

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 26th 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
Col. Merle H. Bruce, Jr., Undersheriff
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 7:08 p.m.

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

Rev. Al Lynch, Pastor, St. Andrew's United Methodist Church, provided the invocation.

On motion of Mr. Thornton, seconded by Mr. Glover, the Board approved the minutes of the February 12, 2008 Regular and Special Meetings.

The vote of the Board was as follows:

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

Nay

MANAGER'S COMMENTS

For the 22nd consecutive year, the Henrico County Department of Finance's Office of Management and Budget has prepared the *Financial Trends Monitoring System* document prior to the Board's approval of the County's operating budget. This document provides an historical review, over an 11-year period, of financial and budgetary information that is combined with economic and demographic information. It is used as a tool, along with the Annual Fiscal Plan and Annual Report, to monitor the County's financial health.

BOARD OF SUPERVISORS' COMMENTS

With the entire Board's advice and consent, Mr. Kaechele has asked the County Manager to bring the Board a proposal that will allow for the video streaming of Board meetings to the public on the internet or the County's cable television channel. The proposal will spell out the options, costs, and timing for implementation. Mr. Kaechele noted that the proposal has been discussed by the Henrico Board in the past, that other jurisdictions are doing it, and that the timing is right to take a hard look at this. Mr. Hazelett responded that implementation of the proposal will incur approximately \$200,000 in capital costs for Board Room rewiring and camera installation and approximately \$120,000 in annual operating costs for an additional position and a third party to take care of the capacity. These costs will be incorporated in the County's budget. The goal is to implement the plan by October 1, 2008 to allow time for requests for proposals for the necessary Board Room renovations. The renovations are targeted for the month of August during the period of time when the Board is not meeting in the Board Room.

Mrs. O'Bannon recognized the following Boy Scouts, who were observing the meeting to fulfill requirements for the Citizenship in the Community and/or Communications Badge: Michael Moore, Robert Moore, and Russell Starke from Troop 702, sponsored by Second Baptist Church; and Bryant Akers, Brandon Fiala, Tanner Fiala, James Pyron, and Jackson Rich from Troop 768, sponsored by the Tuckahoe Ward of the Church of Jesus Christ of Latter-Day Saints.

Mrs. O'Bannon recognized the following fathers and sons from the Arapahoe Y-Guide Tribe, sponsored by Tuckahoe Family YMCA, who were observing the meeting to fulfill a requirement for the Cougar Badge: Shaw, Brent, and Sam Blackmon; Jay and Judd Gardner; Matt Hunderup; Stuart and Turner Jordan; Dan and Jack Ludwin; Scott and Max McRoberts; Jay, Jake, and Max Sanne; Keith, Parker, and Spencer Vida; and Kerry and Brady Wortzel. Kerry Wortzel, an Assistant Commonwealth's Attorney for the County, is the tribe's Chief.

Mr. Kaechele recognized Bill Gray, President of the Henrico Business Council, who was in the audience.

RECOGNITION OF NEWS MEDIA

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

APPOINTMENT

57-08 Resolution - Appointment of Member – Board of Real Estate Review and Equalization.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 57-08 – see attached Resolution.

PUBLIC HEARINGS - REZONING CASE AND PROVISIONAL USE PERMIT

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.

Ralph J. Emerson, Jr., Acting Director of Planning, noted that this case was presented at the February 12, 2008 Board meeting and deferred to this meeting to allow time for the applicant to clarify wetlands issues. He briefly reviewed changes to the case since it was discussed at the February 12, 2008 meeting, which included new proffered conditions (Nos. 1 and 13) and a new conceptual plan that was revised to reflect increased wetland area on Lot 9 consistent with the United States Army Corps of Engineers February 1, 2008 confirmation letter. In an e-mail received on February 15, 2008, the Corps of Engineers indicated that the February 1, 2008 letter was valid and no further site visits were warranted. Mr. Kaechele pointed out that the case was presented and discussed in a lot of detail at the previous meeting, but that the Board wanted to answer any questions that still remained.

At Mr. Kaechele's request, Andy Condlin of Williams Mullen addressed the Board on behalf of the applicant. He spoke to inconsistencies in previous e-mail communications from the Corps of Engineers and advised that the applicant had made a change to Lot 9 to resolve confusion between what was flagged on the ground versus what was on the map. Mr. Condlin stated that the map now matched the confirmation letter received from the Corps of Engineers. He acknowledged that the applicant would still have to obtain a wetland permit from the Corps of Engineers prior to final subdivision approval. In response to questions from members of the Board, Mr. Condlin advised that the applicant's drainage plan would be subject to approval by the County's Department of Public Works and that the existing pond was designed to handle anticipated stormwater run off from this subdivision and other developments in the area.

Margie Swart, a resident of Lot 12 of the Millrace subdivision, expressed strong opposition to the rezoning request because the information presented by the applicant, specifically the wetland boundaries, continued to be of great concern to her. She reviewed concerns expressed by Millrace residents at previous neighborhood meetings which primarily related to the impact of the case on drainage in Millrace. Ms. Swart also reviewed her previous communications of these concerns to the Corps of Engineers, County staff, Mr. Condlin, and County Planning Commissioners. She distributed and explained Geographic Information System (GIS) and subdivision maps depicting water on the site of the proposed development as well as wetlands and a 100-year floodplain in

Hampshire – Section 4 (see enclosed copies). Ms. Swart asked the Board to deny the case as recommended by the Planning Commission. She contended that the only way the applicant could fit a home on lots in the proposed development would be to impact and mitigate the wetlands, which she felt was counterproductive to County ordinances establishing mandatory setbacks from wetlands.

Scott Enoch, President of the Millrace Homeowners Association and a resident of Lot 17 in the Millrace subdivision, distributed prepared remarks (see enclosed copy). He reviewed a number of bullet points that brought to bear the current 2010 Henrico County Land Use Plan and how the land use proposed by this case would directly conflict with the guides the County uses for this type of planning. Mr. Enoch described ongoing drainage problems on his own property that developers and County staff have not been able to resolve. He distributed a copy of a page from an internet web site for Bay Design Group and offered his impression of a developer's testimonial that appears on the web page (see enclosed copy). Mr. Enoch also cited a quote from a County official that appears on the same web site. He asked the Board to deny the case.

Chuck Kamper, a resident of Millrace, cited wetlands problems that occurred when the Millrace subdivision was being developed and that continue to exist despite assurances from builders, developers, and the Corps of Engineers that the problems have been handled. He expressed hope that the Board would not approve another subdivision in this area so that homeowners would be protected. Mr. Kamper questioned who would maintain the elaborate drainage system that would be required and who would be held liable for the promises being made. He suggested that future buyers of property on this site be notified of the existence of the drainage system, why it was put in, and who is going to stand behind it to make sure the property owner's investment is not wiped out.

Kevin Kenny, a resident of 11150 Hames Lane in the Bridlewood subdivision, expressed concerns about the proposed drainage system and whether it would contribute to existing drainage problems on his property and impact groundwater in the vicinity of his well. He referred to recent occurrences of existing streams overflowing near his property. Mr. Kenny read a number of specific comments from the United States Environmental Protection Agency's web site suggesting how citizens with wells can protect themselves. He questioned who was looking out for his water supply and whether there was an environmental impact statement from the applicant addressing underground drinking water sources. Mr. Kenny responded to a question from Mr. Kaechele regarding the depth of Mr. Kenny's well.

Lisa Stein, Vice-President of the Millrace Homeowners Association and a resident of Millrace, referred to her recent research efforts to find out where the wetlands were located when the Bridlewood subdivision was developed in 1983. She noted that initial maps pulled up by County staff were illegible. Ms. Stein distributed a map subsequently provided to her by John Newton, an Environmental Engineer with the County's Department of Public Works, highlighting where the hydric and partially hydric soils are located in the area proposed for rezoning (see enclosed copy). She said that she was appealing to the Board's common sense by pointing out that the fact that the developers can mitigate land does not take away the wetlands. Ms. Stein pointed out that wetlands will continue to exist and cause problems for residents. She also asked for an answer as to who will be responsible for drainage issues faced by future homeowners.

Mr. Kaechele pointed out that the Departments of Planning and Public Works had reviewed the case, visited the site, and made a recommendation. He asked staff to reiterate some of their observations about wetlands on the site and the effect of the proposed development on the community. Lee Priestas, Director of Public Works, addressed a couple of the drainage issues. He pointed out that the developer had submitted a preliminary drainage system and it appeared to be satisfactory pending more detailed information and design. The stormwater drainage system within the proposed subdivision would be an enclosed system maintained by the County. Mr. Priestas also explained the reconstruction of a pond located to the south of Hampshire and how the in and out pipes were designed to accommodate a ten-year storm and full development upstream. Mr. Priestas elaborated on the pond's design in response to a question from Mr. Kaechele. He clarified for Mr. Kaechele that he was not qualified to comment on how the pond would affect a resident's deep well. This would be a question for the Health Department.

Robin Wilder, Water Quality Analyst for the Department of Public Works, summarized the process for mapping, flagging, and confirming the boundaries of wetlands and surmised as to how confusion about the boundaries was caused in this case. Ms. Wilder advised that Elaine Holley from the Corps of Engineers had confirmed the wetland delineation and had the final say as to what does or does not constitute a jurisdictional boundary. In response to a question from Mr. Kaechele, Ms. Wilder explained her role in the delineation process. Ms. Wilder also reviewed the Corps of Engineers' permit requirements and the County's current setback and buffer requirements for residential properties adjoining wetlands. Under the County's new policies, there would be a mandatory 25-foot natural buffer along the stream channel following the southern boundary of the common area. In response to another question from Mr. Kaechele, Ms. Wilder commented on the beneficial impact that the proposed drainage plan would have on surrounding properties.

At Mr. Kaechele's request, Mr. Emerson explained how the proposed development was consistent with the County's comprehensive plan. In response to additional questions from Board members, Mr. Emerson confirmed that the proposed development would have to proceed through the subdivision process, that County regulations are set up to protect both current and future homeowners, and that the conceptual plan had been proffered. He responded to additional questions from Mr. Glover about what was stated in this proffered condition.

Mr. Glover commented that property rights allow zoning cases regardless of water or drainage issues. He pointed out that the Board does not require property owners to engineer a zoning case prior to the zoning consideration. Mr. Glover commented that although he did not know if he had ever seen a better presentation by the public on a zoning case during the past 24 years, the applicant had a right to rezone the property. He further commented that whether the applicant had a right to build on the property would be addressed during the next process. Mr. Glover observed that the County's goals, objectives, and policies are not mandates.

Mr. Kaechele clarified that Three Chopt District Planning Commissioner Thomas Branin had recommended denial of the case based on the fact that he did not at the time have the benefit of the proposed drainage plan and letter from the Corps of Engineers accepting the delineation. Mr. Emerson elaborated on this point by explaining the information that was before the Planning Commission when the Commission considered the case. Mr. Kaechele acknowledged the complexity of the wetlands issue and concerns of the neighborhood, but stated he was comforted

by the fact that the proposed drainage plan and natural drainage on the site would direct water away from surrounding lots and would not complicate the drainage situation of existing homeowners. He expressed confidence that professional engineers and County staff would thoroughly review the subdivision plans and wetland delineations at the time of subdivision approval. Overall, he felt the drainage in the area was meeting County standards. Mr. Kaechele reiterated that this was a land use issue and noted that one of the proffers provided that another public hearing would be held at the time of subdivision approval and that all neighbors would be notified.

Mrs. O'Bannon advised that she would be abstaining from this vote to remove any appearance of a conflict of interest or impropriety. She announced that she owns property in another county and is a member of a neighborhood group that has hired Bay Design Group to assist with a project.

On motion of Mr. Donati, seconded by Mr. Kaechele, the Board did not follow the recommendation of the Planning Commission and approved Agenda Item No. 42-08 (C-40C-07) subject to the following proffered conditions:

1. **Maximum Density.** The maximum number of building lots that may be constructed on the Property shall not exceed twelve (12) building lots as shown on the Concept Plan, dated February 15, 2008, prepared by Bay Design Group, entitled "Concept Plan, A Portion of Lot 13 and Lot 14 Bridlewood, Three Chopt District, Henrico County, Virginia," attached hereto as Exhibit A (see case file). The Concept Plan is conceptual in nature and may vary in detail as the exact locations of lots and roads shown thereon may be revised for engineering reasons, as required by any governmental authority or as otherwise approved by the Planning Commission at the time of subdivision review.
2. **Foundations and Chimneys.** The exterior exposed portions of the foundations and chimneys below the first floor elevation of any dwelling constructed on the Property shall be finished with brick or stone. There shall be no cantilevered chimneys, closets, bay windows or gas vent units. All decks shall be constructed with brick or stone piers.
3. **Exterior Materials.** At least fifty percent (50%) of all dwellings on the Property shall have at least fifty percent (50%) of their front exposed exterior walls (above finished grade) constructed of brick or stone unless different architectural treatment and/or materials are specifically requested and approved by the Director of Planning with respect to the exposed portion of any such wall.
4. **Garages.** A minimum of a two (2) car garage shall be constructed on each lot. No more than twenty-five percent (25%) of all dwellings on the Property shall have garage doors on the front of the dwelling. Two (2) car garages shall have interior dimensions free of as-built obstructions of at least eighteen (18) feet in width and at least twenty (20) feet in depth.
5. **Minimum Lot Width.** At least sixty percent (60%) of all buildable lots on the Property shall have a minimum lot width of ninety (90) feet.

6. **Minimum Finished Floor Area.** All dwellings shall have a minimum finished floor area of two thousand eight hundred (2,800) square feet, exclusive of garage.
7. **Driveways.** All driveways shall be constructed of exposed aggregate, asphalt, brick, concrete or pre-cast pavers.
8. **Lot Clearing.** The clearing of healthy trees measuring six (6) or more inches in diameter on any lot shall be limited to areas required to accommodate the dwellings, driveways, sidewalks, open yard areas, utility lines and any other areas typically required for the construction of a dwelling.
9. **Underground Utilities.** Except for junction boxes, meters and existing overhead utility lines or for technical or environmental reasons, all utility lines shall be underground. All downspouts on a dwelling unit shall be directly connected to the stormwater drainage system serving the Property.
10. **Restrictive Covenants.** Prior to or concurrent with the recordation of each subdivision plat approved by the County of Henrico, restrictive covenants describing development controls and maintenance responsibilities for all common areas within the subdivision shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia.
11. **Access.** Access to the Property shall be provided via Peavey Street. The two existing homes and associated driveways on the Property utilize Hames Lane, but there shall be no new access to Hames Lane associated with any new lots created as a result of the rezoning.
12. **C-1 Zoning.** Applicant shall file an application for C-1 zoning for the areas within the Property that are within the 100 year floodplain, unless such areas are needed for roads, access ways or other purposes approved or required by the Planning Commission or any other governmental body or official at the time of subdivision approval. Such rezoning application shall be filed prior to final subdivision approval.
13. **Stormwater Drainage.** The stormwater drainage system on the Property shall be constructed generally as shown on the drainage plan prepared by Bay Design Group, entitled "Concept Drainage Plan, A Portion of Lot 13 and Lot 14, Bridlewood, Three Chopt District, Henrico County, Virginia," dated January 9, 2008, revised February 15, 2008, and attached hereto as Exhibit B (the "Drainage Plan") (see case file). The Drainage Plan is conceptual in nature and may vary in detail as to the exact location and design of the actual system as approved by the Planning Commission at the time of subdivision review or as otherwise approved by the Director of Public Works.
14. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.
15. **Notice of Conditional Subdivision.** At or prior to any public hearing of the Planning Commission for subdivision review of all or any part of the Property, the applicant shall

provide evidence satisfactory to the Director of Planning that not less than five (5) days nor more than twenty-one (21) days prior to the public hearing of the Planning Commission for subdivision review of all or any part of the Property that (a) the owners of the real property adjoining the Property (or the portion thereof) have been notified in writing by registered or certified mail of such public hearing, with such written notice being sent to the last known address of such owner as shown on the then current real estate tax assessment records of the County of Henrico, Virginia for such adjoining property; and (b) the persons and associations notified in writing by the Planning Office of the Board of Supervisors' public hearing for this case C-40C-07 as set forth in the case file (see case file) for this case have been notified in writing by registered or certified mail of such public hearing, with such notice being sent to the address set forth in such notice from Planning Office. Nothing herein shall require publication in any newspaper.

The vote of the Board was as follows:

Aye
David A. Kaechele
James B. Donati, Jr.
Richard W. Glover

Nay
Frank J. Thornton

Abstain
Patricia S. O'Bannon

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.

Gloria Freye, an attorney representing the applicant (nTelos), presented the case. She reviewed trends in cell phone usage since passage of the federal Telecommunications Act in 1996 and stated that cell phone antennas need to be close to homes to provide adequate service. Ms. Freye highlighted the huge challenges faced by nTelos in searching for a suitable and workable tower location in the Sandston area and spoke to the benefits of the proposed site at the Fairfield Recreation Center. She noted that revenues from the tower would be very important to the Recreation Center to maintain the property and continue to serve its membership as it has for the past 50 years. Ms. Freye advised that both Richmond International Airport and the Federal Aviation Administration (FAA) had submitted letters of no opposition to either the height or location of the pole. She contended that the pole would not pose a safety hazard and would not need to be lighted or marked. Ms. Freye spoke to the need for the site and described the stealth designed pole with concealed antennas that would be constructed on the site and would be similar to one previously approved for a site at the Masonic Lodge on Three Chopt Road. She showed photos of the pole at the Masonic Lodge site, photo simulations of the proposed pole at the Fairfield Recreation Center, and a map of the area locating the homes of 21 residents who either supported or did not oppose the proposed tower. Ms. Freye concluded by stating that nTelos had shown there was a need for this pole, there was no other site, there were no safety hazards, there was minimal visual impact, and there was public support. In response to several questions from

Board members, Ms. Freye stated that the pole was silver gray in color, would allow up to three carriers, and would conceal the antennas.

Crystal Clark, a resident of 402 Beulah Road, stated that she, her husband, and many of her neighbors were in support of the proposed tower because they were tired of dropped calls in the area. In response to a question from Mr. Donati, Mrs. Clark advised that she planned to discontinue her land line phone service and had issues with not being able to stay in touch with their daughter, a student at Virginia Commonwealth University.

Paul Burke, a member of the Fairfield Recreation Center Board who said he lived $\frac{1}{2}$ to $\frac{3}{4}$ of a mile away from the proposed tower site, commented on the attractive appearance of the pole and noted that this was a good way to improve the site without raising the Center's membership dues. He also spoke to the advantages of the proposed pole location and to the provisions addressing the safety of the pole.

Clay Roberts, a previous resident of the adjoining neighborhood, stated that he had relatives living in the area who care for his children and who continue to experience dropped calls. He said that this was a convenience issue for some people and a safety issue for others.

Stewart Goodwin, a resident of the Elko area and publisher of the Elko Voice newsletter, stated that she was representing fellow citizens concerned about the proposed tower and its location in the Airport Overlay District. She presented two petitions opposed to a tower at this site, one circulated by Sonny Johnson of Treva Road with 112 signatures and another she personally posted on a web site with 47 typed names (see enclosed copies). She referred to the potential of interference with commercial and military aircraft using Richmond International Airport and health hazards from the concentration of radio waves associated with the tower. Ms. Goodwin shared her experiences as a 34-year resident of Newport News, Virginia who grew up in the flight path of Langley Air Force Base and cited a recent report stating that excessive exposure to cellular telephones has the potential of causing cancer to the jaw and ear. She informed the Board that she was aware of an ongoing study by nTelos to put a cell tower on land on White Oak Road. Ms. Goodwin asked that the Board not approve the cell tower due to the hazards that it would present and further asked what price citizens would have to pay to make sure that cell phones do work. In response to questions from Board members, Ms. Goodwin acknowledged that she owns two cell phones and lives six or seven miles away from the proposed tower site.

In response to a question from Mrs. O'Bannon, Ms. Freye clarified that the FAA and Capital Region Airport Commission had withdrawn their objections to the proposed tower after the applicant had reduced the height of the tower. She also pointed out that under the Telecommunications Act, health fears are not a valid reason for denying a zoning case or telecommunications facility. Ms. Goodwin commented on the timing of when her petition was placed on line and noted that word was circulated to the signers of the petition that they could withdraw their names from the petition in view of the reduction in the height of the tower. She stated that none had chosen to do so. In response to a further question from Mr. Rapisarda, Ms. Goodwin acknowledged that the signers of her petition were not advised that the FAA and Airport Commission had removed their objections because she was personally unaware of this change in

position. She clarified for Mr. Kaechele that when citizens signed her petition they were under the impression that the height of the tower was 195 feet rather than 141 feet.

Mr. Donati spoke to the frustration of losing cell phone calls, recognized that this was a unique case, and noted that there are pockets of neighborhoods needing cell towers. He commented that technology is good but has created dependency. Mr. Donati said that although he was not totally excited about approving a cell tower in a neighborhood, this would be a benefit to citizens in the area. He thanked the Fairfield Recreation Association for its efforts in ensuring that the tower would not be obtrusive to the neighborhood.

On motion of Mr. Donati, seconded by Mrs. O'Bannon, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 31-08 (P-8-07) subject to the following conditions:

1. If the use of the tower for communication purposes is discontinued for one hundred eighty (180) days, the tower and all related structures shall be removed from the site within ninety (90) days.
2. Within ten (10) business days after written request by the County, the owner of the tower shall provide the County with written confirmation of the status of the tower, the number of and identity of users on the tower, available co-location space on the tower, and such additional information as may be reasonably requested.
3. Application for a building permit to install the tower shall be made within one (1) year after the Provisional Use Permit is granted by the Board of Supervisors, unless an extension of time is granted by the Director of Planning upon a written request by the applicant.
4. The applicant shall obtain approval from the Planning Commission should the FAA require the addition of standard obstruction marking and lighting to the tower (i.e. red lighting, and orange and white striping). The applicant shall notify the Director of Planning prior to making any changes to the original galvanized finish of the tower.
5. When site construction is initiated as a result of this Provisional Use Permit, the applicant shall complete requirements prescribed by Chapter 10 of the Henrico County Code. Land disturbance of more than two thousand five hundred (2,500) square feet shall require that construction plans include a detailed drainage and erosion control plan prepared by a professional engineer certified in the State of Virginia. Ten (10) sets of the construction plans shall be submitted to the Department of Public Works for approval.
6. If ownership of the lease is transferred to another provider, the owner shall submit a Transfer of Provisional Use Permit.
7. The height of the telecommunication tower shall not exceed one hundred forty-four (144) feet.
8. This permit shall apply only to the proposed two thousand five hundred (2,500) square foot lease area.

9. In order to reduce the tower's visual profile, all antennas shall be concealed within the cylindrical monopole structure.
10. The applicant shall allow the co-location of as many users as technically possible at this site, in accordance with the provisions of the "Letter of Intent to Permit Co-Location on Communications Tower" form which shall be submitted to the Planning Department prior to the issuance of a building permit for the tower.
11. Prior to the co-location of any carrier's antennas or addition of equipment lease space, a revised site plan and equipment placement details shall be submitted to the Planning Department for approval.
12. To provide visual and sound buffering, a landscaping plan (including tree save areas and supplemental plantings) shall be submitted to the Planning Department for approval prior to the issuance of a building permit for the tower. The Director of Planning may waive the enforcement of this condition if it is deemed unnecessary.
13. Unless dead or diseased, the existing stands of mature trees on the property shall be preserved and shall not be pruned to reduce their height.

The vote of the Board was as follows:

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

Nay

PUBLIC HEARINGS – OTHER ITEMS

58-08 Resolution – Amendment to the FY 2007-08 Annual Fiscal Plan: February, 2008.

Gene Walter, Acting Director of the Management and Budget Division, clarified for Mrs. O'Bannon that House Bill 599 funding is allocated to those localities with Police and Sheriff's departments that do not receive State Compensation Board funding for these departments. Mr. Walter, Mr. Priestas, and Mr. Hazelett clarified for Mr. Kaechele the scope and purpose of the Westerre Parkway reconstruction and rehabilitation project.

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

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 58-08 – see attached Resolution.

59-08 Resolution – Signatory Authority – Quitclaim of Portion of Utility Easement – Brook Run – Fairfield District.

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

On motion of Mr. Thornton, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 59-08 – see attached Resolution.

60-08 Ordinance – Vacation of Portions of Right-of-Way and Lot Lines – Robinwood - Varina District.

Steve Price, Assistant Director of Real Property, clarified for Mr. Donati the timing of the property owner's development plans.

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

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 60-08 – see attached Ordinance.

GENERAL AGENDA

61-08 Resolution – End of Local Emergency Declared on February 10, 2008.

Ed Smith, Chief of Fire, and Mr. Hazelett responded to a question from Mrs. O'Bannon relating to the status of drought conditions in the County and clarified that this resolution only applied to one emergency event.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 61-08 – see attached Resolution.

62-08 Resolution – Acceptance of Gift from N&W Salvage Company.

Chief Smith clarified for Mr. Kaechele that the monetary value of the equipment being donated was approximately \$6,000. Mr. Donati thanked Chief Smith for looking into this matter.

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 62-08 – see attached Resolution.

63-08 Resolution – Award of Construction Contract – Public Safety Building Renovations.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 63-08 – see attached Resolution.

64-08 Resolution – Award of Construction Contract – Interior Alterations and Renovations of Old Tuckahoe Library.

Paul Proto, Director of General Services, clarified for Mrs. O'Bannon that the facility probably has asbestos that will be taken care of before this project proceeds.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 64-08 – see attached Resolution.

65-08 Resolution - Signatory Authority - Amendment to Contract for Engineering Design Services - John Rolfe Parkway from Ridgefield Parkway to West Broad Street (approximately 3.838 miles). Project #2101.50701.28004.00720 (formerly Project #552109-701-463-00). Three Chopt and Tuckahoe Districts.

Mr. Priestas confirmed for Mr. Kaechele that the design changes for Phase I of the project are part of the bid package.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 65-08 – see attached Resolution.

66-08 Resolution – Acceptance of Roads.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 66-08 – see attached Resolution.

On motion of Mr. Thornton, seconded by Mrs. O'Bannon, the Board approved adding to the agenda a Resolution numbered 67-08 and titled “Resolution – Award of Construction Contract – Belmont Maintenance Building.” 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. Proto clarified that this paper did not require a public hearing.

On motion of Mr. Thornton, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 67-08 – see attached Resolution.

On motion of Mr. Donati, seconded by Mr. Thornton, the Board approved adding to the agenda a Resolution numbered 68-08 and titled “Resolution - Authorization to Retain Outside Counsel in Connection with Acquisition of the Kain Road Property.” The vote of the Board was as follows:

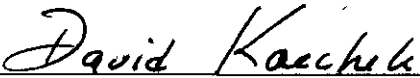
Aye

Nay

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

On motion of Mr. Donati, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 68-08 – see attached Resolution.

There being no further business, the meeting was adjourned at 9:27 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 5708
Page No.

Agenda Title

RESOLUTION - Appointment of Member - Board of Real Estate Review and
Equalization

For Clerk's Use Only: FEB 26 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: <u>APPROVED</u>		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"/> _____
---	--	--	--

BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia appoints the following person to the Board of Real Estate Review and Equalization for a term expiring December 31, 2008 or thereafter, when his successor shall have been appointed and qualified:

Brookland District

Jeffrie L. Hedrick

By Agency Head _____

By County Manager [Signature]

Routing:

Yellow to: Real Estate

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 58-08
Page 1 of 7

Agenda Title RESOLUTION - Amendment to the FY 2007-08 Annual Fiscal Plan: February, 2008

For Clerk's Use Only: Date FEB 26 2008 <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to	BOARD OF SUPERVISORS ACTION Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Thornton</u> (2) _____ (2) _____ REMARKS: APPROVED		YES NO OTHER Donati, J. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Glover, R. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Kaechele, D. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> O'Bannon, P. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Thornton, F. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

WHEREAS, the Board of Supervisors of the County of Henrico, Virginia, did hold an advertised public hearing at 7:00 p.m., on February 26, 2008, to consider proposed amendments to the Annual Fiscal Plan for fiscal year 2007-08; and,

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Henrico, Virginia, that the Annual Fiscal Plan for fiscal year 2007-08, should be and hereby is amended and that such funds hereby are appropriated for expenditure in the amounts and for the purposes indicated.

OPERATING FUNDS

FUND 0101 - GENERAL FUND - General Operating

Department 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.

By Agency Head

By County Manager

Routing:

Yellow to:

Copy to:

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Date:

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. **58-08**
Page 2 of 7

Agenda Title RESOLUTION - Amendment to the FY 2007-08 Annual Fiscal Plan: February, 2008

12016	- <u>Fleet</u>	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	- <u>Fleet</u>	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		<hr/> \$ 1,328,045
Department 22 - Social Services		
22051	- Service Staff	
1301 00000	- <u>Administration</u>	\$ 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	- <u>Purchase of Services</u>	13,565
The Commonwealth of Virginia, Department of Social Services, has awarded the County of Henrico, an additional \$10,852, 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	- <u>Purchase of Services</u>	9,000
The Commonwealth of Virginia, Department of Social Services, has awarded the County of Henrico, an additional \$7,200, 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.		

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. **58-08**
Page 3 of 7

Agenda Title **RESOLUTION - Amendment to the FY 2007-08 Annual Fiscal Plan: February, 2008**

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 \$34,249, 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
------------	----------------

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. **58-08**
Page 4 of 7

Agenda Title RESOLUTION - Amendment to the FY 2007-08 Annual Fiscal Plan: February, 2008

Department 23 - Recreation and Parks

23222	- <u>Special Programs - Cultural Arts</u>	\$	1,300
0000 00000	To appropriate donations received from citizens and Henrico County-sponsored cultural arts clubs for children's cultural arts programs.		
23228	- <u>Special Programs - Special Events</u>		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	- <u>Henrico Theatre</u>		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	- <u>FY08 Pretrial</u>	\$	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	- <u>Non-Federal Funds</u>	\$	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

Agenda Item No. **58-08**
Page 5 of 7

\$ 314,425

Agenda Item No. **58-08**
Page 6 of 7

Agenda Title	RESOLUTION - Amendment to the FY 2007-08 Annual Fiscal Plan: February, 2008
---------------------	--

Department 28 - Public Works

28004 - Construction

0000 00720 - <u>John Rolfe Parkway</u>	\$ 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 - <u>Westerre Parkway, Phase I</u>	\$ 200,000
---	------------

This amendment will provide funding of \$200,000 towards the rehabilitation and reconstruction of Westerre Parkway from West Broad Street traversing south for 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 - <u>Interconnections to GW Corporation System</u>	\$ 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.

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. **58-08**
Page 7 of 7

Agenda Title **RESOLUTION - Amendment to the FY 2007-08 Annual Fiscal Plan: February, 2008**

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		<u>\$ 351,240</u>
TOTAL CAPITAL FUNDS		<u>\$ 19,702,633</u>
Total Amendments/Appropriations		<u><u>\$ 21,217,196</u></u>

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.

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



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 59-08
Page No. 1 of 2

Agenda Title

RESOLUTION - Signatory Authority - Quitclaim of Portion of Utility
Easement - Brook Run - Fairfield District

For Clerk's Use Only: Date <u>FEB 26 2008</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to	<p style="text-align: center;">BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Thornton</u> Seconded by (1) <u>Glover</u> (2) _____ (2) _____</p> <p>REMARKS: <u>APPROVED</u></p>	<table><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr><tr><td>Donati, J.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Kaechele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		YES	NO	OTHER																						
Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

WHEREAS, by deed dated May 8, 1990, recorded in Deed Book 2242, Page 1058, in the Clerk's Office of the Circuit Court of the County of Henrico, Virginia (the "Clerk's Office") Petula Associates, LTD, an Iowa corporation, and Sigma B.R. Associates Limited Partnership, a Virginia limited partnership, conveyed to the County of Henrico, Virginia (the "County") a permanent utility easement (the "Easement") across land now known as Brook Run; and,

WHEREAS, a portion of the Easement shown shaded on the plats attached and marked Exhibit "A" and Exhibit "B" (the "Portion of the Easement to be Quitclaimed") is not needed by the County and there are no utility lines located in this portion of the Easement; and,

WHEREAS, Brook Run Somerset, LLC, a Virginia limited liability company, and Brook Run II, LLC, a Virginia limited liability company, (the "Owners") owners of the land encumbered by the Easement, have made a request to the County to quitclaim this portion of the Easement; and,

WHEREAS, there is no public necessity or public need for the Portion of the Easement to be Quitclaimed; and,

WHEREAS, this resolution was advertised pursuant to Section 15.2-1813 of the Code of Virginia, 1950, as amended (the "Code") and a public hearing was held pursuant to Section 15.2-1800 of the Code on February 26, 2008.

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. **53-08**
Page No.

2 of 2

Agenda Title

**RESOLUTION – Signatory Authority – Quitclaim of Portion of Utility
Easement – Brook Run - Fairfield District**

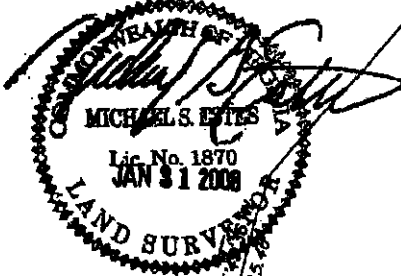
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County, Virginia that the Chairman and Clerk are authorized to execute Deeds of Quitclaim, in a form approved by the County Attorney, releasing unto Brook Run Somerset, LLC, a Virginia limited liability company, its successors or assigns, all claims of the County in and to the Portion of the Easement to be Quitclaimed as shown shaded on the attached Exhibit "A" and unto Brook Run II, LLC, a Virginia limited liability company, its successors or assigns, all claims of the County in and to the Portion of the Easement to be Quitclaimed shown shaded on the attached Exhibit "B."

Comments: This request has been routed through the Departments of Public Utilities and Planning without objection. The Real Property Department recommends approval of this action; the County Manager concurs.

LINE TABLE		
LINE	LENGTH	BEARING
L1	57.15'	S13°37'55"E
L2	185.06'	S76°22'05"W
L3	75.89'	N85°53'04"W
L4	39.99'	N04°16'30"W
L5	151.50'	N85°43'30"E
L6	222.14'	S85°43'30"W
L7	33.00'	S04°16'30"E
L8	246.27'	S04°16'30"E
L9	65.73'	S04°16'30"E
L10	160.58'	S85°43'30"W

LINE TABLE		
LINE	LENGTH	BEARING
L11	35.00'	S04°16'30"E
L12	121.48'	S04°16'30"E
L13	18.00'	S85°43'30"W
L14	16.00'	S85°43'30"W
L15	33.00'	S85°43'30"W
L16	8.00'	N04°16'30"W
L17	16.00'	N85°43'30"E
L18	8.00'	S04°16'30"E
L19	13.14'	N85°43'30"E
L20	120.84'	S85°43'30"W

THIS SURVEY WAS MADE FOR THE PURPOSE OF IDENTIFYING LEGAL BOUNDARIES. THIS SURVEY DOES NOT PURPORT TO IDENTIFY ENVIRONMENTAL FEATURES SUCH AS WETLANDS OR POLLUTANTS WHICH AN ENVIRONMENTAL ASSESSMENT WOULD IDENTIFY.



BROOK RUN SOMMERSET, LLC
GPIN: 784-748-0982

N 3748459.01
E 11784037.93

16' UTILITY
EASEMENT TO BE
QUIT CLAIMED

GRAPHIC SCALE



(IN FEET)

1 inch = 100 ft.

TETRA INV GRP 14
LLC ETAL
GPIN: 784-748-6386

UNICORN HOLDINGS LLC
GPIN: 784-748-8296

N 3749139.46
E 11784918.68

BROOK ROAD
US ROUTE 1
VARIABLE WIDTH RIGHT OF WAY

UPHAM
BROOK CREEK

THIS SURVEY IS SUBJECT TO ANY
EASEMENT OF RECORD AND OTHER
PERTINENT FACTS WHICH A TITLE
SEARCH MIGHT DISCLOSE.

PLAT
OF

16' UTILITY EASEMENT TO BE
QUIT CLAIMED ACROSS THE
PROPERTY
OF

BROOK RUN SOMMERSET, LLC
FAIRFIELD DISTRICT
HENRICO COUNTY, VIRGINIA

SCALE: 1" = 100'

JANUARY 31, 2008

Townes
SITE ENGINEERING

9850 LORI ROAD, SUITE 201
CHESTERFIELD, VIRGINIA 23832

PHONE: (804) 748-9011 FAX: (804) 748-2590

EXHIBIT "A"

DRAWN BY: LEN

CHECKED BY: *ML*

J:\SUSKPROJ\20070348\dwg\20070349_QUTCLAIM2.dwg, 1/31/2008 3:32:28 PM, Inugent

BROOK RUN
SOMERSET, LLC
GPIN: 784-748-0982

THIS SURVEY WAS MADE FOR THE PURPOSE
OF IDENTIFYING LEGAL BOUNDARIES. THIS
SURVEY DOES NOT PURPORT TO IDENTIFY
ENVIRONMENTAL FEATURES SUCH AS WETLANDS
OR POLLUTANTS WHICH AN ENVIRONMENTAL
ASSESSMENT WOULD IDENTIFY.

THIS SURVEY IS SUBJECT TO ANY
EASEMENT OF RECORD AND OTHER
PERTINENT FACTS WHICH A TITLE
SEARCH MIGHT DISCLOSE.

GRAPHIC SCALE



(IN FEET)

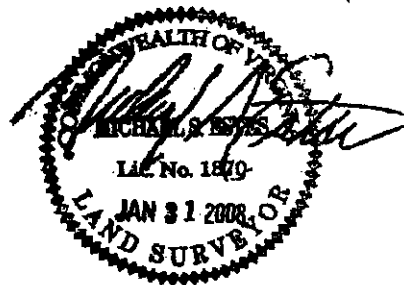
1 inch = 60 ft.

16' UTILITY EASEMENT TO
BE QUITCLAIMED
D.B. 2242 PG. 1058

BROOK RUN II, LLC
GPIN: 784-748-0982

BROOK RUN
SOMERSET, LLC
GPIN: 784-748-0982

UNICORN HOLDINGS
LLC
GPIN: 784-748-8296



PLAT of

16' UTILITY EASEMENT TO BE
QUIT CLAIMED ACROSS THE
PROPERTY

OF
BROOK RUN II, LLC

FAIRFIELD DISTRICT
HENRICO COUNTY, VIRGINIA

JANUARY 30, 2008

Townes
SITE ENGINEERING

9850 LORI ROAD, SUITE 201
CHESTERFIELD, VIRGINIA 23832
PHONE: (804) 748-9011 FAX: (804) 748-2590

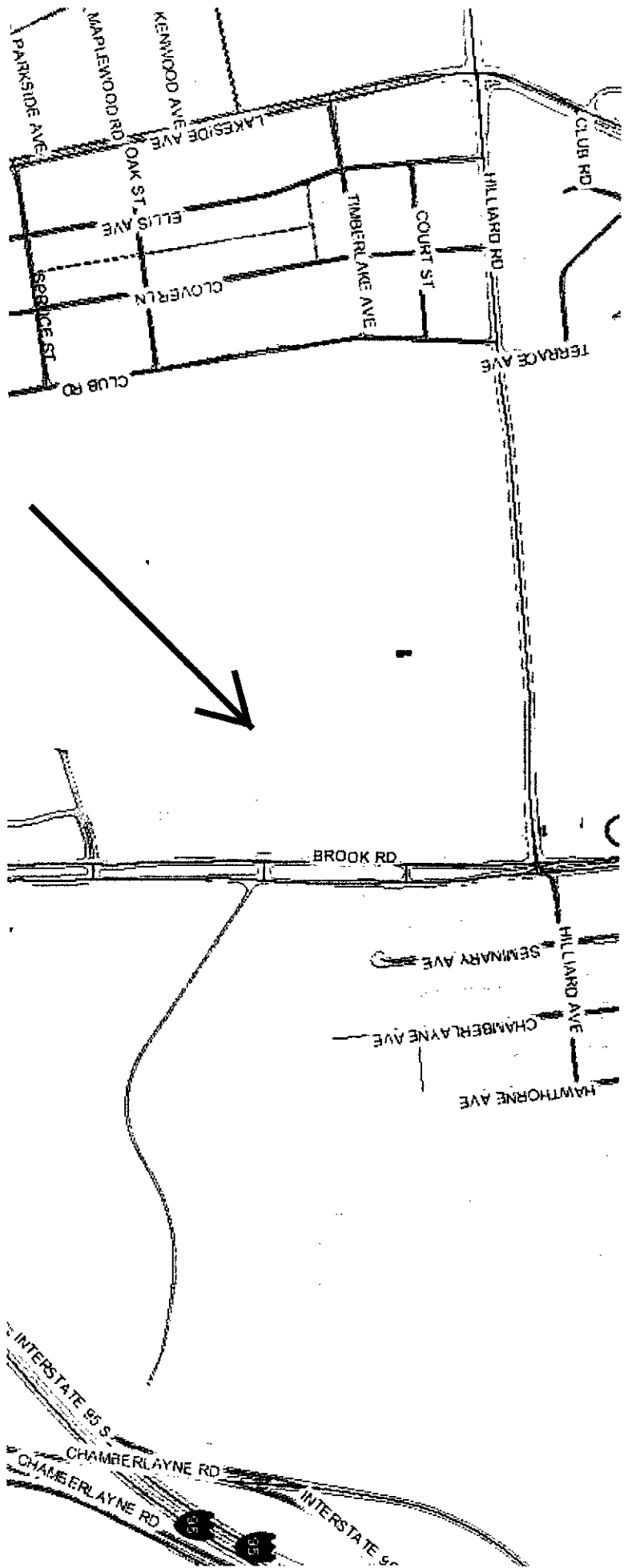
EXHIBIT "B"

ATTN:

DRAWN BY: KTL

CHECKED BY:

J:\SUSKPROJ\20070349\dwg\20070349_QUTY_ESMT2.dwg. klfpscomb



VICINITY MAP - BROOK RUN



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 60-08

Page No.

1 of 2

Agenda Title

ORDINANCE - Vacation of Portions of Right-of-Way and Lot Lines -
Robinwood - Varina District

For Clerk's Use Only:

FEB 26 2008

Date

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

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

WHEREAS, upon application J.G. Laburnum, LLC, a Virginia limited liability company, and Robins Laburnum, LLC, a Virginia limited liability company, owners of all the lots in Block A, Lots 9, 10, 11, 12, 13, 14, 15 and well lot, Block B, and Lots 12, 13, 14, 15 and 16, Block F, Robinwood, the plat of which is recorded in the Clerk's Office of the Circuit Court of the County of Henrico, Virginia ("Clerk's Office") in Plat Book 23, Page 89, requesting that the portions of right-of-way for Robins Road and Nanny Road, shown crosshatched and the lot lines labeled "Property Line To Be Vacated," on the plat attached hereto and marked Exhibit "A," be vacated; and,

WHEREAS, this Ordinance was advertised pursuant to Section 15.2-2204 of the Code of Virginia, 1950, as amended, and a public hearing was held on February 26, 2008, at 7:00 p.m., by the Board of Supervisors of the County of Henrico, Virginia (the "Board"); and,

WHEREAS, it appearing to this Board that no owner of any lot shown on the aforementioned recorded plat will be irreparably damaged by this vacation.

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

The portions of right-of-way for Robins Road and Nanny Road, as shown crosshatched and the lot lines labeled "Property Line To Be Vacated" on Exhibit "A," are vacated in accordance with the provisions of Section 15.2-2272(2) of the Code of Virginia, 1950, as amended, subject to the reservation by the County of Henrico, Virginia, of a permanent

By Agency Head

Steve Davis

By County Manager

[Signature]

Routing:

Yellow to:

Real Property

Certified:

A Copy Tests:

Clerk, Board of Supervisors

Copy to:

Date:

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

Agenda Item No. **60-08**
Page No.

2 of 2

**Agenda Title ORDINANCE - Vacation of Portions of Right-of-Way and Lot Lines -
Robinwood - Varina District**

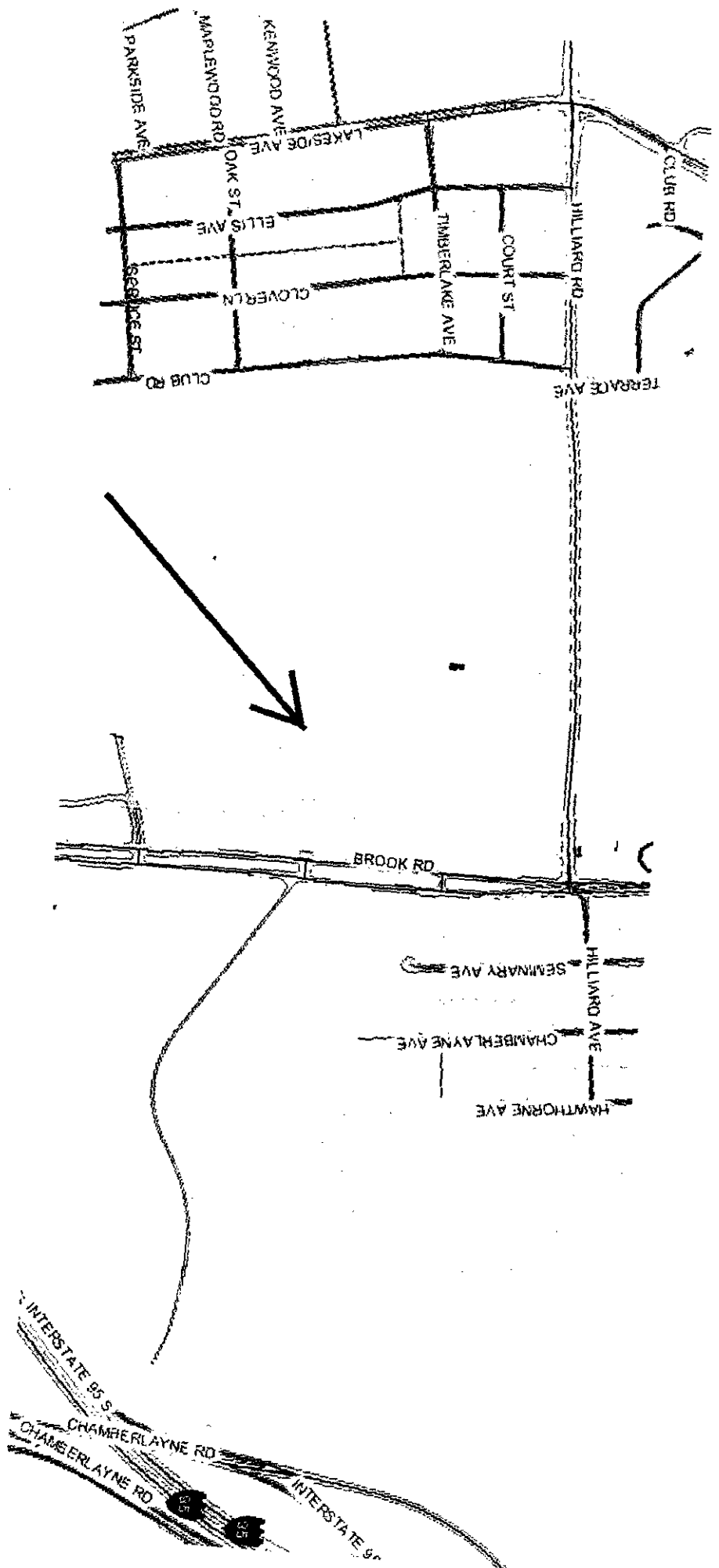
utility easement on, under and across the area of right-of-way for Robins Road, the center line of said easement being labeled "Centerline Of 30' Sanitary Sewer Easement" on Exhibit "A."

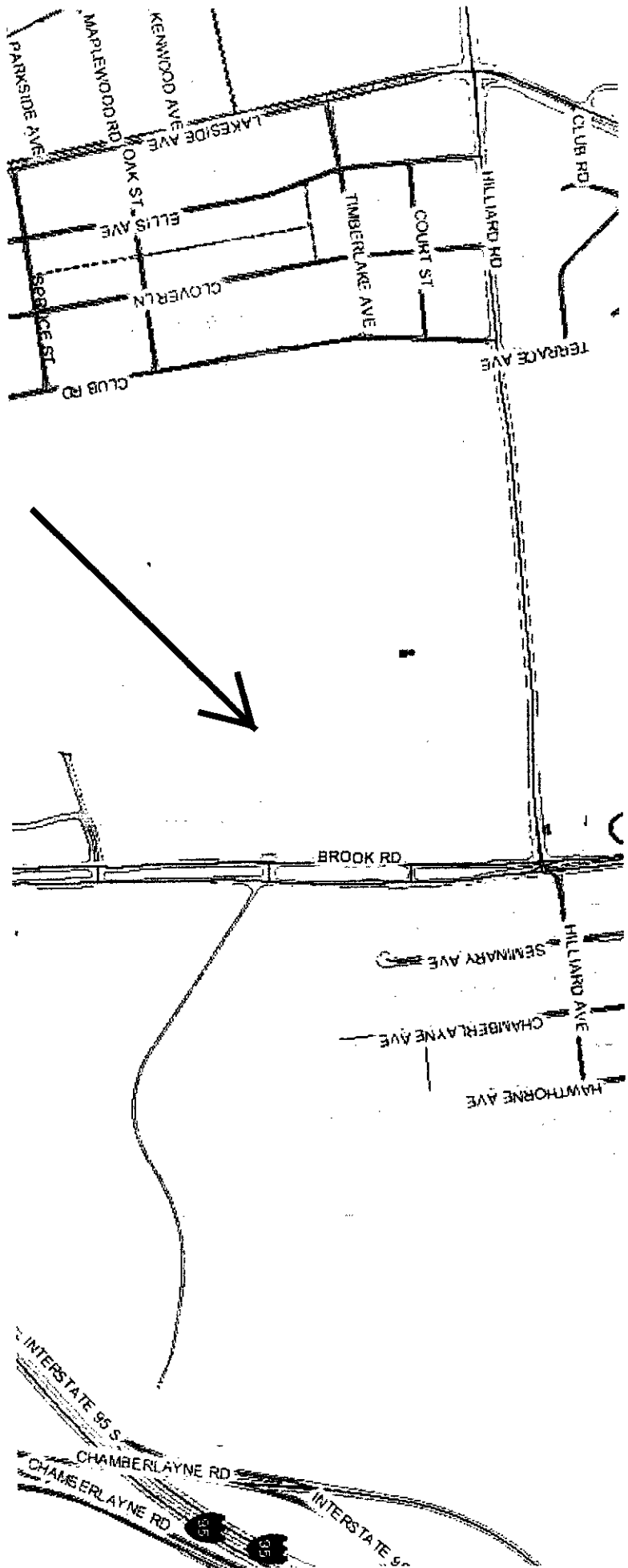
This Ordinance shall become effective thirty (30) days after the time of its passage as provided by law.

The Clerk of the Circuit Court of the County of Henrico, Virginia (the "Clerk"), is authorized, upon receipt of payment therefor, to record a certified copy of this Ordinance in the Clerk's Office, after the expiration of thirty (30) days from its passage, provided no appeal has been taken to the Circuit Court of the County of Henrico, Virginia, pursuant to law. The Clerk is further authorized to index the same on the grantor and grantee sides of the general index to deeds in the names of J.G. Laburnum, LLC, a Virginia limited liability company, and Robins Laburnum, LLC, a Virginia limited liability company, or their successors or assigns. Pursuant to Section 15.2-2276 of the Code of Virginia, 1950, as amended, the Clerk shall note this vacation as prescribed.

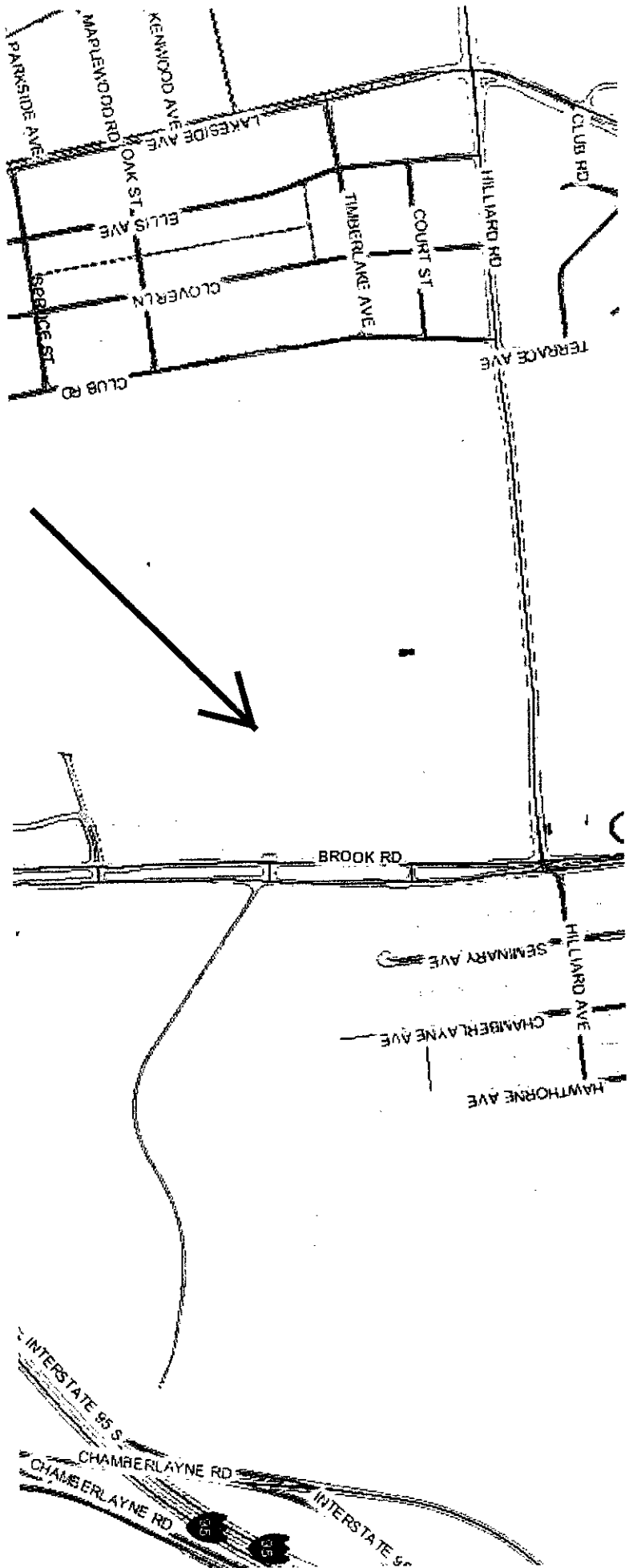
Comments: The Real Property Department has processed this requested vacation through the Departments of Planning, Public Works, and Public Utilities without objection; the County Manager concurs.

VICINITY MAP - BROOK RUN



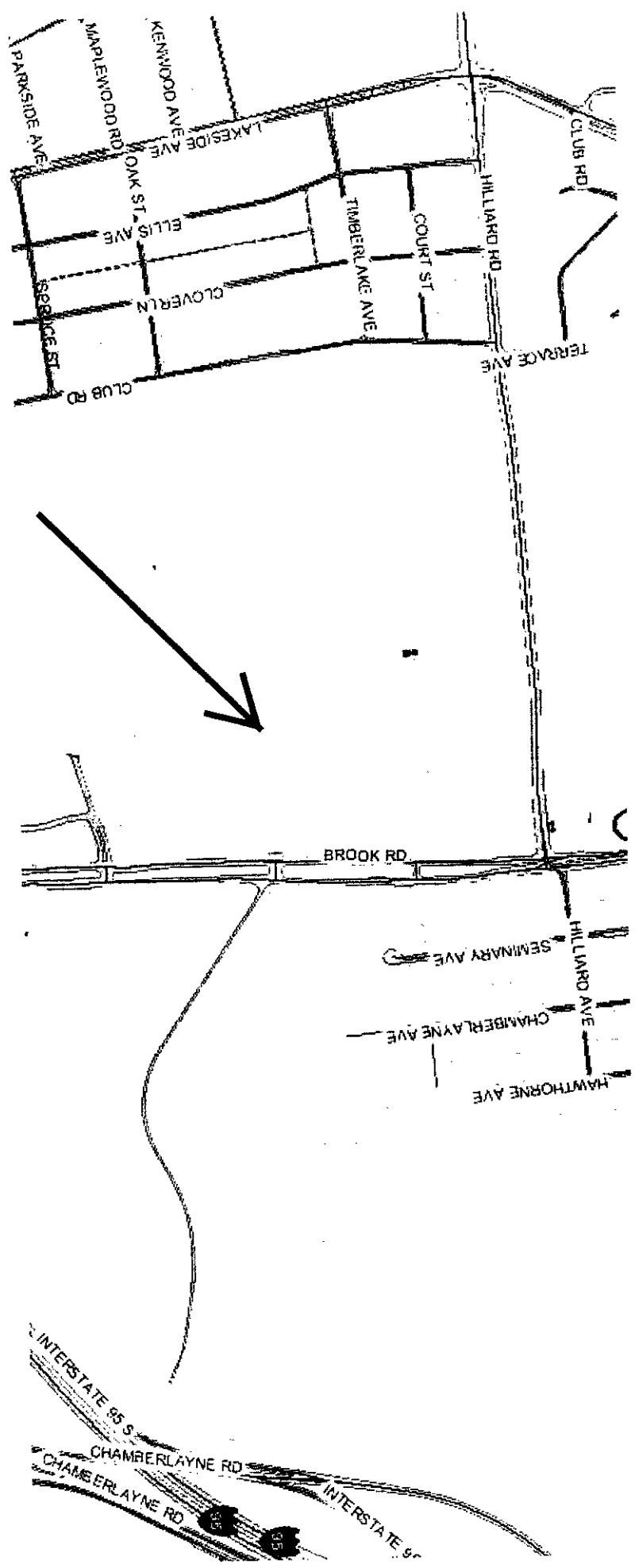


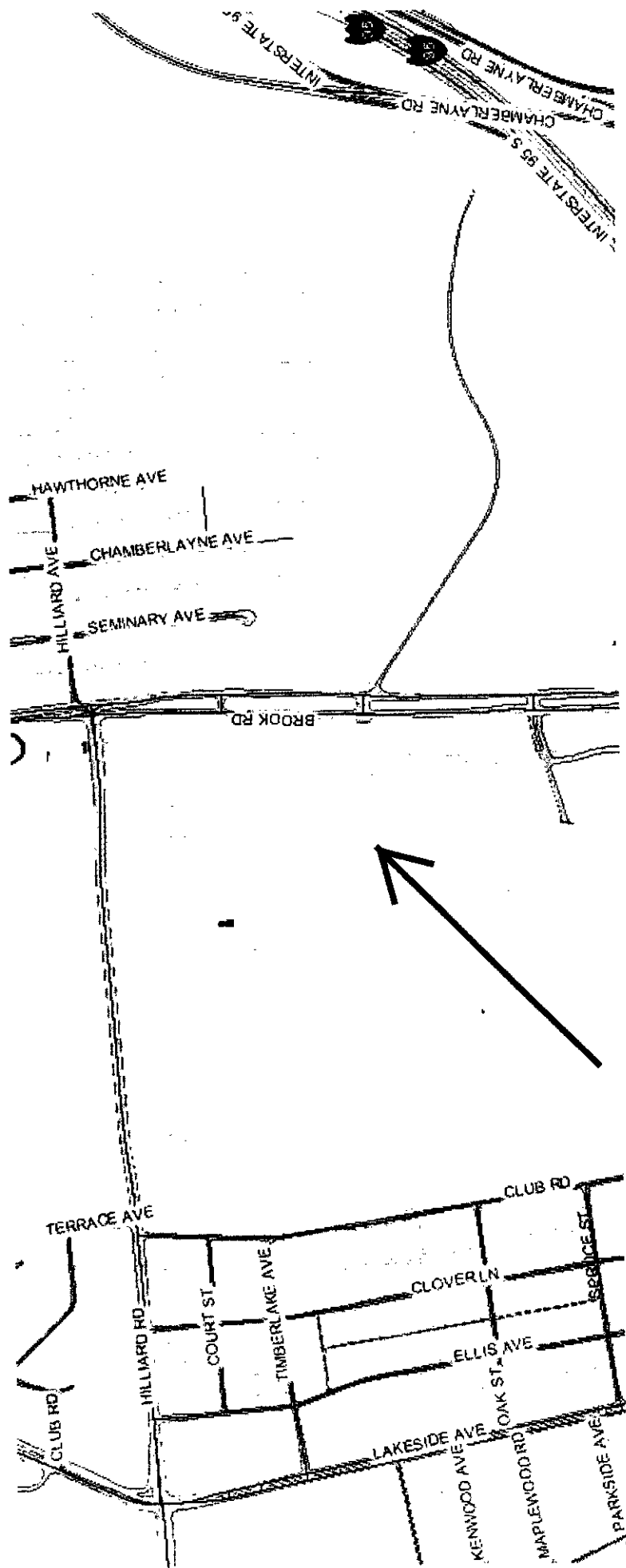
VICINITY MAP - BROOK RUN



VICINITY MAP - BROOK RUN

VICINITY MAP - BROOK RUN





VICINITY MAP - BROOK RUN



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 61-08
Page No.

Agenda Title RESOLUTION -- End of Local Emergency Declared on February 10, 2008

For Clerk's Use Only:

Date FEB 26 2008

☒ Approved
☐ Denied
☐ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

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

WHEREAS, in response to wildfires that burned in Henrico County on February 10, 11 and 12, 2008 and threatened the health, safety and welfare of persons in Henrico County, the Fire Chief, in his capacity as Deputy Director of Emergency Management, issued a declaration of local emergency on February 10, 2008; and,

WHEREAS, consistent with the requirements of Virginia Code § 44-146.21(a), on February 12, 2008 the Board of Supervisors approved a resolution that consented to the declaration of local emergency by the County's Deputy Director of Emergency Management; and,

WHEREAS, Virginia Code § 44-146.21(a) requires the Board of Supervisors to take appropriate action to end the declared emergency when in the Board's judgment all emergency actions have been taken; and,

WHEREAS, the wildfires constituting the local emergency have been extinguished by significant rainfall and all necessary emergency actions have been completed.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby declares that the local emergency declared on February 10, 2008 has ended.

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

By Agency Head

Adrian M. Smith

By County Manager

[Signature]

Routing:

Yellow to:

Fire

Certified:

A Copy To:

Clerk, Board of Supervisors

Copy to:

Date:



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 62-08
Page No.

Agenda Title RESOLUTION – Acceptance of Gift from N&W Salvage Company

For Clerk's Use Only:

FEB 26 2008

Date

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

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

WHEREAS, N&W Salvage Company, through its owner, Mr. Neil Chiappa, has offered two technical rescue winches to the Division of Fire; and

WHEREAS, the winches are compatible with the equipment currently used by the Division of Fire's Technical Rescue Team and will be useful additions to its rescue equipment inventory.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County that the County Manager is authorized to accept this generous gift from N&W Salvage Company.

BE IT FURTHER RESOLVED that the Board commends N&W Salvage Company and Mr. Chiappa for their generosity and interest in and support of public safety.

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

By Agency Head

Edwin M. Smith H.A.

By County Manager

[Signature]

Routing:

Yellow to:

Fire

Copy to:

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Date:



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. **63-08**
Page No. 1 of 2

Agenda Title: **Resolution – Award of Construction Contract – Public Safety Building Renovations**

For Clerk's Use Only: FEB 26 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>Donati</u> (2) _____ (2) _____ REMARKS: APPROVED		<table><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr><tr><td>Donati, J.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Kaechele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		YES	NO	OTHER																							
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, six (6) bids were received on November 14, 2007 in response to Bid Request No. 07-8252-9SW for renovations to the Public Safety Building.

Bidder	Bid
Quality Plus Services, Inc.	\$505,992
ARW Contracting, Inc.	\$513,997
Waco, Inc.	\$537,635
Parrish Construction Services, Inc.	\$693,000
United Unlimited Construction, Inc.	\$780,125
Commonwealth Construction Co. of Virginia, Inc.	\$911,000

WHEREAS, after review and evaluation of all bids received, it was determined that **Quality Plus Services, Inc.** is the lowest responsive and responsible bidder with a bid in the amount of **\$505,992**.

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

1. A contract to furnish all labor, materials, supplies, equipment, and services necessary for renovations to the Public Safety Building is awarded to **Quality Plus Services, Inc.**, the lowest responsive and responsible bidder, in the amount of \$505,992, pursuant to Bid Request No. 07-8252-9SW, Addenda 1, Addenda 2, and the bid submitted by Quality Plus Services, Inc.

By Agency Head [Signature] & By 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. **63-08**

Page No. 2 of 2

Agenda Title: **Resolution – Award of Construction Contract – Public Safety Building Renovations**

-
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 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 Chief of Police, the County Manager concurring, recommend approval of this Board paper.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. **64-08**
Page No. 1 of 2

Agenda Title: **Resolution – Award of Construction Contract – Interior Alterations and Renovations of Old Tuckahoe Library**

For Clerk's Use Only: FEB 29 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>Donati</u> (2) _____ (2) _____ REMARKS: APPROVED		<table><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr><tr><td>Donati, J.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Kaechele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		YES	NO	OTHER																							
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, eight (8) bids were received on January 29, 2008 in response to Bid Request No. 07-8302-12SW for interior demolition, alterations, and renovations to the Old Tuckahoe Library as follows:

Bidder	Bid
Woodland Construction Inc.	\$558,300
Waco, Inc.	\$623,582
Commonwealth Construction Company of Virginia, Inc.	\$628,000
Virtexco Corporation	\$642,594
Homemasons Inc.	\$661,900
Brooks & Co. General Contractors, Inc.	\$667,000
A.D. Whittaker Construction, Inc.	\$798,000
Iron Bridge Construction, Inc.	\$896,094

WHEREAS, after a review and evaluation of all bids received, it was determined that **Woodland Construction Inc.**, was the lowest responsive and responsible bidder with a bid in the amount of **\$558,300**.

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

1. A contract to furnish all labor, materials, equipment and services necessary for interior demolition, alterations, renovations and building sprinkler installation to the Old Tuckahoe Library is hereby awarded to **Woodland Construction Inc.** in the amount of \$558,300, pursuant to Bid Request No. 07-8302-12SW dated January 29, 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. *64-08*

Page No. 2 of 2

Agenda Title: Resolution — Award of Construction Contract – Interior Alterations and Renovations of Old Tuckahoe Library

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, the County Manager concurring, recommends approval of this Board paper.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. **65-08**

Page No. 1 of 2

Agenda Title

RESOLUTION — Signatory Authority — Amendment to Contract for Engineering Design Services — John Rolfe Parkway from Ridgefield Parkway to West Broad Street (approximately 3.838 miles). Project #2101.50701.28004.00720 (formerly Project #552109-701-463-00). Three Chopt and Tuckahoe Districts

For Clerk's Use Only:

FEB 26 2006

Date

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

Moved by (1) *O'Bannon*

Seconded by (1) *Donati*

REMARKS

APPROVED

YES NO OTHER

Donati, J. ☒ ☐ ☐

Glover, R. ☒ ☐ ☐

Kaachele, D. ☒ ☐ ☐

O'Bannon, P. ☒ ☐ ☐

Thornton, F. ☒ ☐ ☐

WHEREAS, on October 10, 2000, the Board of Supervisors approved a contract with Stantec Consultants (formerly American Engineers) for a total fixed lump sum fee of \$1,172,537.97 for the preparation of design and construction plans for John Rolfe Parkway from Ridgefield Parkway to West Broad Street (approximately 3.838 miles); and,

WHEREAS, on June 8, 2004, the Board approved an amendment to the engineering contract for additional work resulting from public hearing comments, additional VDOT requirements, changes in drainage outfalls, the need for right-of-way and easements, and changes in plans due to development, for the additional fixed lump sum fee of \$1,086,013.64; and,

WHEREAS, on May 24, 2005, the Board approved a second amendment for design of a water line connection from Three Chopt Road to West Broad Street for the additional lump sum fee of \$44,416.00; and,

WHEREAS, on June 27, 2006, the Board approved a third amendment for additional work required as a result of development in the corridor, additional environmental requirements, and construction plan phasing, for the additional lump sum fee of \$873,502.88; and,

WHEREAS, additional work is required as a result of further development in the corridor, additional environmental requirements, construction monitoring and support, and the need to finalize preparation of John Rolfe Parkway, Phase II plans through advertisement; and,

WHEREAS, Stantec Consultants and the Department of Public Works have negotiated a fixed lump sum fee for the additional design work for an additional amount of \$723,328.84.

By Agency Head

By County Manager

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. *65-08*

Page No. 2 of 2

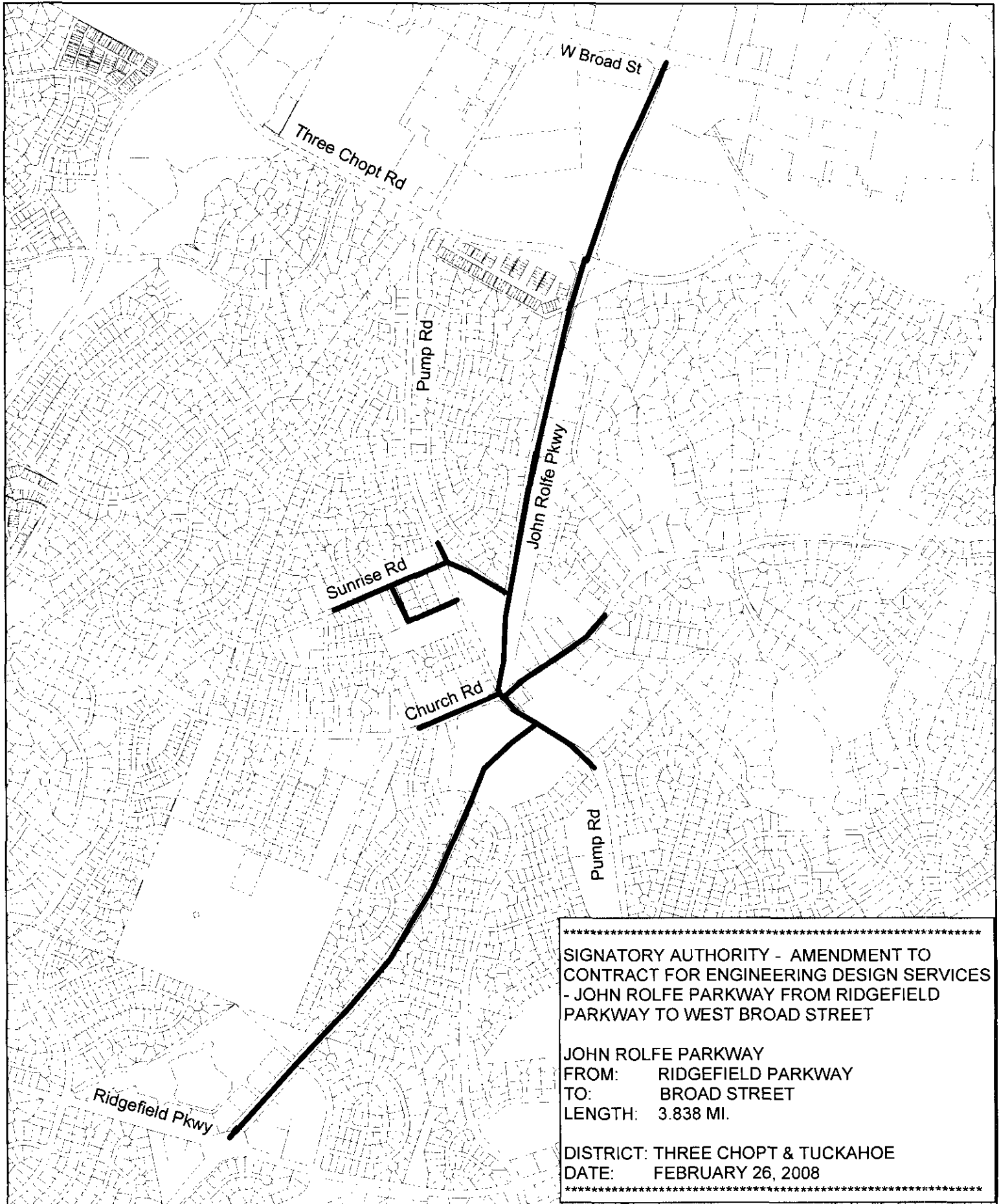
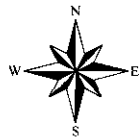
Agenda Title **RESOLUTION — Signatory Authority — Amendment to Contract for Engineering Design Services — John Rolfe Parkway from Ridgefield Parkway to West Broad Street (approximately 3.838 miles). Project #2101.50701.28004.00720 (formerly Project #552109-701-463-00). Three Chopt and Tuckahoe Districts**

NOW, THEREFORE, BE IT RESOLVED that the Henrico County Board of Supervisors approves an amendment to the contract with Stantec Consultants for additional engineering design services for John Rolfe Parkway for the additional total fixed lump sum amount of \$723,328.84.

BE IT FURTHER RESOLVED that the County Manager is authorized to execute the amendment, in a form approved by the County Attorney, and any necessary change orders within funds available.

COMMENTS: The funds for this amendment will be provided from the Capital Projects Fund, Project #2101.50701.28004.00720 (formerly Project #552109-701-463-00). The Director of Public Works recommends approval of this Board paper, and the County Manager concurs.

JOHN ROLFE PARKWAY





COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 66-08
Page No. 1 of 1

Agenda Title: **RESOLUTION - ACCEPTANCE OF ROADS**

For Clerk's Use Only: 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>Donati</u> (2) _____ (2) _____ REMARKS: APPROVED		YES NO OTHER Donati, J. <input checked="" type="checkbox"/> _____ Glover, R. <input checked="" type="checkbox"/> _____ Kaechele, D. <input checked="" type="checkbox"/> _____ O'Bannon, P. <input checked="" type="checkbox"/> _____ Thornton, F. <input checked="" type="checkbox"/> _____
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BE IT RESOLVED by the Board of Supervisors of the County of Henrico that the following named and described sections of roads are accepted into the County road system for maintenance.

Hunters Trace - Three Chopt District

Pinedale Drive from 0.03 Mi. S. of Avery Green Drive
to 0.10 Mi. S. of Avery Green Drive

0.07 Mi.

Total Miles

0.07 Mi.

Cedar Grove, Section 4 - Fairfield District

Pine Cliff Terrace from 0.01 Mi. W. of Cedar Grove Way
to 0.03 Mi. W. of Cedar Grove Way

0.02 Mi.

Spruce View Terrace from 0.01 Mi. W. of Cedar Grove Way
to 0.03 Mi. W. of Cedar Grove Way

0.02 Mi.

Palm Grove Terrace from 0.01 Mi. W. of Cedar Grove Way
to 0.05 Mi. W. of Cedar Grove Way

0.04 Mi.

Leslie Lane from 0.10 Mi. W. of Cedar Grove Way to 0.12 Mi. W. of Cedar Grove Way

0.02 Mi.

Total Miles

0.10 Mi.

By Agency Head _____

By County Manager _____

Routing:

Yellow to: Public Works

Copy to: _____

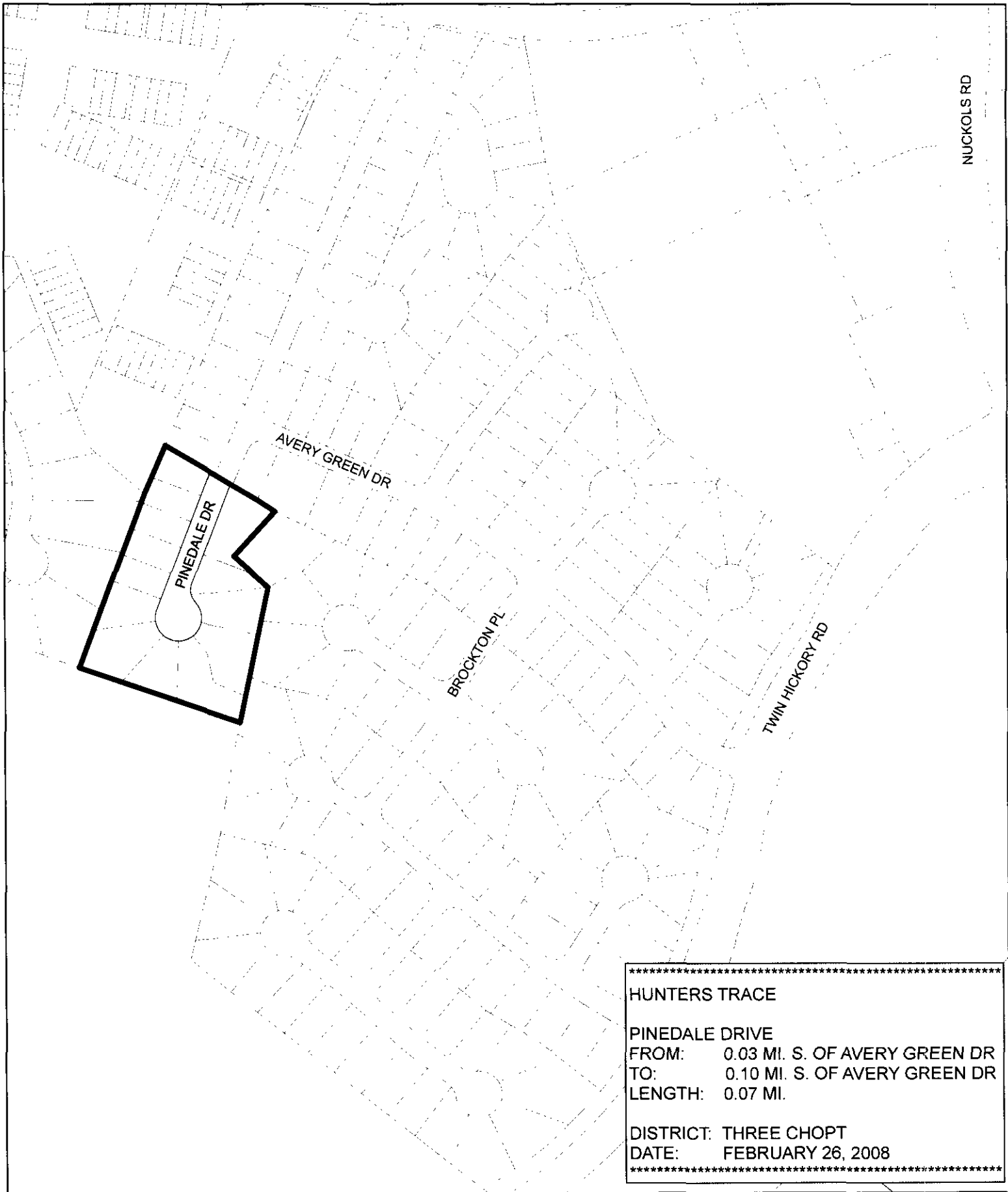
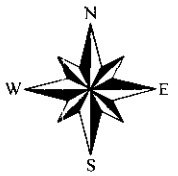
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A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

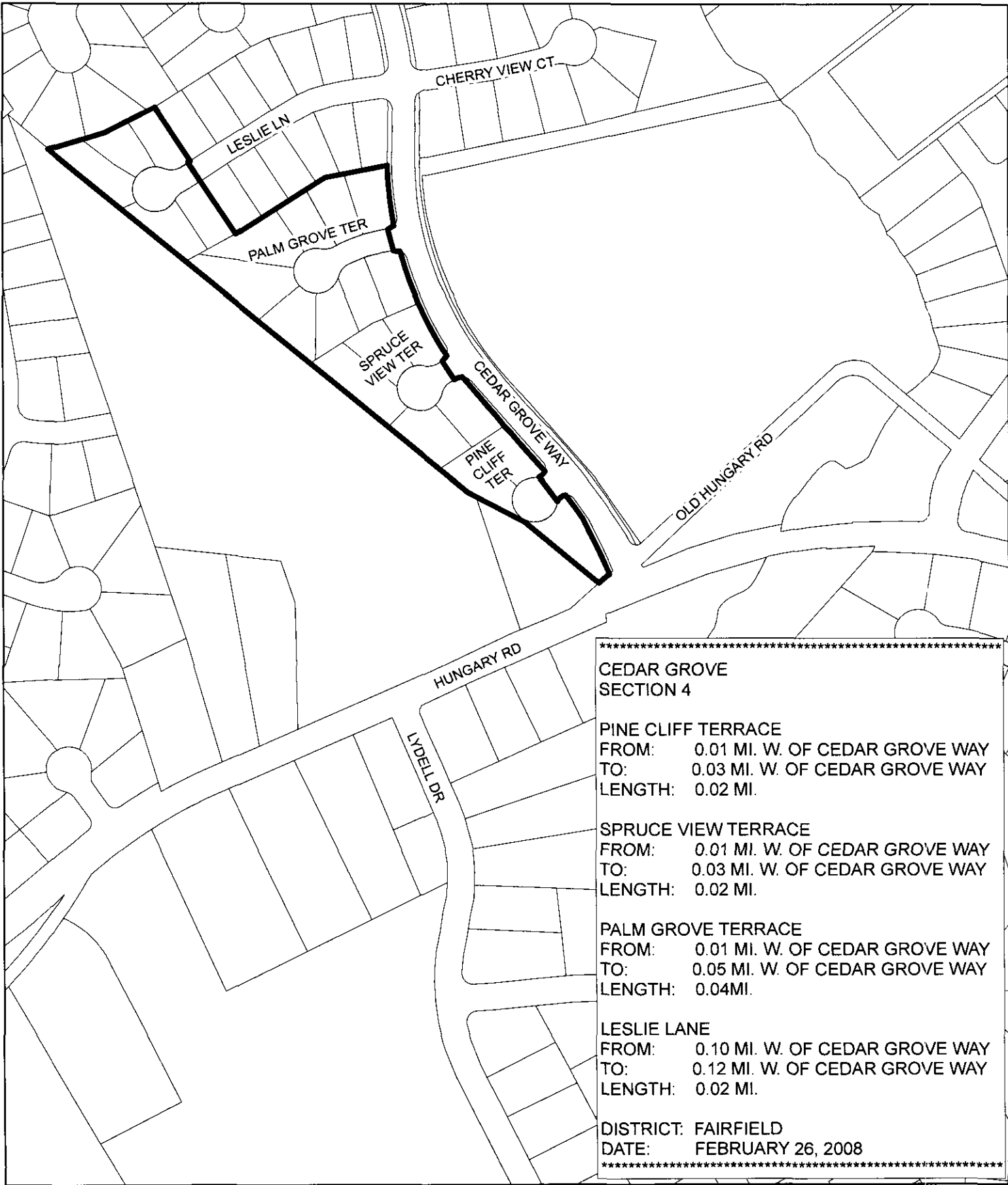
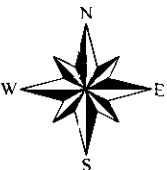
HUNTERS TRACE



HUNTERS TRACE
PINEDALE DRIVE
FROM: 0.03 MI. S. OF AVERY GREEN DR
TO: 0.10 MI. S. OF AVERY GREEN DR
LENGTH: 0.07 MI.

DISTRICT: THREE CHOPT
DATE: FEBRUARY 26, 2008

CEDAR GROVE SECTION 4





COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. **67-08**
Page No. 1 of 2

Agenda Title: **Resolution – Award of Construction Contract – Belmont Maintenance Building**

For Clerk's Use Only: FEB 26 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>Thornton</u> Seconded by (1) <u>O'Bannon</u> (2) <u>Thornton</u> (2) <u>Glover</u>		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> OTHER
	REMARKS: APPROVED		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, three (3) bids were received on February 22, 2008 in response to Bid Request No. 08-8334-2SW for fire restoration services at the Belmont Maintenance Building.

Bidder	Bid
Norman Company Inc.	\$210,084
Walker & Frick Construction Co.	\$246,611
Commonwealth Construction Co. of VA, Inc.	\$286,000

WHEREAS, after review and evaluation of all bids received, it was determined that **Norman Company Inc.** is the lowest responsive and responsible bidder with a bid in the amount of **\$210,084**.

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

1. The contract to furnish all labor, materials, supplies, equipment, and services necessary for restoration to the Belmont Maintenance Building is awarded to **Norman Company Inc.**, the lowest responsive and responsible bidder, in the amount of \$210,084, pursuant to Bid Request No. 08-8334-2SW, and the bid submitted by **Norman Company Inc.**
2. The County Manager and Clerk are authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Director of General Services as his designee, is further authorized to execute all necessary change orders within the scope of the project budget.

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

Routing:
Yellow to: General Services
Copy to: _____

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

Date: _____

BOARD OF SUPERVISORS
MINUTE

Agenda Item No

Page No. 2 of 2

Agenda Title: **Resolution – Award of Construction Contract – Belmont Maintenance Building**

Comments: Funding to support the contract is available through the County's risk management program. 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. **6808**
Page No. 1 of 1

Agenda Title RESOLUTION – Authorization to Retain Outside Counsel in Connection with Acquisition of the Kain Road Property

For Clerk's Use Only: FEB 26 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>Thornton</u> (2) <u>Donati</u> (2) <u>Thornton</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, the County Manager has recommended to the Board of Supervisors that the County acquire 205 acres located in the northwest portion of the County, commonly known as the Kain Road property, for education, parks and recreation, fire safety and fuel station purposes; and,

WHEREAS, the Board wishes to pursue acquisition of the Kain Road property; and,

WHEREAS, the County Manager and County Attorney have recommended that outside counsel be retained to assist the County in acquiring the Kain Road property.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors authorizes the County Attorney to retain Francis A. Cherry, Jr. of Randolph, Boyd, Cherry and Vaughan for this purpose.

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

By Agency Head Joseph P. Rappan, Jr.

By County Manager David P. Hayslett

Routing:

Yellow to: County Attorney

Copy to: _____

Certified:

A Copy Tests: _____

Clerk, Board of Supervisors

Date: _____