

COUNTY OF HENRICO, TO-WIT:

At a regular meeting of the Board of Supervisors of Henrico County, held in the Board Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia, on Tuesday, the 12th of February 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 7:11 p.m.

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

Rev. Cameron Abell, Good News Jail & Prison Ministry, provided the invocation.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, the Board approved the minutes of the January 22, 2008 Regular and Special Meetings and March 19 – 22, 2007 Special Meeting.

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

Henrico Area Mental Health and Retardation Services (HAMHRS) has received its third consecutive three-year accreditation from the Commission on Accreditation of Rehabilitative Facilities (CARF), an international nonprofit organization offering accreditation of human-service providers. This is CARF's highest measure of quality assurance and is the result of a rigorous peer-review process and on-site examination by a team of CARF surveyors of eight programs and services. MH/MR was specifically commended for its fiscal management and controls as well as its approach to information technology. More importantly, surveyors also commented on the commitment and leadership of staff to the mission and values of the agency, including a "person-first" environment and a conscious effort to remove barriers to inclusion. The following members of the HAMHRS staff were principally involved with the CARF accreditation process: Lynn A. Goodale, CCM, Administrative and Financial Services Division Director; Michelle Johnson, LCSW, Community Support Services Division Director; Laura S. Totty, MS, Clinical and Preventive Services Division Director; and Yvonne D. Russell, Quality Assurance Manager.

Assistant County Attorney Rhysa South was inducted as a Fellow of the Virginia Law Foundation during the Virginia Bar Association's Annual Meeting in Williamsburg on January 17, 2008. Fellows are limited to the top one percent of lawyers in the Commonwealth of Virginia and are selected for their professionalism, competence, and ability. Ms. South is the second member of the County Attorney's Office to have received this high honor. County Attorney Joe Rapisarda was inducted as a Fellow in 2001. In congratulating Ms. South, Mr. Hazelett also recognized her husband, Bob, and daughter, Alex, who were in the audience.

BOARD OF SUPERVISORS' COMMENTS

Mrs. O'Bannon referred to a recent article in *American City and County* magazine highlighting an ethics survey of public sector employees (see enclosed copy). She expressed concern over the survey results, which reflected the lack of a culture of ethics in some city and county governments and a high percentage of employees who feel there is something wrong with their government. Mrs. O'Bannon introduced a *Code of Ethics and Standards of Conduct for Members of the Board of Supervisors* for consideration by the Board at a future meeting (see enclosed copy). She stated that she had spoken with Mr. Thornton and he concurred that it was a good time to bring this up. Mrs. O'Bannon also commented that the last time she introduced this the Board did not get very far in the discussion. She pointed out that although the Board has a mission statement on the County's web site, no code of ethics is listed. With the Board's concurrence, Mr. Kaechele asked that Mr. Hazelett bring this matter before the Board in a work session.

Mr. Thornton recognized a group of students from Ms. Brenda Friend Briggs' and Ms. Melissa K. Velazquez's Administrative Practice and Procedure class at J. Sargeant Reynolds Community College's Parham Road campus. The students are in the College's Legal Assisting Program and attended the meeting to observe the Board's public hearing procedures. Joining Ms. Briggs in the audience were the following students: Belinda Andrews, Yolanda El, Jessica Faulcon, Cynthia Wyche-Jackson, Rachel Leber, Kristyn Lette, Nafisa Neal, Christina Pedraja, Edievith Pollard, Shannon Purnell, Tilithia Rice, Linda Scott, Heather Silva, and Angela Wells.

Mr. Kaechele recognized the following Boy Scouts, who were observing the meeting to fulfill various rank requirements: Chris Barr, Eric Dickerson, Ryan Dickerson, Tom Dickerson, J. T Glover, Kyle Pate, Andrew Stewart, John Stewart, David Wein, Marc Wein, and Brian Zamecnik from Troop 702, sponsored by Second Baptist Church; and Jacob Gilliam, Jesse Gilliam, Brian O'Neil, and Mike O'Neil from Troop 528, sponsored by Antioch Baptist Church.

RECOGNITION OF NEWS MEDIA

Mr. Kaechele recognized Will Jones of the *Richmond Times-Dispatch*.

PUBLIC HEARINGS - REZONING CASES AND PROVISIONAL USE PERMITS

346-07 Cadence Capital Investments: Request to conditionally rezone from R-3 One-
C-48C-07 Family Residence District to B-2C Business District (Conditional), Parcels 769-
Brookland 756-6351, 769-756-6059, and 769-756-5766, containing 1.3815 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. Donati, the Board deferred this item to August 12, 2008.

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	

31-08 Richmond 20 MHZ, LLC: Request for a Provisional Use Permit under Sections
P-8-07 24-95(a), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to
Varina construct a 144' high telecommunications tower on part of Parcel 829-712-4591,
 located on the west line of Beulah Road approximately 195' north of Treva
 Road.

On motion of Mr. Donati, seconded by Mr. Thornton, the Board deferred this item to February 26, 2008.

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

42-08 Boushra and Edna Hanna and Donald and Shearin Whitehorn: Request to
C-40C-07 conditionally rezone from A-1 Agricultural District to R-2AC One-Family
Three Chopt Residence District (Conditional), part of Parcels 742-773-4344 and 742-773-
5604, containing 7.127 acres, located on the northeast line of Hames Lane
approximately 1,550 feet north of its intersection with Shady Grove Road.

Mr. Kaechele noted that there had been a number of meetings with neighbors concerned about this zoning, including one the previous morning. At Mr. Kaechele's request, Acting Director of Planning Ralph J. Emerson, Jr. explained the purpose of proffer no. 15, which had been added by the applicant to ensure that adjacent property owners or other interested parties would be notified in writing prior to any public hearing of the Planning Commission for subdivision review of the property. He confirmed for Mr. Kaechele that staff was comfortable with the drainage proposal. In response to a question from Mrs. O'Bannon, Mr. Emerson indicated that the applicant planned to mitigate the wetlands on lot No. 9. He pointed out that the plan was conceptual at the current time.

At Mr. Kaechele's request, Andy Condlin of Williams Mullen presented the case on behalf of the applicant. He introduced one of the property owners, Boushra Hanna, and also Dan Caskie of Bay Design Group, who had been handling a lot of the wetland issues. Mr. Condlin commented that *the applicant had resolved two issues on which the Planning Commission had based its recommendation for denial and that staff was now recommending approval of the case.* He stated that the case was consistent with surrounding land uses, the Army Corps of Engineers had confirmed in writing the location of wetlands on the site, and the drainage plan had been proffered and deemed sufficient by the Department of Public Works. Mr. Condlin elaborated on the drainage plan and noted the applicant's efforts to address the concerns and issues for adequate handling of stormwater. In response to a question from Mrs. O'Bannon, Mr. Condlin and Mr. Caskie provided additional information on the size and capacity of a proposed drainage pipe and the location of eventual outfall from the site.

Margie Swart, a resident of 11069 Old Millrace Terrace, spoke at length in opposition to the case. She distributed binders to members of the Board containing information pertaining to the case, which listed nine reasons for denial and included seven exhibits (see attached copy of handed out material). Ms. Swart addressed a couple of issues raised by Mr. Condlin. She contended that lots in Millrace adjoining the site of the proposed development were not impeding water flow and that the Army Corps of Engineers had not returned to the site to confirm an updated Wetland Delineation map. Ms. Swart challenged the amount of acreage designated as wetlands by the applicant. She cited the following reasons that the case should be denied: preliminary plat requirements in the County Code had not been met; the Army Corps of Engineers had documented a possible mistake in the wetland delineation and the need for another site visit; the Wetland

Delineation map submitted to the Army Corps of Engineers was misrepresentative of the wetland boundaries that were surveyed, flagged, and recorded as documented on the concept map and compiled plat; the application was not in compliance with the Chesapeake Bay Act and Federal Clean Water Act; neighborhood amenities did not exist to support current development in the area; the rezoning would have a negative impact on drainage in the Millrace neighborhood and the wetland impact areas would impede much of the natural surface runoff in adjoining neighborhoods; and impacting wetlands to place a home had proved detrimental to at least one adjacent property owner, resulting in a lawsuit with the builder and other costly and time consuming measures to fix the problem.

In response to questions from Board members, Ms. Swart clarified the distance of her house from existing wetlands and the physical characteristics of her lot and commented on the percentage of wetlands located on lots rather than in common areas. She then cited two additional reasons the case should be denied – no need for the change could be established and the 2010 Land Use Plan recommended Rural Residential zoning and an Environmental Protection Area for the site. Ms. Swart summarized several e-mails received and sent by Elaine Holley of the Army Corps of Engineers and responded to questions from Mr. Kaechele about the e-mails. She expressed concerns that the subdivision plan had not changed since the Planning Commission's denial despite a change in wetland delineation. Mr. Kaechele noted that it was only a concept subdivision plan and subject to final subdivision submittal. Ms. Swart reviewed an inter-office memorandum from the County's Senior Engineer to the Planning Office regarding the impact of the proposed rezoning. She questioned why a site located in a Watershed Enhancement Area had now been requested for rezoning and why it had not been previously rezoned. In response to a question from Mr. Kaechele, Ms. Swart said that her primary concern was the injustice that would be done to future property owners in the proposed development who would be buying something that was misrepresented.

Max Groener, a new owner of Lot 20 in Hampshire Section 4 and current resident of Saddleridge at Twin Hickory, spoke to ongoing drainage issues in the rear yard of his existing home and expressed concerns about how new development would impact drainage on his new lot in view of existing wetlands adjacent to the lot. He requested that the Board deny this case.

Director of Public Works Lee Priestas and Design Engineer John Woodburn responded to questions from Board members relating to the proposed design of the drainage system on the site and whether it would be adequate to handle a 100-year storm. Robin Wilder from the Department of Public Works staff responded to an additional question from Mr. Glover regarding why a 100-foot buffer would not apply to the proposed subdivision on this site. She clarified that a stream in the vicinity of the proposed subdivision had not been determined as perennially flowing pursuant to Section 9 VAC of the Chesapeake Bay Preservation Areas Designation and Management Regulations addressing nontidal wetlands (see page 2 of Exhibit 4 of the material distributed by Ms. Swart). Ms. Wilder responded to further questions from Mr. Kaechele pertaining to the proposed development's potential impact on natural resources.

After questioning Ms. Wilder further about the areas of wetland impact and the proposed inlets, Mr. Glover indicated he had some concerns about the adequacy of the drainage system design given the amount of water on the site and also concerns about whether this development would be

in the best interests of those who would be living there. Mr. Thornton voiced vexation and chagrin about cases like this where homeowners rely on the County's expertise and there is some confusion over documentation. He stated that the County should follow best practices with drainage issues and exhibit extra sensitivity and sensibility to homeowners. Mr. Kaechele acknowledged that there was a lot of discrepancy but the final subdivision would have to be approved by the County and Army Corps of Engineers. He further commented that the proposed zoning was compatible with the surrounding area and that staff had determined that the drainage system could work. Mr. Kaechele also pointed out that a lot of these lots were zoned out of existing larger lots under the same conditions.

Kevin Kenny, a resident of Bridlewood, stated that the buffer was not consistently provided for in the applicant's request, that there was always water flowing on the site except in the height of a drought, and that the developer of his subdivision had been required by the County to install four inlets and two outlets. He expressed concerns as to whether runoff from the proposed development would impact the quality of drinking water of Bridlewood residents who have wells.

Ms. Swart addressed the Board again. She commented on the current status of mitigated wetlands in proximity to the site. Ms. Swart suggested that the permit application process should precede the rezoning application process. She responded to a question from Mrs. O'Bannon about the location of a pond in proximity to the site.

Brenda Harbison, a resident of 11061 Old Millrace Terrace, asked who would be responsible for protecting the homeowners if the drainage system or swales did not work. She offered an example of a neighbor who had problems with wetlands and a rotting foundation despite a County approved drainage system. Mr. Hazelett referred to the role of County agencies in reviewing and approving plans submitted by professional engineers as well as the regulatory responsibilities of the State and Federal government. He emphasized that the County could not practically ask the engineering community to do all of the design work prior to zoning consideration. He stated that the Board and County Administration are not callous about development and that the County has to adhere to the same regulations and processes as the development community. He clarified that the first step in the process is the zoning approval question. Ms. Harbison requested that the Board weigh the effects of the proposed development on the adjoining property owners.

Mr. Emerson responded to questions from Mrs. O'Bannon about the number of lots that would be allowed under the current zoning versus the proposed zoning. He responded to a question from Mr. Kaechele regarding the minimum lot size for R-2A zoning. Mr. Glover acknowledged the distinction between the zoning and subdivision processes but said he believed that the questions he had brought up should be looked at in a way they had not been looked at before because of the way that the four drainage pipes had been designed. He complimented the citizens on their presentation before the Planning Commission and Board of Supervisors but pointed out that it was all in vain if the Army Corps of Engineers and environmental protection people give their okay.

Mr. Condlin advised the Board that he had received a final letter from the Army Corps of Engineers good for five years approving the Wetland Delineation Map. He and Mr. Caskie responded to questions from Mr. Kaechele and Mr. Glover as well as comments by Ms. Swart pertaining to when the Army Corps of Engineers last visited the site and whether the Army Corps

of Engineers had indeed provided final approval of the Map. There was some discussion of this issue by Mr. Glover and Mr. Caskie. Mr. Glover expressed concern that the applicant had not been told the same thing as the citizen and had not been copied on a recent e-mail to the citizen. Mr. Kaechele suggested the case be deferred until the confusion surrounding Ms. Holley's communications could be straightened out. He asked that another letter be obtained from Ms. Holley confirming her final analysis. Mr. Glover agreed that it would behoove the applicant to clarify and verify what the Corps had been saying to the citizen. Mr. Condlin suggested that this could be done in two weeks time.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, the Board deferred this item to February 26, 2008.

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	

43-08	Bon Secours - Richmond Health System: Request for a Provisional Use Permit
P-1-08	under Sections 24-55(c), and 24-122.1 of Chapter 24 of the County Code to
Tuckahoe	permit the conversion of a retail building (formerly Ukrop's supermarket) to
	medical offices.

Jean Moore, Principal Planner, confirmed for Mrs. O'Bannon that extra buffering along the eastern edge of the property would be addressed through a landscape and lighting plan that would be provided by the applicant. Also, the applicant would be required to submit a Plan of Development (POD) subject to the approval of the Planning Commission. Mrs. O'Bannon noted that she had asked Dominion Virginia Power to call the applicant regarding the use of a generator at the site and concerns about electricity going out in that area. She expressed delight at the reuse of this former supermarket given an increase in the Tuckahoe District during the last ten years in the aging population over 65.

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

On motion of Mrs. O'Bannon, seconded by Mr. Donati, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 43-08 (P-1-08) subject to the following conditions:

1. Medical office uses on the Property shall not exceed thirty-one thousand (31,000) square feet in gross floor area and shall generally conform to Exhibit "C" (see case file) unless otherwise approved by the Director of Planning. Express care medical facilities shall be limited to fifty percent (50%) of the gross floor area unless otherwise approved by the Director of Planning.

2. An application for a Plan of Development (POD) which includes all improvements associated with this request shall be submitted for review and approval by the Planning Commission.
3. A landscape and lighting plan which includes provisions to mitigate impacts on adjacent residential properties through the use of supplemental plantings and/or other visual barriers as approved by the Planning Commission shall be submitted to the Planning Department for review and approval by the Planning Commission prior to the issuance of additional occupancy permits on the Property.
4. Building alterations shall be in substantial conformance with the building elevation attached hereto as Exhibit "A" (see case file) unless otherwise approved by the Planning Commission at the time of POD.
5. Development of the property shall be in substantial conformance with the conceptual plan titled "Patterson Avenue Ambulatory Care Center" and attached hereto as Exhibit "B" (see case file) unless otherwise approved by the Planning Commission at the time of POD.
6. Any emergency generators installed on the exterior of the existing building shall be screened from public view in a manner approved at the time of Plan of Development. Such screening shall include acoustical lining for sound attenuation on all sides. Plans and specifications for noise reduction measures shall be included with the building permit application for review and approval by the Director of Planning.
7. Except for any parking lot lighting fixtures existing on the Property at the time of approval of this provisional use permit, parking lot lighting fixtures shall not exceed twenty (20) feet in height as measured from the grade at the base of the lighting standard and shall be produced from concealed sources of light.
8. Hours of exterior construction and site development activities shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday. Signs stating these restrictions, in both English and Spanish, shall be posted on the Property prior to the commencement of any construction activities.
9. Prior to operation the applicant and the Crime Prevention Unit of the Division of Police shall conduct a security survey of the property. The applicant shall implement the mutually agreed upon security recommendations affecting the property.

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 HEARING - OTHER ITEM

- 44-08 Resolution - Signatory Authority - Conveyance of Real Estate – 319 Treva Road - Varina District.

Steve Price, Assistant Director of Real Property, and Mr. Hazelett responded to a couple of questions from Mr. Donati regarding the status of the purchase contract and financing for the property.

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

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 44-08 – see attached Resolution.

GENERAL AGENDA

- 45-08 Resolution - Acceptance of Donation on behalf of Capital Area Training Consortium from Sternheimer Brothers, Inc.

Roslyn Key-Tiller, Director of the Capital Area Training Consortium, responded to questions from Mr. Kaechele concerning the number of employees affected by the closure of the A & N warehouse owned by Sternheimer Brothers, Inc. and the level of severance benefits the employees would receive.

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 45-08 – see attached Resolution.

- 46-08 Resolution - Authorization to Accept Workforce Investment Act Funds on behalf of the Jurisdictions that Comprise the Capital Area and City of Richmond Workforce Investment Areas and to Sign a Memorandum of Understanding Concerning those Funds.

Ms. Key-Tiller confirmed for Mr. Glover that the City of Richmond had opposed previous attempts to merge the two workforce investment areas. In response to a question from Mr. Kaechele, Ms. Key-Tiller commented on factors precipitating the City's willingness to come back to the table at this time for merger discussions.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 46-08 – see attached Resolution.

- 47-08 Introduction of Ordinance – To Create a Finance Board to Serve as Trustee of Funds Designated for Other Post-Employment Benefits Other Than Pensions and to Approve a Joint Exercise of Powers Agreement Between the County of Henrico, Virginia and the County of Fairfax, Virginia for the Creation of the Virginia Pooled OPEB Trust Fund.

Mr. Johnson confirmed for Mr. Hazelett that this Board paper would allow for introduction of the ordinance for public hearing by the Board on March 11, 2008. Mr. Kaechele noted that this matter had previously been discussed by the Board in a work session. Mrs. O'Bannon commented that the proposed trust fund had been discussed favorably by the Virginia Association of Counties and Virginia Municipal League.

On motion of Mr. Glover, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 47-08 – see attached Introduction of Ordinance.

48-08 Introduction of Resolution – Receipt of Requests for Amendment to the FY 2007-08 Annual Fiscal Plan: February, 2008.

In response to questions from Board members, Director of Finance John Vithoulkas and Mr. Hazelett clarified the amount of the project estimate for John Rolfe Parkway and construction costs to be reimbursed by the Virginia Department of Transportation. Mr. Vithoulkas and Mr. Hazelett elaborated on the reimbursement process and how State and Federal funds for John Rolfe Parkway will be received. In response to a question from Mrs. O'Bannon, Mr. Hazelett defined “ammunition bunker” as a storage facility for ammunition at the County’s firing range. There was some discussion of this term by Board members and Mr. Hazelett.

On motion of Mr. Glover, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 48-08 – see attached Introduction of Resolution.

49-08 Resolution - Authorizing and Providing for the Issuance of Not to Exceed Twenty-Five Million Dollars (\$25,000,000) Principal Amount of General Obligation Public Improvement Refunding Bonds to Refund Certain of the County’s Outstanding General Obligation Public Improvement Bonds, Series 2001 and Series 2002; Fixing the Form, Denomination and Certain Other Details of Such Bonds; Approving the Sale of Such Bonds; Authorizing the Preparation and Distribution of a Preliminary Official Statement in Connection with the Sale of Such Bonds; Authorizing the Appointment of an Escrow Agent for the Refunded Bonds and the Execution and Delivery of an Escrow Deposit Agreement By and Between the County and Such Escrow Agent; Authorizing Other Actions with Respect to the Issuance and Sale of Such Bonds; and Ratifying Certain Acts and Proceedings.

Mr. Vithoulkas introduced Jay Conrad, Senior Vice President of BB&T Capital Markets, the County’s financial adviser on this matter. In response to a couple of questions from Board members, Mr. Vithoulkas clarified that this Board

paper would allow the designated bonds to be refunded prior to the end of the current fiscal year and he cited the true interest cost of the County's most recent bond sale.

On motion of Mr. Glover, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 49-08 – see attached Resolution.

50-08 *Resolution – Award of Contract for Architectural and Engineering Services – Fire Station #3.*

In response to questions from Board members, Director of General Services Paul Proto identified the location of the site and elaborated on the architectural and engineering design services that would be addressed by this contract to site adapt the fire station and administer the contract during construction. In response to an additional question from Mr. Kaechele, Mr. Hazelett briefly reviewed options for the future use of existing Fire Station No. 3.

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 50-08 – see attached Resolution.

51-08 *Resolution - Award of Construction Contract – Steel Building and Related Site Work at the Eastern Depot.*

In response to a question from Mr. Kaechele, Mr. Proto confirmed that the project did come in under the original estimate.

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 51-08 – see attached Resolution.

52-08 *Resolution – Award of Construction Contract – Glen Allen Softball Complex, Replacement of Softball Field Lighting.*

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 52-08 – see attached Resolution.

53-08 *Resolution - Signatory Authority - Award of Construction Contract - Water Reclamation Facility Phase 7 Enhanced Nutrient Removal - T.A. Loving Company.*

In response to questions from Board members, Director of Public Utilities Arthur Petrini advised that the two biological nutrient removal (BNR) tanks addressed by this project would be open tanks and that the contract would not affect the County's water rates.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 53-08 – see attached Resolution.

54-08 Resolution - Signatory Authority - Award of Contract - Fourmile Creek Trunk Sewer Rehabilitation - Eastern Henrico County Force Main - Portugee Road to Darbytown Road - Contract No. 4A.

In response to questions from Mr. Kaechele, Mr. Petrini and Mr. Hazelett clarified that this project was in the current year's capital budget and would be funded from direct revenue.

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 54-08 – see attached Resolution.

55-08 Resolution - To Permit Additional Fine of \$200 for Speeding on Crenshaw Avenue between Azalea Avenue and Wilmer Avenue.

On motion of Mr. Thornton, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 55-08 – see attached Resolution.


On motion of Mr. Thornton, seconded by Mrs. O'Bannon, the Board approved adding to the agenda a Resolution numbered 56-08 and titled "Resolution – Consent to Declaration of Local Emergency." 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	

In response to a question from Mr. Kaechele, Mr. Hazelett confirmed that this Board paper would not involve any local funding but would allow the County to collect any funding that might be available from the State or Federal government because of the conditions created by the emergency situation addressed by the paper.

On motion of Mr. Glover, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 56-08 – see attached Resolution.

There being no further business, the meeting was adjourned at 9:29 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

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Agenda Title RESOLUTION - Signatory Authority - Conveyance of Real Estate - 319 Treva Road - Varina District

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	
Date FEB 12 2008	Moved by (1) <u>Donati</u> Seconded by (1) <u>O'Bannon</u>	YES NO OTHER
<input checked="" type="checkbox"/> Approved	(2) _____ (2) _____	Donati, J. <input checked="" type="checkbox"/> _____
<input type="checkbox"/> Denied	REMARKS: <u>APPROVED</u>	Glover, R. <input checked="" type="checkbox"/> _____
<input type="checkbox"/> Amended		Kaechele, D. <input checked="" type="checkbox"/> _____
<input type="checkbox"/> Deferred to		O'Bannon, P. <input checked="" type="checkbox"/> _____
		Thomton, F. <input checked="" type="checkbox"/> _____

WHEREAS, the County of Henrico, Virginia (the "County") acquired for use as a group home for persons with mental retardation the house and lot at 319 Treva Road from Paul G. Bianchi and Lydia S. Bianchi by deed dated November 17, 1996, recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia (the Clerk's Office) in Deed Book 2684, Page 2347; and,

WHEREAS, the County purchased a replacement facility to be used for the same purpose at 2505 National Road on April 11, 2007, and the facility at 319 Treva Road is no longer required by the County and there is no public necessity for the property at 319 Treva Road; and,

WHEREAS, on October 25, 2007, the County entered into a Residential Listing Agreement with Lee Conner Realty and Associates, LLC, to sell the property at 319 Treva Road; and,

WHEREAS, a public hearing for the sale and the conveyance of this parcel of land together with the improvements thereon was held on February 12, 2008.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County, Virginia (the "Board") that the land and improvements at 319 Treva Road are hereby declared surplus to the needs of the County and the County Manager is hereby authorized and directed to execute an Agreement, in a form approved by the County Attorney, for the sale of 319 Treva Road to Travis Edward Geer and Heather Lynn Fox for a contract price of \$183,000.00.

By Agency Head [Signature]

By County Manager [Signature]

Routing:

Yellow to: Real Property

Copy to: _____

Certified:

A Copy Tests: _____

Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. **44-08**
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Agenda Title

**RESOLUTION - Signatory Authority - Conveyance of Real Estate – 319
Treva Road - Varina District**

AND BE IT FURTHER RESOLVED that the Chairman and Clerk are authorized and directed to execute a Deed of Special Warranty, in a form approved by the County Attorney, conveying the County's interest in and to the aforementioned 319 Treva Road to Travis Edward Geer and Heather Lynn Fox, and at the appropriate time to deliver the same to the purchaser upon delivery to the County of the purchase price of \$183,000.00.

Comments: The Director of Mental Health and Retardation Services, the Real Property Department and the Department of General Services recommend the approval of this action; the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA
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Page No. 1 of 1

Agenda Title: **RESOLUTION – Acceptance of Donation on behalf of Capital Area Training Consortium from Sternheimer Brothers, Inc.**

For Clerk's Use Only: Date: <u>FEB 12 2003</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>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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Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

WHEREAS, Sternheimer Brothers, Inc. has donated to the Capital Area Training Consortium ("CATC") \$5,000 to be used for the benefit of individuals displaced by the closure of the A & N warehouse in Sandston; and

WHEREAS, CATC will use the donation for the delivery of dislocated worker workforce services, including Career Readiness Credentialing, training, and assisting the displaced workers to find new employment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors authorizes the County Manager to accept on behalf of CATC the generous donation of Sternheimer Brothers, Inc.

BE IT FURTHER RESOLVED that the Board commends Sternheimer Brothers, Inc. for its generosity and concern for the individuals displaced by the closure of the A & N warehouse in Sandston.

Comments: The Director of CATC recommends approval of the Board paper; the County Manager concurs.

By Agency Head Rosalyn D. Key-Jellison for By County Manager George J. Quinlan
Routing: Yellow to: CATC
Copy to: _____
Certified: _____
A Copy Teste: _____
Clerk, Board of Supervisors
Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 46-08
Page No. 1 of 2

Agenda Title: RESOLUTION - Authorization to Accept Workforce Investment Act Funds on behalf of the Jurisdictions that Comprise the Capital Area and City of Richmond Workforce Investment Areas and to Sign a Memorandum of Understanding concerning those Funds

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES	NO	OTHER
Date: FEB 12 2008	Moved by (1) O'Bannon			
<input checked="" type="checkbox"/> Approved	Seconded by (1) Donati			
<input type="checkbox"/> Denied	(2)			
<input type="checkbox"/> Amended	REMARKS: APPROVED			
<input type="checkbox"/> Deferred to:				

	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, the Senior Advisor to the Governor for Workforce has awarded the Capital Area and City of Richmond Workforce Investment Areas a grant in the amount of \$50,000 (the "Grant") under the Workforce Investment Act ("WIA"); and

WHEREAS, the Grant must be used to procure consultant and staff services to facilitate discussions among the member jurisdictions of the Capital Area and City of Richmond Workforce Investment Areas that may lead to merging the two workforce areas into a single regional workforce area; and

WHEREAS, in order to receive the Grant, the County (in its capacity as grant recipient/fiscal agent for the Capital Area Training Consortium), must enter into a memorandum of understanding (the "MOU") among the Senior Advisor to the Governor for Workforce (in his capacity as Chief Development Officer for the Commonwealth of Virginia), the Capital Area Training Consortium ("CATC"), the City of Richmond, and the Virginia Employment Commission; and

WHEREAS, the MOU sets out, among other things, the procedures through which WIA funds will be used to facilitate negotiations concerning the structure and governance of a regional workforce investment area, the responsibilities of the parties to the MOU, and the requirements for the receipt of the Grant funds; and

WHEREAS, the funds will be made available pursuant to a Notice of Obligation Authority between the Virginia Employment Commission, as grant recipient of Virginia WIA funds, and the County of Henrico, as grant recipient of WIA funds for CATC, for the period January 1, 2008 through June 30, 2008; and

By Agency Head Rosalyn D. Key - Tolson for County Manager George J. Cunningham

Routing: CATC

Yellow to: _____

Copy to: _____

Certified: _____

A Copy Tests: _____

Clerk, Board of Supervisors

Date: _____

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

Agenda Item No.

46-08

Page No. 2 of 2

Agenda Title: RESOLUTION - Authorization to Accept Workforce Investment Act Funds on behalf of the Jurisdictions that Comprise the Capital Area and City of Richmond Workforce Investment Areas and to Sign a Memorandum of Understanding concerning those Funds

WHEREAS, the funds awarded require a local match of \$25,000, for which each of the member jurisdictions of the Capital Area Workforce Investment areas will contribute \$3,125; and

WHEREAS, the member jurisdictions of the Capital Area will have general fund contributions previously made to CATC for the period July 1, 2007- June 30, 2008 set aside and used as their collective contribution of \$21,875; and

WHEREAS, the City of Richmond will contribute its share of the matching funds in the amount of \$3,125 to CATC upon receipt of an invoice.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the County Manager is authorized to accept the Grant and sign the MOU on behalf of the County of Henrico in a form approved by the County Attorney.

COMMENTS: The Director of CATC, the County Manager concurring, recommends approval of this Board paper.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 47-08
Page No. 1 of 1

Agenda Title: INTRODUCTION OF ORDINANCE - To Create a Finance Board to Serve as Trustee of Funds Designated for Other Post-Employment Benefits Other Than Pensions and to Approve a Joint Exercise of Powers Agreement Between the County of Henrico, Virginia and the County of Fairfax, Virginia for the Creation of the Virginia Pooled OPEB Trust Fund

For Clerk's Use Only: Date: FEB 12 2008 <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Glover</u> Seconded by (1) <u>Donati</u> (2) _____ (2) _____ REMARKS: APPROVED		YES NO OTHER Donati, J. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Glover, R. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Kaechele, D. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> O'Bannon, P. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Thornton, F. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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The Clerk is directed to advertise, in the Richmond Times-Dispatch on February 26, 2008, and March 4, 2008, the following ordinance for a public hearing to be held in the Board Room on March 11, 2008 at 7:00 p.m.:

"AN ORDINANCE to create a finance board to serve as trustee of funds designated for Other Post-Employment Benefits (OPEB) and to approve a joint exercise of powers agreement between the County of Henrico and the County of Fairfax for the creation of the Virginia Pooled OPEB Trust Fund. A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

Comments: The County Manager recommends approval of this Board paper.

By Agency Head _____

for _____
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. **48-08**
Page No. 1 of 1

**Agenda Title INTRODUCTION OF RESOLUTION - Receipt of Requests for Amendment to the
FY 2007-08 Annual Fiscal Plan: February, 2008**

For Clerk's Use Only: Date <u>FEB 12 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>Glover</u> Seconded by (1) <u>O'Rourke</u> (2) _____ (2) _____ REMARKS: APPROVED	<table style="width: 100%; border-collapse: collapse;"><tr><th style="text-align: left;"></th><th style="text-align: center;">YES</th><th style="text-align: center;">NO</th><th style="text-align: center;">OTHER</th></tr><tr><td>Donati, J.</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>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>Kaechele, 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>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>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	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, the County Manager has provided the Board of Supervisors of the County of Henrico, Virginia, with a list dated February 5, 2008, of requests for amendment to the 2007-08 Annual Fiscal Plan; and,

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Henrico, Virginia, that the Clerk of the Board is directed to advertise a synopsis of the proposed amendments and a public hearing thereon to be held on February 26, 2008, at 7:00 p.m., in the Board Room at the Henrico County Government Center, East Parham and Hungary Spring Roads, to ascertain the views of the citizens with respect to the proposed amendments, such advertisement to be placed in the Richmond Times-Dispatch on Tuesday, February 19, 2008.

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

<p>By Agency Head <u>[Signature]</u></p> <hr/> <p>Routing: Yellow to: <u>Finance</u></p> <p>Copy to: _____</p>	<p>for By County Manager <u>George J. Quinlan</u></p> <hr/> <p>Certified: A Copy Teste: _____ Clerk, Board of Supervisors</p> <p>Date: _____</p>
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AMENDMENT TO THE 2007-08
ANNUAL FISCAL PLAN FOR FEBRUARY, 2008

OPERATING FUNDS

FUND 0101 - GENERAL FUND - General Operating

Department 12 - Police

12001 - Administration \$ 91,526

0000 00000 This amendment will provide funding for the salaries associated with the fifth (Corporal) level of the *Police Career Development Program*. The Division's sworn officers are able to complete the criteria for these advancement opportunities within a minimum of nine years. Previously the career development program had four levels that took a minimum of eight years to complete. Funds are to come from the fund balance in the General Fund.

12016 - Fleet 900,000

0000 00000 This amendment would provide funding for 30 new police vehicles and would complete the initiative of providing assigned vehicles for all sworn police officers. This phase of the initiative will provide an assigned vehicle to those officers living outside the County. When the officer is not working, the vehicle will be parked at an approved location in the County. Funds are to be provided from the fund balance in the General Fund.

12016 - Fleet 336,519

0000 00000 This amendment would initiate a program which would provide mobile radios in all police vehicles. This funding is sufficient to purchase the initial 95 mobile radios to begin the program. These mobile radios will enhance officer safety and allow greater interoperability with Hanover County. Funds are to be provided from the fund balance in the General Fund.

Total Police \$ 1,328,045

Department 22 - Social Services

22051 - Service Staff

1301 00000 - Administration \$ 22,500

The Commonwealth of Virginia, Department of Social Services, has awarded the County of Henrico, an additional \$22,500 of State (25%) and Federal (75%) funds for the department's Healthy Marriage and Stable Families Initiative. This funding will provide community-based family preservation and supportive services designed to strengthen marriages and stabilize families.

22604 - Auxiliary Grants for the Aged
1302 00000 - Purchase of Services 13,565

The Commonwealth of Virginia, Department of Social Services, has awarded the County of Henrico, an additional \$13,565, in State funding for fiscal year 2007-08, to fund State and federally mandated auxiliary grant expenditures for the aged. The County's required 20% match (\$2,713), will come from the fund balance in the General Fund.

22605 - Auxiliary Grants for the Blind
1302 00000 - Purchase of Services 9,000

The Commonwealth of Virginia, Department of Social Services, has awarded the County of Henrico, an additional \$9,000, in State funding for fiscal year 2007-08, to fund State and federally mandated auxiliary grant expenditures for the blind. The County's required 20% match (\$1,800), will come from the fund balance in the General Fund.

22606 - Auxiliary Grants for the Disabled
1302 00000 - Purchase of Services 42,811

The Commonwealth of Virginia, Department of Social Services, has awarded the County of Henrico, an additional \$42,811, in State funding for fiscal year 2007-08, to fund State and federally mandated auxiliary grant expenditures for the disabled. The County's required 20% match (\$8,562), will come from the fund balance in the General Fund.

Total Social Services	\$ 87,876
Total GENERAL FUND	\$ 1,415,921

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

Department 07 - Juvenile Detention

07002 - Juvenile Probation
0000 00865 - Juvenile Accountability Block Grant \$ 50,550

The Commonwealth of Virginia, Department of Criminal Justice Services (DCJS) has, for the ninth year, awarded the County of Henrico, a Federal Juvenile Accountability Block Grant (JABG) for \$45,495, of which, \$18,198 relates to Federal funding and \$27,297 is associated with State general funds for the calendar year 2008. A County required match of 10% of the total program (\$5,055), will come from the fund balance in the General Fund via an interfund transfer to the Special Revenue Fund. Funds are to be used to provide Multisystemic Therapy services for chronic and/or serious juvenile offenders to be provided by existing staff at Henrico Mental Health facilities.

Department 13 - Fire

13150 - Field Operations

0000 05092 - Eyes for Fire Program \$ 1,000

To appropriate funding received from Henrico citizens for donations to the Division of Fire for work in the community for the Division's Eyes for Fire program. The funds will be used towards the purchase of a thermal imaging camera and supplies for the thermal imaging camera specialty shop repair operation. The thermal imaging cameras assist greatly in locating victims in fire situations and also enhance the safety of firefighters.

0000 05123 - Lifesaver Program 250

To appropriate funding received from Henrico citizens as donations to the Division's Lifesaver Program. This program provides aid for citizens who have Alzheimer's, dementia, autism or Down's Syndrome by providing electronic receiver bracelets to aid in locating them.

Total Fire \$ 1,250

Department 23 - Recreation and Parks

23222 - Special Programs - Cultural Arts \$ 1,300

0000 00000 To appropriate donations received from citizens and Henrico County-sponsored cultural arts clubs for children's cultural arts programs.

23228 - Special Programs - Special Events 892

0000 00000 To appropriate donations received from Shoney's of Richmond for the Brookland Youth Sports Awards that was held on September 30, 2007.

23232 - Henrico Theatre 5,000

0000 00000 To appropriate donations received from the Henrico Women's Club for display cases at the Henrico Theatre.

Total Recreation and Parks \$ 7,192

Department 36 - Community Corrections

36002 - CCP - Pretrial

0000 05097 - FY08 Pretrial \$ 34,650

The Commonwealth of Virginia, Department of Criminal Justice Services (DCJS) has awarded the County of Henrico additional funding of \$18,102 to help provide for personnel cost increases in the current fiscal year. In addition, the Department of Community Corrections has anticipated \$16,548 in probation fee revenue not previously budgeted. The total combined increase is \$34,650.

Total Fund 1102 - Special Revenue Fund-State/Fed Grants-County \$ 93,642

FUND 1108 - SPECIAL REVENUE FUND - Capital Area Training Consortium

Department 27 - Capital Area Training Consortium

27003 - Operations

0000 05124 - Non-Federal Funds

\$ 5,000

This amendment will appropriate a donation received from Sternheimer Brothers, Inc. to CATC in order to assist in job placements of dislocated workers as a result of the closing of the A&N warehouse and stores.

Total Fund 1108 - Special Revenue Fund - CATC

\$ 5,000

Total Special Revenue Fund - General Government

\$ 98,642

Total OPERATING FUNDS

\$ 1,514,563

CAPITAL FUNDS

FUND 2101 - CAPITAL PROJECTS FUND - General Capital Projects

Department 12 - Police

12999 - Police Capital Projects

0000 06345 - Evidence Storage

\$ 96,895

To provide funding to renovate and expand the Police Evidence and Logistics Storage area in the Public Safety Building. Due to legal requirements to maintain and store evidence the Division of Police requires additional space to store the evidence that the Division has collected. Police Evidence must be stored in a secure facility, so it is more cost effective to expand the existing space then acquire additional space by another means. Funds are to come from Wireless E-911 revenues that have been received by the County but not appropriated. This funding is to be moved from the Special Revenue Fund via an interfund transfer to the Capital Projects Fund.

0000 06346 - Crime Briefing

106,889

To provide funding for the expansion and renovation of the crime briefing area and the locker room in the Public Safety Building. The renovation will include the expansion of the crime briefing room and upgrades in the audio and video equipment. The crime briefing room is used to brief each of the three shifts on a daily basis and is also used for the coordination of other police enforcement activities. Funds are to come from Wireless E-911 revenues that have been received by the County but not appropriated. This funding is to be moved from the Special Revenue Fund via an interfund transfer to the Capital Projects Fund.

0000 06474 - Ammunition Bunker

110,641

This amendment would fund a Type II Storage Magazine bunker which would be approximately 40 feet long, 10 feet wide, and 8 feet high. The Division of Police orders and stores large amounts of ammunition based on anticipated fire arms training. Construction and excavation of the site is needed for the installation of the bunker. Funding will come from FY2007-08 unappropriated HB #599 funding.

Total Police

\$ 314,425

Department 28 - Public Works

28004 - Construction

0000 00720 - John Rolfe Parkway

\$ 18,761,968

To appropriate construction funding of \$18,761,968 for the John Rolfe Parkway received from the Federal government via the Virginia Department of Transportation (VDOT). The project involves constructing a four-lane roadway with turn lanes, curb, gutter, and sidewalks from West Broad Street to Church Road and associated improvements to Pump and Church Roads (approximately 2.702 miles). The \$18,761,968 represents 80% of \$23,764,960 (less VDOT administrative fees of \$250,000) for construction costs that will be reimbursed by VDOT. The remaining 20% will be funded with Gas Tax and the 2000 General Obligation Bond Referendum funding.

Total Fund 2101 - General Capital Projects

\$ 19,076,393

FUND 2111 - CAPITAL PROJECTS FUND - Capital Initiatives

Department 28 - Public Works

28004 - Construction

0000 00000 - Westerre Parkway, Phase I

\$ 200,000

This amendment will provide funding of \$200,000 towards the rehabilitation and reconstruction of Westerre Parkway from West Broad Street south 0.33 miles. 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 06488 - PAL Vans

\$ 75,000

This amendment will provide funding for the Henrico Police Athletic League (PAL) to purchase two passenger vans for the program. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.

Total Fund 2111 - Capital Initiatives

\$ 275,000

Total Capital Projects Fund

\$ 19,351,393

FUND 5102 - Water and Sewer Construction Fund

31201 - Accounting

1000 00000 - Interconnections to GW Corporation System

\$ 201,240

This amendment will provide funding to interconnect the GW Corporation private well system customers to the County's water system. BFI will pay the County \$201,240 for the connection fees. These funds will be used for costs that will arise from the provision of water services to 117 customers in the area. This budget amendment will recognize the revenue from BFI and will allow the Department of Public Utilities to make these capital enhancements.

31201	- Accounting	
1000 00000	- <u>Interconnections to GW Corporation System</u>	150,000
	This amendment will provide funding for the purchase of assets from the GW Corporation private well system to provide County water service to approximately 117 customers. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Enterprise Fund.	
	Total Fund 5102 - Water and Sewer Construction Fund	\$ 351,240
	TOTAL CAPITAL FUNDS	\$ 19,702,633
	Total Amendments/Appropriations	\$ 21,217,196

For informational purposes only:

FROM:

CAPITAL FUNDS

FUND 2123 - CAPITAL PROJECTS FUND - FY2008 School G.O. Bonds Ref. 2005

Department 50 - Education

50331 - Construction and Maintenance

0000 06397 - Education Bond Project Reserve \$ (1,331,031)

TO:

CAPITAL FUNDS

FUND 2123 - CAPITAL PROJECTS FUND - FY2008 School G.O. Bonds Ref. 2005

Department 50 - Education

50331 - Construction and Maintenance

0000 06282 - Varina High School Cafeteria and Classroom Addition \$ 331,031

Additional funding required for the construction phase for the Varina High School Cafeteria and Classroom Addition project. This additional appropriation will bring the total project appropriation for this project to \$5,805,047. Funds are to come from the Education Bond Project reserve.

0000 06287 - Fairfield Middle School Renovation \$ 1,000,000

Additional funding required for the construction phase for the Fairfield Middle School project. This additional appropriation will bring the total project appropriation for this project to \$10,624,427. Funds are to come from the Education Bond Project reserve.

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

Agenda Item No. **49-08**
Page No. 1 of 1

Agenda Title **See Below**

For Clerk's Use Only: Date <u>FEB 12 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>Glover</u> Seconded by (1) <u>O'Bannon</u> (2) _____ (2) _____ REMARKS: APPROVED	<table style="width: 100%;"><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr><tr><td>Donati, J.</td><td style="text-align: center;">✓</td><td></td><td></td></tr><tr><td>Glover, R.</td><td style="text-align: center;">✓</td><td></td><td></td></tr><tr><td>Kaechele, D.</td><td style="text-align: center;">✓</td><td></td><td></td></tr><tr><td>O'Bannon, P.</td><td style="text-align: center;">✓</td><td></td><td></td></tr><tr><td>Thornton, F.</td><td style="text-align: center;">✓</td><td></td><td></td></tr></table>		YES	NO	OTHER	Donati, J.	✓			Glover, R.	✓			Kaechele, D.	✓			O'Bannon, P.	✓			Thornton, F.	✓		
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Kaechele, D.	✓																									
O'Bannon, P.	✓																									
Thornton, F.	✓																									

AGENDA TITLE: RESOLUTION - AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED TWENTY-FIVE MILLION DOLLARS (\$25,000,000) PRINCIPAL AMOUNT OF GENERAL OBLIGATION PUBLIC IMPROVEMENT REFUNDING BONDS TO REFUND CERTAIN OF THE COUNTY'S OUTSTANDING GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2001 AND SERIES 2002; FIXING THE FORM, DENOMINATION AND CERTAIN OTHER DETAILS OF SUCH BONDS; APPROVING THE SALE OF SUCH BONDS; AUTHORIZING THE PREPARATION AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE SALE OF SUCH BONDS; AUTHORIZING THE APPOINTMENT OF AN ESCROW AGENT FOR THE REFUNDED BONDS AND THE EXECUTION AND DELIVERY OF AN ESCROW DEPOSIT AGREEMENT BY AND BETWEEN THE COUNTY AND SUCH ESCROW AGENT; AUTHORIZING OTHER ACTIONS WITH RESPECT TO THE ISSUANCE AND SALE OF SUCH BONDS; AND RATIFYING CERTAIN ACTS AND PROCEEDINGS

The Board of Supervisors adopted the attached resolution.

Comments: This resolution was prepared by the County's New York bond counsel and has been reviewed and approved as to form by the County Attorney.

By Agency Head <u>Joseph P. Riquardo</u> Routing: Yellow to: <u>Finance</u> Copy to: _____	By County Manager <u>George J. Thompson</u> Certified: A Copy Teste: _____ <div style="text-align: right;">Clerk, Board of Supervisors</div> Date: _____
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COUNTY OF HENRICO, VIRGINIA

RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED TWENTY-FIVE MILLION DOLLARS (\$25,000,000) PRINCIPAL AMOUNT OF GENERAL OBLIGATION PUBLIC IMPROVEMENT REFUNDING BONDS TO REFUND CERTAIN OF THE COUNTY'S OUTSTANDING GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2001 AND SERIES 2002; FIXING THE FORM, DENOMINATION AND CERTAIN OTHER DETAILS OF SUCH BONDS; APPROVING THE SALE OF SUCH BONDS; AUTHORIZING THE PREPARATION AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE SALE OF SUCH BONDS; AUTHORIZING THE APPOINTMENT OF AN ESCROW AGENT FOR THE REFUNDED BONDS AND THE EXECUTION AND DELIVERY OF AN ESCROW DEPOSIT AGREEMENT BY AND BETWEEN THE COUNTY AND SUCH ESCROW AGENT; AUTHORIZING OTHER ACTIONS WITH RESPECT TO THE ISSUANCE AND SALE OF SUCH BONDS; AND RATIFYING CERTAIN ACTS AND PROCEEDINGS

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

SECTION 1. Pursuant to the Public Finance Act of 1991, for the purpose of refunding in advance of their stated maturities all or any portion of the County's General Obligation Public Improvement Bonds, Series 2001, and all or any portion of the County's General Obligation Public Improvement Bonds, Series 2002 (collectively, the "Refunded Bonds"), there are authorized to be issued not to exceed Twenty-Five Million Dollars (\$25,000,000) principal amount of general obligation bonds of the County to be designated as the "County of Henrico, Virginia, General Obligation Public Improvement Refunding Bonds, Series 2008" (the "Bonds").

SECTION 2. (a) The Bonds shall be issued in fully registered form and shall be in the denomination of \$5,000 or any integral multiple thereof. The Bonds shall be numbered from R-1 upwards in order of issuance and shall have such other series designation as shall be determined by the Director of Finance; shall mature in such years and in such amounts in each year as shall be determined by the Director of Finance; and shall bear interest, calculated on the basis of a 360-day year comprised of twelve 30-day months, at such rate or rates per annum as shall be determined in accordance with the provisions of Section 9, such interest to be payable semiannually; *provided* the first interest payment date may be any date within one (1) year from the date of the Bonds as determined by the Director of Finance. The Director of Finance is authorized to determine, in accordance with and subject to the provisions of this Resolution: the date or dates of the Bonds; the interest payment dates thereof; the maturity dates thereof; the amount of principal maturing on each maturity date; and whether or not the Bonds shall be subject to redemption prior to their stated maturity or maturities and if subject to such redemption, the premiums, if any, payable upon such redemption and the respective periods in which such premiums are payable.

(b) If the Bonds are subject to redemption and if any Bonds (or portions thereof in installments of \$5,000 or any integral multiple thereof) are to be redeemed, notice of such redemption specifying the date, numbers and maturity or maturities of the Bond or Bonds to be redeemed, the date and place or places fixed for their redemption, the premium, if any, payable upon such redemption and, if less than the entire principal amount of a Bond called for redemption is to be redeemed, that such Bond must be surrendered in exchange for payment of the principal amount thereof to be redeemed and the issuance of a new Bond or Bonds equalling in principal amount that portion of the principal amount of such Bond not to be redeemed, shall be mailed not less than thirty (30) days prior to the date fixed for redemption, by first class mail, postage prepaid, to the registered owner of such Bond at his address as it appears on the books of registry kept by the Registrar (as hereinafter defined) as of the close of business on the forty-fifth (45th) day next preceding the date fixed for redemption. If any Bond shall have been called for redemption and notice thereof shall have been given as hereinabove set forth, and payment of the principal amount of such Bond (or of the principal amount thereof to be redeemed) and of the accrued interest and premium, if any, payable upon such redemption shall have been duly made or provided for, interest on such Bond (or on the principal amount thereof to be redeemed) shall cease to accrue from and after the date so specified for the redemption thereof. So long as the Bonds are in book-entry only form, any notice of redemption shall be given only to The

Depository Trust Company, New York, New York ("DTC"), or to its nominee. The County shall not be responsible for providing any beneficial owner of the Bonds any notice of redemption.

SECTION 3. The full faith and credit of the County are irrevocably pledged to the punctual payment of the principal of and interest on the Bonds as the same become due. In each year while the Bonds, or any of them, are outstanding and unpaid, the Board of Supervisors is authorized and required to levy and collect annually, at the same time and in the same manner as other taxes of the County are assessed, levied and collected, a tax upon all taxable property within the County, over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay when due the principal of and interest on the Bonds to the extent other funds of the County are not lawfully available and appropriated for such purpose.

SECTION 4. (a) The Bonds shall be executed, for and on behalf of the County, by the manual or facsimile signature of the Chairman of the Board of Supervisors and shall have a facsimile of the corporate seal of the Board of Supervisors imprinted thereon, attested by the manual or facsimile signature of the Clerk of the Board of Supervisors.

(b) The Director of Finance is hereby appointed as the Registrar and Paying Agent for the Bonds (the "Registrar"). No Bond shall be valid or obligatory for any purpose unless and until the certificate of authentication endorsed on such Bond shall have been manually executed by an authorized officer of the registrar. Upon the authentication of any Bonds the Registrar shall insert in the certificate of authentication the date as of which such Bonds are authenticated as follows: (i) if the Bond is authenticated prior to the first interest payment date, the certificate shall be dated as of the date of the initial issuance and delivery of the Bonds of the series of Bonds of which such Bond is one, (ii) if the Bond is authenticated upon an interest payment date, the certificate shall be dated as of such interest payment date, (iii) if the Bond is authenticated after the fifteenth (15th) day of the calendar month next preceding an interest payment date and prior to such interest payment date, the certificate shall be dated as of such interest payment date and (iv) in all other instances the certificate shall be dated as of the interest payment date next preceding the date upon which the Bond is authenticated.

(c) The execution and authentication of the Bonds in the manner above set forth is adopted as a due and sufficient authentication of the Bonds.

SECTION 5. (a) The principal of the Bonds shall be payable in such coin or currency of the United States of America as at the respective dates of payment thereof is legal tender for public and private debts, at the option of the registered owner thereof, at the office of the Registrar. Interest on the Bonds shall be payable by check mailed by the Registrar to the registered owners of such Bonds at their respective addresses as such addresses appear on the books of registry kept pursuant to this Section 5.

(b) At all times during which any Bond of any series remains outstanding and unpaid, the Registrar shall keep or cause to be kept at its office books of registry for the registration, exchange and transfer of Bonds of such series. Upon presentation at its office for

such purpose, the Registrar, under such reasonable regulations as it may prescribe, shall register, exchange or transfer, or cause to be registered, exchanged or transferred, on the books of registry the Bonds as hereinbefore set forth.

(c) Any Bond may be exchanged at the office of the Registrar for such series of Bonds for a like aggregate principal amount of such Bonds in other authorized principal sums of the same series, interest rate and maturity.

(d) Any Bond of any series may, in accordance with its terms, be transferred upon the books of registry by the person in whose name it is registered, in person or by his duly authorized agent, upon surrender of such Bond to the Registrar for cancellation, accompanied by a written instrument of transfer duly executed by the registered owner in person or by his duly authorized attorney, in form satisfactory to the registrar.

(e) All transfers or exchanges pursuant to this Section 5 shall be made without expense to the registered owner of such Bonds, except as otherwise herein provided, and except that the Registrar shall require the payment by the registered owner of the Bond requesting such transfer or exchange of any tax or other governmental charges required to be paid with respect to such transfer or exchange. All Bonds surrendered pursuant to this Section 5 shall be cancelled.

(f) (i) The Bonds shall be issued in full book-entry form. One Bond representing each maturity of the Bonds will be issued to and registered in the name of Cede & Co., as nominee of DTC, as registered owner of the Bonds and each such Bond will be immobilized in the custody of DTC. DTC will act as securities depository for the Bonds. Individual purchases will be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof. Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased.

(ii) Principal and interest payments on the Bonds will be made by the Registrar to DTC or its nominee, Cede & Co., as registered owner of the Bonds, which will in turn remit such payments to DTC participants for subsequent disbursement to the beneficial owners of the Bonds. Transfers of principal and interest payments to DTC participants will be the responsibility of DTC. Transfers of such payments to beneficial owners of the Bonds by DTC participants will be the responsibility of such participants and other nominees of such beneficial owners. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and, in turn, by DTC participants who act on behalf of the indirect participants of DTC and the beneficial owners of the Bonds.

(iii) The County will not be responsible or liable for sending transaction statements or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants or for transmitting payments to, communicating with, notifying or otherwise dealing with any beneficial owner of the Bonds.

SECTION 6. (a) CUSIP identification numbers may be printed on the Bonds, but no such number shall constitute a part of the contract evidenced by the particular Bond upon which it is printed; no liability shall attach to the County or any officer or agent thereof

(including any paying agent for the Bonds) by reason of such numbers or any use made thereof (including any use thereof made by the County, any such officer or any such agent) or by reason of any inaccuracy, error or omission with respect thereto or in such use; and any inaccuracy, error or omission with respect to such numbers shall not constitute cause for failure or refusal by a purchaser of the Bonds to accept delivery of and pay for such Bonds. All expenses in connection with the assignment and printing of CUSIP numbers on the Bonds shall be paid by the initial purchasers of the Bonds.

(b) A copy of the final legal opinion with respect to the Bonds, with the name of the attorney or attorneys rendering the same, together with a certification of the Clerk of the Board of Supervisors, executed by a facsimile signature of that officer, to the effect that such copy is a true and complete copy (except for letterhead and date) of the legal opinion which was dated as of the date of delivery of and payment for the Bonds, may be printed on the Bonds.

SECTION 7. The County covenants and agrees to comply with the provisions of Sections 103 and 141-150 of the Internal Revenue Code of 1986 and the applicable Treasury Regulations promulgated thereunder throughout the term of the Bonds.

SECTION 8. The Bonds shall be sold in one or more series in accordance with the provisions of Section 2 at competitive or negotiated sale at not less than ninety-eight percent (98%) of the principal amount thereof and on such other terms and conditions as are provided in the Notice of Sale thereof or in the Purchase Contract relating thereto.

If the Bonds are sold at competitive sale, they may be sold contemporaneously with other bonds of the County under a combined Notice of Sale. If the Bonds are sold at competitive sale, the Director of Finance is hereby authorized to cause to be published and distributed a Notice of Sale of the Bonds in such form and containing such terms and conditions as the Director of Finance may deem advisable, subject to the provisions hereof. In lieu of publishing the full text of the Notice of Sale in accordance with the provisions of the immediately preceding sentence, the Director of Finance is hereby authorized to cause a Summary Notice of Sale in such form as the Director of Finance shall approve to be published in *The Bond Buyer* on a date selected by the Director of Finance.

Upon the determination by the Director of Finance to sell the Bonds at competitive or negotiated sale, the Director of Finance is hereby authorized, without further notice to or action by the Board of Supervisors, to determine the rates of interest the Bonds shall bear; *provided that*:

(i) in no event shall the true interest cost for the Bonds exceed six percent (6%);

(ii) in no event shall the premium payable by the County upon the redemption of the Bonds exceed two percent (2%) of the principal amount thereof;

(iii) the Bonds of any series may be issued and sold only if the refunding of the Refunded Bonds refunded thereby will result gross debt service savings to the County of not less than \$1,000,000; and

(iv) the Bonds of any series may be issued and sold only if the refunding of the Refunded Bonds refunded thereby will result in net present value savings of not less than four percent (4%) to the County, calculated by using the amount of such net present value savings as the numerator and the Refunded Bonds refunded thereby which are subject to optional redemption as the denominator.

If the Bonds are sold at negotiated sale, the Director of Finance is hereby authorized, without further notice to or action by the Board of Supervisors, to select the underwriters for the Bonds (the "Underwriters") and to execute and deliver to the Underwriters a Bond Purchase Contract or Forward Delivery Agreement relating to the Bonds in a form approved by the County Attorney.

The Director of Finance is hereby authorized to cause to be prepared and distributed a Preliminary Official Statement and a final Official Statement relating to the Bonds. The Director of Finance is hereby further authorized to certify that the Preliminary Official Statement for the Bonds of each series authorized hereunder is "deemed final" for purposes of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934. The County Manager and the Director of Finance are hereby authorized to execute and deliver the final Official Statement for the Bonds of each series authorized hereunder, and the County Manager, the Director of Finance and the County Attorney are hereby authorized to execute and deliver to the purchasers of the Bonds of each series certificates in the forms provided for in the Official Statement for the Bonds of such series.

The Director of Finance is hereby further authorized to execute and deliver to the purchasers of the Bonds of each series authorized hereunder a Continuing Disclosure Certificate or a Continuing Disclosure Agreement evidencing the County's undertaking to comply with the continuing disclosure requirements of Paragraph (b)(5) of such Rule 15c2-12 to the extent applicable to the Bonds, such Continuing Disclosure Certificate or Continuing Disclosure Agreement to be in such form as shall be approved by the Director of Finance upon the advice of counsel (including the County Attorney or Bond Counsel to the County), such approval to be conclusively evidenced by his execution of such Continuing Disclosure Certificate or Continuing Disclosure Agreement.

SECTION 9. (a) The Director of Finance is hereby authorized to appoint an escrow agent (the "Escrow Agent") for the County in connection with the refunding of the Refunded Bonds.

(b) The Director of Finance is hereby authorized and directed to execute and deliver an Escrow Deposit Agreement by and between the County and the Escrow Agent in such form as shall be approved by the Director of Finance upon the advice of counsel (including the County Attorney or Bond Counsel), such approval to be conclusively evidenced by the execution of the Escrow Deposit Agreement by the Director of Finance.

(c) The County Manager and the Director of Finance, or either of them, are hereby authorized from time to time to execute, on behalf of the County, subscriptions for United States Time Deposit Securities - State and Local Government Series, if any, to be purchased by the Escrow Agent from moneys deposited in the Escrow Deposit Fund created and established under any Escrow Deposit Agreement and from time to time to authorize the sale of such United States Time Deposit Securities - State and Local Government Series and the purchase of other United States Time Deposit Securities - State and Local Government Series or open market obligations of the United States in lieu of and in substitution therefor. Such United States Time Deposit Securities - State and Local Government Series, if any, and open market obligations so purchased shall be held by the Escrow Agent under and in accordance with the provisions of the related Escrow Deposit Agreement. The County Manager and Director of Finance, or either of them, are hereby authorized to enter into such purchase agreements, including forward supply agreements, if any, as shall be required in connection with the purchase by the Escrow Agent, from moneys deposited in the Escrow Deposit Fund created and established under any Escrow Deposit Agreement, of Government Securities (as defined in the Escrow Deposit Agreement) other than United States Time Deposit Securities - State and Local Government Series.

SECTION 10. Subject to the issuance, sale and delivery of the Refunding Bonds pursuant to this Resolution, the Board of Supervisors hereby designates the Refunded Bonds to be redeemed, together with the interest accrued thereon to the dates fixed for redemption thereof, plus the applicable premium, if any. The Director of Finance is hereby authorized and directed to deliver to the escrow agent under the Escrow Deposit Agreement, irrevocable written instructions to give notices of such redemption of the Refunded Bonds, in the name and on behalf of the County, to the holders thereof, such notices to be given in the manner and at the time or times provided in the respective proceedings authorizing the issuance of the respective bonds and to be in substantially the form to be set forth as an exhibit to the Escrow Deposit Agreement.

SECTION 11. *The Bonds, the certificate of authentication of the registrar and the assignment endorsed on the Bonds, shall be in substantially the form set forth in Exhibit A.*

SECTION 12. In the event and for as long as the office of the Director of Finance is vacant, any action required or permitted by this Resolution to be taken by the Director of Finance may be taken by the Acting Director of Finance.

SECTION 13. The County Attorney is hereby directed to file a copy of this Resolution, certified by the Clerk of the Board of Supervisors to be a true copy hereof, with the Circuit Court of the County.

SECTION 14. All resolutions and proceedings in conflict herewith are, to the extent of such conflict, repealed.

SECTION 15. In the event any Bonds authorized for issuance under this Resolution shall not have been issued on or before June 30, 2008, such authorization to issue such Bonds shall terminate and shall be of no further force and effect.

EXHIBIT A

**UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO
GENERAL OBLIGATION PUBLIC IMPROVEMENT
REFUNDING BOND, SERIES 2008**

REGISTERED

REGISTERED

No. R-__

\$ _____

**INTEREST
RATE:**
%

**MATURITY
DATE:**

DATE OF BOND:

CUSIP NO.:

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: DOLLARS

The County of Henrico (hereinafter referred to as the "County"), a political subdivision of the Commonwealth of Virginia, for value received, hereby acknowledges itself indebted and hereby promises to pay to the Registered Holder (named above), or registered assigns, on the Maturity Date (specified above), unless this Bond shall have been called for previous redemption and payment of the redemption price shall have been duly made or provided for, the Principal Sum (specified above), and to pay interest on such Principal Sum on _____ 1, 200_ and semiannually on each _____ 1 and _____ 1 thereafter (each such date is hereinafter referred to as an "interest payment date"), from the date hereof or from the interest payment date next preceding the date of authentication hereof to which interest shall have been paid, unless such date of authentication is an interest payment date, in which case from such interest payment date, or unless such date of authentication is within the period from the sixteenth (16th) day to the last day of the calendar month next preceding the following interest payment date, in which case from such following interest payment date, such interest to be paid until the maturity or redemption hereof at the Interest Rate (specified above) per annum, by wire transfer or by check mailed by the Registrar hereinafter mentioned to the Registered Owner hereof in whose name this Bond is registered upon the books of registry, as of the close of business on the fifteenth (15th) day (whether or not a business day) of the calendar month next preceding each interest payment date. Interest on this Bond shall be calculated on the basis of a three hundred sixty (360) day year comprised of twelve (12) thirty (30) day months.

The principal of this Bond is payable upon presentation and surrender thereof at the office of the Director of Finance of the County (the "Registrar"). The principal of and

interest on this Bond are payable in such coin or currency of the United States of America as at the respective dates of payment is legal tender for public and private debts.

This Bond is one of a duly authorized issue of Bonds (herein referred to as the "Bonds") in the aggregate principal amount of _____ Dollars (\$_____) of like date, denomination and tenor herewith except for number, interest rate, maturity and redemption provisions, and is issued under and pursuant to and in full compliance with the Constitution and statutes of the Commonwealth of Virginia, including Chapter 26 of Title 15.2 of the Code of Virginia, 1950, as amended (the same being the Public Finance Act of 1991), for the purpose of refunding in advance of their stated maturities certain outstanding general obligation public improvement bonds of the County pursuant to a resolution duly adopted by the Board of Supervisors of the County on _____, 2008 (the "Resolution").

The Bonds maturing on or before _____, 20__ will not be subject to optional redemption before their respective maturity dates.

The Bonds maturing on or after _____, 20__ may be redeemed prior to their respective maturity dates, on or after _____, 20__, at the option of the County, as a whole or in part at any time, at the price equal to the principal amount of the Bonds to be redeemed, together with the interest accrued thereon to the date fixed for the redemption thereof.

In the event less than all of the Bonds of a particular maturity are called for redemption, the particular Bonds of such maturity or portions thereof in installments of \$5,000 to be redeemed shall be selected by lot.

If this Bond is redeemable and this Bond (or any portion of the principal amount thereof in installments of \$5,000) shall be called for redemption, notice of the redemption hereof, specifying the date, number and maturity of this Bond, the date and place fixed for its redemption, and if less than the entire principal amount of this Bond is to be redeemed, that this Bond must be surrendered in exchange for the principal amount thereof to be redeemed and the issuance of a new Bond equalling in principal amount that portion of the principal amount hereof not to be redeemed, shall be mailed not less than thirty (30) days prior to the date fixed for redemption by first class mail, postage prepaid, to the Registered Owner of this Bond at his address as it appears on the books of registry maintained by the Registrar as of the close of business on the forty-fifth (45th) day preceding the date fixed for redemption. If notice of redemption of this Bond shall have been given as aforesaid, and payment of the principal amount of this Bond (or the portion of the principal amount hereof to be redeemed) and of the accrued interest payable upon such redemption shall have been duly made or provided for, interest hereon shall cease to accrue from and after the date so specified for the redemption hereof.

Subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the Bonds of the issue of which this Bond is one, this Bond may be exchanged at the principal office of the Registrar for a like aggregate principal amount of Bonds of other authorized principal amounts and of the series of which this Bond is one. This Bond is transferable by the Registered Owner hereof, in person or by his attorney duly authorized in

writing, at the principal office of the Registrar but only in the manner, subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the Bonds of the issue of which this Bond is one, and upon the surrender hereof for cancellation. Upon such transfer a new Bond or Bonds of authorized denominations and of the same aggregate principal amount of the issue of which this Bond is one will be issued to the transferee in exchange herefor.

The full faith and credit of the County are irrevocably pledged to the punctual payment of the principal of and interest on this Bond as the same become due. In each year while this Bond is outstanding and unpaid, the Board of Supervisors of the County is authorized and required to levy and collect annually, at the same time and in the same manner as other taxes of the County are assessed, levied and collected, a tax upon all taxable property within the County, over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay when due the principal of and interest on this Bond to the extent other funds of the County are not lawfully available and appropriated for such purpose.

This Bond shall not be valid or obligatory unless the certificate of authentication hereon shall have been manually signed by an authorized signator of the Registrar.

It is hereby certified, recited and declared that all acts, conditions and things required to have happened, to exist and to have been performed precedent to and in the issuance of this Bond and the issue of which it is one, have happened, do exist and have been performed in regular and due time, form and manner as required by law, and that the Bonds of the issue of which this Bond is one do not exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF, the County, by its Board of Supervisors, has caused this Bond to be executed by the manual or facsimile signature of the Chairman of such Board; the corporate seal of such Board to be impressed or imprinted hereon, attested by the manual or facsimile signature of the Clerk of such Board; and this Bond to be dated the date first above written.

Clerk of the Board of
Supervisors

(Seal)

Chairman of the Board of Supervisors

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds delivered pursuant to the within-mentioned proceedings.

Date of Authentication: _____, 2008

Director of Finance, Registrar

By: _____
Authorized Signature

(FORM OF ASSIGNMENT)

For value received, the undersigned hereby sell(s), assign(s) and transfer(s) unto

(Please print or type name and address, including postal zip code, of transferee)

PLEASE INSERT SOCIAL SECURITY
OR OTHER TAX IDENTIFYING NUMBER
OF TRANSFeree:

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to transfer such Bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

Signature(s) Guaranteed

NOTICE: Signature (s) must be guaranteed by a member firm of The New York Stock Exchange, Inc. or a commercial bank or trust company.

(Signature(s) of Registered Owner)
NOTICE: The signature(s) above must correspond with the name of the Registered Owner as it appears on the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 50-08
Page No. 1 of 2

Agenda Title: Resolution – Award of Contract for Architectural and Engineering Services – Fire Station #3

For Clerk's Use Only: FEB 12 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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Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																								

WHEREAS, on August 17, 2007, three (3) proposals were received in response to RFP#07-8218-7CS to provide architectural and engineering services for design and construction administration for Henrico County Fire Station #3; and

WHEREAS, based upon review and evaluation of the written proposals, the Selection Committee (consisting of Mr. Edward Bass, Mr. Ronald Semel, Mr. Michael Verdú, Captain Ronnie Hiteshew, Chief Dale Harris and Ms. Sara Walters) interviewed the following firms:

Teng & Associates, Inc.
Bignell Watkins Hasser Architects, P.C.
ACA Architects

WHEREAS, the Selection Committee subsequently selected **Teng & Associates Inc.** as the first ranked firm and negotiated a fixed fee in the amount of \$303,000.

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

1. A contract to provide architectural and engineering design services for Henrico County Fire Station #3 is hereby awarded to **Teng & Associates, Inc.** in the amount of \$303,000 in accordance with RFP #07-8218-7CS, the November 6, 2007 fee proposal, and the revised fee proposal dated January 30, 2008 submitted by **Teng & Associates, Inc.**
2. The County Manager and Clerk are authorized to execute said contract in a form approved by the County Attorney.

By Agency Head

Paul H. Proff

for
By County Manager

Berge J. Quinn

Routing:

Yellow to:

General Services

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Copy to:

Date:

County of Henrico, Virginia
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. *SD-08*

Page No. 2 of 2

Agenda Title Resolution – Award of Contract for Architectural and Engineering Services – Fire Station #3

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 General Services and the Chief, Division of Fire, the County Manager concurring, recommend approval of this Board Paper.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. **57-08**
Page No. 1 of 2

Agenda Title: Resolution - Award of Construction Contract - Steel Building And Related Site Work at the Eastern Depot

For Clerk's Use Only: FEB 12 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		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, ten (10) bids were received on January 8, 2008 and opened on January 9, 2008 for construction of a 50 by 100 foot steel building and related site work at the Eastern Depot for the Department of Public Works pursuant to Bid Request No. 07-8299-12SW as follows:

<u>Bidder</u>	<u>Bid</u>
Norman Company Inc.	\$351,649.00
Haley Builders Inc.	\$399,000.00
Noah Enterprises Inc.	\$447,700.00
Colony Construction Inc.	\$462,147.77
Parrish Construction Service Inc.	\$483,592.00
Waco, Inc.	\$509,405.00
Clearwater Commercial Construction Company	\$539,000.00
Nice Brothers Inc.	\$549,000.00
Sun Bay Contracting, Inc.	\$584,000.00
Canterbury Enterprises, LLC	\$650,000.00

WHEREAS, after review and evaluation of all the bids, it was determined that **Norman Company Inc.** was the lowest and responsive bidder with a bid in the amount of **\$351,649.00**.

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

1. A contract to furnish all labor, materials, and equipment necessary for the construction of a steel building and related site work at the Eastern Depot for the Department of Public Works is hereby awarded to **Norman Company Inc.** in the amount of **\$351,649.00**, pursuant to Bid Request No. 07-8299-12SWSW, Addenda 1, 2, and 3, and the bid submitted by **Norman Company Inc.** dated January 8, 2008.

By Agency Head [Signature] By County Manager [Signature]
Routing: _____
Yellow to: General Services
Copy to: _____
Certified: _____
A Copy Teste: _____
Clerk, Board of Supervisors
Date: _____

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

Agenda Item No. *57-08*
Page 2 of 2

Agenda Title - Resolution – Award of Construction Contract – Steel Building and Related Site Work at the Eastern Depot

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 necessary change orders within the scope of the project budget.

Comments: Funding to support the contract is available within the project budget. The Director of General Services and the Director of Public Works, the County Manager concurring, recommend approval of this Board Paper.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. **52-08**
Page No. 1 of 2

Agenda Title: **Resolution – Award of Construction Contract – Glen Allen Softball Complex, Replacement of Softball Field Lighting**

For Clerk's Use Only: FEB 12 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><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr><tr><td>Donati, J.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Kacchele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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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Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																								

WHEREAS, six (6) bids were received on January 8, 2008 and opened on January 9, 2008 in response to IFB #07-8292-11SW for construction services required to replace the existing lighting for four fields at the Glen Allen Softball Complex.

<u>Supplier Name</u>	<u>Total Base Bid</u>	<u>Alternate #1</u>	<u>Alternate #2</u>	<u>Total Bid</u>
Farmville Excavation Company, Inc.	\$524,746	\$7,875	\$32,556	\$565,177
Beckstrom Electric Co., Inc.	\$568,000	\$7,500	\$34,434	\$609,934
Contracting Enterprises Inc.	\$628,470	\$7,500	\$28,707	\$664,677
Portico Realty Services LLC	\$655,500	\$8,000	\$25,800	\$689,300
Lighting Maintenance Inc.	\$695,500	\$9,500	\$54,500	\$759,500
C & L Contracting Inc.	\$737,100	\$9,000	\$45,500	\$791,600

WHEREAS, after review and evaluation of all bids received, it was determined that **Farmville Excavation Company, Inc.** was the lowest responsive and responsible bidder with a bid, including Alternates 1 and 2, in the amount of **\$565,177**.

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

1. A contract to furnish all construction services required to replace the existing lighting for four fields at the Glen Allen Softball Complex is awarded to **Farmville Excavation Company, Inc.** in the amount of **\$565,177**, all in accordance with IFB #07-8292-11SW and the bid, including Alternates 1 & 2, submitted by Farmville Excavation Company, Inc. dated January 8, 2008.

By Agency Head [Signature] for County Manager [Signature]
Routing: General Services
Yellow to: _____
Copy to: _____
Certified: _____
A Copy Teste: _____ Clerk, Board of Supervisors
Date: _____

BOARD OF SUPERVISORS

MINUTE

Agenda Item No.

52-08

Page No. 2 of 2

Agenda Title: **Resolution – Award of Construction Contract – Glen Allen Softball Complex, Replacement of Softball Field Lighting**

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 further authorized to execute all change orders within the scope of the project budget.

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



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

Agenda Item No. **53-08**
Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Award of Construction Contract — Water Reclamation Facility Phase 7 Enhanced Nutrient Removal — T.A. Loving Company

For Clerk's Use Only: FEB 12 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>O'Bannon</u> Seconded by (1) <u>Thornton</u> (2) _____ (2) _____ REMARKS: APPROVED	YES NO OTHER Donati, J. ✓ _____ Glover, R. ✓ _____ Kaechele, D. ✓ _____ O'Bannon, P. ✓ _____ Thornton, F. ✓ _____
	_____ _____ _____	

WHEREAS, by Bid Request No. 07-8245-9CE, the County solicited bids for completion of the Water Reclamation Facility Phase 7 Enhanced Nutrient Removal Project at the Wastewater Treatment Facility located in the Varina District; and,

WHEREAS, the Base Bid for the project includes construction of two biological nutrient removal (BNR) tanks and associated improvements; and,

WHEREAS, Alternate #1 includes modifications to two existing BNR tanks and associated improvements; and,

WHEREAS, five bids received from the following contractors were opened on November 9, 2007:

<u>BIDDERS</u>	<u>BASE BID</u>	<u>ALTERNATE #1</u>	<u>TOTAL BID AMOUNT</u>
T.A. Loving Company	\$15,450,000	\$5,166,000	\$20,616,000
Reynolds, Inc. d/b/a John Reynolds & Sons, Inc.	\$15,904,000	\$4,867,000	\$20,771,000
Crowder Construction Company	\$16,230,000	\$5,264,000	\$21,494,000
English Construction Company	\$16,891,000	\$6,955,000	\$23,846,000
Mid Eastern Builders	\$18,398,000	\$5,595,000	\$23,993,000

NOW, THEREFORE, BE IT RESOLVED that the Henrico County Board of Supervisors awards a contract for construction of the Water Reclamation Facility Phase 7 Enhanced Nutrient Removal Project to the lowest responsive and responsible bidder, T.A. Loving Company, in the amount of \$20,616,000 for the Base Bid and Alternate #1.

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

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

By Agency Head Arthur O. Petrucci for _____ by County Manager George J. Danahy

Routing: _____
Yellow to: Public Utilities
Copy to: _____

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



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 52408

Page No. 1 of 2

Agenda Title: RESOLUTION — Signatory Authority — Award of Contract — Fourmile Creek Trunk Sewer Rehabilitation — Eastern Henrico County Force Main — Portugee Road to Darbytown Road — Contract No. 4A

For Clerk's Use Only: Date: FEB 12 2008 <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Donati</u> Seconded by (1) <u>O'Bannon</u> (2) <u>APPROVED</u> REMARKS:	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, by Bid Request No. 07-8300-12CE, the County solicited bids for the Fourmile Creek Trunk Sewer Rehabilitation - Eastern Henrico County Force Main - Portugee Road to Darbytown Road - Contract No. 4A (the "Project") in the Varina District; and,

WHEREAS, the Project requires approximately 3.8 miles of 48-inch diameter ductile iron wastewater force main piping and approximately 3.6 miles of 16-inch and 24-inch diameter ductile iron water main piping along Poplar Spring, Charles City and Yahley Mill Roads between Portugee and Darbytown Roads, and includes installation of 25 fire hydrants and water service connections to 134 properties; and,

WHEREAS, fifteen bids were opened on January 30, 2008, as follows:

Bidders	Bid Amounts
American Infrastructure - VA, Inc.	\$13,119,011.00
T.A. Sheets Mechanical Contractors, Inc.	\$13,489,000.00
S. J. Louis Construction, Inc.	\$13,718,400.00
Metra Industries	\$14,243,000.00
Key Constructors, Inc.	\$14,246,111.00
G. L. Howard, Inc.	\$14,490,086.00
Alex E. Paris Contracting Co, Inc.	\$14,546,763.00
Godsey & Son, Inc.	\$14,575,581.00
Spiniello Companies	\$14,857,000.00
DLB, Inc.	\$14,942,770.00
D & M Contracting, Inc./dba Paramount Contracting, Inc.	\$14,987,483.00

By Agency Head

Arthur O. Petrenko

for

County Manager

George J. Duff

Routing:

Yellow to:

Public Utilities

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Copy to:

Date:

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

Agenda Item No.

54-08

Page No. 2 of 2

Agenda Title: RESOLUTION — Signatory Authority — Award of Contract — Fourmile Creek Trunk Sewer Rehabilitation — Eastern Henrico County Force Main — Portugee Road to Darbytown Road - Contract No. 4A

Rappahannock Construction Co., Inc.	\$15,330,833.42
Casper Colosimo & Son, Inc.	\$15,891,341.00
R. R. Snipes Construction Co., Inc.	\$16,079,488.00
Walter C. Via Enterprises, Inc.	\$16,538,230.00

WHEREAS, after a review of all bids received, it was determined that American Infrastructure - VA, Inc. is the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED that the Henrico County Board of Supervisors awards the contract for the Fourmile Creek Trunk Sewer Rehabilitation — Eastern Henrico County Force Main — Portugee Road to Darbytown Road — Contract No. 4A Project to the lowest responsive and responsible bidder, American Infrastructure – VA, Inc., in the amount of \$ 13,119,011.00.

BE IT FURTHER RESOLVED that the County Manager and Clerk are authorized to execute the contract in a form approved by the County Attorney and all necessary change orders not to exceed 15% of the original contract amount.

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



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda 53-08
Page No. 1 of 2

Agenda Title: **RESOLUTION — To Permit Additional Fine of \$200 for Speeding on Crenshaw Avenue between Azalea Avenue and Wilmer Avenue**

For Clerk's Use Only: Date: <u>SEP 10 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>Thornton</u> Seconded by (1) <u>O'Bannon</u> (2) _____ (2) _____ REMARKS: APPROVED		YES	NO	OTHER
			Donati, J. <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Glover, R. <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Kaechele, D. <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			O'Bannon, P. <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Thornton, F. <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, Section 46.2-878.2 of the Code of Virginia provides for the imposition of a \$200 fine for speeding, in addition to other penalties provided by law, when a locality has established a maximum speed limit for a highway in a residence district and the speed limit is indicated by appropriately placed signs; and,

WHEREAS, the statute also requires the Board of Supervisors (the "Board"), because Henrico County maintains its own roads, to develop criteria for the overall applicability for the installation of the signs and to request the application of the statute to certain residential streets in the County before the additional fine may be imposed; and,

WHEREAS, the Board approved detailed criteria (the "Criteria") for the County's Traffic Calming Program on February 10, 2004; and,

WHEREAS, increased fines for speeding on residential streets in Henrico County which meet the Criteria and are designated by the Board are part of the Traffic Calming Program; and,

WHEREAS, the County's Traffic Engineer has collected traffic data and has determined that Crenshaw Avenue between Azalea Avenue and Wilmer Avenue in the County is experiencing speeding problems and meets the Criteria for traffic calming measures set forth in the Traffic Calming Program; and,

By Agency Head [Signature] for County Manager George J. [Signature]
Routing: Yellow to: Public Works
Copy to: _____
Certified: _____
A Copy Tests: _____ Clerk, Board of Supervisors
Date: _____

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

Agenda Item No.

SS-08

Page No. 2 of 2

Agenda Title: RESOLUTION — To Permit Additional Fine of \$200 for Speeding on Crenshaw Avenue between Azalea Avenue and Wilmer Avenue

WHEREAS, the citizens in the area of this road requesting the increased fine have collected signatures from 75% of the residents; and,

WHEREAS, this road is a local residential street with a posted speed limit of 25 mph.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County that the County Manager is authorized and directed to install signs on Crenshaw Avenue between Azalea Avenue and Wilmer Avenue advising citizens of an additional fine of \$200 for exceeding the posted speed limit on this road.

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



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 56-08
Page No. 1 of 2

Agenda Title: RESOLUTION – Consent to Declaration of Local Emergency

For Clerk's Use Only: Date: <u>FEB 12 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>Thornton</u> Seconded by (1) <u>O'Bannon</u> (2) <u>Stor</u> (2) <u>O'Bannon</u> REMARKS: APPROVED		YES NO OTHER Donati, J. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Glover, R. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Kaechele, D. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> O'Bannon, P. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Thornton, F. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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WHEREAS, in response to wildfires that burned in Henrico County on February 10, 11 and 12, 2008 and threatened the property and health, safety and welfare of persons in Henrico County, the Fire Chief, in his capacity as Coordinator of Emergency Services, declared a local emergency on February 10, 2008; and,

WHEREAS, the declaration allowed County agencies to enlist the necessary resources to respond quickly and effectively to the emergency conditions; and,

WHEREAS, the resources of numerous County agencies were expended in controlling the wildfires and preventing their spread; and,

WHEREAS, consistent with the requirements of Virginia Code § 44-146.21(a), the Board of Supervisors desires to consent to the declaration of local emergency by the County's Coordinator of Emergency Services, attached as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that:

- (1) the Board of Supervisors hereby consents to the declaration of local emergency by the Coordinator of Emergency Services; and,
- (2) during this local emergency, the powers, functions, and duties of the County's Director of Emergency Management and emergency services organizations shall be those prescribed by the laws of the Commonwealth of Virginia and by the ordinances, resolutions, and approved plans of the County; and

By Agency Head John M. Smith

By County Manager David R. Hynes

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. *56-08*
Page No. 2 of 2

Agenda Title: RESOLUTION – Consent to Declaration of Local Emergency

- (3) any action taken by County agencies or personnel pursuant to the declaration of local emergency and this resolution shall be to mitigate the effects of the declared local emergency.

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

EXHIBIT "A"
DECLARATION OF LOCAL EMERGENCY

I, the undersigned, as the Chief of the Division of Fire and Coordinator of Emergency Management for Henrico County, Virginia, in response to the effects of multiple brush fires exacerbated by high winds and extremely dry conditions on February 10, 2008, which may threaten the property and the health, safety, and welfare of persons in Henrico County and in order to ensure that County agencies can enlist the necessary resources to respond quickly and effectively to these conditions, hereby declare, pursuant to Virginia Code §44-146.21(a), the existence of a Local Emergency in Henrico County.

In accordance with this Declaration, all appropriate County agencies are hereby vested with, and authorized to carry out, all powers, duties, and functions prescribed by state and local law, rules, regulations and plans as may be necessary to adequately and appropriately respond to said Local Emergency.



Edwin W. Smith
Chief, Henrico County Division of Fire and
Coordinator of Emergency Management

2/10/2008 5:35 AM
Date and Time