

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 9th of December 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
Ms. Angela N. Harper, FAICP, Deputy County Manager for Special 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 led the Board, staff, and public in reciting the Pledge of Allegiance.

Rev. Stephen J. Crane, Pastor, Poplar Springs Baptist Church, provided the invocation.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, the Board approved the minutes of the November 25, 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

MANAGER'S COMMENTS

Mr. Hazelett recognized the County government Christmas Mother Program Chair, Lisa H. Orlosky of the Department of Information Technology. He advised that Mrs. Orlosky's Co-Chair, Juliana Major of the Division of Recreation and Parks, was unable to join Mrs. Orlosky because of another commitment. On behalf of Henrico County general government and public school employees, Mrs. Orlosky presented a ceremonial check in the amount of \$26,500 to the 2008 Henrico Christmas Mother, Karen W. Moore. Mr. Hazelett noted that new bicycles and a portion of other items provided by the County's general government employees were on display at the Glen Echo Building. Earlier in the day, donated items collected at the County's Government Center were moved to the Christmas Mother program warehouse on Dabbs House Road, where a reception was held. Mr. Hazelett referred to the fantastic effort at the warehouse in getting the donated items ready and able to go for distribution.

Mrs. Moore announced that 1,800 families applied this year for assistance from the Henrico Christmas Mother, a record number and a 12 percent increase over last year. The Henrico Christmas Mother program will be assisting 1,650 families (5,000 individuals), including 2,800 children and 700 senior or disabled adults. Mrs. Moore remarked that the program could not possibly achieve its goal of providing new clothes, toys, books, and food to program recipients without help from the whole community. She thanked all of the wonderful Henrico citizens who have donated money, gifts, time, and energy to the Henrico Christmas Mother. Many businesses and individuals have sponsored families, delivered gifts, or made monetary donations, while hundreds of volunteers have worked in the warehouse sorting cans of goods, setting up, and shopping with recipients. Mrs. Moore also acknowledged the wonderful support the program has received from the County government and its employees, including use of the Dabbs House warehouse and fabulous fundraising activities held over the past month. She commented that the toys and gifts on display were tangible signs of the caring and generosity of all of the County's employees. Mrs. Moore thanked Mrs. Orlosky and Ms. Major for their enthusiasm and terrific leadership in this effort. She pointed out that the County's schools collected more canned goods than ever, translating into well over 60,000 meals that will be provided for recipients, and also collected toys, bicycles, and money. Mrs. Moore has loved being the Henrico Christmas Mother, is proud to be a Henrico resident, has met many caring and generous people throughout the County, and has found this experience to be heartwarming. Mrs. Moore thanked the Board for its continued support of the program and offered wishes for a very happy holiday season. Mr. Kaechele added that the Board wanted to thank Mrs. Moore and all of her hundreds of helpers for the great job they do for the citizens of the County.

BOARD OF SUPERVISORS' COMMENTS

There were no comments by members of the Board.

RECOGNITION OF NEWS MEDIA

Mr. Kaechele recognized Melodie Martin from the *Richmond Times-Dispatch* and Tom Lappas from the *Henrico Citizen*.

PUBLIC HEARINGS - REZONING CASES AND PROVISIONAL USE PERMIT

346-07 Entropy LLC: Request to conditionally rezone from R-3 One-Family Residence
C-48C-07 District to B-2C Business District (Conditional), Parcels 769-756-6351, 769-756-6059,
Brookland and 769-756-5766, containing 1.3814 acres, located at the northwest intersection of
Staples Mill (State Route 33) and Old Staples Mill Roads.

On motion of Mr. Glover, seconded by Mr. Thornton, the Board deferred this item to the February 10, 2009.

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	

293-08 Ethan and Elizabeth Krash: Request to conditionally rezone from A-1 Agricultural
C-26C-08 District to R-3C One-Family Residence District (Conditional), Parcel 745-764-4296,
Three Chopt containing 2.94 acres, located on the north line of Dublin Road approximately 250 feet
east of its intersection with Belfast Road.

On motion of Mrs. O'Bannon, seconded by Mr. Glover, the Board deferred this item to January 27, 2009.

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	

351-08 Dominion Land & Development Partnership: Request to rezone from R-5AC General
C-35-08 Residence District (Conditional) to C-1 Conservation District part of Parcels 758-767-
Brookland 5934, 758-767-6757, 758-767-7167, and 758-767-8534, containing approximately
6.20 acres, located approximately 965 feet west of the intersection of Francistown and
Castle Point Roads.

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

On motion of Mr. Glover, seconded by Mr. Thornton, the Board followed the

recommendation of the Planning Commission and approved Agenda Item No. 351-08 (C-35-08).

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	

352-08	CP 9200 West Broad, LLC: Request to amend proffered conditions accepted with
C-34C-08	Rezoning Case C-62C-86, on part of Parcel 757-757-2929, located on the north line of
Brookland	W. Broad Street (U. S. Route 250) approximately 918 feet west of its intersection with Tuckernuck Drive.

Director of Planning Joe Emerson and Mr. Glover clarified for Mr. Kaechele that this case involved only one single proffer change.

No one from the public spoke in opposition of this case.

On motion of Mr. Glover, seconded by Mr. Thornton, the Board followed the recommendations of the Planning Commission and approved Agenda Item No. 352-08 (C-34C-08) with the following amended proffered condition:

10. Exterior Materials. The exposed portion of each exterior wall surface (front, rear and sides) of any building on the Property (excluding rooftop screening materials for mechanical equipment) shall be similar to the exposed portions of other exterior walls of such building in architectural treatment and materials. Any building shall have exposed exterior walls (above finished grade and exclusive of trim) of brick, glass, E.I.F.S., stone, split face block, cementitious composite-type siding, or a combination of the foregoing, unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development. Metal may be used as a decorative trim material accessory to the predominant materials referenced above. No building shall be covered with or have exposed to view any painted or unfinished concrete block. Buildings on the Property shall be in general conformance with the architectural appearance shown on the elevation entitled "Car Pool Exterior Remodel 9200 West Broad Street, Henrico County, Virginia" prepared by Freeman Morgan Architects, attached hereto as "Exhibit B" (see case file), unless otherwise requested and specifically approved at the time of Plan of Development.

The vote of the Board was as follows:

Aye

Nay

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

353-08
C-36-08
Fairfield

Brook Run Somerset LLC: Request to rezone from R-5C General Residence District (Conditional) to C-1 Conservation District, part of Parcel 784-748-0982, containing approximately .01 acres, located approximately 1,100 feet west of Brook Road (U. S. Route 1) and approximately 1,600 feet south of its intersection with Hilliard Road (State Route 161).

Assistant Director of Planning Jean Moore confirmed for Mr. Kaechele that the size of the subject parcel was only about 50 square feet and noted that the applicant would have to request rezoning of the remaining portion within the floodplain when phase two development is underway.

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

On motion of Mr. Thornton, seconded by Mr. Glover, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 353-08 (C-36-08).

The vote of the Board was as follows:

Aye

Nay

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

354-08
P-18-08
Varina

Cellco Partnership (Verizon Wireless): Request for a Provisional Use Permit under Sections 24-95(a)(3), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to construct a 199' high monopole telecommunications tower and related equipment on part of parcel 821-730-7989, located approximately 1,500 feet north of the northern terminus of Forest Avenue.

Ms. Moore confirmed for Mr. Kaechele that the antennae would be a triangular array outside the pole. Steve Romine, an attorney for Verizon Wireless, briefly responded to several questions from Board members. He referred to the transmission and coverage advantages of a triangular top hat array, explained the spread between antennae on this type of tower, and confirmed that there will likely be a demand for

five carriers in this area of the County to co-locate on the proposed tower.

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

On motion of Mr. Donati, seconded by Mr. Thornton, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 354-08 (P-18-08) with the following conditions:

1. If the use of the tower for communication purposes is discontinued for 180 days, the tower and all related structures shall be removed from the site within ninety (90) days. Within ten (10) business days after written request by the County, the owner of the tower shall provide the County with written confirmation of the status of the tower, the number of and identity of users on the tower, available co-location space on the tower and such additional information as may be reasonably requested.
2. Application for a building permit to install the tower shall be made within one year after the Provisional Use Permit is granted by the Board of Supervisors, unless an extension of time is granted by the Director of Planning upon a written request by the applicant.
3. The applicant shall obtain approval from the Planning Commission should the FAA require the addition of standard obstruction marking and lighting (i.e. red lighting, and orange and white striping) to the tower. Any proposed changes to the original galvanized finish of the tower shall be submitted to the Director of Planning for approval.
4. When site construction is initiated as a result of this Provisional Use Permit, the applicant shall complete requirements prescribed by Chapter 10 of the Henrico County Code. Land disturbance of more than 2,500 square feet shall require that construction plans include a detailed drainage and erosion control plan prepared by a professional engineer certified in the State of Virginia. Ten (10) sets of the construction plans shall be submitted to the Department of Public Works for approval.
5. A landscaping plan to provide visual and sound buffering (including tree save areas and supplemental plantings) shall be submitted to the Planning Department for approval prior to the issuance of a building permit for the tower. The Director of Planning may waive the enforcement of this condition if it is deemed unnecessary.
6. If ownership of the lease is transferred to another provider, the owner shall submit a Transfer of Provisional Use Permit.
7. The height of the telecommunication tower shall not exceed 199 feet.

8. This permit applies only to the existing 9,600 square foot lease area on the property.
9. The applicant shall allow a minimum of four (4) co-locators and as many users as technically possible on the proposed tower, in accordance with the provisions of the "Letter of Intent to Permit Co-Location on Communications Tower" form which shall be submitted to the Planning Department prior to the issuance of a building permit for the tower. The tower shall be designed and constructed to support said co-locations and a maximum height of 199'.
10. Prior to the co-location of any carrier's antennas or addition of equipment lease space, a revised site plan and equipment placement details shall be submitted to the Planning Department for approval.
11. Unless dead or diseased, the existing tree buffers along all property lines shall be preserved and shall not be pruned to reduce their height.

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

PUBLIC HEARINGS- OTHER ITEMS

355-08 Resolution – Amendments to the FY 2008-09 Annual Fiscal Plan: December, 2008.

In response to questions from Board members, Chief of Police Henry Stanley stated that the proposed \$11,331 appropriation designated for bulletproof vests would purchase approximately ten vests depending upon the specified use of the vests. In response to a question from Mr. Kaechele, Mr. Hazelett clarified that these amendments did not require an advertised public hearing because they were under the threshold amount currently set forth in the Code of Virginia as a result of a change in State law but his position was that it was appropriate to advertise this information. Mr. Kaechele said he thought the Board totally supported Mr. Hazelett's position.

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

On motion of Mr. Glover, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 355-08 – see attached resolution.

356-08 Ordinance – Property Tax Exemption – Richmond Residential Services, Inc.

Director of Finance John Vithoukas confirmed for Mr. Glover that the size of the lot for the property addressed by this Ordinance was approximately one acre.

No one from the public spoke in opposition on this ordinance.

On motion of Mr. Glover, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 356-08 – see attached ordinance.

357-08 Ordinance – To Add Section 2-53 to the Code of the County of Henrico Titled “Criminal history record check and fingerprinting” to Provide for Criminal History Record Checks of Persons Conditionally Offered Employment.

Mr. Kaechele noted that the Board had been well briefed on this ordinance. In response to questions from Mr. Thornton, Director of Human Resources George Cauble, Jr. clarified that the County Manager would be responsible for collecting criminal history information from the Federal Bureau of Investigation (FBI) and State Police and if approved would delegate it to the Director of Human Resources. He advised Mr. Thornton that other localities in the area using the process have not experienced any particular problems of which he is aware. In response to a question from Mr. Kaechele, Mr. Cauble stated that there would be a one-time cost of approximately \$17,000 for equipment to transfer fingerprint data electronically to the State Police and FBI.

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

On motion of Mrs. O’Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 357-08 – see attached ordinance.

358-08 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.

In response to a question from Mr. Kaechele, Col. Stanley stated that this regional rate had been recommended by the Capital Region Taxicab Advisory Board and would be approved in all four of the participating local jurisdictions. In response to further questions from Board members, Col. Stanley explained the County’s taxicab inspection process, confirmed that taxicabs are required to have a calibrated meter, and clarified the timeframe of the last rate increase.

No one from the public spoke in opposition of this ordinance.

On motion of Mr. Donati, seconded by Mrs. O’Bannon, and by unanimous vote, the Board approved Agenda Item No. 358-08 – see attached ordinance.

359-08 Ordinance — To Amend and Reordain Section 23-1 Titled “Definitions,” Section 23-204 Titled “Disconnection of meter,” “Section 23-206 Titled “Billing; adjustment of bills,” Section 23-281 Titled “Service deposit,” Section 23-284 Titled “Overdue bills; discontinuance of service,” Section 23-313 Titled “Water service and volume charges,” and Section 23-314 Titled “Sewer service charges and rates,” of the Code of the County of Henrico, All to Change Public Utility Billing Practices.

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

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 359-08 – see attached ordinance.

360-08 Ordinance — To Amend and Reordain Section 23-1 Titled “Definitions,” Section 23-109 Titled “Restricted wastes,” Section 23-131 Titled “Violations; enforcement; penalty,” Section 23-133 Titled “Applicability of categorical standards,” Section 23-134 Titled “Discharge permit required,” Section 23-135 Titled “Discharge permit conditions,” Section 23-138 Titled “Correction of violations,” and Section 23-314 Titled “Sewer service charges and rates,” of the Code of the County of Henrico and to Add Section 23-127 Titled “State pretreatment standards,” Section 23-128 Titled “Dilution,” Section 23-129 Titled “Violations,” and Section 23-130 Titled “Administrative enforcement remedies,” to the Code of the County of Henrico, All to Conform the County’s Industrial Pretreatment and Strong Waste Program to State Requirements.

Mr. Petrini confirmed for Mr. Kaechele that the primary objective of the ordinance was to bring the County into conformance with State regulations.

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

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 360-08 – see attached ordinance.

PUBLIC COMMENTS

Kandise Lucas, a resident of the Varina District, expressed support for the establishment of a citizens’ board to address issues within Henrico County Public Schools (HCPS) relating to accountability, ethics, and morality and voiced concerns that the quality of education within HCPS has deteriorated under the present Superintendent of Schools. Ms. Lucas stated that eastern Henrico does not have the resources, leadership, or focus needed for its children to be successful. She asked the Board to re-evaluate what is going on in HCPS in view of the County’s motto and based on Virginia Department of Education data highlighting violence and gang activity in the schools.

Mr. Thornton remarked that Ms. Lucas had raised some very interesting questions and thanked her for bringing up this matter. Ms. Lucas confirmed for Mr. Thornton that she had previously spoken to members of the elected School Board regarding her concerns and had made specific suggestions. She reiterated her support for a citizens’ board, which Mr. Thornton acknowledged might be a good idea.

He noted that the School Board is an elected body which is accountable to the public and which can be challenged by citizens to come up to par. In response to a question from Mr. Kaechele, Ms. Lucas stated that she had previously been employed by Henrico County Public Schools for approximately three years.

GENERAL AGENDA

361-08 Resolution – Approval of Issuance of Bonds – New Bridge Academy, LLC and New Bridge Weekday Early Education Center, LLC – Industrial Development Authority of Essex County.

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 361-08 – see attached resolution.

362-08 Resolution – Authorization to Apply for and Accept FY 2009 Hazardous Materials Emergency Preparedness Grant from the United States Department of Transportation through the Virginia Department of Emergency Management.

In response to a question from Mr. Donati, Chief of Fire Ed Smith confirmed that this grant would address all modes of transportation. In response to a question from Mr. Kaechele and comments by Mr. Glover, Mr. Hazelett explained that the grant would update the process for obtaining information on hazardous materials entering and passing through the County.

On motion of Mr. Glover, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 362-08 – see attached resolution.

363-08 Resolution – Award of Contract for Engineering Design Services – Klehr Field Athletic Complex Field Lighting Replacement.

In response to questions from Board members, Director of General Services Paul Proto confirmed that funding was available for this project through the County's Capital Improvements Plan and explained that the lighting being replaced typically becomes the property of the contractor.

On motion of Mr. Thornton, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 363-08 – see attached resolution.

364-08 Resolution – Award of Contract for Architectural and Engineering Services – Tuckahoe Park Challenger Baseball Field.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 364-08 – see attached resolution.

365-08 Resolution – Adoption of Revised Division of Recreation and Parks Facility Reservation Guides.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 365-08 – see attached resolution.

- 366-08 Resolution – Adoption of Division of Recreation and Parks Facility Reservation Guide for Hunton Community Center.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 366-08 – see attached resolution.

- 367-08 Resolution – Authorization to Accept Reduced Survey and Planning Cost Share Program Funding from Virginia Department of Historic Resources.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 367-08 – see attached resolution.

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

On motion by Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board amended Agenda Item No. 344-08 to show a reduced purchase price for the property.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 344-08 as amended – see attached amended resolution.

- 368-08 Resolution - Signatory Authority - Acquisition of Real Property – 4003 Hooper Road - Brookland District.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 368-08 – see attached resolution.

- 369-08 Introduction of 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.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 369-08 – see attached Introduction of Ordinance.

- 370-08 Resolution - Signatory Authority - Amendment to Engineering Services Agreement - Whitman, Requardt and Associates, LLP - Wilkinson Road Area Water Mains.

On motion of Mr. Thornton, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 370-08 – see attached resolution.

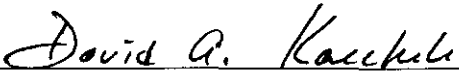
371-08 Resolution - Award of Construction Contract - Henrico County Communications Complex Stream Restoration Project (approximately 1,400 feet). Brookland District.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 371-08 - see attached resolution.

372-08 Resolution - Acceptance of Roads.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 372-08 - see attached resolution.

There being no further business, the meeting was adjourned at 8:12 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia

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

Agenda Item No. 355-08
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Agenda Title **RESOLUTION - Amendments to the FY 2008-09 Annual Fiscal Plan: December, 2008**

<p>For Chair Use Only:</p> <p>Date: DEC 09 2008</p> <p><input checked="" type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Amended</p> <p><input type="checkbox"/> Deferred to</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Glover</u> Seconded by (1) <u>O'Bannon</u></p> <p>(2) _____ (2) _____</p> <p>REMARKS: APPROVED</p>	<table border="0" style="width: 100%;"><tr><td style="text-align: right;">YES NO OTHER</td><td style="text-align: center;"><input checked="" type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr><tr><td style="text-align: right;">Donati, J.</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr><tr><td style="text-align: right;">Glover, R.</td><td style="text-align: center;"><input checked="" type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr><tr><td style="text-align: right;">Kacchele, D.</td><td style="text-align: center;"><input checked="" type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr><tr><td style="text-align: right;">O'Bannon, P.</td><td style="text-align: center;"><input checked="" type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr><tr><td style="text-align: right;">Thornton, F.</td><td style="text-align: center;"><input checked="" type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr></table>	YES NO OTHER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Donati, J.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kacchele, 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, the Board of Supervisors of the County of Henrico, Virginia, did hold an advertised public hearing at 7:00 p.m., on December 9, 2008, to consider proposed amendments to the Annual Fiscal Plan for fiscal year 2008-09; and,

WHEREAS, those citizens who appeared and wished to speak, were heard.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Henrico, Virginia, that the Annual Fiscal Plan for fiscal year 2008-09, should be and hereby is amended and that such funds hereby are appropriated for expenditure in the amounts and for the purposes indicated.

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

By Agency Head

By County Manager

Routing:

Yellow to: _____

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A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. 355-08
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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.

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

Agenda Item No. 355-08
Page No. 3 of 4

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, 2009. 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

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

Agenda Item No. 355-08
Page No. 4 of 4

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-Departmental

0000 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

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



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 356-08

Page No. 1 of 2

Agenda Title: Ordinance – Property Tax Exemption – Richmond Residential Services, Inc.

For Clerk's Use Only: DEC 09 2008 Date: _____ (<input checked="" type="checkbox"/>) Approved () Denied () Amended () Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Glover</u> Seconded by (1) <u>Donati</u> (2) _____ (2) _____ REMARKS: <u>APPROVED</u>	<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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WHEREAS, Richmond Residential Services, Inc. has asked the Board of Supervisors of Henrico County (the "Board") to exempt from taxation, pursuant to Article X, § 6(a)(6) of the Constitution of Virginia, its real property located at 5249 Springfield Road in the Brookland District, and used by Richmond Residential Services for charitable purposes, namely, to provide on a non-profit basis residential and training programs for individuals with mental retardation who are unable to live independently; and,

WHEREAS, the January 1, 2008 assessed value of the property was \$340,200 generating \$2,959.74 in 2008 tax revenue; and,

WHEREAS, the provisions of § 58.1-3651 of the Code of Virginia of 1960, as amended, have been examined and considered by the Board; and,

WHEREAS, the County Manager, following the Board's November 23, 2004 procedures for reviewing tax exemption requests, has determined that Richmond Residential Services meets the minimum requirements for this request; and,

WHEREAS, the Board has held an advertised public hearing on Richmond Residential Services' request.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County, Virginia as follows:

1. Pursuant to Article X, § 6(a)(6) of the Constitution of Virginia and § 58.1-3651 of the Code of Virginia, the Board grants Richmond Residential Services, Inc., a non-profit organization, a tax exemption for its real property located at 5249 Springfield Road in the County and used by Richmond Residential Services for charitable purposes, namely, to provide on a non-profit basis residential and training programs for individuals with mental retardation who are unable to live independently.

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. 356-08

Page No. 2 of 2

Agenda Title: Ordinance – Property Tax Exemption – Richmond Residential

2. In accordance with the Board's procedures for reviewing tax exemption requests, Richmond Residential Services' real estate tax exemption shall expire on January 1 following the third anniversary of the date on which this exemption is granted unless Richmond Residential Services files a form with the Director of Finance certifying, under oath, that its exempt property still meets the requirements of the Board's resolution approved on November 23, 2004 and of state law. If Richmond Residential Services fails to file the form by that date or otherwise fails to make proper certification, as determined by the Director of Finance, its tax exemption shall expire.

3. The Clerk of the Board is directed to forward an attested copy of this ordinance to the Director of Finance of the County and to Elisabeth Poe, Executive Director of Richmond Residential Services.

4. This ordinance shall take effect on January 1, 2009.

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



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 357-08
Page No. 1 of 1

Agenda Title: **ORDINANCE - To Add Section 2-53 to the Code of the County of Henrico Titled "Criminal history record check and fingerprinting" to Provide for Criminal History Record Checks of Persons Conditionally Offered Employment**

For Clerk's Use Only:

DEC 09 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.	<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"/>		

After a duly advertised public hearing, the Board of Supervisors of Henrico County adopted the attached ordinance.

Comments: The Director of Human Resources recommends approval of this Board paper; the County Manager concurs.

By Agency Head

By County Manager

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

BLACKLINE

AN ORDINANCE to add Section 2-53 to the Code of the County of Henrico titled "Criminal history record check and fingerprinting" to provide for criminal history record checks of persons conditionally offered employment.

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

1. That Section 2-53 be added to the Code of the County of Henrico as follows:

Sec. 2-53. Criminal history record check and fingerprinting.

(a) Finding. The board of supervisors finds it necessary in the interest of public welfare and safety to determine whether the past criminal conduct of each person described in subsection (d) below is compatible with the nature of the county employment conditionally offered to such person.

(b) Intent. It is the intent of the board of supervisors in enacting this section to comply with the provisions of Va. Code Ann. §§ 15.2-1503.1, 15.2-1505.1 and 19.2-389(A)(7), as amended, to be able to access criminal history record information regarding those persons described in subsection (d) below conditionally offered county employment in order to determine whether the past criminal conduct of such persons would be compatible with the nature of such employment. Further, the provisions of this section are intended to be in addition to, and not in derogation of, all other federal and state statutes providing for access to criminal history record information concerning applicants for, and persons offered, county employment.

(c) Definitions.

(1) As used in this section, the term *conditionally offered employment* shall include a conditional offer of initial employment, or a conditional offer to promote, demote, or laterally transfer an employee.

(2) As used in this section, the term *authorized position* means a position listed in the personnel complement as approved by the board of supervisors or the county manager, as the case may be, and assigned a unique position number by the department of human resources.

(3) As used in this section, the term *hourly safety-sensitive position* shall mean an hourly position, as defined in the *County of Henrico, Virginia Personnel Rules and Regulations*, that the county manager, after consultation with the director of human resources, has determined is safety-sensitive. In determining whether an hourly position is safety-

sensitive, the county manager shall consider whether the prospective employee would:

(A) Be responsible for providing services directly to members of the public;

(B) Be able to enter residences or businesses in the course of employment;

(C) Have the capability of making changes to county technology systems;

(D) Be permitted to operate a county vehicle in the course of employment;

(E) Be permitted to handle cash, have the ability to effect transfers of funds of the county or others, or otherwise be accountable for funds of the county or others;

(F) Have access to records containing identifying information of a personal, medical or financial nature; or,

(G) Be permitted to enter restricted or secure county facilities.

(4) For purposes of this section, the director of human resources must be a county employee.

(d) Policy – authorized and hourly safety-sensitive positions. All persons conditionally offered employment in an authorized or hourly safety-sensitive position shall, as a condition of employment, submit to fingerprinting and provide personal descriptive information to be forwarded to the Central Criminal Records Exchange and the Federal Bureau of Investigation for the purpose of obtaining criminal history record information. All offers of employment in such positions shall be conditioned upon the person offered such employment submitting to fingerprinting and providing personal descriptive information as described above. Failure of the person conditionally offered employment in such a position to submit to fingerprinting and to provide personal descriptive information shall disqualify the person from employment in the position.

(e) Voluntary disclosure. Nothing in this section shall be construed as prohibiting (i) the voluntary disclosure by an applicant of convictions of felonies, misdemeanors, or traffic infractions or (ii) the solicitation of such voluntary disclosure by an applicant.

(f) Responsibilities.

(1) The county manager shall:

(A) After consultation with the director of human resources, establish and maintain the list of hourly safety-sensitive positions that are subject to the provisions of this section. The county manager may, from time to time, add or remove positions from the list of hourly safety-sensitive positions.

(B) Receive the report from the Central Criminal Records Exchange concerning whether the person conditionally offered employment in an authorized or hourly safety-sensitive position has no criminal history record information or the record of criminal history information. The county manager may designate the director of human resources to receive such reports.

(2) The director of human resources shall:

(A) Ensure that potential applicants for authorized or hourly safety-sensitive positions are notified that the positions are subject to the provisions of this section.

(B) Upon making a conditional offer of employment in an authorized or hourly safety-sensitive position, inform the applicant that, as a condition of employment, the applicant must submit to fingerprinting and provide personal descriptive information to be forwarded along with the applicant's fingerprints to the Central Criminal Records Exchange and the Federal Bureau of Investigation for the purpose of obtaining criminal history record information.

(C) Upon receipt of a report from the Central Criminal Records Exchange concerning a person conditionally offered employment that indicates that the person has a criminal history record determine whether the conviction or convictions contained in the record directly relates to the authorized or hourly safety-sensitive position, whether the past criminal conduct contained in the record is compatible with the nature of the employment in the authorized or hourly safety-sensitive position, and whether such conviction or convictions disqualifies the person from employment in that authorized or hourly safety-sensitive position. In determining whether a criminal conviction directly relates to an authorized or hourly safety-sensitive position, the director shall consider the following criteria:

- (i) The nature and seriousness of the crime;
- (ii) The relationship of the crime to the work to be performed in the position applied for;
- (iii) The extent to which the position applied for might offer an opportunity to engage in further criminal activity of the same type as that in which the person had been involved;
- (iv) The relationship of the crime to the ability, capacity, or fitness required to perform the duties and discharge the responsibilities of the position being sought;
- (v) The nature and extent of the person's past criminal activity;
- (vi) The age of the person at the time of the commission of the crime;
- (vii) The amount of time that has elapsed since the person's last involvement in the commission of a crime;
- (viii) The conduct and work activity of the person before and after the criminal activity; and,
- (ix) Evidence of the person's rehabilitation or rehabilitative efforts while incarcerated or following release.

(D) Notify in writing all persons who are denied employment in an authorized or hourly safety-sensitive position because of the information appearing in their criminal history record that information obtained from the Central Criminal Records Exchange contributed to such denial and inform them of their right to obtain a copy of their criminal history record from the Central Criminal Records Exchange.

(E) Issue procedural instructions and promulgate all forms necessary to carry out the provisions of this section.

2. That this Ordinance shall be effective on and after April 1, 2009.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 358-08
Page No. 1 of 2

Agenda Title: **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: DEC 09 2008 Date: <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>Donati</u> Seconded by (1) <u>O'Bannon</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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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.

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(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:

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

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

Agenda Item No. **358-08**
Page No. 2 of 2

Agenda Title: 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. 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**.

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- 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.

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



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 359-08

Page No. 1 of 1

Agenda Title: ORDINANCE — To Amend and Reordain Section 23-1 Titled "Definitions," Section 23-204 Titled "Disconnection of meter," "Section 23-206 Titled "Billing; adjustment of bills," Section 23-281 Titled "Service deposit," Section 23-284 Titled "Overdue bills; discontinuance of service," Section 23-313 Titled "Water service and volume charges," and Section 23-314 Titled "Sewer service charges and rates," of the Code of the County of Henrico, All to Change Public Utility Billing Practices

For Clerk's Use Only: DEC 09 2008 Date: _____ <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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After a duly advertised public hearing, the Board of Supervisors of Henrico County, Virginia adopted the attached ordinance.

Comments: The Director of Public Utilities recommends approval of this Board paper; the County Manager concurs.

By Agency Head Arthur O. Peters By County Manager Sup. J. H. Hays

Routing:
Yellow to: _____
Copy to: _____

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

Date: _____

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ORDINANCE – To Amend and Reordain Section 23-1 Titled “Definitions,” Section 23-204 Titled “Disconnection of meter,” “Section 23-206 Titled “Billing; adjustment of bills,” Section 23-281 Titled “Service deposit,” Section 23-284 Titled “Overdue bills; discontinuance of service,” Section 23-313 Titled “Water service and volume charges,” and Section 23-314 Titled “Sewer service charges and rates,” of the Code of the County of Henrico, All To Change Public Utility Billing Practices

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

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

Sec. 23-1. Definitions.

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- .

~~Multimeter installations means the installation of two or more meters in the same or adjoining vault and served by a single service connection.~~

- .
- .
- .

Underground leak means a water leak in pipes that cannot be seen without digging, destroying **or removing** property on the premises of a user whose system is connected to the county system. Leaks due to faulty installation of private systems, even if underground, and leaks due to mechanical failure or malfunction are specifically excluded from this definition.

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2. That Section 23-204 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-204. Disconnection of meter.

No water meter shall be disconnected, moved or disturbed without the director's permission, and the director shall be responsible for making any needed changes. **The director shall charge a \$35.00 reconnection fee for restoring service after a customer's water service is turned off.**

3. That Section 23-206 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-206. Billing; adjustment of bills.

Unless the director chooses to send monthly bills, the department shall bill on a bimonthly basis for all water passing through a meter, whether used or wasted, after installation of the water meter. If underground leaks occur in water pipes or metered services and the owner, tenant or customer has promptly made all necessary repairs, the director may rebate any charges in excess of double the amount of the average bimonthly bills for the premises. The director may give the same rebate where an unexplained problem causes metered water consumption to exceed double the average bimonthly bills and the director believes the water was not beneficially used. Adjustments for an unexplained problem may only be made once every three years except in cases of extreme hardship. Average bimonthly bills are to be determined by averaging bimonthly water consumption for three previous equivalent billing periods ~~for the preceding six months.~~

4. That Section 23-281 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-281. Service deposit.

(a) *Deposit required.* Persons applying for available water and sewer service to property they do not own shall pay a deposit to ensure payment for each type of service of \$100.00 or another amount deemed necessary by the director to cover anticipated usage for one billing period. ~~The deposit shall be paid within two weeks of application. Deposits not received within two weeks of application~~ The deposit shall be billed to the customer's account. The ~~C~~county shall hold the deposit as surety without interest.

(b) *Return of deposit.* The deposit shall be credited to the customer's account under the following circumstances:

- (1) When service is discontinued, or
- (2) If the customer has ~~never~~ not been turned off for nonpayment and has not had more than one late payment on the account over the last ~~12 consecutive months~~ 365 days.

In addition, the director shall have the right to return the deposit under other circumstances in his discretion.

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5. That Section 23-284 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-284. Overdue bills; discontinuance of service.

- (a) All charges for water and sewer service shall be due within 30 days of billing, and a \$1.00 service charge shall be added to all delinquent bills. **If a due date falls on a weekend or holiday, the due date shall be the next business day.** The director shall notify the owner or tenant in writing that the bill is delinquent, that the owner or tenant may contest the bill by contacting the director and that all utility service ~~shall~~ **may** be discontinued if the delinquent bill is not paid within 15 days of the notice. If the delinquent bill is not paid by the **delinquent due date** ~~within 15 days of the date of this notice,~~ refuse service shall **may** be discontinued and ~~the supply of water~~ **service** to the premises ~~shall~~ **may** be disconnected unless the health officer certifies that shutting off the water will endanger the health of the occupants of the premises or the health of others.

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6. That Section 23-313 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-313. Water service and volume charges.

- (a) *Amount of charges.* The charges for water service shall consist of a service charge and a volume charge, as follows:

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- (3) ~~*Fire hydrant rental.* A fire hydrant charge shall be paid by the count at the rate of \$8.06 per hydrant per month.~~

- (b) *General provisions.*

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- (3) Any bills rendered for less than a full billing period shall have the service charge prorated according to days of use, plus the actual volume charge. ~~The minimum prorated bill shall be \$4.00 for all services (water, sewer and refuse collection) combined. Credit balances on final bills of less than \$4.00 shall not be refunded unless requested by the user.~~

- (4) Charges shall begin as required by contract or when the **meter is set and shall continue until water service is abandoned** ~~appropriate connection fees are paid.~~

(5) Rates for service provided to contract users shall be established by the contract.

(6) ~~The volume charge on multimeter installations shall be applied to the sum of the volume.~~

7. That Section 23-314 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-314. Sewer service charges and rates.

(a) *Amount of charges.* The charges for sewer service shall consist of a service charge and a volume charge, as follows:

(1) *Service charge.* All users billed bimonthly for water service shall pay the following charge **based on the size of the water meter which serves or the size of the water meter which would serve the premises if one were installed** ~~for each water meter or sewage meter which serves the premises to which sewer service is available.~~ Users billed monthly shall pay one-half of this charge.

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(2) *Volume charge.*

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c. For residential units **receiving water service from the county**, other than multifamily, bimonthly sewer volume charges shall be based on the lesser of actual usage or usage determined from the first meter reading cycle of the calendar year. **For residential units receiving water service from the City of Richmond, other than multifamily, bimonthly sewer volume charges shall be based on usage determined from the first meter reading cycle of the calendar year.** For the purpose of this subsection, if the first reading is estimated as provided in section 23-205 or if the user joins the system after the first reading cycle, or an allowance is made for an underground leak during the first billing cycle, billing shall not exceed charges for 20 CCF.

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(b) *General provisions.*

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- (2) Charges shall begin as required by contract or when the meter is set and shall continue until sewer service is abandoned~~appropriate connection fees are paid.~~ When there is no contract for service and no water or sewer meter, the service charge shall begin upon completion of the sewer lateral from the main sewer line to the property line or payment of the connection fee if the sewer lateral does not need to be extended.

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- (4) ~~The volume charge on multimeter installations shall be applied to the sum of the volume.~~

8. This ordinance shall be in full force and effect upon passage as provided by law.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 360-08
Page No. 1 of 1

Agenda Title **ORDINANCE — To Amend and Reordain Section 23-1 Titled "Definitions," Section 23-109 Titled "Restricted wastes," Section 23-131 Titled "Violations; enforcement; penalty," Section 23-133 Titled "Applicability of categorical standards," Section 23-134 Titled "Discharge permit required," Section 23-135 Titled "Discharge permit conditions," Section 23-138 Titled "Correction of violations," and Section 23-314 Titled "Sewer service charges and rates," of the Code of the County of Henrico and to Add Section 23-127 Titled "State pretreatment standards," Section 23-128 Titled "Dilution," Section 23-129 Titled "Violations," and Section 23-130 Titled "Administrative enforcement remedies," to the Code of the County of Henrico, All to Conform the County's Industrial Pretreatment and Strong Waste Program to State Requirements**

For Clerk's Use Only:

DEC 09 2008

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

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

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

After a duly advertised public hearing, the Board of Supervisors of Henrico County, Virginia adopted the attached ordinance.

Comments: The Director of Public Utilities recommends approval of this Board paper; the County Manager concurs.

By Agency Head

Arthur O'Brien

By County Manager

David P. Hylton

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

ORDINANCE — To Amend and Reordain Section 23-1 Titled “Definitions,” Section 23-109 Titled “Restricted wastes,” Section 23-131 Titled “Violations; enforcement; penalty,” Section 23-133 Titled “Applicability of categorical standards,” Section 23-134 Titled “Discharge permit required,” Section 23-135 Titled “Discharge permit conditions,” Section 23-138 Titled “Correction of violations,” and Section 23-314 Titled “Sewer service charges and rates,” of the Code of the County of Henrico and to Add Section 23-127 Titled “State pretreatment standards,” Section 23-128 Titled “Dilution,” Section 23-129 Titled “Violations,” and Section 23-130 Titled “Administrative enforcement remedies,” to the Code of the County of Henrico, All to Conform the County’s Industrial Pretreatment and Strong Waste Program to State Requirements

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

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

Sec. 23-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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POTW means publicly owned treatment works and includes wastewater treatment or reclamation facilities, sewage pumping stations, and sewer mains, laterals and other publicly-owned sewage conveyances.

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Slug Discharge means any discharge of a non-routine, episodic nature, including an accidental spill or a non-customary batch discharge which has a reasonable potential to cause interference or pass through, or in any other way violate this chapter, local limits or permit conditions.

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2. That Section 23-109 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-109. Restricted wastes.

~~The discharger is responsible for providing pretreatment necessary to assure that there is no exceedence of the effluent limits specified herein. In addition to the other provisions of this chapter, the following specific effluent limits, including flashpoint, are applicable to all nondomestic dischargers: Unless permitted by a wastewater~~

discharge permit or other document created pursuant to this chapter, no user shall discharge wastewater to the POTW containing any of the following listed pollutants or characteristics in excess of the provided level or concentration:

<u>Regulated Pollutant or Characteristic</u>	Maximum Daily Discharge* (mg/l)
Cadmium	0.23 <u>mg/l</u>
Chromium	2.75 <u>mg/l</u>
Copper	1.16 <u>mg/l</u>
Cyanide	1.86 <u>mg/l</u>
Lead	0.44 <u>mg/l</u>
Mercury	0.0031 <u>mg/l</u>
Nickel	1.31 <u>mg/l</u>
Silver	1.58 <u>mg/l</u>
Zinc	4.27 <u>mg/l</u>
Oil and grease (petroleum-based)	100 <u>mg/l</u>
Oil and grease (animal- or vegetable-based)	300 <u>mg/l</u>
Total toxic organic compounds (TTO)	2.13 <u>mg/l</u>
pH	5--11 s.u.
Flashpoint	less than 140° F

*All measurements shall be made in accordance with 40 CFR 136.1, ~~except for oil and grease, which shall be measured by the Soxhlet Method.~~

~~Failure to comply with the above limits shall constitute a violation of this chapter subject to the provisions of section 23-131.~~

The above limits apply at the point where the wastewater is discharged to the POTW. The director shall develop industrial user-specific local limits for appropriate pollutants of concern in accordance with state and federal Local Limits Guidance Criteria, and the director shall include the applicable limits in individual significant industrial user wastewater discharge permits.

Secs. 23-110--23-130126. Reserved.

DIVISION 5.

INDUSTRIAL PRETREATMENT

3. That Section 23-127 shall be added to the Code of the County of Henrico as follows:

Sec. 23-127. State pretreatment standards.

Users must comply with all state pretreatment standards, as set out at 9 VAC § 25-31-730 through 9 VAC § 25-31-900, as they may be amended.

4. That Section 23-128 shall be added to the Code of the County of Henrico as follows:

Sec. 23-128. Dilution.

No user shall attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limit unless expressly authorized by an applicable pretreatment standard or permit requirement.

5. That Section 23-129 shall be added to the Code of the County of Henrico as follows:

Sec. 23-129. Violations.

- (a) **Users shall notify the director in writing of any violation of a permit or of this chapter within 24 hours after becoming aware of the violation. Within 10 days after the date of the violation, the user shall also submit to the director a detailed written statement describing the cause of the violation and the measures that the user is taking to prevent future violations. The director may require a user to correct a violation by taking measures to prevent the discharge of prohibited materials or other wastes that are regulated by this chapter. Users shall correct all violations promptly and shall take reasonable actions to prevent damage to the POTW or the public from the violation.**
- (b) **The director shall annually publish a list of significant industrial users who have been in significant noncompliance during the previous 12 months. This list shall be published in the largest daily newspaper of general circulation in the county. A significant industrial user is in significant noncompliance if one or more of the following criteria apply:**
 - (1) **Sixty-six percent (66%) or more of wastewater measurements taken during a six-month period exceed the daily maximum limit or the average limit for the same pollutant parameter ("chronic violations of wastewater discharge limits");**
 - (2) **Thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six-month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable criteria (1.4 for BOD, Total Suspended Solids, fats, oils, and grease, and 1.2 for all other pollutants (except pH)) ("Technical Review Criteria violations");**

- (3) Any other discharge violation that the director believes has caused, alone or in combination with other discharges, interference or pass through, or endangered the health of county personnel or the public;
- (4) Any discharge of pollutants that has caused imminent danger to the environment or has required the director to exercise his emergency authority to halt or prevent such a discharge;
- (5) Failure to meet a compliance schedule requirement contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance, within 90 days of the scheduled date;
- (6) Failure to provide any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules, within 30 days after the due date;
- (7) Failure to accurately report noncompliance; or
- (8) Any other violation which the director determines will adversely affect the operation or implementation of the local pretreatment program.

6. That Section 23-130 be added to the Code of the County of Henrico as follows:

Sec. 23-130. Administrative enforcement remedies.

- (a) Notice of violation. When the director finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit, an order issued hereunder, or any other pretreatment standard or requirement, the director may serve upon that user a written notice of violation.
- (b) Submission of plan. Within 10 days of the receipt of such notice, the user shall provide the director a written explanation of the violation and a plan for the satisfactory correction and prevention of future violations, including specific required actions. Submission of a plan shall not relieve the user of liability for any violations occurring before or after receipt of the notice of violation. Nothing in this section shall limit the authority of the director to take any action, including emergency actions or any other enforcement action, without first issuing a notice of violation.
- (c) Show cause hearing. The director may order a user who has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit, an order issued hereunder, or any other pretreatment standard or requirement, to appear before the director and show cause why a proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place of the hearing, the proposed enforcement action, the reasons for such action, and a request that the user show cause why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or

certified mail (return receipt requested) at least 10 days prior to the hearing date. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the user.

- (d) Consent orders. The director may enter into a consent order, an agreement with assurances of voluntary compliance, or a similar document with any noncompliant user. Such document shall state specific action the user must take to correct the noncompliance within a specified time period. Such documents shall have the same force and effect as administrative orders issued pursuant to section 23-130 (e) and shall be judicially enforceable.
- (e) Compliance orders. When the director finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit, an order issued hereunder, or any other pretreatment standard or requirement, the director may issue an order to the user responsible for the discharge directing that the user become compliant within a specified time. If the user does not become compliant within the time provided, the director may discontinue sewer service until the user installs and properly operates adequate treatment facilities, devices, or other related appurtenances. Compliance orders also may contain other requirements to resolve the noncompliance, including additional self-monitoring and management actions designed to minimize the amount of pollutants discharged to the POTW. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, and a compliance order shall not relieve the user of liability for any violation, including a continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user.
- (f) Emergency suspensions. After informal notice to the user, the director may immediately suspend a user's right to discharge whenever suspension is necessary to stop an actual or threatened discharge which appears in the director's reasonable judgment to present an imminent or substantial danger to the health or welfare of the public. After notice and opportunity to respond, the director may also suspend a user's right to discharge if the discharge threatens to interfere with the operation of the POTW or presents, or may present, a danger to the environment.
 - (1) Any user notified of a suspension of its right to discharge shall immediately stop or eliminate its discharge to the POTW. If a user fails to immediately comply with the suspension order, the director may take any steps he deems necessary to prevent or minimize damage to the POTW, its receiving stream, or danger to any person, including immediate severance of the sewer connection. Unless termination proceedings pursuant to section 23-130(g) are initiated, or have been initiated, against the user, the director may allow the user to recommence its discharge when the user has demonstrated, to the satisfaction of the director, that the period of endangerment has passed,
 - (2) Prior to the date of any show cause or termination hearing under section 23-130(c) or (g), a user that is responsible, in whole or in part, for any discharge presenting imminent danger to the public, the environment or to the operation of the POTW shall submit to the director a detailed written statement describing the causes of the harmful discharge and the measures taken to prevent any future occurrence.

This section does not require a hearing prior to any emergency suspension.

(g) Termination of right to discharge. A user's right to discharge may be terminated if any of the following occur:

(1) User's violations of wastewater discharge permit conditions;

(2) User's failure to accurately report the wastewater constituents and characteristics of its discharge;

(3) User's failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;

(4) User's refusal of reasonable access to its premises for inspection, monitoring, or sampling; or

(5) User's violation of any pretreatment standard or requirement.

The director shall notify the user of the proposed termination of its right to discharge and offer an opportunity to show why its right to discharge should not be terminated. Exercise of this option by the director shall not be a bar to, or a prerequisite for, any other action against the user.

7. That Section 23-131 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-131. ~~Violations; enforcement; penalty.~~ Enforcement.

~~(a) — *Penalty.* Any person who violates any provision of this division, any permit requirements, or the terms of any compliance schedule shall be guilty of a class 1 misdemeanor. Each violation shall constitute a separate offense. Violation of weekly permit limits shall constitute seven separate offenses, and violation of monthly limits shall constitute a number of offenses equivalent to the number of days in the month.~~

~~(b) — *Notice of violation.* At least seven days before commencing legal action, the director shall give written notice to the offending person or discharger of any violations. However, this section shall not be construed to limit the director's or his agent's authority to execute a search warrant in order to secure information necessary for prosecution of known or suspected violations. Furthermore, if the director determines that the violations pose an immediate threat to the health, safety or welfare of the public, the environment, the county sewer system or the wastewater treatment plant, no notice shall be required and the director may immediately initiate corrective enforcement action.~~

~~(c) — Enforcement remedies. In order to remedy a violation, the director may, in addition to other remedies available, do any or all of the following:~~

~~(1) — Seek equitable relief in a court of law;~~

~~(2) — Disconnect all sewer connections of the discharger and plug the sewer line used by such discharger; and~~

~~(3) — Discontinue county water service to the discharger.~~

~~(d) — Publication of list of significant violators. The director shall annually publish a list of significant violators of pretreatment standards in a local paper of general circulation in the county.~~

(a) ***Injunctive relief.*** When the director finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit, an order issued hereunder, or any other pretreatment standard or requirement, the director may petition the circuit court for a temporary or permanent injunction which restrains or compels compliance with the user's wastewater discharge permit, an order issued pursuant to this chapter, or other requirement imposed by this chapter. The director may also seek legal or equitable relief, including remediation of any environmental damage caused by the user's violation or noncompliance. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

(b) ***Civil penalties.***

(1) A user who has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit, an order issued hereunder, or any other pretreatment standard or requirement shall be liable for a maximum civil penalty of \$2,500.00 per violation, per day. In the case of violations of monthly or other average discharge limits, the director may assess penalties for each day of violation.

(2) The director may recover reasonable attorney's fees, court costs, and other expenses associated with enforcement actions under this chapter, including sampling and monitoring expenses and the cost of any actual damages incurred by the county.

(3) In determining the amount of civil penalties, the court shall consider all relevant circumstances, including the harm caused by the violation, the magnitude and duration of the violation, economic benefit to the user resulting from the user's violation, corrective actions by the user, the compliance history of the user, and other relevant factors.

(4) Filing suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user.

(c) Criminal prosecution.

(1) A user who willfully or negligently violates any provision of this chapter, a wastewater discharge permit, an order issued hereunder, or any other pretreatment standard or requirement, or who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage, shall, upon conviction, be guilty of a class 1 misdemeanor, punishable by a fine of not more than \$2,500.00, imprisonment for not more than 12 months, or both.

(2) A user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other document filed or maintained pursuant to this chapter or a wastewater discharge permit or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter shall, upon conviction, be guilty of a class 1 misdemeanor punishable by a fine of not more than \$2,500.00, imprisonment for not more than 12 months, or both.

(d) Remedies nonexclusive. The remedies provided for in this chapter are not exclusive. The director may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the county's enforcement response plan. However, the director may take other action against any user when the circumstances warrant.

8. That Section 23-133 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-133. Applicability of categorical standards.

All discharges subject to categorical standards shall comply with the requirements of any applicable federal categorical standard, including ~~all reporting requirements of the general pretreatment regulations set forth at 40 CFR 403.12~~ in the Code of Federal Regulations, and with any the stricter local limits contained in section 23-109 ~~the county's pretreatment program~~. More stringent limitations shall be imposed by the director where appropriate. In case of conflict, the more stringent limitation shall apply.

9. That Section 23-134 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-134. Industrial wastewater ~~D~~discharge permit requirements.

~~(a) Unless a wastewater discharge permit has been obtained from the director, it shall be unlawful to discharge, cause to be discharged or permit to be discharged into the county sewer system any substance that requires control or treatment by the discharger in order to:~~

~~(1) Make or render the substance susceptible to treatment by the wastewater treatment plant providing treatment;~~

~~(2) Prevent the pass-through of such substance through the county sewer system or wastewater treatment plant providing treatment;~~

~~(3) Prevent interference by such substance with the normal operation of the county sewer system or the wastewater treatment plant providing treatment; or~~

~~(4) Continue the lawful operation of such sewer system or wastewater treatment plant providing treatment.~~

~~(b) A permit shall also be required of each industrial and commercial establishment listed in the act or to which the act may subsequently apply, including each person who discharges a substance which the director determines requires control due to a wastewater constituent because of the character, volume or strength of such substance.~~

~~(c) Each permit shall:~~

~~(1) Require discharge standards that meet the requirements of state and federal law and the requirements of this chapter.~~

~~(2) Require the discharger to meet the requirements of state and federal law and the requirements of this chapter, including self-monitoring report requirements.~~

~~(3) Require all pretreatment to comply with the requirements of state and federal law and the requirements of this chapter.~~

~~(4) Specify that violations of permit conditions, including those for reporting, constitute a violation under section 23-131 punishable under section 1-13.~~

(a) No significant industrial user shall discharge wastewater into the POTW without first obtaining a wastewater discharge permit from the director, except that a significant industrial user that has filed a timely application pursuant to subsection (d) may continue to discharge for the time period specified therein.

(b) The director may require users other than significant industrial users to obtain wastewater discharge permits when necessary to carry out the purpose of this chapter. Such users must obtain a discharge permit prior to discharging to the POTW.

(c) Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all federal, state, and local laws, including the standards in this chapter, categorical pretreatment standards, and local discharge limits.

(d) Wastewater discharge permit application requirements.

(1) To apply for a wastewater discharge permit, the applicant shall submit a complete industrial waste survey form to the director.

(2) An application for a wastewater discharge permit must be filed at least 60 days before discharging to the POTW.

- (3) Any user sent an industrial waste survey form by the director must complete and return the form to the director within 60 days of receipt.
- (4) The director will not process incomplete or inaccurate industrial waste survey forms and will return them to the user for revision.
- (c) Duty to reapply. All users shall reapply for authorization and reissuance of a permit to discharge at least 180 days before the expiration of the existing permit unless the director grants permission for a later date.

10. That Section 23-135 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-135. Wastewater ~~D~~discharge permit conditions.

Wastewater discharge permits must contain, at a minimum, the following conditions:

- ~~(a) Each wastewater discharge permit shall contain specific limits imposed on the discharge for which the permit is being issued.~~
- ~~(b) Each permit shall contain a schedule for self-monitoring, including frequency, required analyses and specific conditions required for the discharge.~~
- ~~(c) Each permit shall contain a compliance schedule for dischargers that cannot meet permit limits when issued but are expected to comply within a reasonable amount of time after installation of additional equipment, a change in operation, or other steps. This subsection, however, does not require the director to issue or amend a permit. Compliance schedules, as opposed to other remedies, are at the director's discretion.~~
- ~~(d) Each authorized representative of the permit holder shall take instruction yearly from the state department of waste management on waste minimization.~~
- ~~(e) Each permit shall contain any additional conditions required by the director.~~
- (a) Statement of duration, up to five years.**
- (b) Statement of nontransferability without prior notification to the director and certification that the existing permit and any orders issued under this chapter have been provided to the new owner or operator.**
- (c) Effluent limits or best management practices, based on the applicable general pretreatment standards in this chapter, categorical pretreatment standards, and local limits.**
- (d) Self-monitoring and sampling provisions, and reporting, notification and recordkeeping requirements, including an identification of the pollutants to be monitored, sampling location, sampling frequency, and sample type.**

(e) Statement of applicable civil and criminal penalties for violation of pretreatment standards and other requirements; and any applicable compliance schedules, which may not extend beyond applicable federal and state deadlines.

(f) Any requirements to control slug discharges determined by the director.

11. That Section 23-138 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-138. Correction of violations.

~~(a) — Each discharge permit holder shall observe the permit requirements at all times. If the director reasonably believes that the permit requirements are being or have been violated, the director shall notify the permit holder in writing of each violation. Within seven days after receipt of notification, the permit holder shall give the director a written report, including a description of the action being taken to correct the violation, a statement of the date by which such violation will be corrected, and any other information required by the director. Notwithstanding this requirement to give notice, nothing in this section shall prevent the director from immediately suspending or revoking a permit.~~

(ba) Each permittee holder shall prevent accidental discharges and slug discharges of prohibited materials or other substances regulated by this chapter at the permittee holder's expense. Detailed prevention plans shall be submitted to the director with the permit application for approval. In the case of an accidental discharge, the permit holder shall immediately notify the county by telephone of the incident. The notification shall include a description of the discharge, type of waste, concentration and volume, and proposed corrective actions. Telephone notice shall be followed within five days by written notice to the same effect. In addition, the written notice shall be followed within five days by written notice to the same effect. In addition, the written notice shall contain a description of measures taken by the user to prevent future occurrences. If an accidental discharge or slug discharge is released into the POTW, the permittee must immediately notify the director.

(b) The director shall evaluate whether each significant industrial user requires an accidental discharge/ slug discharge control plan or other action to control accidental or slug discharges. The director may require any user to develop, submit for approval, and implement such a plan or take other action necessary to control accidental and slug discharges. Alternatively, the director may develop a control plan for any user. An accidental discharge/slug discharge control plan shall address the following:

1. Description of discharge practices, including nonroutine batch discharges;
2. Description of stored chemicals;
3. Procedures for immediately notifying the director of accidental or slug discharges, including any discharge that would violate a prohibition under section 23-108, and procedures for written notification to the director within five days; and
4. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures should include inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site

runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and measures and equipment for emergency response.

12. That Section 23-314 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-314. Sewer service charges and rates.

(a) *Amount of charges.* The charges for sewer service shall consist of a service charge and a volume charge, as follows:

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(3) *Industrial strong waste charge.* In addition to the charges set out in ~~subsections~~ **subdivisions** (1) and (2) of this subsection, there will be charged to individual users a strong waste charge as applicable:

- a. Suspended solids, when the concentrations of suspended solids exceed 275 milligrams per liter: \$17.60 per CWT for suspended solids in excess of 275 mg/l.
- b. BOD, when concentrations of BOD exceed 250 milligrams per liter: \$24.35 per CWT for BOD in excess of 250 mg/l.

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13. That this ordinance shall be in full force and effect upon passage as provided by law.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 361-08

Page No.1 of 1

Agenda Title: RESOLUTION – Approval of Issuance of Bonds – New Bridge Academy, LLC and New Bridge Weekday Early Education Center, LLC – Industrial Development Authority of Essex County

For Clerk's Use Only
DEC 03 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.	<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"/>	_____	_____

The Board of Supervisors of Henrico County adopted the attached resolution.

Comments: The Executive Director of the Economic Development Authority of Henrico County 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: _____

RESOLUTION – Approval of Issuance of Bonds – New Bridge Academy, LLC and New Bridge Weekday Early Education Center, LLC – Industrial Development Authority of Essex County

WHEREAS, the Industrial Development Authority of Essex County, Virginia (the “Essex Authority”) is empowered by the Industrial Development and Revenue Bond Act (the “Act”) to issue its revenue bonds for the purposes of, among other things, financing or refinancing facilities for use by organizations (other than institutions organized and operated exclusively for religious purposes) that are exempt from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the “Code”), thereby promoting the safety, health, welfare, convenience, and prosperity of the residents of the Commonwealth of Virginia (the “Commonwealth”); and

WHEREAS, the Essex Authority received a request from New Bridge Academy, LLC and New Bridge Weekday Early Education Center, LLC, each a not-for-profit Virginia limited liability company (together, the “Company”), the principal business address of which is c/o Rev. J. D. Sluss, 5701 Elko Road, Sandston, Virginia 23150, for the issuance by the Essex Authority of its revenue bonds in an amount not to exceed \$4,000,000 (the “Bonds”) to assist the Company in (a) financing or refinancing the acquisition, construction, and equipping of buildings containing not more than 62,000 square feet to be used for an educational and developmental facility for children from ages six weeks through 18 years, together with ancillary facilities (collectively, all such facilities are referred to as the “Facility”), which will be owned and operated by the Company, and located at 5701 Elko Road, Sandston, Virginia 23150; (b) funding capitalized interest on the Bonds during construction of the Facility and for a period not to exceed one year after the date on which construction of the Facility is completed; (c) funding any required debt service reserves for the Bonds; and (d) paying all or a portion of the costs associated with the issuance of the Bonds; and

WHEREAS, the Facility will be used by the Company in furtherance of the Company’s mission of providing educational and social services for children ages six weeks through 18 years; and

WHEREAS, the Company is exempt from income taxation under Section 501(c)(3) of the Code and is not organized and operated exclusively for religious purposes; and

WHEREAS, because the Facility is located in Henrico County, Section 147(f) of the Code and Sections 15.2-4905 and 15.2-4906 of the Act require that the Board of Supervisors of Henrico County (the “Henrico Board”) approve the issuance of the Bonds and concur with an inducement resolution adopted by the Essex Authority on November 18, 2008 (the “Inducement Resolution”); and

WHEREAS, prior to the consideration of the Inducement Resolution, the Essex Authority held a public hearing on the Facility and the issuance of the Bonds, following reasonable notice, as required by, and in compliance with, Section 147(f) of the Code and Section 15.2-4906 of the Act; and

WHEREAS, a copy of the Essex Authority’s Summary of Essex Public Hearing, which included a reasonably detailed summary of the comments expressed at the Essex Authority public hearing,

the Company's fiscal impact statements, and the form of the Inducement Resolution, was presented to the Economic Development Authority of Henrico County, Virginia (the "Henrico Authority") and the Board of Supervisors of Essex County, Virginia (the "Essex Board"); and

WHEREAS, the Essex Board approved the issuance of the Bonds by the Essex Authority in accordance with Section 147(f) of the Code and Section 15.2-4906 of the Act on November 18, 2008; and

WHEREAS, the Henrico Authority held a public hearing on the Facility and the issuance of the Bonds, following reasonable public notice, as required by, and in compliance with, Section 147(f) of the Code and Section 15.2-4906 of the Act, and adopted a resolution on November 20, 2008 (the "Henrico Authority Resolution") that recommended and requested that the Henrico Board approve the issuance of the Bonds and concur with the Inducement Resolution; and

WHEREAS, a copy of the Essex Authority's Summary of Essex Public Hearing, which includes (i) the Inducement Resolution, (ii) a reasonably detailed summary of the comments expressed at the Essex Authority's public hearing, and (iii) the Company's fiscal impact statements, has been filed with the Henrico Board; and

WHEREAS, a copy of the Henrico Authority's Summary of Henrico Public Hearing, which includes (i) the Henrico Authority Resolution, (ii) a reasonably detailed summary of the comments expressed at the Henrico Authority's public hearing, and (iii) the Company's fiscal impact statements, has also been filed with the Henrico Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. The Henrico Board approves the issuance of the Bonds by the Essex Authority for the benefit of the Company, as required by Section 147(f) of the Code and Section 15.2-4906 of the Virginia Code, to permit the Essex Authority to assist in the development and financing of the Facility.
2. The Henrico Board concurs with the Inducement Resolution.
3. The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Facility or the Company.
4. As required by Section 15.2-4909 of the Virginia Code, the Bonds shall provide that neither the Essex Authority, Essex County, the Henrico Authority nor Henrico County shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia nor any political subdivision thereof, including the Essex Authority, Essex County, the Henrico Authority and Henrico County, shall be pledged thereto.
5. This resolution shall take effect immediately upon its adoption.

CERTIFICATE OF PUBLIC HEARING

The undersigned Assistant Secretary of the Economic Development Authority of Henrico County, Virginia (the "Authority") hereby certifies as follows:

1. A regular meeting of the Authority was duly called and held on November 20, 2006 at 6:30 p.m. in the conference room of the Authority's offices at 4300 East Parham Road, Henrico, Virginia 23228. The meeting was open to the public and persons of differing views were given an opportunity to be heard. At such meeting all of the Directors of the Authority were present or absent as follows:

PRESENT: Stephanie T. Ford, John M. Steele, Harold D. Parker, Jr.,
Marsha S. Shuler, John F. Hastings, Patrick R. Liverpool,
S. Floyd Mays, Jr., Benjamin B. Miles, and Edward F. Steiner

ABSENT: Christopher Shumaker

2. The Chair announced the commencement of a public hearing on the application of New Bridge Academy, LLC and New Bridge Weekday Early Education Center, LLC, and that a notice of the hearing had been published once a week for two consecutive weeks, the first publication being not more than 28 days nor less than 14 days prior to the hearing in a newspaper having general circulation in the County of Henrico, Virginia (the "Notice"). A copy of the Notice and a certificate of publication of such Notice have been filed with records of the Authority and are attached hereto as Exhibit 1.

3. The individuals identified in Exhibit 2 appeared and addressed the Authority and a reasonably detailed summary of the statements made at the public hearing is included in Exhibit 2.

4. The fiscal impact statement required by the Industrial Development and Revenue Bond Act is attached hereto as Exhibit 3.

5. Attached hereto as Exhibit 4 is a true, correct and complete copy of a resolution (the "Resolution") adopted at such meeting of the Authority by the following vote of the Directors present and voting at such meeting:

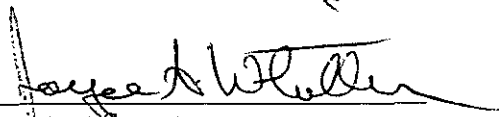
<u>Director</u>	<u>Vote</u>
Stephanie T. Ford	Aye
John M. Steele	Aye
Harold D. Parker, Jr.	Aye
Martha S. Shuler	Aye
John F. Hastings	Aye
Patrick R. Liverpool	Aye
S. Floyd Mays, Jr.	Aye

Benjamin B. Miles	Aye
Christopher Shumaker	Absent
Edward F. Steiner	Aye

The Resolution constitutes all formal action taken by the Authority at such meeting relating to matters referred to in the Resolution. The Resolution has not been repealed, revoked, rescinded or amended and is in full force and effect on the date hereof.

WITNESS my hand and seal of the Authority this 9th day of December, 2008.

(SEAL)


Assistant Secretary
Economic Development Authority of
the County of Henrico, Virginia

Exhibits:

- 1 – Copy of Notice, Certified by Newspaper
- 2 – Summary of Statements
- 3 – Fiscal Impact Statement
- 4 – Resolution

EXHIBIT 1

COPY OF NOTICE, CERTIFIED BY NEWSPAPER

Richmond Times-Dispatch

Advertising Affidavit

Account Number

3380776

P.O. Box 85333
Richmond, Virginia 23293-0001
(804) 649-6208

Date

November 13, 2008

KAUFMAN & CANOLES, P.C.
Three James Center, 1051 E. Cary Street
Richmond, VA 23219

Date	Category	Description	Ad Size	Total Cost
11/13/2008	Meetings-Events	NOTICE OF PUBLIC HEARING TO BE HELD BY T	2 x 73 L	1,625.20

**NOTICE OF PUBLIC HEARING TO BE HELD BY THE
ECONOMIC DEVELOPMENT AUTHORITY OF
HENRICO COUNTY, VIRGINIA
FOR THE BENEFIT OF
NEW BRIDGE ACADEMY, LLC AND
NEW BRIDGE WEEKDAY EARLY
EDUCATION CENTER, LLC**

Notice is hereby given that the Economic Development Authority of Henrico County, Virginia (the "Authority"), the address of which is 4300 East Parham Road, Henrico, Virginia 23228, will hold a public hearing on the plan of finance of New Bridge Academy, LLC, and New Bridge Weekday Early Education Center, LLC, each a not-for-profit Virginia limited liability company (collectively, the "Company"), the principal business address of which is c/o Rev. J. D. Stuss, 5701 Elko Road, Sandston, Virginia 23150, for the issuance by the Industrial Development Authority of Essex County (the "Issuing Authority") of its revenue bonds in an amount not to exceed \$4,000,000 (the "Bonds") to assist the Company in (a) financing or refinancing the acquisition, construction and equipping of buildings containing no more than 60,000 square feet to be used for an educational and developmental facility for children from ages 6 weeks through 18 years, together with ancillary facilities (collectively, all such facilities are referred to as the "Facility"), which will be owned or leased and operated by the Company, and constructed on land owned or leased by the Company located at 5701 Elko Road, Sandston, Virginia 23150; (b) funding capitalized interest on the Bonds during construction of the Facility and for a period not to exceed one year after the date on which construction of the Facility is completed; (c) funding any required debt service reserves for the Bonds; and (d) paying all or a portion of the costs associated with the issuance of the Bonds.

The Bonds will not constitute a debt or pledge of the faith and credit of the Commonwealth of Virginia or any political subdivision thereof, including the Authority, the Issuing Authority, Essex County, and the County of Henrico. Neither the Commonwealth of Virginia nor any political subdivision thereof, including the Authority, the Issuing Authority, Essex County, and the County of Henrico, shall be obligated to pay the Bonds, or the interest thereon, or other costs incident thereto, except from the revenues and monies pledged therefor, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia nor any political subdivision thereof, including the Authority, the Issuing Authority, Essex County, and the County of Henrico, will be pledged to the payment of the principal of or interest on such Bonds or other costs incident thereto.

The public hearing, which may be continued or adjourned, will be held at 6:30 p.m. on Thursday, November 20, 2008, in the conference room of the Authority's offices located at 4300 East Parham Road, Henrico, Virginia 23228. The results of the public hearing will be forwarded to the Board of Supervisors of Henrico County, which will be asked to give its limited approval of the issuance of the Bonds required by the Internal Revenue Code. Any person interested in the issuance of the Bonds and related issues may appear and be heard.

ECONOMIC DEVELOPMENT AUTHORITY
OF HENRICO COUNTY, VIRGINIA

Media General Operations, Inc.

Publisher of the
Richmond Times-Dispatch

This is to certify that the attached NOTICE OF PUBLIC HEARING was published by the Richmond Times-Dispatch, Inc. in the City of Richmond, State of Virginia, on the following dates:

11/06, 11/13/2008

The First insertion being given ... 11/06/2008

Newspaper reference: 0001136575

Sworn to and subscribed before me this

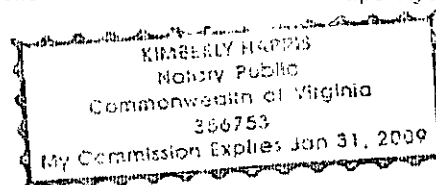
November 17, 2008

Kimberly Harris

Notary Public

Shirley Lloyd

Supervisor



State of Virginia
City of Richmond
My Commission expires

THIS IS NOT A BILL. PLEASE PAY FROM INVOICE. THANK YOU

EXHIBIT 2

SUMMARY OF STATEMENTS MADE AT THE PUBLIC HEARING CONDUCTED BY THE ECONOMIC DEVELOPMENT AUTHORITY OF HENRICO COUNTY, VIRGINIA, ON NOVEMBER 20, 2008, WITH RESPECT TO THE APPLICATION OF NEW BRIDGE ACADEMY, LLC AND NEW BRIDGE WEEKDAY EARLY EDUCATION CENTER, LLC

Richard L. Hurbert, Jr. of Kaufman & Canoles, P.C., bond counsel for the proposed bond issue, introduced himself and explained (1) the necessity for the public hearing and the approving resolutions of the Economic Development Authority of Henrico County, Virginia and the Board of Supervisors of Henrico County, Virginia, (2) the reason that New Bridge Academy, LLC and New Bridge Weekday Early Education Center, LLC ("New Bridge") had requested the Industrial Development Authority of Essex County to issue the proposed bonds, and (3) the use of the proceeds of bonds of the proposed issue.

Rev. J. D. Sluss, Director of Ministries/Administrator for New Bridge, provided additional information about New Bridge and the services they would provide.

No other persons made or submitted any statements and no persons asked any questions.

The Chair concluded the public hearing.

EXHIBIT 3

FISCAL IMPACT STATEMENT

FISCAL IMPACT STATEMENT
SUBMITTED TO THE ECONOMIC DEVELOPMENT AUTHORITY OF HENRICO COUNTY, VIRGINIA

November 20, 2008

DATE

New Bridge Academy, LLC and New Bridge Weekday Early Education Center, LLC

NAME OF APPLICANT

Educational and developmental

FACILITY

The undersigned applicant, in order to permit New Bridge Academy, LLC and New Bridge Weekday Early Education Center, LLC, to submit the following information in compliance with Section 15.2-4907 of the Code of Virginia of 1950, as amended, states:

- | | | |
|----|---|--------------------|
| 1. | Maximum amount of financing sought (includes refinancing of existing debt) | \$3,000,000 |
| 2. | Estimated taxable value of the facility's real property to be constructed in the locality | \$6,885,100 |
| 3. | Estimated real property tax per year using present tax rates | \$ 0 |
| 4. | Estimated personal property tax per year using present tax rates | \$ 0 |
| 5. | Estimated merchants' capital tax per year using present tax rates | \$ 0 |
| 6. | a. Estimated dollar value per year of goods that will be purchased from Virginia companies within the locality | \$ 100,000 |
| | b. Estimated dollar value per year of goods that will be purchased from non-Virginia companies within the locality | \$ 0 |
| | c. Estimated dollar value per year of services that will be purchased from Virginia companies within the locality | \$ 250,000 |
| | d. Estimated dollar value per year of services that will be purchased from non-Virginia companies within the locality | \$ 0 |
| 7. | Estimated number of regular employees on year round basis | 66 |
| 8. | Average annual salary per employee | \$4,000 - \$10,000 |


AUTHORITY CHAIRMAN
(SIGNATURE)

ECONOMIC DEVELOPMENT AUTHORITY OF HENRICO COUNTY, VIRGINIA

NAME OF AUTHORITY

EXHIBIT 4

RESOLUTION

**RESOLUTION OF THE ECONOMIC DEVELOPMENT AUTHORITY OF HENRICO
COUNTY, VIRGINIA REGARDING THE ISSUANCE OF TAX-EXEMPT REVENUE
BONDS BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF ESSEX COUNTY
FOR NEW BRIDGE ACADEMY, LLC AND NEW BRIDGE WEEKDAY
EARLY EDUCATION CENTER, LLC**

WHEREAS, the Industrial Development Authority of Essex County, Virginia (the "Essex Authority") is empowered by the Industrial Development and Revenue Bond Act (the "Act") to issue its revenue bonds for the purposes of, among other things, financing or refinancing facilities for use by organizations (other than institutions organized and operated exclusively for religious purposes) which are exempt from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), thereby promoting the safety, health, welfare, convenience, and prosperity of the residents of the Commonwealth of Virginia (the "Commonwealth"); and

WHEREAS, the Essex Authority has received a request from New Bridge Academy, LLC and New Bridge Weekday Early Education Center, LLC, each a non-for-profit Virginia limited liability company (together, the "Company"), the principal business address of which is c/o Rev. J. D. Sluss, 5701 Elko Road, Sandston, Virginia 23150, for the issuance by the Essex Authority of its revenue bonds in an amount not to exceed \$4,000,000 (the "Bonds") to assist the Company in (a) financing or refinancing the acquisition, construction, and equipping of buildings containing not more than 62,000 square feet to be used for an educational and developmental facility for children from ages six weeks through 18 years, together with ancillary facilities (collectively, all such facilities are referred to as the "Facility"), which will be owned and operated by the Company, and located at 5701 Elko Road, Sandston, Virginia 23150; (b) funding capitalized interest on the Bonds during construction of the Facility and for a period not to exceed one year after the date on which construction of the Facility is completed, (c) funding any required debt service reserves for the Bonds; and (d) paying all or a portion of the costs associated with the issuance of the Bonds; and

WHEREAS, the Facility will be used by the Company in furtherance of the Company's mission of providing educational and social services for children ages six weeks through 18 years; and

WHEREAS, the Company is exempt from income taxation under Section 501(c)(3) of the Code and is not organized and operated exclusively for religious purposes; and

WHEREAS, a preliminary proposal for the Facility has been described to the Economic Development Authority of Henrico County, Virginia (the "Henrico Authority") by representatives of the Company; and

WHEREAS, after review and consideration of such proposal, the Henrico Authority has determined that the issuance of the Bonds by the Essex Authority and the development

of the Facility will further the purposes of the Act, thereby benefiting the inhabitants of Henrico County and the Commonwealth; and

WHEREAS, because the project is located in Henrico County, Section 147(f) of the Code and Sections 15.2-4905 and 15.2-4906 of the Act require that the Board of Supervisors of Henrico County (the "Henrico Board") approve the issuance of the Bonds and concur with the inducement resolution adopted by the Essex Authority on November 18, 2006 (the "Inducement Resolution"); and

WHEREAS, prior to the consideration of the Inducement Resolution, the Essex Authority held a public hearing on the Facility and the issuance of the Bonds, following reasonable notice, as required by, and in compliance with, Section 147(f) of the Code and Section 15.2-4906 of the Act; and

WHEREAS, a summary of the Essex Authority's public hearing, which includes a reasonably detailed summary of the statements made at that public hearing, the Company's fiscal impact statements, and the form of the Inducement Resolution, have been presented to the Henrico Authority and the Board of Supervisors of Essex County, Virginia (the "Essex Board"); and

WHEREAS, the Essex Board approved the issuance of the Bonds by the Essex Authority in accordance with Section 147(f) of the Code and Section 15.2-4906 of the Act on November 18, 2008; and

WHEREAS, immediately prior to the consideration of this resolution, the Henrico Authority held a public hearing on the Facility and the issuance of the Bonds, following reasonable public notice, as required by, and in compliance with, Section 147(f) of the Code and Section 15.2-4906 of the Act; and

WHEREAS, the Henrico Authority desires to recommend to the Henrico Board that the Henrico Board approve the issuance of the Bonds and concur with the Inducement Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE ECONOMIC DEVELOPMENT AUTHORITY OF HENRICO COUNTY, VIRGINIA:

1. It is hereby found and determined that the acquisition, construction, equipping, development, and financing or refinancing of the Facility will promote the safety, health, welfare, convenience, and prosperity of the inhabitants of the Commonwealth by enhancing the ability of the Company to provide its services to the inhabitants of the Commonwealth and Henrico County.

2. As a further inducement to the Company to acquire, construct, equip, and develop the Facility, the Henrico Authority concurs that the Essex Authority may assist the Company in every reasonable way to finance the acquisition, construction,

equipping, and development of the Facility and to undertake the issuance of the Bonds upon terms and conditions mutually agreeable to the Essex Authority and the Company.

3. All fees, costs, and expenses in connection with the financing and the acquisition, construction, equipping, and development of the Facility, including the fees and expenses of the Henrico Authority and Henrico Authority counsel, shall be paid from the proceeds of the Bonds or from moneys provided by the Company. If for any reason the Bonds are not issued, it is understood that all such expenses shall be paid by the Company and that the Henrico Authority shall have no responsibility therefor.

4. The Henrico Authority hereby recommends and requests that the Henrico Board, within 60 days hereof, approve the issuance of the Bonds and concur with the Inducement Resolution. In addition to the summary of the Essex public hearing, the Henrico Authority hereby directs the Assistant Secretary of the Henrico Authority to submit to the Henrico Board a summary of the Henrico public hearing, including this resolution, the Company's fiscal impact statement, and a summary of the comments made at the public hearing held by the Henrico Authority.

5. The Company having requested the appointment of Kaufman & Canoles, P.C., as Bond Counsel in connection with the issuance of the Bonds, the Henrico Authority hereby consents to the appointment of Kaufman & Canoles, P.C., by the Essex Authority as Bond Counsel to supervise the proceedings and approve the issuance of the Bonds.

6. It is understood that the financing documents shall provide that the Company shall indemnify and save harmless the Authority, its officers, directors, employees, attorneys, and agents from and against all liabilities, obligations, claims, damages, penalties, fines, losses, costs, and expenses in any way connected with the adoption of this resolution and the issuance and sale of the Bonds.

7. The Bonds shall not be issued until all governmental approvals as required by the Act and the Code have been obtained.

8. All other acts of the officers of the Authority which are in conformity with the purposes and intent of this resolution and in furtherance of the issuance and sale of the Bonds are hereby ratified, approved, and confirmed.

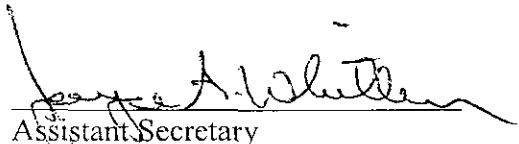
9. Subject to paragraph 7, this resolution shall take effect immediately upon its adoption and shall expire one year from the date of its adoption unless some or all of the Bonds are issued within such time.

CERTIFICATE

I, the undersigned Assistant Secretary of the Economic Development Authority of Henrico County, Virginia, hereby certify that the foregoing is a true, correct and complete copy of a Resolution duly adopted by a majority of the directors of the Economic Development Authority of Henrico County, Virginia at a regular meeting, held on November 20, 2008, and that such Resolution has not been repealed, revoked, rescinded or amended, but is in full force and effect on the date hereof.

WITNESS my hand and the seal of the Economic Development Authority of Henrico County, Virginia this 22 day of December, 2008.

(SEAL)


Assistant Secretary
Economic Development Authority of
the County of Henrico, Virginia



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 362-08

Page No. 1 of 1

Agenda Title: RESOLUTION – Authorization to Apply for and Accept FY 2009 Hazardous Materials Emergency Preparedness Grant from the United States Department of Transportation through the Virginia Department of Emergency Management

For Clerk's Use Only:

Date: DEC 09 2008

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

BOARD OF SUPERVISORS ACTION

Moved by (1) Glover 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"/>

WHEREAS, the Division of Fire, with the support of the County of Henrico Local Emergency Planning Committee, wishes to apply for and, if awarded, accept a FY 2009 Hazardous Materials Emergency Preparedness ("HMEP") grant from the United States Department of Transportation through the Virginia Department of Emergency Management; and

WHEREAS, the HMEP grant, which totals \$28,918.75, requires a 20% local match that the Division of Fire will satisfy through the provision of services by its Emergency Manager; and

WHEREAS, the Division of Fire will use the HMEP grant to identify the hazardous materials that enter and pass through Henrico County and the greater Richmond metropolitan area so that current training, equipment, and response policies and procedures for public safety can be evaluated and revised as necessary to ensure adequate response capabilities.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County authorizes the County Manager to apply for and, if awarded, accept a FY2009 HMEP grant from the United States Department of Transportation through the Virginia Department of Emergency Management.

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

By Agency Head

Robert H. Smith

By County Manager

David R. Taylor

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. 363-08
Page No. 1 of 1

Agenda Title: **Resolution – Award of Contract for Engineering Design Services – Klehr Field Athletic Complex Field Lighting Replacement**

For Clerk's Use Only:

DEC 09 2008

Date: _____

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

WHEREAS, on October 3, 2008, six (6) proposals were received in response to RFP #08-8493-9CS to provide for engineering design services for Klehr Field Athletic Complex Field Lighting Replacement; and,

WHEREAS, based upon review and evaluation of the written proposals, the Selection Committee (consisting of Mr. Steve Hart, Mr. Vince Henderson, Mr. Joe Coleman and Mrs. Cecelia Stowe) interviewed the following firms:

Wiley & Wilson, Inc.
Clough Harbour & Associates, LLP

WHEREAS, the Selection Committee negotiated a contract with **Wiley & Wilson, Inc.**, the first ranked offeror, in the amount of \$46,790.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors:

1. A contract to provide engineering design services for Klehr Field Athletic Complex Field Lighting Replacement is awarded to **Wiley & Wilson, Inc.** in the amount of \$46,790 in accordance with RFP #08-8493-9CS, the October 2, 2008 proposal, and the revised fee schedule letter dated November 17, 2008 submitted by **Wiley & Wilson, Inc.**
2. The County Manager and Clerk are authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Director of General Services as his designee, is authorized to execute all change orders within the scope of the project budget.

Comments: Funding to support the contract is available. The Director of Recreation and Parks and the Director of General Services, 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. 364-08
Page No. 1 of 1

Agenda Title: **Resolution – Award of Contract for Architectural and Engineering Services – Tuckahoe Park Challenger Baseball Field**

For Clerk's Use Only: DEC 09 2008 Date: _____ (<input checked="" type="checkbox"/>) Approved () Denied () Amended () 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></td><td></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td></td><td></td></tr><tr><td>Kaechele, D.</td><td><input checked="" type="checkbox"/></td><td></td><td></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td></td><td></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td></td><td></td></tr></tbody></table>		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"/>		
		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"/>																									

WHEREAS, on October 24, 2008, six (6) proposals were received in response to RFP #08-8526-10CS to provide architectural and engineering services for a new Tuckahoe Park Challenger Baseball Field; and,

WHEREAS, based upon review and evaluation of the written proposals, the Selection Committee (consisting of Mr. Steve Hart, Mr. Mike O'Toole, Mr. Greg Baka and Mrs. Cecelia Stowe) interviewed the following firms:

Clough Harbour & Associates, LLP
Timmons Group
Burgess & Niple, Inc.

WHEREAS, the Selection Committee negotiated a contract with **Clough Harbour & Associates, LLP**, the first ranked offeror, in the amount of \$71,160.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors:

1. A contract to provide architectural and engineering services for Tuckahoe Park Challenger Baseball Field is awarded to **Clough Harbour & Associates, LLP** in the amount of \$71,160 in accordance with RFP #08-8526-10CS, the October 23, 2008 proposal, and a fee schedule letter dated November 19, 2008 submitted by **Clough Harbour & Associates, LLP**.
2. The County Manager and Clerk are authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Director of General Services as his designee, is authorized to execute all change orders within the scope of the project budget.

Comments: Funding to support the contract is available. The Director of Recreation and Parks and the Director of General Services, the County Manager concurring, recommend approval of this Board paper.

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. 365-08

Page No. 1 of 1

Agenda Title: RESOLUTION – Adoption of Revised Division of Recreation and Parks Facility
Reservation Guides

For Clerk's Use Only:

Date:

DEC 09 2008

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

BOARD OF SUPERVISORS ACTION

Moved by (1) Glover
(2) _____

Seconded by (1) Thornton
(2) _____

REMARKS:

APPROVED

YES NO OTHER

Donati, J. ✓ _____

Glover, R. ✓ _____

Kacchele, D. ✓ _____

O'Bannon, P. ✓ _____

Thornton, F. ✓ _____

WHEREAS, by Agenda Item No. 272-86 dated May 14, 1986, the Board of Supervisors of Henrico County (the "Board") adopted a resolution that established a general policy governing the use of all County facilities (the "Facilities Use Policy"); and,

WHEREAS, consistent with the Facilities Use Policy, the Board subsequently adopted policies and fee schedules for each of the County's 11 facilities used for recreational purposes, i. e., Antioch School Community Center, The Armour House and Gardens, Belmont Recreation Center, Confederate Hills Recreation Center, Deep Run Recreation Center, Dorey Recreation Center, Henrico Theatre, Hidden Creek Recreation Center, Highland Springs Community Center, Twin Hickory Recreation Center, and Walkerton Tavern and Gardens (collectively, the "Facility Reservation Guides"); and

WHEREAS, the Division of Recreation and Parks has recommended that the Board revise the existing Facility Reservation Guides for all 11 facilities to ensure clarity as well as consistency and uniformity among the 11 facilities.

NOW, THEREFORE, BE IT RESOLVED by the Board that it adopts for the 11 recreation facilities named above revised Facility Reservation Guides as submitted to this meeting.

BE IT FURTHER RESOLVED that the revised Facility Reservation Guides adopted by this resolution shall supersede the existing Facility Reservation Guides, and shall become effective for applications submitted beginning January 2, 2009.

Comments: The Director of Recreation and Parks recommends approval of this Board paper; the County Manager concurs.

By Agency Head

Karen K. Mier

By County Manager

David A. Knight

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. 366-08

Page No. 1 of 1

Agenda Title: RESOLUTION – Adoption of Division of Recreation and Parks Facility Reservation Guide for Hunton Community Center

For Clerk's Use Only:

Date: DEC 09 2008

- (☒) Approved
() Denied
() Amended
() Deferred to.

BOARD OF SUPERVISORS ACTION

Moved by (1) Glover Seconded by (1) Thornton
(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, by Agenda Item No. 272-86 dated May 14, 1986, the Board of Supervisors of Henrico County (the "Board") adopted a resolution that established a general policy governing the use of all County facilities (the "Facilities Use Policy"); and,

WHEREAS, consistent with the Facilities Use Policy, the Board adopted on December 9, 2008 a resolution approving policies and fee schedules, known as "Facility Reservation Guides," for each of the County's 11 existing facilities used for recreational purposes; and,

WHEREAS, the County has recently acquired Hunton Community Center which the Division of Recreation and Parks will use for recreational purposes; and,

WHEREAS, it is necessary and desirable to adopt a Facility Reservation Guide governing the use of Hunton Community Center that is consistent with the County's Facilities Use Policy and the Facility Reservation Guides for each of the County's 11 other facilities used for recreational purposes.

NOW, THEREFORE, BE IT RESOLVED by the Board that it adopts for Hunton Community Center the Facility Reservation Guide as submitted to this meeting.

BE IT FURTHER RESOLVED that the Facility Reservation Guide adopted by this resolution shall become effective for applications submitted beginning January 2, 2009.

Comments: The Director of Recreation and Parks recommends approval of this Board paper; the County Manager concurs.

By Agency Head

Karen K. Miller

By County Manager

David A. Knight

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. 367-08
Page No. 1 of 2

Agenda Title: RESOLUTION – Authorization to Accept Reduced Survey and Planning Cost Share Program Funding from Virginia Department of Historic Resources

For Clerk's Use Only:

Date: DEC 09 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"/>

WHEREAS, the Henrico County Division of Recreation and Parks applied for funding to the Virginia Department of Historic Resources ("VDHR") through its Survey and Planning Cost Share Program, to be applied to a County-wide Architectural Survey Update, Archaeological Assessment, and Comprehensive Report preparation (the "Project"); and,

WHEREAS, the Henrico County Board of Supervisors approved Resolution 267-08 on September 9, 2008 authorizing the County Manager to accept the VDHR Survey and Planning Cost Share Program funding by signing an agreement, in the form presented in that meeting and in a form approved by the County Attorney, between VDHR and the County; and,

WHEREAS, the Henrico County Division of Recreation and Parks was contacted by VDHR regarding a \$10,000 reduction in funding due to circumstances unforeseen by VDHR; and,

WHEREAS, the State has not signed the Survey and Planning Cost Share Program project agreement; and,

WHEREAS, VDHR has notified the County that it has reallocated \$20,000 towards the Project with no reduction in project scope; and,

WHEREAS, the Project will produce architectural documentation of about 250 properties in the County and prepare three to five Preliminary Information Forms on neighborhoods to assess their eligibility for listing in the National Register of Historic Places and Virginia Landmarks Register as historic districts; and,

WHEREAS, findings from the Architectural Survey and the Archaeological Assessment will be presented in a report that will also include a battlefield identification and protection plan, preservation planning recommendations, and mapping of historic cemeteries; and,

By Agency Head

Karen L. Mierzan

By County Manager

David W. Reynolds

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. 367-08

Page No. 2 of 2

Agenda Title: RESOLUTION – Authorization to Accept Reduced Survey and Planning Cost Share Program Funding from Virginia Department of Historic Resources

WHEREAS, in order to accept the VDHR Survey and Planning Cost Share Program funding, the County must enter into a State Survey and Planning Funds Agreement (the "Agreement") with VDHR for which the County has appropriated \$35,000 as approved in Resolution 267-08 to the Project and provide in kind support to the Project's consultant; and,

WHEREAS, VDHR will secure the services of a qualified consultant and manage the Project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County that the County Manager is authorized to accept the reduced VDHR Survey and Planning Cost Share Program funding by signing the Agreement, in the form presented to this meeting and in a form approved by the County Attorney, between VDHR and the County.

Comments: The Director of Recreation and Parks recommends approval of this Board paper; the County Manager concurs.

**STATE SURVEY AND PLANNING FUNDS AGREEMENT
FISCAL YEAR 2008-09**

This agreement is entered into on the 21st day of November, 2008, by Henrico County (County) and the Virginia Department of Historic Resources (DHR), to carry out the Henrico County Architectural Survey Update, Archaeological Assessment, and Comprehensive Report project. For this project, a county-wide architectural survey will be undertaken to update existing documentation data, resulting in reconnaissance-level survey or resurvey of about 250 properties; and a county-wide archaeological assessment will be conducted. Information from these studies will be presented in a report, which will also include other components as indicate below; and a PowerPoint presentation summarizing project findings shall also be provided. Areas and properties to be documented shall be determined in consultation with the County and DHR. It is the mutual expectation of the County and DHR that this historic preservation documentation project will update and bring together historic preservation studies done in the County to date, and will provide valuable information for supporting the County's planning goals, for use in educational programming, and for heritage tourism promotion.

Witness that the County and DHR, in consideration of mutual covenants, promises and agreements herein contained, agree as follows:

Scope of Agreement: The County shall provide funding up to the amount of \$35,000, and in-kind support (in the form of access to the County's historic archives and library, temporary workspace while the consultant is using County records and conducting field work, access to a photocopier and fax machine, limited clerical assistance, and mailing services), and DHR shall provide funding up to the amount of \$20,000, to conduct a county-wide architectural survey producing documentation on about 250 properties (including new survey and resurvey of previously documented properties), prepare three (3) to five (5) Preliminary Information Forms on neighborhoods to assess their potential eligibility for listing in the National Register of Historic Places and the Virginia Landmarks Register as historic districts, produce a county-wide archaeological assessment, and prepare a report presenting findings from the architectural survey and the archaeological assessment, and including a battlefield identification and protection plan, and preservation planning recommendations. For this project, the County's historic cemeteries will also be mapped, and a PowerPoint presentation summarizing project findings will be produced. At the discretion of the County and DHR, the project may also include reconnaissance-level documentation of cultural landscapes that may be identified during the project, placing priority on those deemed to be potential candidates for National Register of Historic Places and Virginia Landmarks Register eligibility; recordation of cultural landscapes will be counted towards the total number of above-ground properties documented. The County and DHR will determine priority areas for survey in consultation with the contractor. At the discretion of the County and DHR, documentation of properties at the intensive level (including cultural landscapes) may be substituted for reconnaissance level survey, reducing the number of properties surveyed at the reconnaissance level by two (2), for each property to be surveyed at the intensive level. All work is to conform to DHR requirements. DHR will assume all administrative responsibilities for the project including contracting with a qualified vendor, paying all bills, monitoring the progress of the project, and ensuring final delivery of a satisfactory product. The final amount of funding to be provided by the County and by DHR shall be determined according to the fee of the selected contractor, which may be less than the anticipated project budget.

Period of Performance: DHR Cost Share Program funds for this project are available during the August 1, 2008 – June 1, 2010 period only. All work on the project is to be completed by March 31, 2010 to ensure close out of the project by June 1, 2010, unless by mutual agreement between the County and DHR the contract period is extended beyond June 1, 2010.

Funding Contingency: DHR Cost Share program funding is contingent upon budgetary considerations. If unforeseen circumstances reduce available funding for the 2008-09 cycle, DHR shall renegotiate this agreement with the County to provide the funding committed herein with an extended project schedule.

This agreement shall consist of:

1. This signed form
2. Any negotiated modifications to the Application, all of which documents shall be incorporated herein

In witness whereof, the parties have caused this Agreement to be duly executed intending to be bound thereby.

**APPLICANT:
HENRICO COUNTY**

BY:  _____

TITLE: _____

DATE: _____

**SOLICITOR:
DEPARTMENT OF HISTORIC RESOURCES**

BY: _____

TITLE: Director and State Historic Preservation Officer

DATE: _____

Request for Applications
Survey and Planning Cost Share Program
Virginia Department of Historic Resources
April 15, 2008

REQUEST FOR APPLICATIONS

Issue Date: April 15, 2008

Title: Request for Applications for 2008-2009 State Survey and Planning Cost Share Funds

Issuing Agency: Commonwealth of Virginia
Department of Historic Resources
Community Services Division
2801 Kensington Avenue
Richmond, VA 23221

**Project Period
(Anticipated Period
of Agreement):** From August 1, 2008 to June 30, 2010

Applications will be accepted by the Virginia Department of Historic Resources (DHR) until 4:00 PM, Tuesday, June 10, 2008.

Direct inquiries for information concerning this solicitation for the Survey and Planning Cost Share to:

Susan E. Smead, Survey Program Manager
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221

Telephone: (804) 367-2323, ext. 107
E-mail: Susan.Smead@dhr.virginia.gov

Direct inquiries for information and assistance regarding preparation of applications in response to this Request for Applications (RFA) to the appropriate DHR Regional Office—see Page 4 of this RFA.

Request for Applications
Survey and Planning Cost Share Program
Virginia Department of Historic Resources
April 15, 2008

CERTIFICATION

This certification must be signed by an individual with the authority and power to commit funds set forth in the Cost Share application as a match for a Cost Share project, and with the ability to guarantee the availability of funds at the time that a Cost Share Agreement is executed with the Virginia Department of Historic Resources (DHR) to carry out a Cost Share project. This certification form must accompany the application (see section IV.B.1. of this Request for Applications).

In compliance with this Request for Applications and to all the conditions imposed therein and hereby incorporated by reference, the undersigned offers and agrees to enter into a Cost Share Agreement in accordance with the attached signed application, or as mutually agreed upon by contract.

CERTIFICATION: I certify that the information in this application is accurate to the best of my knowledge, and that I am authorized to make this request. I agree to abide by all the terms and conditions set forth in this application and accompanying materials, if selected to enter into a Cost Share Agreement. I certify that the funding amount(s) set forth for the local match, and any offered "in-kind" support, will be available for the proposed project when a Cost Share Agreement is entered into with DHR, should the project be selected for Cost Share program funding.

Name and Address of Applicant(s):

Virgil R. Hazelett, P.E.

County of Henrico, VA

P.O. Box 27032

Richmond, VA 23273

FEI/FIN No.: 54-6001344

By: 

Title: County Manager

Date: June 6, 2008

Phone No.: (804) 501-4206

Fax No.: (804) 501-4162

E-mail: _____

Add sheets as necessary for multiple applicants, providing all requested information for each.

Please note that complete certification information, and the ability to commit proposed funding and to make such funding available at the time a Cost Share Agreement is executed, is required for consideration of the application.



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:

DEC 09 2008

Date

- ☒ Approved
☐ Denied
☒ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

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

REMARKS

APPROVED
price of \$213,500.00

	YES	NO	OTHER
Donati, J.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Glover, R.	<input checked="" type="checkbox"/>	<input checked="" 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 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; \$213,500.00
- (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: _____

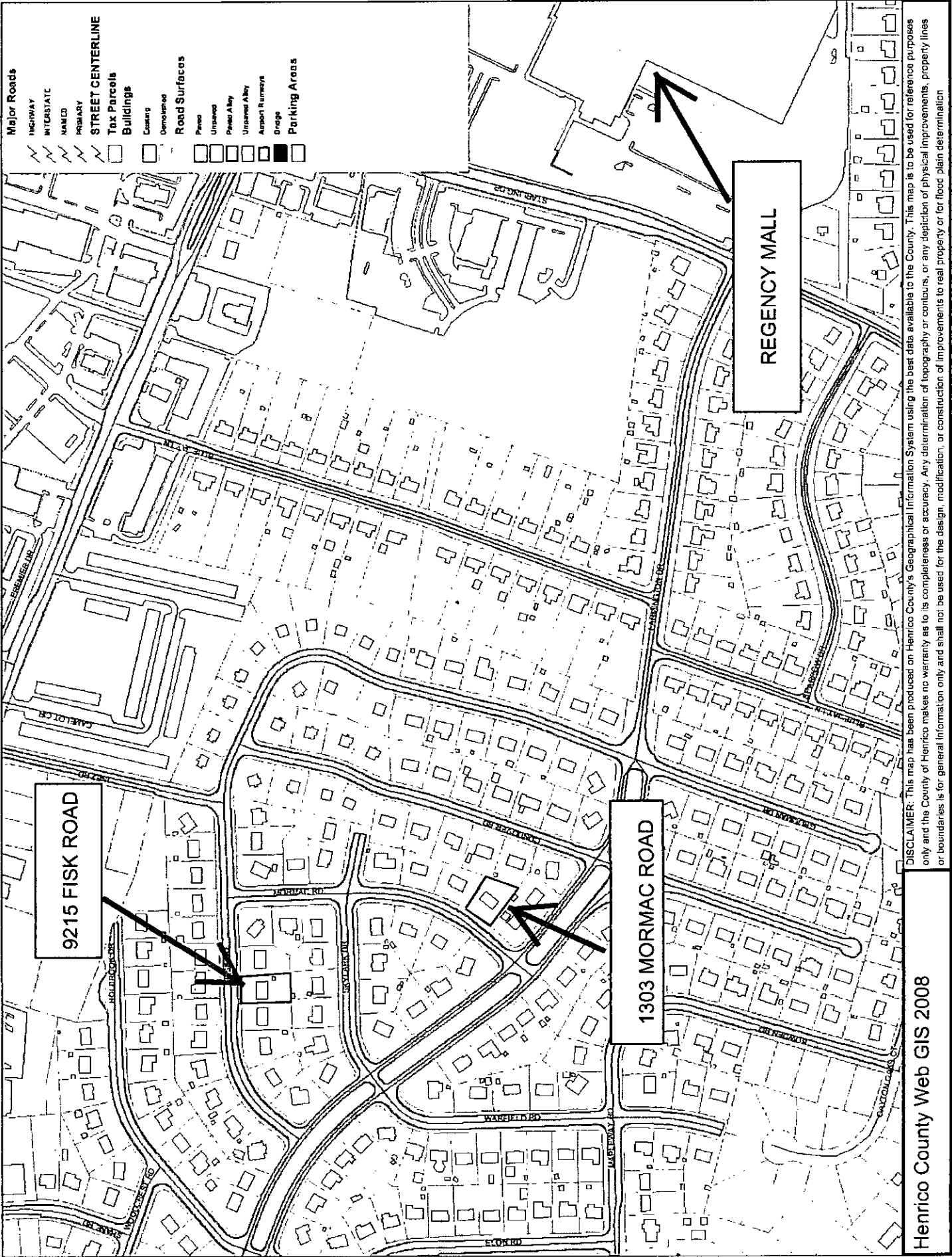
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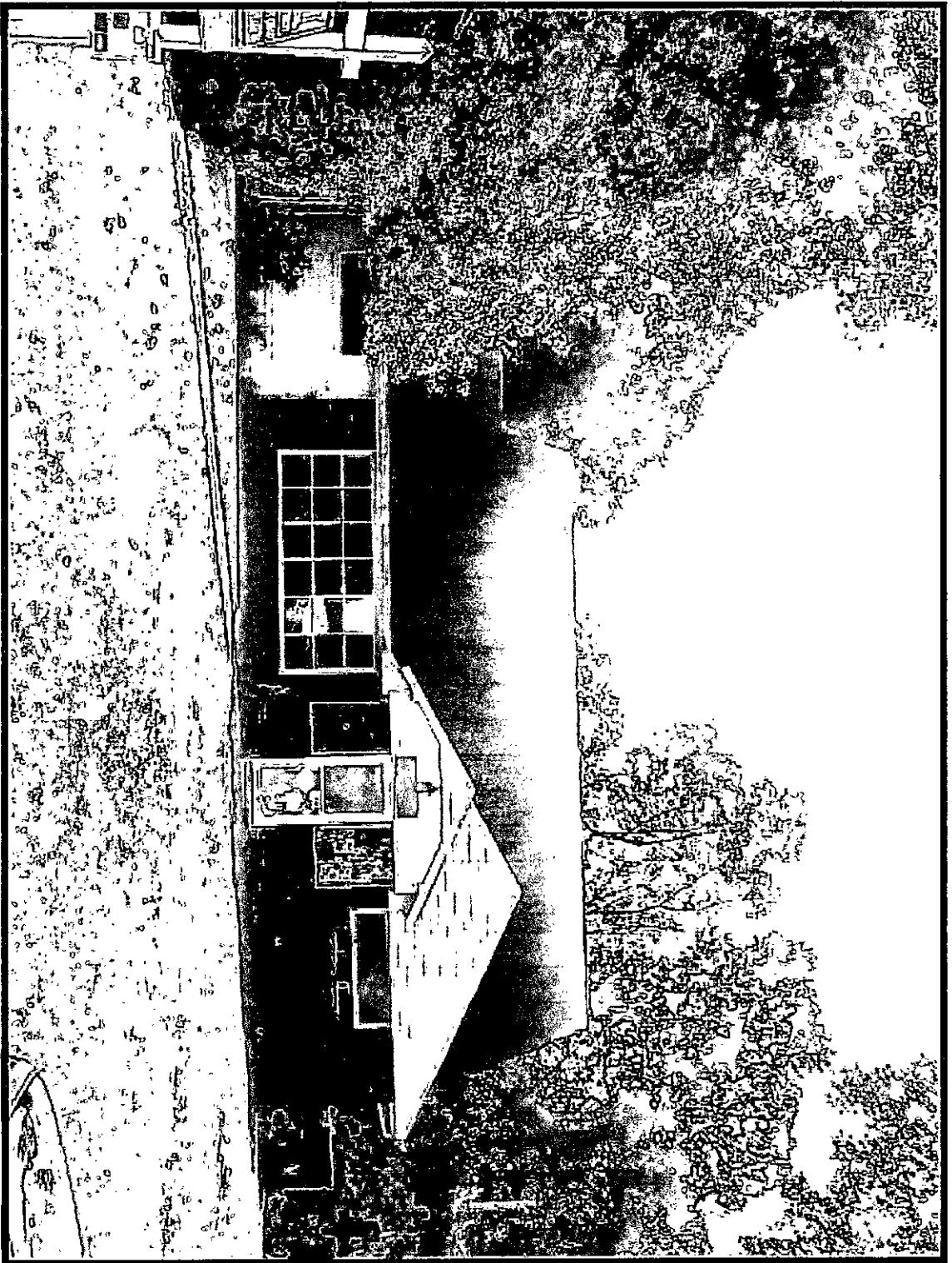
Certified:

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Clerk, Board of Supervisors

Date: _____







COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 308-08

Page No. 1 of 1

Agenda Title

RESOLUTION - Signatory Authority - Acquisition of Real Property - 4003 Hooper Road - Brookland District

For Clerk's Use Only:

Date DEC 09 2008

☒ Approved
☐ Denied
☐ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

Moved by (1) Glover Seconded by (1) Thornton
(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, the Board of Supervisors of Henrico County, Virginia (the "Board") desires to acquire additional property near the Government Center when it becomes available for purchase in order to allow for expansion of the Government Center to better serve the residents of Henrico County; and,

WHEREAS, Teresa C. Wingold and Charles F. Wingold, Co-Trustees of the Teresa C. Wingold Living Trust U/A dated February 27, 2007 (the "Sellers") have agreed to convey a parcel of land near the Government Center and totaling 0.39 acres, more or less, at 4003 Hooper Road (the "Property") to the County of Henrico, Virginia (the "County") 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 \$100,000.00 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 General Services and Real Property recommend approval of this paper; the County Manager concurs.

By Agency Head [Signature] 411

By County Manager [Signature]

Routing:

Yellow to: _____

Copy to: _____

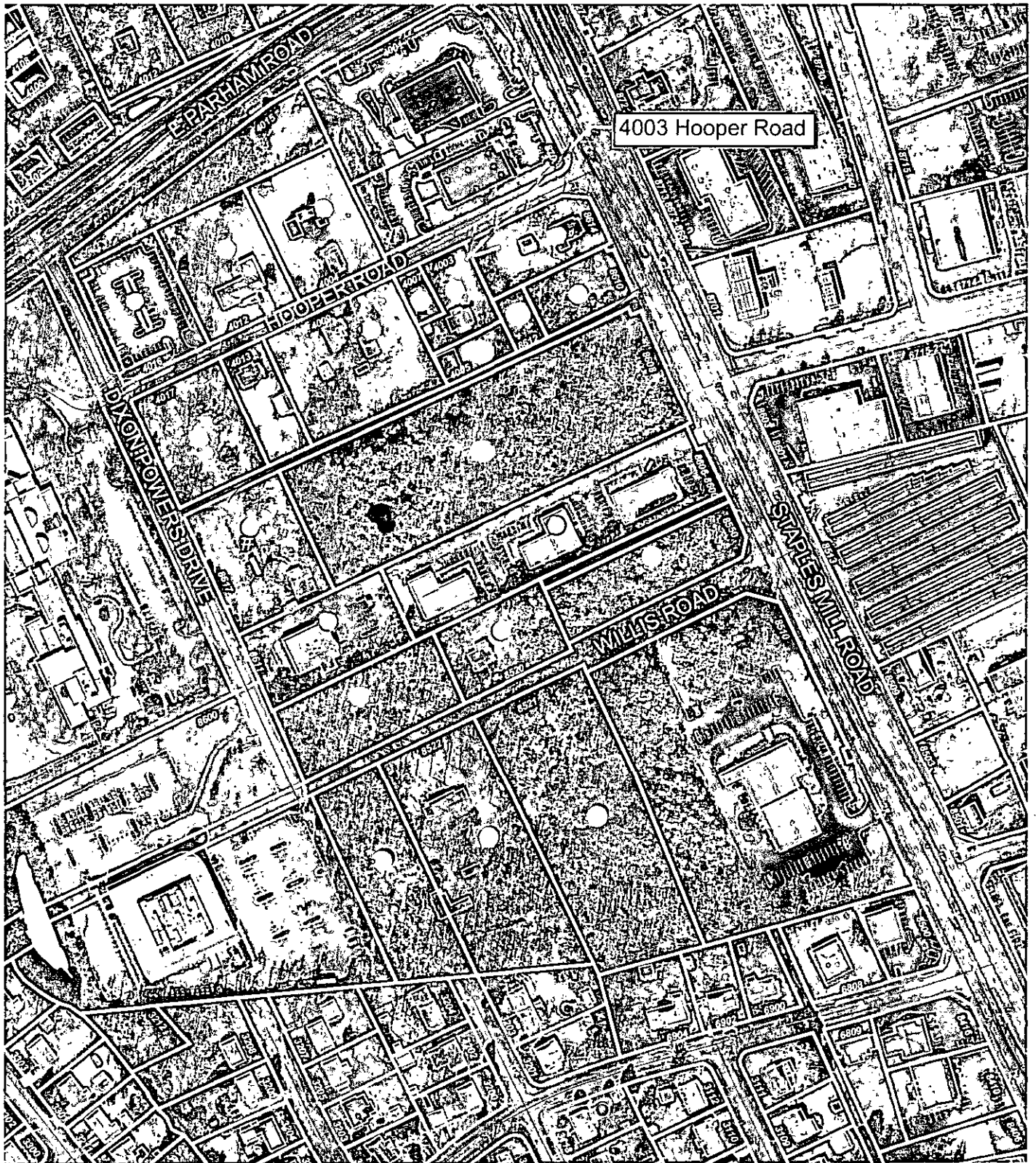
Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

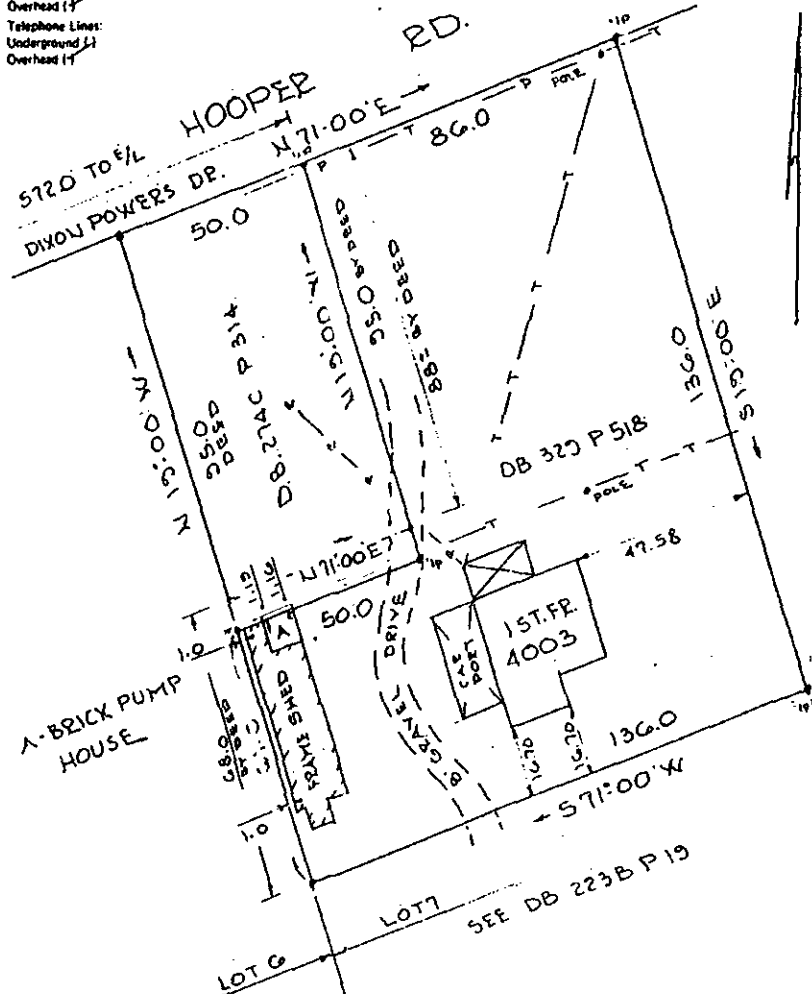
Properties Between Dixon Powers Drive & Staples Mill Road



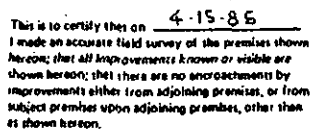
○ Proposed Purchases ○ County Owned



254



PLAT OF
No. 4003 HOOPER RD.
HENRICO CO. VA.



New 1% Complete _____
Old 14 _____
By P. J.

DATE: APRIL 15 1985
DRAWN BY: GYS
SCALE: 1" = 30'
BY: JA
BOOK NO: 456 - 460

GEO. M. STEPHENS, JR.
CERTIFIED LAND SURVEYOR, LTD.
#520 & #74
RICHMOND, VIRGINIA
MEMBER: ASM & VAS



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 369-08
Page No. 1 of 1

Agenda Title: INTRODUCTION OF 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:

DEC 09 2008

Date: _____

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

BOARD OF SUPERVISORS ACTION

Moved by (1) Glover Seconded by (1) Thornton
(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"/>	_____	_____

The Clerk is directed to advertise, in the Richmond Times-Dispatch on December 23, 2008 and December 30, 2008, the following ordinance for a public hearing to be held in the Board Room on January 13, 2009 at 7:00 p.m.:

"AN 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. A copy of the full text of this ordinance shall be on file in the Office of the County Manager, Parham and Hungary Spring Roads, Henrico, Virginia."

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

By Agency Head

Arthur O. Pelham

By County Manager

David A. Hays

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

BLACKLINE

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

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

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

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 percent 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 shall be in full force and effect on and after its passage.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 370-08

Page No.

Agenda Title: **RESOLUTION — Signatory Authority — Amendment to Engineering Services Agreement — Whitman, Requardt and Associates, LLP — Wilkinson Road Area Water Mains**

For Clerk's Use Only:

DEC 09 2008

Date:

- ☒ 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, on October 13, 2004 the Board of Supervisors approved an engineering agreement with Whitman, Requardt and Associates, LLP for professional engineering services for the Wilkinson Road Area Water Mains Project; and,

WHEREAS, the agreement has previously been amended by Amendment No. 1 dated November 21, 2005, Amendment No. 2 dated November 27, 2006, and Amendment No. 3 dated November 20, 2007 to provide for additional engineering services; and,

WHEREAS, the parties wish to amend the agreement to provide for additional engineering services for design of 3,000 linear feet of water main; and,

WHEREAS, the Department of Public Utilities has negotiated an increase in the contract amount of \$40,029 for the additional services.

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 professional services agreement with Whitman, Requardt and Associates, LLP in a form approved by the County Attorney to increase the contract amount for engineering services by \$40,029 to a total of \$503,069.

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

By Agency Head

Arthur O. Bell

By County Manager

David P. Reardon

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. **371-08**
Page No. 1 of 1

Agenda Title: RESOLUTION – Award of Construction Contract – Henrico County Communications Complex Stream Restoration Project (approximately 1,400 feet). Brookland District.

For Clerk's Use Only:

DEC 09 2008

Date: Dec 9, 2008

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

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

WHEREAS, the County solicited bids through Bid Request #08-8474-8JK for construction of the Henrico County Communications Complex Stream Restoration Project; and,

WHEREAS, eight bids were opened and read on October 23, 2008; and,

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

WHEREAS, the bids were as follows:

Angler Environmental	\$496,771.66
J.E. Liesfeld	\$688,769.90
EQR	\$699,674.54
Appalachian Environmental	\$715,300.52
Enviroscape	\$899,234.95
Possie Chenault	\$1,214,114.00
Southwood Builders	\$1,271,350.91
Bryant Contracting	\$1,450,542.80

NOW, THEREFORE, BE IT RESOLVED by the Henrico County Board of Supervisors that a contract for construction of the Henrico County Communications Complex Stream Restoration Project is awarded to Angler Environmental, the lowest responsive and responsible bidder, in the amount of \$496,771.66 with a completion time of 150 calendar days after notice to proceed.

BE IT FURTHER RESOLVED that the County Manager is authorized to execute the contract in a form approved by the County Attorney.

COMMENTS: Funding for this project will be provided from the Environmental Fund. The Directors of Public Works and General Services recommend approval of this Board paper, and 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: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 372-08
Page No. 1 of 2

Agenda Title: RESOLUTION - ACCEPTANCE OF ROADS

For Clerk's Use Only: Date: <u>DEC 09 2008</u> <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	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, E. <input checked="" type="checkbox"/> _____
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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.

Raleigh - Tuckahoe District

Raleigh Manor Place from Sleepy Hollow Road to Raleigh Manor Road	0.08 Mi.
Raleigh Manor Road from 0.12 Mi. S. of Raleigh Manor Place to 0.44 Mi. N. of Raleigh Manor Place	0.56 Mi.
Lilly Meadow Court from Raleigh Manor Road to 0.05 Mi. N. of Raleigh Manor Road	0.05 Mi.
Raleigh Manor Court from Raleigh Manor Road to 0.06 Mi. E. of Raleigh Manor Road	0.06 Mi.
Total Miles	0.75 Mi.

Springfield Manor, Section A - Brookland District

Olde Milbrooke Way from Springfield Road to 0.08 Mi. N. of Springfield Road	0.08 Mi.
Total Miles	0.08 Mi.

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. *372-08*

Page No. 2 of 2

Agenda Title: RESOLUTION – ACCEPTANCE OF ROADS

Sandy Grove – Fairfield District

<i>Sandy Grove Court from Watts Lane to 0.13 Mi. N. of Watts Lane</i>	<u>0.13 Mi.</u>
Total Miles	0.13 Mi.

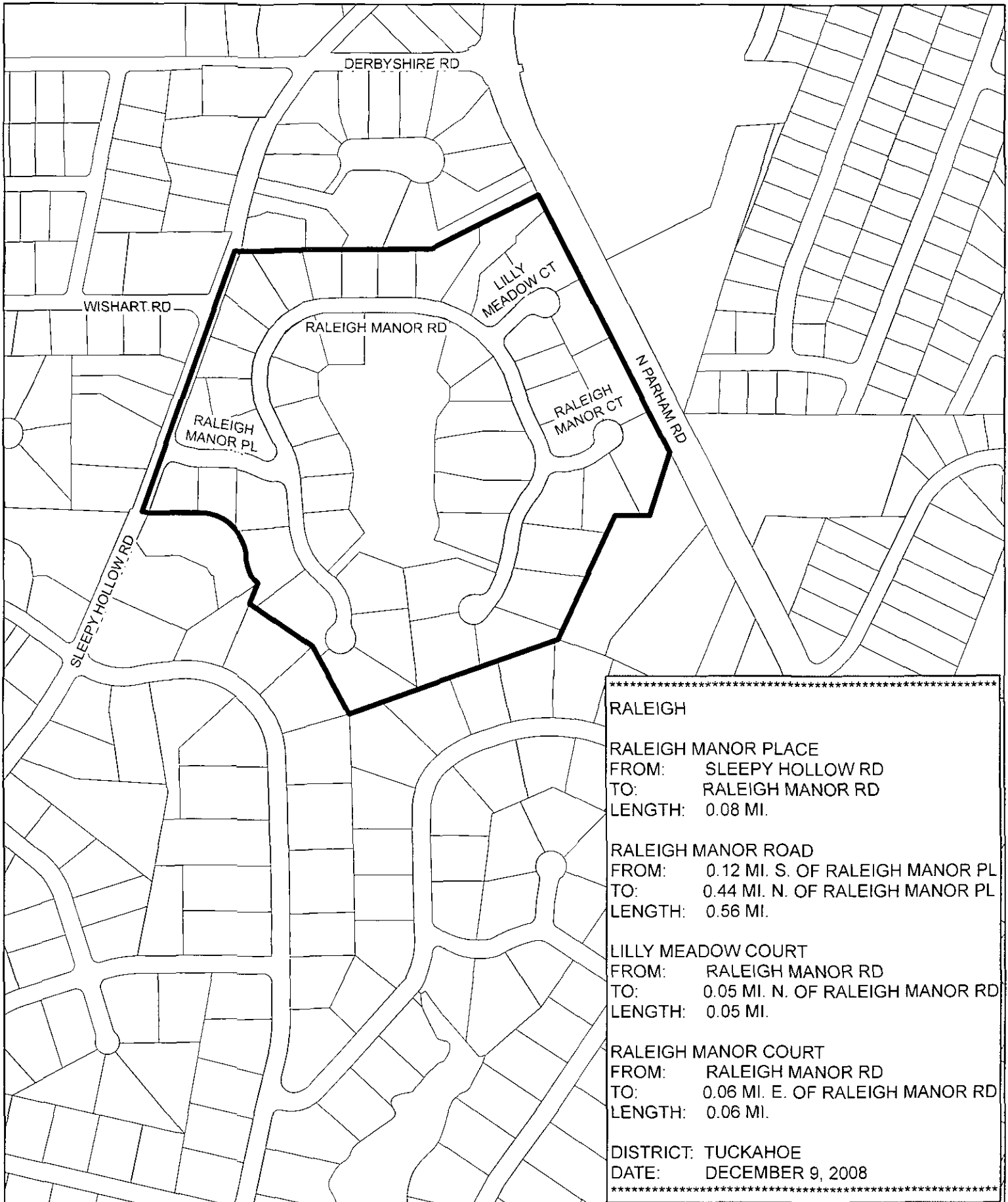
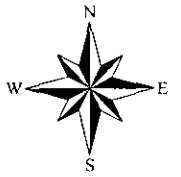
Csiki's Acres, Section A – Varina District

Chillie Lane from White Oak Road to 0.25 Mi. W. of White Oak Road	0.25 Mi.
Brickbat Court from Chillie Lane to 0.08 Mi. N. of Chillie Lane	0.08 Mi.
Scaffold Court from 0.04 Mi. S. of Chillie Lane to 0.14 Mi. N. of Chillie Lane	<u>0.18 Mi.</u>
Total Miles	0.51 Mi.

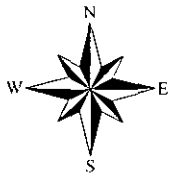
Elko School Road – a Dedication of Elko School Road – Varina District

Elko School Road from Elko Road to 0.23 Mi. E. of Elko Road	<u>0.23 Mi.</u>
Total Miles	0.23 Mi.

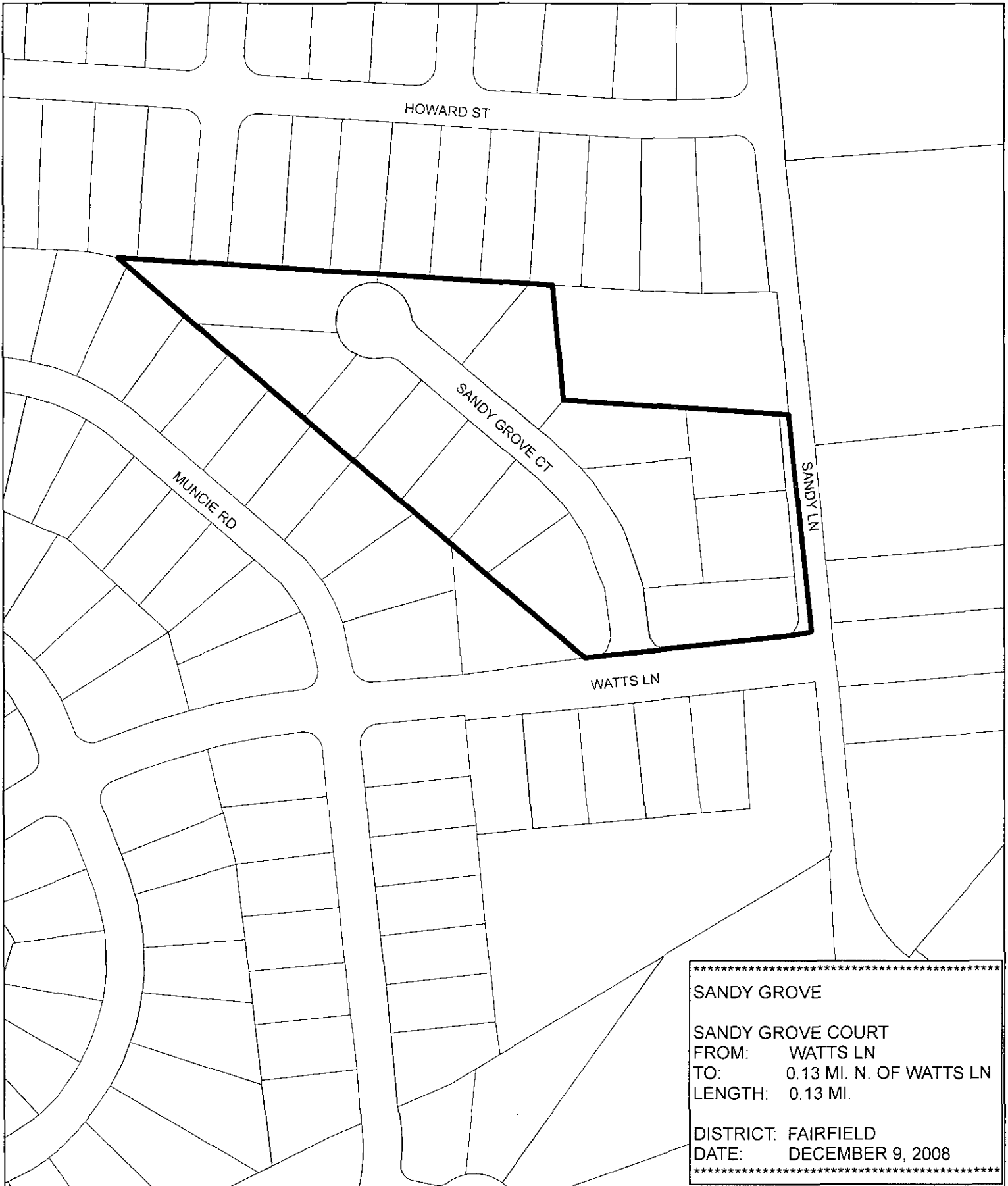
RALEIGH



SPRINGFIELD MANOR SECTION A



SANDY GROVE



SANDY GROVE

SANDY GROVE COURT

FROM: WATTS LN

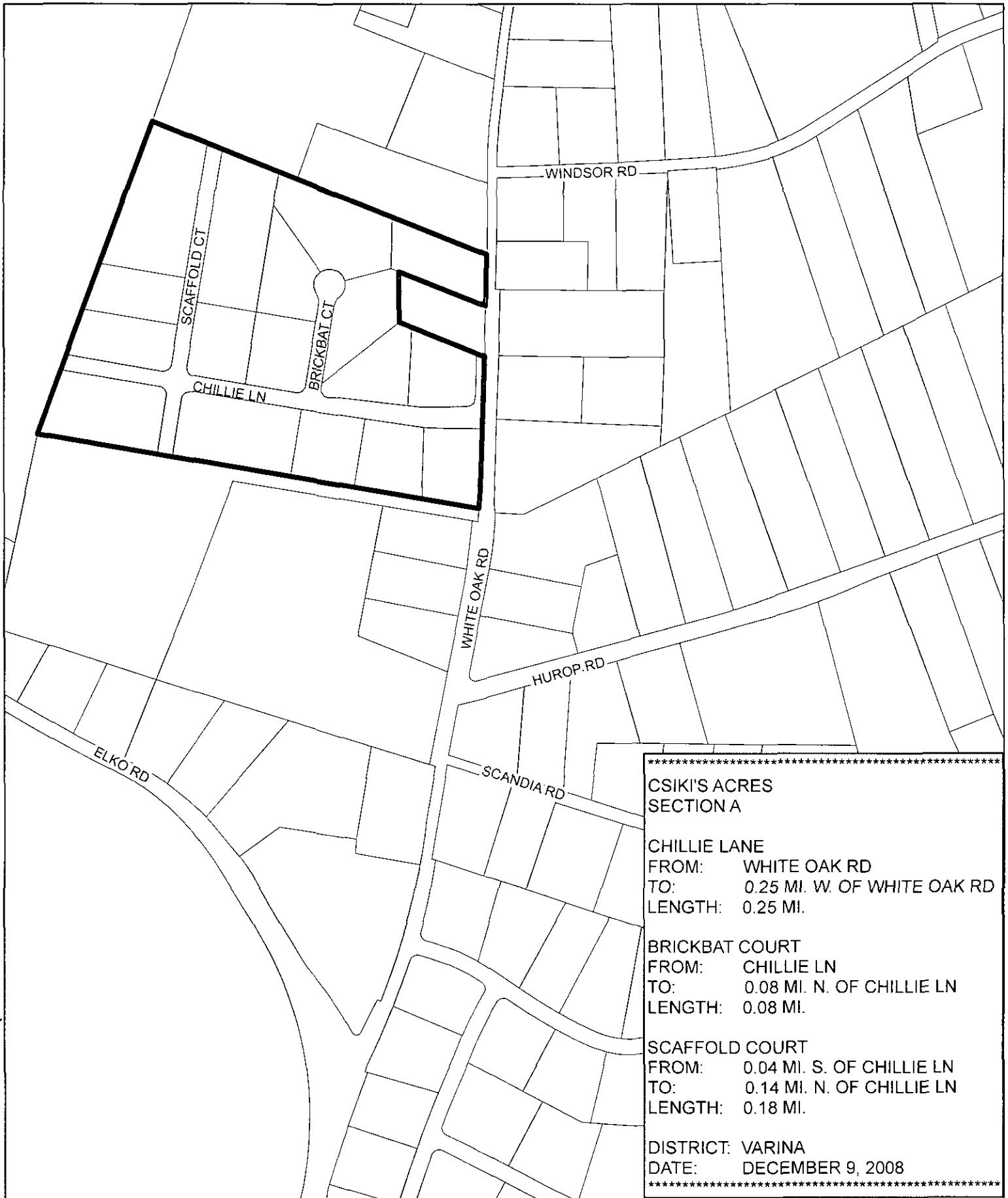
TO: 0.13 MI. N. OF WATTS LN

LENGTH: 0.13 MI.

DISTRICT: FAIRFIELD

DATE: DECEMBER 9, 2008

CSIKI'S ACRES SECTION A



ELKO SCHOOL ROAD

A DEDICATION OF ELKO SCHOOL ROAD

