in up to 36 monthly installments and local facilities fees may be paid in up to 120 monthly installments. ~~Interest at the rate of 12 percent per year shall be charged on the unpaid balance.~~ **Interest based upon the Wall Street Journal Prime Rate in effect on the date of the contract plus one per cent shall be charged on a per annum basis on the unpaid balance.**
 - .
 - .
 - .
2. That the remaining provisions of Section 23-283 of the Code shall remain unchanged and in full force and effect.
3. That the last sentence of the enactment clause in paragraph 7 of Agenda Item No. 113-08 approved by the Board of Supervisors on April 22, 2008 shall be amended and reenacted as follows:

The connection fees set forth in Sections 23-311 and 23-312 shall not take effect until ~~October 1, 2008~~ **January 1, 2010. The Director shall refund all connection fees collected between October 1, 2008 and January 1, 2010 that exceed the connection fees in effect on September 30, 2008.**
4. That this Ordinance is adopted on an emergency basis pursuant to Virginia Code § 15.2-1427(F), shall take effect immediately, and shall be readopted within the next 60 days pursuant to and as required by that section of the Virginia Code.

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