

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 August 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 7:04 p.m.

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

Chaplain Dean Collings provided the invocation.

Mrs. O'Bannon confirmed for Mr. Kaechele that she had not seen the minutes from the July 22, 2008 Regular and Special Meetings and had not had a chance to read them.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, the Board deferred the minutes of the July 22, 2008 Regular and Special Meetings to September 9, 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

BOARD OF SUPERVISORS' COMMENTS

Mrs. O'Bannon recognized Michael Moore and Scott Rateau from Boy Scout Troop 702, sponsored by Second Baptist Church. Michael was observing the meeting to fulfill a requirement for the Citizenship in the Community Merit Badge and Scott was observing the meeting to fulfill a requirement for the Communications Merit Badge.

RECOGNITION OF NEWS MEDIA

Mrs. O'Bannon recognized Melodie Martin from the *Richmond Times-Dispatch* and Tom Lappas from the *Henrico Citizen*.

PRESENTATION

Mr. Kaechele presented a proclamation recognizing September 1 – 5, 2008 as Payroll Week. Accepting the proclamation were Timothy Massenburg, Payroll Supervisor for the County's Department of Finance, Accounting Division, and Government Liaison for the Virginia Chapter of the American Payroll Association; Marta Sorensen, Payroll Accountant, and Diana Vargas, Account Clerk II, Department of Finance, Accounting Division; and David Gehm, Deputy Director of Finance.

RESIGNATION/APPOINTMENT

225-08 Resolution – Acceptance of Resignation of Deputy Clerk of the Board of Supervisors.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton and by unanimous vote, the Board approved Agenda Item No. 225-08 – see attached Resolution.

226-08 Resolution – Appointment of Deputy Clerk of the Board of Supervisors.

On motion of Mr. Thornton, seconded by Mr. O'Bannon and by unanimous vote, the Board approved Agenda Item No. 226-08 – see attached Resolution.

PUBLIC HEARINGS - REZONING CASES AND PROVISIONAL USE PERMIT

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

On motion of Mr. Glover, seconded by Mr. Thornton, the Board deferred this item to October 14, 2008.

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

227-08
C-9C-08
Varina

Secure Hands Holdings, LLC: Request to conditionally rezone from R-4 One-Family Residence District to R-6C General Residence District (Conditional), Parcels 809-722-2386, 809-722-4093, 809-722-5489, 809-722-5792, 809-723-2108, 809-723-4307, 809-723-5011, 809-723-6216, and 809-723-5911 containing 6.0308 acres, located on the east line of East Richmond Road approximately 216 feet north of Nine Mile Road (State Route 33) and on the north line of Nine Mile Road approximately 290 feet east of East Richmond Road.

In response to questions from Mr. Thornton, Director of Planning Joe Emerson noted that there are currently about five assisted living facilities in Henrico serving Alzheimer's patients and they are located primarily in western Henrico. In response to a question from Mrs. O'Bannon, he could not recall the name of the facility at the corner of Parham and Woodman Roads that she visited when it opened.

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

Mr. Donati said that he thought that this was a very much needed service for the eastern part of the County, that it was very well thought out, and that it would be as asset to the community.

On motion of Mr. Donati, seconded by Mr. Thornton, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 227-08 (C-9C-08) subject to the following proffered conditions:

1. **Permitted Uses.** The Property shall be developed in accordance with Article IX, R-6 General Residence District, Section 24-35 of the Henrico County Zoning Ordinance, and limited to the uses permitted therein. The improvements to be constructed on the property will provide assisted living accommodations and related services to patients requiring medical assistance, including patients diagnosed with Alzheimer's disease.
2. **Prohibited Uses.** Notwithstanding Paragraph 1, above, the following uses shall be prohibited:
 - a. Multifamily development in accordance with section 24-30.2;

- b. Rooming houses and boarding houses;
 - c. Townhouses for sale as permitted and regulated in Article X;
 - d. A recycling collection facility operated by a not-for-profit or tax exempt organization;
 - e. Two-family dwellings;
 - f. Detached and semi-detached dwellings for sale with zero lot lines in an approved subdivision of five or more lots;
 - g. Churches and parish houses, schools, colleges and universities;
 - h. Farming, dairy farming, livestock, rabbit and poultry raising;
 - i. Public and private forests, wildlife preserves and similar conservation areas; and
 - j. Child care centers operated in a church.
3. **Overall Layout.** The Property shall be developed in conformance with the "Site Layout Golden Care Palace" dated June 18, 2008, prepared by Strange-Boston Associates, Architects and Engineers ("Site Layout"), (see case file), which illustrations and information are conceptual in nature and may vary in detail as approved by the Planning Commission during Plan of Development review.
4. **Architecture.** The Property shall be developed in conformance with the building elevations entitled "Building Elevations Golden Care Palace" dated June 18, 2008, prepared by Strange-Boston Associates, Architects and Engineers ("Building Elevations"), (see case file), which illustrations and information are conceptual in nature and may vary in detail as approved by the Planning Commission during Plan of Development review.
5. **Exterior Materials.** The buildings constructed on the Property shall be predominantly brick on the front, sides and rear with synthetic stucco exterior finish system above the ground floor and shall have a metal or asphalt shingle roof to the extent depicted on the Building Elevations. The building exterior shall be constructed consistent with Building Elevations. No synthetic stucco exterior finish system shall be installed on the first floor but it may be installed on the second floor as depicted on the Building Elevations.
6. **Emergency Generator.** The emergency generator on site will be screened from public view by a brick wall a maximum of nine (9) feet in height, compatible with the building, with a gate made of synthetic wood slats positioned so as not to allow a view of the emergency generator. The emergency generator will only be used as follows: (a) as necessary during power outages; and (b) for no more than three (3) hours per month between the hours of 10:00 a.m. and 3:00 p.m. for periods of testing.

7. **Landscaping.** The landscaping on the Property shall be developed in conformance with the "Preliminary Landscape Plan Golden Care Palace" dated June 18, 2008, prepared by Strange-Boston Associates, Architects and Engineers ("Landscape Plan"), (see case file). Healthy trees will be preserved in areas indicated on the Landscape Plan, and will be supplemented with other plantings as determined to be appropriate by the Planning Commission during Plan of Development review.
8. **Security & Fire Safety.** The building will have signal monitors on exterior doors and closed circuit TV monitoring of building entrances with tape recording (tapes to be preserved for a period of six (6) months and made available to Henrico County Police and Planning authorities upon request). Additionally, a manual fire alarm system and heat detectors in selected spaces will be provided and the building will be fully outfitted with a sprinkler system. A licensed practical nurse will be on full-time duty at the facility twenty-four (24) hours a day, each day. Each unit will have an audio emergency response system, an audio-visual fire alarm and a smoke alarm. Each unit will have individually keyed entry doors with staff master key.
9. **Height.** No building constructed on the Property shall exceed thirty-five (35) feet in height, as measured under the Henrico Zoning Ordinance.
10. **Trash Pick-up, Deliveries, Parking Lot Cleaning, and Leaf Blowing.** Parking lot cleaning and leaf blowing on the Property will be limited to the hours of 7:00 a.m. to 8:00 p.m., Monday through Saturday. Trash pick-up on the Property will be limited to the hours of 7:00 a.m. to 8:00 p.m., Monday through Friday. Deliveries to the facility will be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. No deliveries or trash pick-up will be permitted on Saturday or Sunday.
11. **Hours of Construction.** The hours of exterior construction, including operation of bulldozers and other earthmoving equipment, shall only be between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections that cannot be interrupted, and unless otherwise requested and specifically approved at the time of Plan of Development review.
12. **Pedestrian Access.** A sidewalk a minimum of four (4) feet in width shall be provided along the portion of the Property that abuts Nile Mile Road.
13. **Site Lighting.** Parking lot and driveway lighting fixtures shall be concealed source type ("shoe box") mounted on poles no higher than

twenty (20) feet in height as measured from the grade at the base of the lighting standard, unless otherwise requested, described and specifically approved, or if required, at the time of Plan of Development review. Lighting shall be directed to minimize glare on public roads and adjacent properties and shall not exceed one-half (½) foot candle in those locations. At 10:00 p.m. the exterior parking lot and driveway lighting will be reduced to security levels by automatic timer.

14. **Resident Services.** The following services shall be provided to residents:
 - a. Planned and organized activities in games, crafts, exercise, lectures, discussion groups, dances and field trips.
 - b. A management-operated van will be available for small group excursions.
 - c. Three (3) meals a day will be offered in a communal dining room.
 - d. Maid and linen service will be provided.
 - e. Periodic health screening will be provided by qualified health service personnel.
15. **Emergency Plan.** All units will have alternative electrical service. The Applicant will submit a “shelter-in-place” plan to the County prior to the issuance of a Certificate of Occupancy. At least one (1) elevator at the facility will be hooked up to the emergency generator, so as to provide continuous service in the event of a power outage.
16. **Dwelling Units.** The Applicant will construct a residential facility with a maximum of 119 rooms, as follows:
 - a. Approximately fifty-nine (59) units will be approximately 280 square feet.
 - b. Approximately thirty-two (32) units will be approximately 245 square feet.
 - c. Approximately twenty-eight (28) units will be approximately 313 square feet.
17. **Screening.** Refuse disposal equipment and the strong waste trap on the Property shall be screened from public view by a brick wall a maximum of nine (9) feet in height, compatible with the building, with a gate made of synthetic wood slats positioned so as not to allow a view of such equipment, as deemed appropriate during Plan of Development review. Exterior HVAC equipment will not be located within any landscaped buffer area.
18. **Buffer.** A landscaped buffer no less than twenty-five (25) feet in width,

including existing trees, planted to Transitional Buffer 25 standards, shall be installed along the northern Property line adjacent to GPIN No. 809-723-1731 and along East Richmond Road and Nine Mile Road, as depicted on the Landscape Plan (see case file). A landscaped buffer no less than ten (10) feet in width, including existing trees, planted to Transitional Buffer 10 standards, shall be installed along the eastern property line. The landscaped buffer will have plantings in accordance with County landscape requirements. A synthetic wood fence a maximum of six (6) feet in height will be built along the portion of the Northern Property line adjacent to GPIN No. 809-723-4635, as depicted on the Site Layout and Landscape Plan (see case file).

19. **BMP Facilities.** The Best management Practice detention facility shall be a Delaware sand filter or similar structure located beside the parking lot with a storage pipe array under the parking lot, as shown on the Site Layout.
20. **Signage.** Any detached signs on the Property shall be ground-mounted monument type signs no taller than six (6) feet in height with base landscaping. If lighted, such signs shall be lit with ground-mounted lights.
21. **Utilities.** All new and relocated utility lines will be underground.
22. **Right-of-Way Dedication.** The Applicant will dedicate to the County for public use a portion of the Property for road widening along East Richmond Road, together with a turn lane on Nine Mile Road, as determined to be necessary by the Department of Public Works during Plan of Development review. If the dedicated portion of the Property is not used by the County for the purposes specified herein within twenty (25) years of the date of the granting of the rezoning, ownership shall revert back to the Applicant or the Applicant's successor in title.
23. **Emergency Vehicle Access.** The Applicant will install a vehicle lane around the building, as depicted on the Site Layout (see case file), with a cut through into the courtyard in the center of the facility compound, subject to review and approval by the Division of Fire.
24. **Existing 1920s Residential Structure.** The Applicant will allow the Division of Recreation and Parks to document the existing 1920s residential structure on the Property prior to demolition.
25. **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.

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

228-08 HCA Health Services of VA, Inc.: Request to amend proffered conditions
C-23C-08 accepted with Rezoning Case C-59C-03, on part of Parcel 761-745-3004,
Three Chopt located approximately 600 feet south of Forest Avenue and 350 feet west of
Skipwith Road.

Mrs. O'Bannon mentioned that her husband was on the Board of Directors for Henrico Doctors' Hospital so she would be abstaining from this case.

In response to questions from Mr. Kaechele, Mr. Emerson stated that this property was originally owned by Henrico County Public Schools and transferred on March 3, 2004. He confirmed for Mr. Kaechele that the school system had no objections to the proposed height increase after conducting a site review and that there were no attendees at a community meeting on the case.

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

On motion of Mr. Donati, seconded by Mr. Glover, with Mrs. O'Bannon abstaining, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 228-08 (C-23C-08) with the following amended proffered condition:

Building Height. No building constructed on the Property within ninety (90) feet of Parcel 761-744-2028 shall exceed fifty (50) feet in height.

The vote of the Board was as follows:

Aye

Nay

Abstained

David A. Kaechele
James B. Donati, Jr.
Richard W. Glover
Frank J. Thornton

Patricia S. O'Bannon

229-08 Celco Partnership (Verizon Wireless): Request for a Provisional Use Permit
P-12-08 under Sections 24-95(a)(3), 24-120 and 24-122.1 of Chapter 24 of the County
Fairfield Code in order to extend the height of an existing 154' high telecommunications
tower to a total height of 166' to provide additional collocation opportunities, on
part of Parcel 784-749-6682, located on the south line of Hilliard Road (State

Route 161) approximately 360 feet west of its intersection with Brook Road (U. S. Route 1).

In response to a question from Mr. Kaechele, Mr. Emerson advised that the original structure was designed to be extended to 199 feet and to accommodate additional users. The only modification required for an additional network user would be an extension to the top of the structure.

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

On motion of Mr. Thornton, seconded by Mr. Glover, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 229-08 (P-12-08) subject to the following conditions:

1. If the use of the tower for communication purposes is discontinued for 180 days, the tower and all related structures shall be removed from the site within ninety (90) days. Within ten (10) business days after written request by the County, the owner of the tower shall provide the County with written confirmation of the status of the tower, the number of and identity of users on the tower, available collocation space on the tower and such additional information as may be reasonably requested.
2. Application for a building permit to install the tower extension must be made within one year after the Provisional Use Permit is granted by the Board of Supervisors, unless an extension of time is granted by the Director of Planning upon a written request by the applicant.
3. The applicant shall obtain approval from the Planning Commission should the FAA require the addition of standard obstruction marking and lighting (i.e. red lighting and orange and white striping) to the tower. Any proposed changes to the original galvanized finish of the tower shall be submitted to the Director of Planning for approval.
4. When site construction is initiated as a result of this Provisional Use Permit, the applicant shall complete requirements prescribed by Chapter 10 of the Henrico County Code. In particular, land disturbance of more than 2,500 square feet will require that construction plans include a detailed drainage and erosion control plan prepared by a professional engineer certified in the State of Virginia. Ten (10) sets of the construction plans shall be submitted to the Department of Public Works for approval.
5. A landscaping plan to provide visual and sound buffering (including tree save areas and supplemental plantings) shall be submitted to the Planning Department for approval prior to the issuance of a building permit for the tower extension. The Director of Planning may waive the enforcement of this condition if it is deemed unnecessary.

6. If ownership of the lease is transferred to another provider, the applicant shall submit a Transfer of Provisional Use Permit.
7. The height of the tower shall not exceed 166 feet.
8. This permit applies only to the existing (2,500 sq. ft.) and expansion (6,600 sq. ft.) lease areas/easements totaling 9,106 sq. ft. on the property.
9. Unless dead or diseased, the existing tree buffers along all property lines shall be preserved and shall not be pruned to reduce their height.
10. Prior to the co-location of any carrier's antennas or addition of equipment lease space, a revised site plan and equipment placement details shall be submitted to the Planning Department for approval.

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

230-08 Sam's Real Estate Business Trust: Request to conditionally rezone from B-2
 C-24C-08 Business District to B-3C Business District (Conditional), part of Parcel 757-
 Brookland 758-0701, containing approximately 0.14 acre, located on the north line of W.
 Broad Street (U.S. Route 250) approximately 775 feet east of Old Springfield
 Road.

In response to questions and comments from Mrs. O'Bannon, Mr. Emerson stated that this case was not spot zoning because the County's land use plan called for commercial zoning at this location. In response to a question from Mr. Glover, Mr. Emerson advised that the proposed car wash would be used by Sam's Club members only.

On motion of Mr. Glover, seconded by Mr. Thornton, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 230-08 (C-24C-08) subject to the following proffered conditions:

1. Uses. Uses on the property subject to this application (the "Property") shall be limited to B-2 permitted uses other than with regard to a car wash, automatic or otherwise as permitted in a B-3 district, which shall be permitted on the Property.

2. **Concept Plan.** The Property shall be developed generally consistent with the concept plan attached hereto as Exhibit A (the "Concept Plan"), (see case file). The Concept Plan is conceptual in nature and may vary in detail as the exact locations, footprints, configurations, sizes and details of the building shown thereon and may be revised (i) for engineering reasons, (ii) as required by any governmental authority or (iii) as otherwise requested and approved by the Planning Commission at the time of POD review.
3. **Architectural Appearance.** The architectural appearance of the building constructed on the Property shall be substantially similar to the elevations attached as Exhibit B (see case file), unless otherwise requested and approved by the Planning Commission at the time of POD review.
4. **Hours of Operation.** Hours of operation for a car wash located on the Property shall be limited to 7:00 a.m. to 9:00 p.m.
5. **Outdoor Speakers.** No outdoor speakers or public address systems shall be permitted.
6. **Signage.** Signage shall be limited to that permitted in the B-2 Zoning District. No additional detached or mobile signs shall be permitted other than for directional purposes or for providing instructions for customers' use of the car wash. Attention getting devices and changeable message signs shall be prohibited.
7. **Mechanical Equipment.** Mechanical equipment shall be enclosed in the building or otherwise screened from public view at ground level in a manner as approved at the time of Plan of Development review.
8. **Outdoor Storage, Vending and Vacuums.** No outdoor storage, outdoor food or beverage vending machines or vacuums shall be permitted on the Property.
9. **Dumpsters.** All dumpsters shall be enclosed and screened from public view at ground level with architectural material similar to the main building using the dumpster or as otherwise approved at the time of Plan of Development review.
10. **Building Height.** Any building constructed on the Property shall not exceed twenty (20) feet in height, exclusive of architectural treatments.

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

- 231-08 Ordinance - Signatory Authority – Chief Elected Officials Agreement – Creation of Capital Area Workforce Partnership.

Mr. Kaechele noted that the Board had an opportunity to review this matter in detail during a work session.

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

On motion of O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 231-08 – see attached Ordinance.

- 232-08 Ordinance – To Amend and Reordain Section 22-181 of the Code of the County of Henrico Titled “Distributing handbills, soliciting contributions or selling merchandise in highway” to Include All Highways Located Within the County.

Mr. Rapisarda confirmed for Mr. Kaechele that the term highway in the proposed ordinance would include all public streets and roads in the County. He explained for Mrs. O'Bannon that the ordinance would apply to road shoulders in cases where no curb is present and that Boy Scouts or other groups could hold up signs for carwashes as long as they are back off of the curb and not at the curb or in the so-called gutter pan. Mr. Rapisarda clarified for Mr. Kaechele that a new substitute ordinance crafted by staff included a definition of highway that would allow solicitors to conduct their activities on sidewalks in public rights-of-way. Mr. Hazelett clarified for Mr. Donati that under the proposed ordinance panhandlers could not go off of the sidewalk into the roadway. Mr. Hazelett advised that the intent of the ordinance was to allow individuals on the side of the road within the public right-of-way to use the facility but not to use it within the confines of the roadway because that would definitely be a public safety problem. He noted for Mr. Kaechele that there was no provision in the ordinance to regulate solicitation activity on private roads or parking lots.

There was lengthy discussion among Mr. Glover, Mr. Hazelett, Chief Stanley, and Mr. Rapisarda concerning the legal definition of highway under the ordinance. Mr. Glover suggested the definition could be confusing to cheerleaders, Boy Scouts, and other groups that wish to do car washes. Chief Stanley emphasized the proposed ordinance was intended to address a public safety issue. Mr. Hazelett stated that

although he could not recall any previous accidents along public roadways involving solicitors, to allow a pedestrian into a public right-of-way does create a danger. Mrs. O'Bannon and Mr. Kaechele commented on concerns about solicitation in the medians. In response to a question from Mr. Thornton, Mr. Hazelett remarked that he thought what was being proposed was a reasonable approach.

Mr. Kaechele invited comments from persons in the audience. George Robertson, a resident of the Fairfield District, restated his communication to the Board dated July 26, 2008 in support of the proposed ordinance. He expressed concerns about the hazards and unsafe conditions created by solicitors leaving the median strip and walking through traffic at the intersection of Laburnum Avenue and Williamsburg Road, Laburnum Avenue and Nine Mile Road, and Laburnum Avenue and Mechanicsville Turnpike.

Tom Silvestri, President and Publisher of the Richmond Times-Dispatch, alluded to his community business's relatively new practice of selling newspapers on Sunday in the median strip on public roads in eastern Henrico County. He stated that his hawkers are trained to be respectful of safety conditions and that this practice is an opportunity to employ folks who are trying to get back to a normal keel or who need money. Mr. Silvestri requested an exception to the proposed ordinance so that it would not prohibit the sale of newspapers or other activities similarly protected by the First Amendment in the medians.

Scott Payne, Single-Copy Manager for the Richmond Times-Dispatch, addressed the Board in response to a question from Mr. Kaechele. He identified the five locations in eastern Henrico where the Times-Dispatch had been selling newspapers for the past year. He spoke to how the Times-Dispatch has trained the public to purchase newspapers in this manner and commented that he had not had any incidents with Henrico County Police or with any patrons. In response to questions from Mrs. O'Bannon, Mr. Payne and Mr. Silvestri commented on the frequency of patrons pulling off of the road to complete a transaction and reiterated that they had not encountered any public safety incidents. Andy Contin, one of the sellers for the Richmond Times-Dispatch, contended that he had not personally had any incidents or stopped the flow of traffic.

At Mr. Donati's request, Legislative Liaison Mike Schnurman provided the Virginia General Assembly's perspective on the legislation passed during the last session that provided the County with the authority to regulate solicitation on all roads. He pointed out that similar legislation had been defeated in prior years because in large part some of the other public entities had used intersections like this for fundraising campaigns. When they recognized the public safety issues involved, they came on board. The discussion in the General Assembly largely centered around the fact that the legislation did not prohibit reelection activities, people showing signs, or Boy Scouts and Girl Scouts standing on the other side of the road advertising that they had a carwash, bake sale, etc. In response to a question from Mr. Donati, Mr. Schnurman advised that both houses unanimously voted to support the legislation.

In response to a question from Mr. Kaechele, Mr. Rapisarda acknowledged that the newspaper does have First Amendment rights and that selling a newspaper has a legal aspect that is different from selling a shrub. He further stated, however, that he would not recommend carving out an exception to the ordinance because the Board would get into a legal, political and practical issue of why you would exempt one organization and not another. Mr. Rapisarda agreed with Mr. Kaechele that the ordinance would be pretty broad. Mrs. O'Bannon commented again on the safety issue and said she thought it was much safer for the sale of newspapers or other items to occur off of the highway.

Rick Moore, a resident of the Tuckahoe District, asked why someone standing with an inflammatory sign and not selling anything in the middle of a median might end up impeding traffic and why the purpose of one's visit to a media is meaningful. Mr. Rapisarda responded by reiterating that this section of the Code only deals with distributing handbills and soliciting contributions. He pointed out that commercial speech does not have the same legal protection as non-commercial speech. Mr. Rapisarda also reiterated that the County has tried to balance First Amendment rights of all citizens with the safety of motorists and pedestrians and that the purpose of the ordinance before the Board was traffic safety. In response to a question from Mr. Kaechele, Mr. Rapisarda confirmed that this ordinance and section of the County Code does not deal with signs. Mr. Moore noted that he could still impede the flow of traffic without entering the particular areas addressed in the ordinance. He questioned whether this was not more of a generic public safety issue, regardless of why the person is standing there.

In response to comments and a question from Mr. Glover, Mr. Rapisarda remarked that the United States Supreme Court has said that localities can prohibit signs in the public right-of-way because of the visual clutter and the distraction to drivers. He noted that the County still has certain prohibitions. He agreed with Mr. Moore that there could still be activities in the street that would not be outlawed by this ordinance. Mr. Rapisarda stated that there must be a reasonable common sense balance here and that was what the Board was trying to do with this ordinance. In response to a question from Mrs. O'Bannon, Mr. Rapisarda said that he did not know whether a nice looking woman standing in the median handing out ice cream would be a violation of this section of the County Code. Mr. Hazelett remarked that it could be defined as a traffic distraction. Chief Stanley commented that distributing handbills or ice cream in a median would be backing up traffic so the individual who was driving a car would probably be cited for impeding the flow of traffic.

Mr. Hazelett concluded the discussions by reiterating that he had a substitute ordinance for the Board's consideration that would prohibit the distribution of literature, solicitation of contributions, and sale of merchandise on County highways. The only difference between the advertised ordinance and the substitute ordinance was to add to the definition of highway to clearly specify the areas in which prohibited activities could not occur.

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Mr. Donati's motion to substitute Ordinance 232A-08 for 232-08.

On motion of Mr. Donati, seconded by Mrs. O' Bannon, and by unanimous vote, the Board approved Agenda Item No. 232A-08 – see attached Ordinance.

- 233-08 Ordinance - To Amend and Reordain Subsection (d) of Section 22-113 of the Code of the County of Henrico Titled "Weight limits for specific streets" to Restrict Through Truck Traffic on Strath Road.

In response to questions from Mr. Kaechele, Director of Public Works Lee Priestas noted that there are a number of roads in the County that have truck restrictions on them for various reasons, typically because of excessive truck traffic utilizing the road. Mr. Hazelett commented that this is an extremely narrow roadway that has never been improved and that larger trucks on the roadway scar utility poles and impact other vehicles. He acknowledged for Mrs. O'Bannon that smaller trash and delivery trucks would still be able to use the roadway. Mr. Rapisarda pointed out that specific State enabling legislation allows the County to do what was proposed by this ordinance. Mr. Donati commented on how a nearby truck terminal had been impacting this roadway, which was being used as a quick route to I-295. Mr. Hazelett stated that there are a number of major arterial alternatives to this roadway. In response to a question from Mr. Kaechele, Mr. Priestas explained that temporary signage had been placed on the roadway on his authority on a temporary basis pending a decision by the Board.

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. 233-08 – see attached Ordinance.

- 234-08 Resolution – Signatory Authority – Quitclaim of Portion of Drainage Easement Bellingham – Three Chopt District.

In response to a question from Mr. Kaechele, Acting Director of Real Property Steve Price stated that this portion of an existing drainage easement was no longer needed by the County.

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. 234-08 - see attached Resolution.

GENERAL AGENDA

- 235-08 Resolution – Authorization of Sister City/County Agreement with Yangju City, Gyeonggi Province, the Republic of Korea.

Mr. Kaechele noted that the Board was very familiar with this subject and commented on the benefits of this relationship to both Yangju City and Henrico County.

On motion of Mrs. O' Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 235-08 – see attached Resolution.

Mr. Hazelett confirmed for Mr. Kaechele that the draft document had been sent to Yangju City for review and consideration. Mrs. Harper noted that Yangju would prepare the resolution in Korean and English and send it to the County already signed.

- 236-08 Resolution – Creation of the 2011 Celebration Advisory Commission.

Ms. Harper confirmed for Mr. Hazelett that several special interests would be represented on the Commission. In response to questions from Mr. Kaechele, she confirmed that the Commission would contain a total of 14 members and explained how the appointment process would take place if the Board approved this Board paper. Mr. Hazelett indicated to Mr. Kaechele that the intention was to bring names to the Board by September 9, 2008. In response to a question from Mr. Donati, Ms. Harper stated that the members would represent various groups and organizations rather than magisterial districts as is typical with other local boards and commissions. Ms. Harper named the various groups and organizations that would be represented. She noted that it was likely there would be persons serving on the Commission from each district of the County from what was known about the membership of these groups and organizations.

On motion of Mrs. O' Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 236-08 – see attached Resolution.

Mrs. O'Bannon commented that she had been working on the 2011 celebration since 1986 and she was so glad to see this happen.

- 237-08 Resolution – Award of Contract – Architectural and Engineering Services for Government Center Exterior Lighting, Phase 2.

On motion of Mr. Glover, seconded by Mrs. O' Bannon, and by unanimous vote, the Board approved Agenda Item No. 237-08 – see attached Resolution.

- 238-08 Resolution – Signatory Authority – Change Order No. 5 to Construction Contract - Dabbs House Renovation.

In response to a question from Mr. Donati, Director of General Services Paul Proto confirmed that final completion of this project was expected in September 2008.

On motion of Mr. Thornton, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 238-08 – see attached Resolution.

- 239-08 Resolution – Signatory Authority – Amendment No. 4 to Contract for Architectural and Engineering Services – Dabbs House Renovation.

On motion of Mr. Donati, seconded by Mrs. O’ Bannon, and by unanimous vote, the Board approved Agenda Item No. 239-08 – see attached Resolution.

- 240-08 Resolution – Award of Construction Contract - Concession and Restroom Facility at Byrd Middle School.

In response to a question from Mr. Kaechele, Mr. Proto confirmed that he had previously had conversations with Howard Construction regarding the company’s bid being non-responsive. Jim Hayes, an attorney representing the Joint Venture of Nice Brothers, Inc. and Howard Construction, Inc., acknowledged that the bid that was proposed by the Joint Venture was not put together in the right format. He asked that the Board exercise its authority to waive the informalities as permitted by the State Public Procurement Act and award the contract for the project to the Joint Venture. Mr. Hayes pointed out that the Joint Venture submitted a bid that was \$20,000 lower than the second lowest bidder. He noted that under the State Act, informalities can be waived as long as these aspects of the bid do not affect price, quantity, quality, or delivery schedule.

In response to a question from Mrs. O’ Bannon, Mr. Proto advised that the Code does not require localities to waive informalities and that staff had determined that some of the items excluded in the bid were not informalities. Mr. Hayes referred to the State Code’s definition of informalities and contended that all of the issues raised by the County’s Department of General Services were informalities. In response to a question from Mr. Kaechele, Mr. Proto acknowledged that the County had done business with both Howard Construction and Nice Brothers, but not as a joint venture. Michael Moore, a student at Byrd Middle School and Boy Scout previously recognized by Mrs. O’ Bannon, commented on the advantages of automatic waste dispensers in school restroom facilities of this type. Mr. Proto described the proposed facility for Mr. Donati. Mr. Kaechele commented on its cost. Mrs. O’ Bannon expressed concerns about contractors submitting incomplete information and not paying attention to detail.

On motion of Mrs. O’ Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 240-08 – see attached Resolution.

- 241-08 Resolution – Signatory Authority - Amendment to Contract for Architectural and Engineering Services – Eastern Henrico Recreation Center.

Mr. Kaechele confirmed for Mr. Kaechele that this contract amendment would provide for additional architectural and engineering services for Leadership in Energy

and Environmental Design (LEED). He and Mr. Hazelett clarified how these services would affect the total cost of the contract. In response to a question from Mrs. O'Bannon, Mr. Proto explained that it would not be practical or cost effective to construct the Byrd Middle School concession and restroom facilities to LEED standards.

On motion of Mr. Thornton, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 241-08 – see attached Resolution.

- 242-08 Resolution – Award of Construction Contract – Installation of HVAC Units at Human Services Building.

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 242-08 – see attached Resolution.

In response to questions and comments from Mr. Kaechele and Mr. Glover, Mr. Proto acknowledged that these HVAC units had experienced problems with vibrations since the original equipment was installed but that this contract was necessary because the existing equipment had reached the end of its normal life.

- 243-08 Resolution – Approval of the FY 2009 Community Services Board Performance Contract Between the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services and Henrico Area Mental Health & Retardation Services Board.

On motion of Mr. Donati, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 243-08 – see attached Resolution.

- 244-08 Introduction of Ordinance – To Amend and Reordain Section 22-356 of the Code of the County of Henrico Titled “Penalty” Reducing the Penalty for Parking in a Space Reserved for Persons with Disabilities Without Properly Displaying a Placard When the Placard is Present in the Vehicle.

Chief of Police Henry Stanley confirmed for Mrs. O'Bannon that the proposed reduction in the fine would only apply to disabled persons who have not properly displayed their handicapped parking placard.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 244-08 – see attached Introduction of Ordinance.

- 245-08 Resolution - Adoption of Henrico County Debris Management Plan.

In response to questions from Mrs. O'Bannon and Mr. Kaechele, Assistant Director of Public Utilities Bill Mawyer and Mr. Hazelett explained the benefits to the County of adopting this plan, including expedited grant assistance from the Federal Emergency Management Agency based on estimates rather than after-the-fact

reimbursements, a potentially higher cost share for debris and wreckage removal contractors, the retention of revenue from the sale of disaster debris for recycling, and possible reimbursement for regular time salaries as well as overtime salaries for debris-related activities.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 245-08 – see attached Resolution.

- 246-08 Resolution - Signatory Authority - Award of Contract - Monumental Floral Gardens Phase 2 Sewer Rehabilitation - G.L. Howard, Inc.

In response to a question from Mr. Kaechele, Mr. Mawyer clarified overall project costs, including the first phase of the project.

On motion of Mr. Glover, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 246-08 – see attached Resolution.


- 247-08 Resolution - Amendment to Construction Services Agreement - Gambles Mill Outfall Sanitary Sewer Improvements - G.L. Howard, Inc.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 247-08 – see attached Resolution.

- 248-08 Resolution - To Permit Additional Fine of \$200 for Speeding on Laurel Pine Drive.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 248-08 – see attached Resolution.

There being no further business, the meeting was adjourned at 9:05 p.m.


Chairman, Board of Supervisors
Henrico County, Virginia

PROCLAMATION – Payroll Week – September 1 – 5, 2008

Payroll professionals in Henrico County play a key role in maintaining the economic health of this community, performing such diverse tasks as paying into the unemployment insurance system, providing information for child support enforcement, and carrying out tax withholding, reporting, and depositing. This proclamation recognizes September 1 - 5, 2008 as Payroll Week and encourages Henrico citizens to support the efforts of local payroll professionals who work to ensure excellence in the administration of payrolls.

Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

PAYROLL WEEK

September 1 – 5, 2008

WHEREAS, the American Payroll Association and its 23,000 members have launched a nationwide public awareness campaign that pays tribute to the more than 156 million people who work in the United States and the payroll professionals who support the American system by paying wages, reporting worker earnings, and withholding federal employment taxes; and

WHEREAS, payroll professionals in Henrico County, Virginia play a key role in maintaining the economic health of this community, performing such diverse tasks as paying into the unemployment insurance system, providing information for child support enforcement, and carrying out tax withholding, reporting, and depositing; and

WHEREAS, payroll departments collectively spend more than \$15 billion annually complying with myriad federal and state wage and tax laws; and

WHEREAS, payroll professionals significantly contribute to the economic security of American families by helping to identify noncustodial parents and making certain that they comply with their child support mandates; and

WHEREAS, payroll professionals are dedicated to educating the business community and the public at large about the payroll tax withholding systems; and

WHEREAS, payroll professionals meet regularly with federal and state tax officials to discuss improving compliance with government procedures and how compliance can be achieved at less cost to government and businesses; and

WHEREAS, the American Payroll Association has designated the week in which Labor Day falls as National Payroll Week.

NOW, THEREFORE BE IT PROCLAIMED that the Board of Supervisors of Henrico County, Virginia hereby recognizes September 1 – 5, 2008 as Payroll Week and encourages Henrico citizens to support the efforts of local payroll professionals who work to ensure excellence in the administration of payrolls.



David A. Kaechele

David A. Kaechele, Chairman
Board of Supervisors

Barry R. Lawrence

Barry R. Lawrence, Clerk
August 12, 2008



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 225-08
Page No. 1 of 1

Agenda Title: **RESOLUTION - Acceptance of Resignation of Deputy Clerk of the Board of Supervisors**

For Clerk's Use Only:

BOARD OF SUPERVISORS ACTION

Date: AUG 12 2008

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

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

REMARKS:

APPROVED

YES NO OTHER

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

WHEREAS, on January 13, 1999, Linda B. Jones was appointed Deputy Clerk of the Board of Supervisors until her successor shall have been appointed and duly qualified; and

WHEREAS, by letter dated July 16, 2008 and directed to David A. Kaechele, Chairman of the Board of Supervisors, Mrs. Jones submitted her resignation as Deputy Clerk of the Board effective July 31, 2008.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia accepts the resignation of Linda B. Jones as Deputy Clerk of the Board of Supervisors, acknowledges her dedication to the County, and expresses its sincere thanks and appreciation for her many years of dutiful service in this position.

By Agency Head _____

By County Manager _____

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____



COMMONWEALTH OF VIRGINIA

County of Henrico

PARHAM AND HUNGARY SPRING ROADS • P O BOX 27032
RICHMOND, VIRGINIA 23273-7032

BOARD OF SUPERVISORS

DAVID A. KAECEHELE, Chairman
PATRICIA S. O'BANNON, Vice Chairman
JAMES B. DONATI, JR.
RICHARD W. GLOVER
FRANK J. THORNTON

July 16, 2008

The Honorable David A. Kaechele, Chairman
Board of Supervisors
County of Henrico, Virginia

Dear Mr. Kaechele:

This is to inform you that due to my retirement from the County, I will be resigning from my appointment as Deputy Clerk to the Board of Supervisors effective July 31, 2008.

Thank you for the honor and the privilege to serve Henrico County in this capacity for the past ten years. It has been an extraordinary experience that I will treasure for a lifetime.

Sincerely,

Linda B. Jones, CMC
Deputy Clerk
Board of Supervisors

pc: County Manager
Assistant to the County Manager/Clerk to the Board



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 226-08
Page No.

Agenda Title

RESOLUTION - Appointment of Deputy Clerk of the Board of Supervisors

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	
Date: <u>AUG 12 2008</u>	Moved by (1) <u>Thornton</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"/> <input type="checkbox"/>
<input type="checkbox"/> Denied	REMARKS: APPROVED	Glover, R. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Amended		Kaechele, D. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Deferred to		O'Bannon, P. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		Thornton, F. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

WHEREAS, on August 12, 1992, pursuant to Agenda Item 316-92, the Board of Supervisors established the position of Deputy Clerk of the Board of Supervisors; and,

WHEREAS, the Deputy Clerk shall exercise, in the absence or disability of the Clerk of the Board of Supervisors, all of the powers conferred and perform all of the duties imposed upon the Clerk of the Board by general law and such other duties as were set forth in Agenda Item 321-91 approved by the Board on July 24, 1991; and,

WHEREAS, the Board of Supervisors wishes to appoint a deputy clerk to succeed Linda B. Jones who has retired from the County and resigned from this position.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia appoints **Tanya B. Harding** as Deputy Clerk of the Board of Supervisors for a term expiring when her successor shall have been appointed and duly qualified.

By Agency Head _____

By County Manager *[Signature]*

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Tests: _____

Clerk, Board of Supervisors

Date: _____



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

Agenda Item No. 231-08
Page No. 1 of 2

**Agenda Title: ORDINANCE — Signatory Authority — Chief Elected Officials' Agreement —
Creation of Capital Area Workforce Partnership**

For Clerk's Use Only: Date: <u>AUG 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>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"/> _____ Kacchele, D. <input checked="" type="checkbox"/> _____ O'Bannon, P. <input checked="" type="checkbox"/> _____ Thornton, F. <input checked="" type="checkbox"/> _____

WHEREAS, the Workforce Investment Act (the "Act") is a federal law that provides federal funding for workforce development activities, including employment and training activities for adults and dislocated workers, services to eligible youth, and services designed to meet the workforce needs of business and economic development; and,

WHEREAS, the Act authorizes the establishment of workforce investment areas incorporating multiple jurisdictions that must be approved by the Governor; and,

WHEREAS, under the Act, localities that choose to establish a regional workforce investment area are required to develop an agreement among the partnering jurisdictions as to how the activities of the regional workforce investment area will be administered and services provided; and,

WHEREAS, the City of Richmond and the Counties of Charles City, Chesterfield, Goochland, Hanover, Henrico, New Kent and Powhatan wish to form a regional workforce investment area to more effectively and efficiently deliver workforce services to job seekers and business and economic development; and,

WHEREAS, the localities wish to provide for the joint planning and delivery of workforce services in these localities; and,

WHEREAS, Virginia Code Section 15.2-1300 permits localities to enter into agreements with one another for joint action and requires the agreements to be approved by ordinance; and,

WHEREAS, the localities have developed the attached agreement to establish procedures for the governance and operation of the workforce partnership, including the creation of a governing board; and,

By Agency Head Rosalyn D. Key-Lilligan By County Manager David P. Haydel

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. **231-08**
Page No. 2 of 2

Agenda Title: **ORDINANCE — Signatory Authority — Chief Elected Officials' Agreement —
Creation of Capital Area Workforce Partnership**

WHEREAS, the governing body of each participating locality must authorize by ordinance the execution of the agreement by the chief elected official of the locality.

NOW, THEREFORE, BE IT ORDAINED that the Henrico County Board of Supervisors authorizes the Chairman of the Board to execute the Chief Elected Officials' Agreement in a form approved by the County Attorney for the creation of the Capital Area Workforce Partnership and to submit an application to the Governor for approval of the newly configured regional workforce investment area.

Comments: The Director of the Capital Area Training Consortium recommends approval of this Board paper, and the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 232A-08
Page No. 1 of 2

Agenda Title: Ordinance - to Amend and Reordain Section 22-181 of the Code of the County of Henrico Titled "Distributing handbills, soliciting contributions or selling merchandise in highway" to Include All Highways Located Within the County

For Clerk's Use Only:

Date: AUG 12 2008

☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

11 Bring forward 23 approve
BOARD OF SUPERVISORS ACTION

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

REMARKS

APPROVED

YES NO OTHER

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

AN ORDINANCE - To amend and reordain Section 22-181 of the Code of the County of Henrico titled "Distributing handbills, soliciting contributions or selling merchandise in highway" to include all highways located within the County.

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

1. That Section 22-181 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 22-181. Distributing handbills, soliciting contributions or selling merchandise in highway.

It shall be unlawful for any person while standing in the highway to:

(1) Distribute handbills, leaflets, bulletins, literature, advertisements or similar material to the drivers of motor vehicles or passengers therein on secondary-highways located within the county.

(2) Solicit contributions of any nature from the drivers of motor vehicles or passengers therein on secondary highways located within the county.

(3) Sell or attempt to sell merchandise to the drivers of motor vehicles or passengers therein on secondary highways located within the county.

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. 232A-08
Page No. 2 of 2

Agenda Title: To Amend and Reordain Section 22-181 of the Code of the County of Henrico Titled "Distributing handbills, soliciting contributions or selling merchandise in highway" to Include All Highways Located Within the County.

For purposes of this section, the term "highway" means the entire width of a road or street that is improved, designed, or ordinarily used for vehicular travel and the shoulder, the median, and the area between the travel lane and the back of the curb.

2. That this Ordinance shall be in full force and effect on and after its passage.

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



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 233-08
Page No. 1 of 1

Agenda Title: **ORDINANCE — To Amend and Reordain Subsection (d) of Section 22-113 of the Code of the County of Henrico Titled “Weight limits for specific streets” to Restrict Through Truck Traffic on Strath Road**

For Clerk's Use Only:

Date: **AUG 12 2008**

☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

	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"/>

AN ORDINANCE To Amend and Reordain Subsection (d) of Section 22-113 of the Code of the County of Henrico Titled “Weight limits for specific streets” to Restrict Through Truck Traffic on Strath Road

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

1. That Section 22-113 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 22-113. Weight limits for specific streets.

-
-
-

(d) It shall be unlawful for any person to use or cause to be used any trucks, pickup or panel trucks, tractor trucks and trailers, having a registered gross weight in excess of 7,500 pounds, on the following roads, except for the purpose of receiving loads or making deliveries on such portion of these roads:

-
-
-

(19) Strath Road between Darbytown Road and New Market Road (State Route 5)

2. That this ordinance shall be in full force and effect on and after its passage.

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

By Agency Head

By County Manager

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 234-08

Page No.

1 of 1

Agenda Title

RESOLUTION - Signatory Authority - Quitclaim of Portion of Drainage Easement
Bellingham - Three Chopt District

For Clerk's Use Only:

Date AUG 12 2008

☒ Approved
☐ Denied
☐ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

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

WHEREAS, by Deed of Easement dated October 6, 2003 and recorded in Deed Book 3563, Page 1029, in the Clerk's Office of the Circuit Court of the County of Henrico, Virginia (the "Clerk's Office"), HHHunt Corporation, a Virginia corporation (the "Owner") conveyed to the County of Henrico, Virginia (the "County") a permanent drainage easement (the "Easement") across land now known as Bellingham; and,

WHEREAS, replacement drainage facilities have been constructed in other easements conveyed to the County and a portion of the Easement is no longer needed; and,

WHEREAS, the Owner has requested that the County re-convey to it by a quitclaim deed the portion of the Easement the County no longer needs; and,

WHEREAS, the portion of the Easement to be quitclaimed is shown shaded on the plat attached and marked as Exhibit "A"; 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 August 12, 2008.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County, Virginia that the Chairman and Clerk are authorized to execute a Deed of Quitclaim, in a form approved by the County Attorney, releasing unto the Owner, its successors or assigns, all claims of the County in and to the portion of the Easement as shown shaded on the attached Exhibit "A."

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

By Agency Head

Steve Davis

By County Manager

Steve S. Taylor

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

SCALE: 1"=100'
 1"=100'
 1"=100'

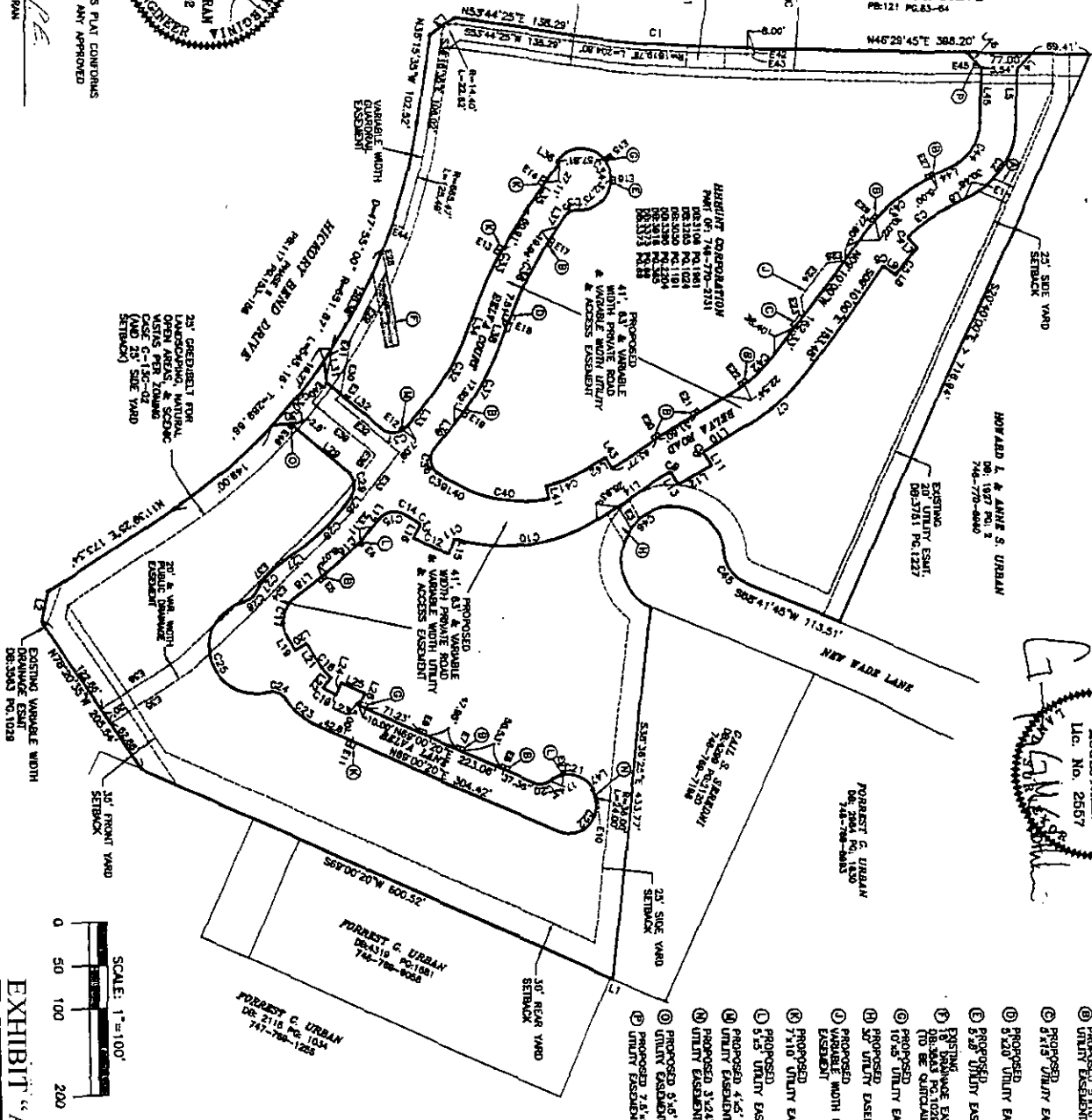
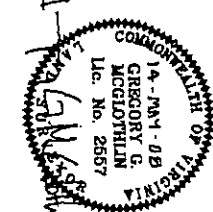


THIS IS TO CERTIFY THAT THIS PLAT CONTAINS
 WITH APPROVED PLANS AND ANY APPROVED
 REMARKS.
 JOHN T. COCHRAN

25' GREENBELT FOR
 DRAINAGE, NATURAL
 DRAINAGE ESENT.
 DE-3775 PO-2815
 CASE C-13C-02

HICKORY PARK DRIVE
 PD-121 PO-83-84

HOWARD L. & ANNE S. URBAN
 DE-1827 PO-2
 746-770-8860



LEGEND

- ① 20' WIDTH PUBLIC UTILITY EASEMENT
- ② PROPOSED 5'x10' UTILITY EASEMENT
- ③ PROPOSED 5'x10' UTILITY EASEMENT
- ④ PROPOSED 5'x10' UTILITY EASEMENT
- ⑤ PROPOSED 5'x10' UTILITY EASEMENT
- ⑥ PROPOSED 5'x10' UTILITY EASEMENT
- ⑦ PROPOSED 5'x10' UTILITY EASEMENT
- ⑧ PROPOSED 5'x10' UTILITY EASEMENT
- ⑨ PROPOSED 5'x10' UTILITY EASEMENT
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SCALE: 1"=100'
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EXHIBIT "A"

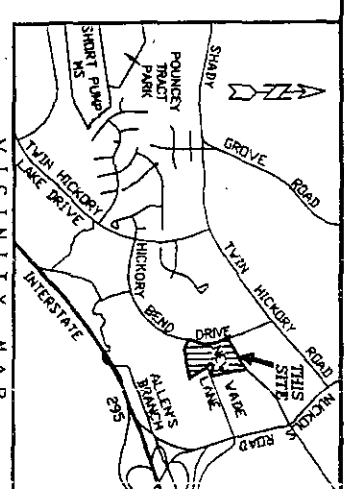
REVISION: APRIL 19, 2008
 REVISION: APRIL 3, 2008

PLAT SHOWING A 41', 65' & VARIABLE WIDTH PRIVATE ROAD & VARIABLE WIDTH UTILITY & ACCESS EASEMENT, A 20' PUBLIC UTILITY EASEMENT, 6'x10' UTILITY EASEMENTS, A 6'x16' UTILITY EASEMENT, A 6'x20' UTILITY EASEMENT, A 6'x24' UTILITY EASEMENT, 10'x5' UTILITY EASEMENTS, A 30' UTILITY EASEMENT, A VARIABLE WIDTH UTILITY EASEMENT, 7'x10' UTILITY EASEMENTS, 6'x5' UTILITY EASEMENTS, A VARIABLE WIDTH GUARDRAIL EASEMENT, A 50' AVE EASEMENT, A 10' DRAINAGE EASEMENT TO BE QUANTIFIED, A 3'x24' UTILITY EASEMENT, A 6'x6' UTILITY EASEMENT AND A 7'x6' UTILITY EASEMENT

THREE CHOPT DISTRICT HENRICO COUNTY, VIRGINIA

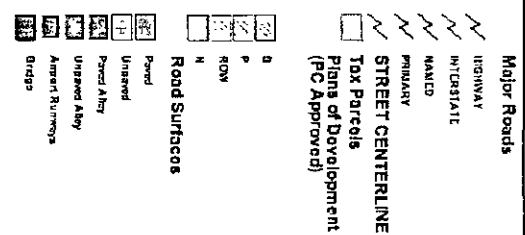
FEBRUARY 4, 2008 SHEET 1 OF 2 SCALE: 1" = 11'

YOUNGBLOOD, TYLER & ASSOCIATES, P.C.
 CIVIL ENGINEERS, PLANNERS
 & LAND SURVEYORS
 7309 HANOVER GREEN DRIVE
 P.O. BOX 517 MECHANICSVILLE, VA 23111



NOTES:
 ALL TIES TO EASEMENTS ALONG CURVES
 ARE SHOWN AS CHORD DISTANCES.

EDALE DR



DISCLAIMER: This map has been produced on Henrico County's Geographical Information System using the best data available to the County. This map is to be used for reference purposes only and the County of Henrico makes no warranty as to its completeness or accuracy. Any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination.



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

Agenda Item No. 235-08
Page No. _____

Agenda Title

**RESOLUTION – Signatory Authority - Sister City/County Agreement with Yangju
City, Gyeonggi Province, the Republic of Korea**

<p>For Clerk's Use Only:</p> <p>Date: <u>AUG 12 2008</u></p> <p><input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Donati</u> (2) _____ (2) _____</p> <p>REMARKS: APPROVED</p>	<table style="width: 100%; border-collapse: collapse;"><thead><tr><th></th><th style="text-align: center;">YES</th><th style="text-align: center;">NO</th><th style="text-align: center;">OTHER</th></tr></thead><tbody><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></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"/>
	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"/>																							
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O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

WHEREAS, Yangju City Mayor Chung Bin Im, along with Yangju City officials and businessmen, visited Henrico County in March 2007 to explore the possibility of a Sister City/County Relationship; and

WHEREAS, Mayor Chung Bin Im and James B. Donati, Jr., then Chairman of the Henrico Board of Supervisors, jointly signed an agreement on March 27, 2007 stating their intention to explore the possibility of a Sister City/County relationship; and

WHEREAS, a delegation of Yangju City staff visited Henrico County staff in November 2007 to gather information about the operation of County departments and to see County facilities; and

WHEREAS, a delegation of Henrico County officials visited Yangju City in May 2008 and a resolution was jointly signed on May 20, 2008 by Mayor Chung Bin Im and David A. Kaechele, Chairman of the Henrico Board of Supervisors, stating that they would recommend to their fellow elected officials the signing of a Sister City/County Agreement; and

WHEREAS, a joint work session was held by the Henrico County Board of Supervisors and School Board on July 22, 2008 for a presentation of the May 2008 delegation's findings and their recommendation that a Sister City/County Agreement be authorized by the Henrico County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia authorizes its Chairman, David A. Kaechele, to sign a Sister City/County Agreement with Yangju City, Gyeonggi Province, the Republic of Korea.

BE IT FURTHER RESOLVED that the signed Sister City/County Agreement be sent to Mayor Chung Bin Im in Yangju City, Gyeonggi Province, the Republic of Korea, for Yangju City's consideration.

By Agency Head

By County Manager

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

Sister City/County Agreement

between the

County of Henrico
Virginia
United States of America

and

Yangju City
Gyeonggi Province
Republic of Korea

The County of Henrico, Virginia, USA, and Yangju City, Gyeonggi Province, the Republic of Korea, agree as follows:

- (1) to promote and expand the effective and mutually beneficial cooperation between the people of the County and the people of Yangju City; and
- (2) to promote international goodwill, understanding and expanded business relations between the County and the City and their respective constituencies by the exchange of ideas and information in a wide variety of economic, social, cultural, municipal, environmental, professional, technical, youth, and other areas; and
- (3) To foster and encourage educational, scientific, trade and commerce, and cultural activities between the County and the City.

This Sister City/County Agreement shall become effective when this document has been duly executed.

For Henrico County:

For Yangju City:

David A. Kaechele
Chairman, Board of Supervisors
County of Henrico
Date:_____

Chung Bin Im
Mayor
Yangju City
Date:_____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 236-08
Page No. 1 of 2

Agenda Title: **RESOLUTION** – Creation of the 2011 Celebration Advisory Commission

For Clerk's Use Only:

BOARD OF SUPERVISORS ACTION

Date: AUG 12 2008

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

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

REMARKS:

APPROVED

YES NO OTHER

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

WHEREAS, in 1611, Sir Thomas Dale established the Virginia colony's second settlement with 300 colonists, which he named "Henrico Towne" in honor of Henry Frederick, son of James I and Prince of Wales; and

WHEREAS, in 1634, Henrico was established as one of the eight original shires or counties by the English Crown and its original boundaries included all of nine counties, part of another county, and three cities; and

WHEREAS, today Henrico County has 244 square miles, over 300,000 residents, 177,744 jobs, \$41.9 billion in retail sales and 25,000 businesses; and

WHEREAS, the County will have 400 years of history to celebrate in 2011 and celebration activities can promote economic development and tourism.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Henrico County, Virginia that the 2011 Celebration Advisory Commission is hereby created, effective immediately, for the purpose of advising the Board of Supervisors on the activities, budget, and timeline; facilitating community awareness and involvement; and fundraising, all for the 2011 celebration.

BE IT FURTHER RESOLVED that the 2011 Celebration Advisory Commission shall be composed of the following:

- 1) a member of the Board of Supervisors, who shall chair the Commission
- 2) a member of the School Board
- 3) a member of the Historic Preservation Advisory Committee

By Agency Head

Angela L. Hays

By County Manager

Doris L. Taylor

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. 236-08

Page No. 2 of 2

Agenda Title: RESOLUTION – Creation of the 2011 Celebration Advisory Commission

- 4) a member of the Library Advisory Board
- 5) a member of the Henrico County Historical Society
- 6) a member of the Association for the Preservation of Henrico Antiquities Inc.
- 7) a member of the Henrico Education Foundation
- 8) a member of the Virginia Randolph Foundation
- 9) a member of the African-American Heritage Culture Committee
- 10) a Civil War expert
- 11) a County historian
- 12) a Native American
- 13) a tourism expert
- 14) a former County government official

BE IT FURTHER RESOLVED that these appointments will be for terms expiring on December 31, 2011.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 237-08
Page No. 1 of 1

Agenda Title: **Resolution – Award of Contract – Architectural and Engineering Services for Government Center Exterior Lighting, Phase 2**

For Clerk's Use Only: Date: <u>AUG 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		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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WHEREAS, on December 14, 2007, three (3) proposals were received in response to RFP #07-8281-11CS to provide architectural and engineering services for Government Center Exterior Lighting Phase 2; and

WHEREAS, based upon review of the written proposals, the Selection Committee (consisting of Mr. Michael Verdú, Mr. Major Dement, Mr. Jerry Walker, Mr. James Strauss and Mrs. Cecelia Stowe) interviewed the following firms:

Wiley & Wilson, Inc.
Austin Brockenbrough & Associates

WHEREAS, the Selection Committee subsequently selected **Wiley & Wilson, Inc.** as the first ranked offeror and negotiated a contract with **Wiley & Wilson, Inc.** in the amount of \$ 50,000.

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

1. A contract to provide architectural and engineering design services for Government Center Exterior Lighting Phase 2 is hereby awarded to **Wiley & Wilson, Inc.** in the amount of \$ 50,000 in accordance with RFP #07-8281-11CS, the December 14, 2007 proposal, and a letter dated July 15, 2008 submitted by **Wiley & Wilson, Inc.**
2. The County Manager and Clerk are authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Director of General Services as his designee, is authorized to execute all change orders within the scope of the project budget in a form approved by the County Attorney.

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

By Agency Head [Signature]

By County Manager [Signature]

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 238-08
Page No. 1 of 1

Agenda Title: **Agenda Title: Resolution – Signatory Authority – Change Order No. 5 to Construction Contract – Dabbs House Renovation**

For Clerk's Use Only: Date: AUG 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>Thornton</u> Seconded by (1) <u>Glover</u> (2) _____ (2) _____ REMARKS: APPROVED	YES NO OTHER Donati, J. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Glover, R. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Kaechele, D. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> O'Bannon, P. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Thornton, F. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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WHEREAS, on July 24, 2007, the Board of Supervisors awarded a contract to Daniel & Company, Inc. in the amount of \$748,000 for renovations to Dabbs House; and,

WHEREAS, the County has subsequently approved four change orders totaling \$111,518 for increases in the scope of work; and,

WHEREAS, the County has determined that it is necessary and desirable to increase the scope of work of the contract to provide for the restoration of exterior windows, exterior touch-up painting, wood shutter repairs, additional heart pine floor repairs, reconstruction of the main porch, UV-rated storm windows, reconstruction of two historic closets, tile repair, three reproduction wood doors, and miscellaneous door revisions; and,

WHEREAS, the County has negotiated a change order to the contract for the additional services at an additional cost of \$164,879 for an amended contract total of \$1,024,397.

NOW, THEREFORE, BE IT RESOLVED by the Henrico County Board of Supervisors that the County Manager is authorized to execute Change Order No. 5 in the amount of \$164,879 to the July 25, 2007 contract with Daniel & Company, Inc., in a form approved by the County Attorney, resulting in a revised contract sum totaling \$1,024,397.

Comments: Funding to support this Change Order is available within the project budget. The Directors of General Services and Recreation and Parks recommend approval of this Board paper, and the County Manger concurs.

By Agency Head

By County Manager

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 239-08
Page No. 1 of 1

Agenda Title: **Resolution – Signatory Authority – Amendment No. 4 to Contract for Architectural and Engineering Services – Dabbs House Renovation**

For Clerk's Use Only: Date: <u>AUG 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>Donati</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"/>
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WHEREAS, on February 14, 2006, the Board of Supervisors awarded a contract to Rawlings Wilson & Associates for the design and the construction administration of Dabbs House Renovations in the amount of \$106,480; and,

WHEREAS, three amendments to the original contract totaling \$45,136.50 have been previously approved; and

WHEREAS, it is necessary that the scope of work be increased to provide for three additional months of construction administration services associated with additional exterior renovation work and to provide recommendations for additional exterior repairs; and

WHEREAS, a fee of \$10,708 has been negotiated for the additional services for a new contract value of \$162,324.50.

NOW, THEREFORE, BE IT RESOLVED by the Henrico County Board of Supervisors that the County Manager is authorized to execute Amendment No. 4 in the amount of \$10,708 to the contract with Rawlings Wilson & Associates in a form approved by the County Attorney.

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

By Agency Head

By County Manager

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 240-08
Page No. 1 of 2

Agenda Title: **Resolution – Award of Construction Contract – Concession and Restroom Facility at Byrd Middle School**

For Clerk's Use Only: Date: AUG 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>O'Bannon</u> Seconded by (1) <u>Donati</u> (2) _____ (2) _____ REMARKS: APPROVED	YES NO OTHER Donati, J. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Glover, R. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Kacchale, 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, nine bids were received on July 22, 2008 in response to Bid Request No. 08-8442-6YD for the construction of a concession and restroom facility at Byrd Middle School as follows:

<u>Bidder</u>	<u>Total Base Bid</u>	<u>Add Alternate</u>	<u>Total Bid</u>
"Howard Construction, Inc./Nice Bros. Inc."	\$421,000	\$4,230	\$425,230
Norman Company Inc.	\$445,617	\$2,672	\$448,289
J. M. Bell, Inc.	\$483,400	\$4,200	\$487,600
Gulf Seaboard General Contractors, Inc.	\$493,500	\$5,000	\$498,500
Commonwealth Construction Co. of Va, Inc.	\$497,480	\$5,335	\$502,815
Brooks & Company General Contractors, Inc.	\$508,700	\$12,000	\$520,700
J.A. Heisler Contracting Co., Inc.	\$519,400	\$5,000	\$524,400
Haley Builders, Inc.	\$531,500	\$6,000	\$537,500
Southwood Builders, Inc.	\$595,783	\$5,155	\$600,938

By Agency Head

By County Manager

Routing:

Yellow to: _____

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A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 240-08

Page No. 2 of 2

WHEREAS, the Director of General Services has determined that the apparent low bidder is not a responsive bidder because (1) the bid is unsigned, (2) although the bid lists "Howard Construction, Inc./Nice Brothers, Inc." as bidder, only Howard Construction submitted the required Contractor's Qualification Statement, (3) the registration information in the bid is for only one unidentified entity, not two, (4) Howard Construction and Nice Brothers are not identified as a joint venture in the bid and the bid does not specify that it is submitted by a joint venture, (5) Attachment B, "Direct Contact with Students Bid/Proposal Response Attachment", is in the name, and is signed by a representative, of Howard Construction only, (6) the bid bond is in the name, and is signed by a representative, of Nice Brothers only, not in both names or in the name of a joint venture, and (7) AIA Document C101, "Joint Venture Agreement for Professional Services," which Howard Construction submitted the week following bid opening, is for professional services, and this is not a contract for professional services; and

WHEREAS, the Director of General Services has determined that Norman Company, Inc. is the lowest responsive and responsible bidder for this procurement.

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 the construction of a concession and restroom facility at Byrd Middle School is awarded to **Norman Company, Inc.**, the lowest responsive and responsible bidder, in the amount of **\$448,289** pursuant to Bid Request No. 08-8442-6YD 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, in a form approved by the County Attorney, 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 Director of Recreation and Parks and the County Manager concurring, recommends approval of this Board paper.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 241-08
Page No. 1 of 1

Agenda Title: **Resolution – Signatory Authority - Amendment to Contract for Architectural and Engineering Services – Eastern Henrico Recreation Center**

For Clerk's Use Only: Date: <u>AUG 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>Glover</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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WHEREAS, on January 19, 2007, the Board of Supervisors awarded a contract to HKS, Inc. in the amount of \$701,731 for architectural and engineering services for design and construction administration services for the Eastern Henrico Recreation Center; and

WHEREAS, the contract was subsequently amended with the current contract amount totaling \$793,180.50; and

WHEREAS, it is necessary and desirable to further amend the contract in order to provide for additional services to identify Leadership in Energy and Environmental Design ("LEED") criteria to be incorporated into the design, to apply and document LEED Certification with the U.S. Green Building Council, and to administer the LEED Certification process during construction; and

WHEREAS, fees in the amount of \$111,895.30 have been negotiated for the increased scope of work, which will result in a new contract sum of \$905,075.80.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the County Manager is authorized to execute an amendment in the amount of \$111,895.30 to the January 19, 2007 contract with HKS, Inc. in a form approved by the County Attorney.

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

By Agency Head _____

By County Manager _____

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 242-08
Page No. 1 of 2

Agenda Title: **Resolution – Award of Construction Contract – Installation of HVAC Units at Human Services Building**

For Clerk's Use Only: Date: <u>AUG 12 2008</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	<p align="center">BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Donati</u> Seconded by (1) <u>O'Bannon</u> (2) _____ (2) _____</p> <p>REMARKS: <u>ADDED TO BID LIST</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"/>
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Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

WHEREAS, three (3) bids were received on July 31, 2008 in response to Bid Request No. 08-8427-5JK for installation of HVAC units at the Human Services Building:

<u>Bidder</u>	<u>Bid</u>
ColonialWebb Contractors Company	\$139,775
Waco, Inc.	\$195,000
R.S. Harritan & Company, Inc.	\$239,499

WHEREAS, after review and evaluation of all bids received, it was determined that **ColonialWebb Contractors Company** is the lowest responsive and responsible bidder with a bid in the amount of **\$139,775**.

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 installation of HVAC units at the Human Services Building is awarded to **ColonialWebb Contractors Company**, the lowest responsive and responsible bidder, in the amount of \$139,775, pursuant to Bid Request No. 08-8427-5JK, Addendum No. 1, and the bid submitted by **ColonialWebb Contractors Company**.

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

Routing:
Yellow to: _____
Copy to: _____

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

Date: _____

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

Agenda Item No. **242-08**
Page No. 2 of 2

Agenda Title: Resolution – Award of Construction Contract – Installation of HVAC Units at Human Services Building

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, in a form approved by the County Attorney, 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. 243-08

Page No. 1 of 2

Agenda Title: **RESOLUTION - Approval of the FY 2009 Community Services Board Performance Contract between the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services and Henrico Area Mental Health & Retardation Services Board**

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

WHEREAS, Virginia Code § 37.2-508 requires that a performance contract negotiated between the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services (the Department) and Henrico Area Mental Health & Retardation Services Board (HAMHRS) and approved by HAMHRS be submitted by HAMHRS for approval by formal vote of the governing body of each political subdivision that established HAMHRS; and,

WHEREAS, the County of Henrico, Charles City County and New Kent County, established HAMHRS in 1973; and,

WHEREAS, on May 6, 2008, the Department provided to HAMHRS a Letter of Notification setting out the amount of state and federal funding that would be available to HAMHRS during FY 2009; and,

WHEREAS, HAMHRS and the Department have negotiated a FY 2009 Community Services Board Performance Contract; and,

WHEREAS, HAMHRS approved the FY 2009 Community Services Board Performance Contract on July 24, 2008, and recommended it to the Boards of Supervisors of Henrico, Charles City, and New Kent Counties; and,

By Agency Head [Signature]

By County Manager [Signature]

Routing:

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Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 243-08

Page No. 2 of 2

**Agenda Title: RESOLUTION - Approval of the FY 2009 Community Services Board
Performance Contract between the Virginia Department of Mental Health, Mental
Retardation and Substance Abuse Services and Henrico Area Mental Health &
Retardation Services Board**

WHEREAS, the HAMHRS recommended FY 2009 Community Services Board Performance Contract is based on the requirements of § 37.2-508 of the Virginia Code, on the budget adopted by the Henrico County Board of Supervisors on April 22, 2008, on the Letter of Notification to HAMHRS for FY 2009, and on local contributions approved by the Charles City County Board of Supervisors and the New Kent County Board of Supervisors.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Henrico County that the Board approves the FY 2009 Community Services Board Performance Contract between the Virginia Department of Mental Health, Mental Retardation, and Substance Abuse Services and the Henrico Area Mental Health & Retardation Services Board in a form satisfactory to the County Attorney.

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



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 244-08
Page No. 1 of 1

Agenda Title: Introduction of Ordinance - To Amend and Reordain Section 22-356 of the Code of the County of Henrico Titled "Penalty" Reducing the Penalty for Parking in a Space Reserved for Persons with Disabilities Without Properly Displaying a Placard When the Placard is Present in the Vehicle.

For Clerk's Use Only:

Date: AUG 12 2008

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS

APPROVED

YES NO OTHER

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

The Clerk is directed to advertise, in the Richmond Times-Dispatch on August 26, 2008 and September 2, 2008, the following ordinance for a public hearing to be held at the Board Room on September 9, 2008 at 7:00 p.m.:

"AN ORDINANCE - to amend and reordain Section 22-356 of the Code of the County of Henrico titled "Penalty" reducing the penalty for parking in a space reserved for persons with disabilities without properly displaying a placard when the placard is present in the vehicle. A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

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

By Agency Head

By County Manager

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

BLACKLINE COPY

ORDINANCE - To amend and reordain Section 22-356 of the Code of the County of Henrico titled "Penalty" reducing the penalty for parking in a space reserved for persons with disabilities without properly displaying a placard when the placard is present in the vehicle.

AN ORDINANCE - To amend and reordain Section 22-356 of the Code of the County of Henrico titled "Penalty" reducing the penalty for parking in a space reserved for persons with disabilities without properly displaying a placard when the placard is present in the vehicle.

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

1. That Section 22-356 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 22-356. Penalty.

A violation of section 22-349 shall be punishable by a fine of not less than \$100.00 nor more than \$500.00. However, if there is a placard within a vehicle utilizing a parking space reserved for persons with disabilities, but that placard is not displayed as required by section 22-349, the fine shall be not less than \$20.00 nor more than \$50.00.

2. That this Ordinance shall be in full force and effect on and after its passage.

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



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 245-08
Page No. 1 of 1

Agenda Title: Resolution — Adoption of Henrico County Debris Management Plan

For Clerk's Use Only: Date: <u>AUG 12 2008</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Donati</u> (2) _____ (2) _____</p> <p>REMARKS: <u>APPROVED</u></p>	<table><thead><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr></thead><tbody><tr><td>Donati, J.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Kaechele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></tbody></table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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WHEREAS, the U.S. Federal Emergency Management Agency ("FEMA") is responsible for assisting communities during natural disasters and other emergencies; and,

WHEREAS, in June 2007, FEMA implemented the Public Assistance Pilot Program to encourage local governments to develop debris management plans to facilitate response and emergency activities in a cost-effective manner and to assist in restoring the affected community as much as possible; and,

WHEREAS, adoption of an approved plan will entitle the County to additional financial benefits in case of natural disaster or other emergency; and,

WHEREAS, the Division of Fire, with the Departments of Public Utilities, Finance, and Public Works and the Division of Recreation and Parks, has developed the Henrico County Debris Management Plan; and,

WHEREAS, FEMA has reviewed and approved the Plan.

NOW THEREFORE, BE IT RESOLVED that the Henrico County Board of Supervisors hereby adopts the Henrico County Debris Management Plan for use in natural disasters and other emergencies.

Comment: The Director of Public Utilities and the Fire Chief recommend approval, and the County Manager concurs.

By Agency Head

Arthur O. Petreni

By County Manager

David R. Hayes

Routing:

Yellow to: _____

Copy to: _____

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A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 246-08
Page No. 1 of 2

Agenda Title: **RESOLUTION — Signatory Authority — Award of Contract — Monumental Floral Gardens Phase 2 Sewer Rehabilitation — G.L. Howard, Inc.**

For Clerk's Use Only:

Date: **AUG 12 2008**

- ☐ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

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

WHEREAS, by Bid Request No. 08-8433-6CE, the County solicited bids for the Monumental Floral Gardens Phase 2 Sewer Rehabilitation Project in the Brookland District; and,

WHEREAS, the project includes the rehabilitation of approximately 11,255 linear feet of 8-inch diameter sewer main and 1,800 linear feet of 4-inch and 6-inch diameter sewer service laterals serving 116 individual customers with a cured-in-place liner; the removal and replacement of approximately 390 linear feet of 8-inch diameter sewer main and 340 linear feet of 4-inch and 6-inch diameter sewer service laterals serving 30 individual customers; the rehabilitation or replacement of 48 manholes; and the provision of associated pump-around, clearing, erosion control, and pavement restoration throughout the Monumental Floral Gardens area; and,

WHEREAS, two bids were opened on July 9, 2008, as follows:

<u>BIDS</u>	<u>BID AMOUNT</u>
G.L. Howard, Inc.	\$1,745,800.00
Lyttle Utilities, Inc.	\$ 1,787,000.00

WHEREAS, after a review of all bids received, County staff determined that G.L. Howard, 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 Monumental Floral Gardens Phase 2 Sewer Rehabilitation Project to the lowest responsive and responsible bidder, G.L. Howard, Inc., in the amount of \$1,745,800.00.

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, and the County Manager concurs.

By Agency Head

Arthur O. [Signature]

By County Manager

[Signature]

Routing:

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Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 247-08

Page No. 1 of 1

Agenda Title: **RESOLUTION — Amendment to Construction Services Agreement — Gambles Mill Outfall Sanitary Sewer Improvements — G.L. Howard, Inc.**

For Clerk's Use Only:

AUG 12 2008

Date:

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

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

WHEREAS, on April 25, 2006 the Board of Supervisors authorized a construction services agreement with G.L. Howard, Inc. for improvements to the Gambles Mill gravity outfall sanitary sewer; and,

WHEREAS, on March 27, 2007 the Board authorized additional work to increase the pipe size; to change the sequence of construction; and to pay for emergency repairs made to portions of the sewer main that collapsed on October 10, 2006; and,

WHEREAS, the County requires additional work to relocate an existing water main, install additional manhole drop connections, perform asphalt paving and curb & gutter replacement, and adjustment of contingent bid items; and,

WHEREAS, the cost of the additional work has been negotiated in the amount of \$27,258.70.

NOW, THEREFORE, BE IT RESOLVED by the Henrico County Board of Supervisors that the County Manager is authorized to execute an amendment to the agreement, in a form approved by the County Attorney, in the amount of \$27,258.70.

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

By Agency Head

Arthur O'Brien

By County Manager

David P. Howell

Routing:

Yellow to: _____

Copy to: _____

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Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda 248-08
Page No. 1 of 2

Agenda Title: **RESOLUTION — To Permit Additional Fine of \$200 for Speeding on Laurel Pine Drive**

For Clerk's Use Only: Date: <u>AUG 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>Thornton</u> (2) _____ (2) _____ REMARKS: APPROVED	<table><thead><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr></thead><tbody><tr><td>Donati, J.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Kaechele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></tbody></table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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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 Laurel Pine Drive 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

By County Manager

Routing:

Yellow to: _____

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Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. 248-08

Page No. 2 of 2

Agenda Title: RESOLUTION — To Permit Additional Fine of \$200 for Speeding on Laurel Pine Drive

WHEREAS, the citizens in the area of this road requesting the increased fine have collected signatures from 86% 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 Laurel Pine Drive 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.