

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
October 13, 2009

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, October 13, 2009 at 7:00 p.m. in the Board Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia.

Members of the Board Present:

David A. Kaechele, Chairman, Three Chopt District
Patricia S. O'Bannon, Vice-Chairman, Tuckahoe District
James B. Donati, Jr., Varina District
Richard W. Glover, Brookland District
Frank J. Thornton, Fairfield District

Other Officials Present:

Virgil R. Hazelett, P.E., County Manager
Joseph P. Rapisarda, Jr., County Attorney
Michael L. Wade, Sheriff
Tanya B. Harding, Administrative Assistant/Deputy Clerk to the Board
George T. Drumwright, Jr., Deputy County Manager County Manager for Human Services
Angela N. Harper, Deputy County Manager for Special Services
Robert K. Pinkerton, P.E., Deputy County Manager for Community Operations
Randall R. Silber, Deputy County Manager for Community Development

Mr. Kaechele called the meeting to order at 7:08 p.m. and led recitation of the Pledge of Allegiance.

Rev. Guy Holloway, Pastor of Grace Community Baptist Church, delivered the invocation.

On motion of Mr. Thornton, seconded by Mr. Glover, the Board approved the minutes of the September 22, 2009 Regular and Special Meetings.

The vote of the Board was as follows:

Yes: Kaechele, O'Bannon, Donati, Glover, and Thornton

No: None

MANAGER'S COMMENTS

There were no comments from the Manager.

BOARD OF SUPERVISORS' COMMENTS

Mr. Donati read a letter he received from Ross McKimmey, a Varina District resident, conveying thanks to the County's Department of Public Works for its great service in quickly responding to McKimmey's report of a dead tree endangering traffic on Berryhill Road. Mrs. O'Bannon noted a similar quick response by the Department last month to a report of a dead tree on her own street. Mr. Hazelett pointed to the huge difference in the quality and level of maintenance performed by the Department of Public Works along County roadways versus the situation that exists along State roads maintained by the Virginia Department of Transportation. Mr. Kaechele commented that litter and debris spilled along Nuckols Road near the County's landfill does not stay there long.

Mr. Thornton recognized the passing of Dr. Dorothy N. Cowling, an eminent educator who influenced students from the Henrico, Richmond, and Northern Neck areas. Dr. Cowling was the first female acting president of Virginia Union University.

Mr. Donati announced that a health and safety fair will be held at Henrico Fire Station #18 on the afternoon of October 18. The station is located in the Varina District on Darbytown Road. Representatives from an array of agencies and organizations will be present to talk to the public. Mr. Donati thanked the Division of Fire for sponsoring this event and encouraged Henrico citizens to attend.

RECOGNITION OF NEWS MEDIA

Mr. Kaechele recognized Katherine Calos from the *Richmond Times-Dispatch*.

PRESENTATIONS

Mr. Kaechele presented a proclamation recognizing October 18 – 24, 2009 as Energy Conservation Awareness Week. Accepting the proclamation was Jerry L. Walker, Energy Manager for the County's Department of General Services. Joining him was Paul N. Proto, Director of General Services; and William L. Smith, Deputy Director of General Services.

Mrs. O'Bannon presented a proclamation recognizing October 2009 as Domestic Violence Awareness Month. Accepting the proclamation were Pat Morris, a member of the Safe Harbor Board of Directors. Joining her was Shannon E. Heady, Executive Director of Safe Harbor; Angela Merritt Verdery, Deputy Director of Safe Harbor; Col. Henry W. Stanley, Jr., Chief of Police; Capt. John C. Coover, Commanding Officer for the Henrico Division of Police's Criminal Investigations Section; and Lt. K. Steven Schaaf, Commander of the Division's Violent Crimes Unit.

Mr. Hazelett interjected at this point in the meeting that Tanya Harding was taking on the duties this evening for Barry Lawrence, Clerk to the Board, who was absent due to illness.

PUBLIC HEARINGS - REZONING CASES AND PROVISIONAL USE PERMIT

251-09 CA, L.L.C.: Request to amend proffered conditions accepted with Rezoning
C-22C-09 Cases C-67C-03 and C-38C-06, on part of Parcel 762-773-4696, located at the
Brookland southeast intersection of Hunton Park Boulevard and Hunton Park Lane.

Joe Emerson, Director of Planning, clarified for Mr. Kaechele that this case would amend previously accepted proffers.

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

Mr. Glover commented that several meetings on the case were held with the existing residential community in the Villas and that the community was in agreement with the case. He noted how the case would benefit the community.

On motion of Mr. Glover, seconded by Mr. Thornton, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 251-09 (C-22C-09) with the following amended proffered conditions:

Applicable to RTHC District Only

2. **Architectural Treatment.** The two and three story townhouses constructed on the Property shall be substantially in conformance with the elevations filed with Case No. C-38C-06 or the additional elevation entitled "The Lafayette" attached hereto (see case file).
3. **Minimum Size.** The minimum finished floor area of a minimum of one hundred (100) units when aggregated with those units which were the subject of Case No. C-38C-06 shall be 2,925 square feet and shall have a minimum width of twenty-four (24) feet. The minimum finished floor area of the remaining units shall be 2,000 square feet and shall have a minimum width of twenty-four (24) feet.
18. **Sound Suppression.** Interior walls between units shall have a minimum sound transmission coefficient rating of 55. Exterior walls parallel or adjacent to Interstate 295 (i.e., the rear facade of the buildings M, N, O, P and Q as shown on POD-52-04 as amended — see case file) shall be standard construction with, at the option of the purchaser, the addition of an RC-1 sound attenuation channel creating a ½" dead air space, and with, at the option of the purchaser, windows installed in these walls having a minimum sound transmission coefficient rating of 32. A cross-sectional detail, reviewed and approved by a certified architect or engineer as the methodology to accomplish the sound coefficient rating if desired by the purchaser, shall be included in the building permit application.
25. **Security System.** At the option of the purchaser, a security system shall

be provided for each dwelling unit.

The vote of the Board was as follows:

Yes: Kaechele, O'Bannon, Donati, Glover, and Thornton

No: None

252-09 HHHunt Corporation: Request to amend proffered conditions accepted with
C-24C-09 Rezoning Case C-72C-05, on Parcels 746-769-5893, 746-769-5289, 746-769-
Three Chopt 4786, 746-769-4184, 746-769-2878, 746-769-2890, 746-769-4197, 746-770-
2806, 746-770-2317, 746-770-2222, 746-770-2128, 746-770-2034, 746-770-
2139, 746-770-2048, 746-770-1150, 745-770-9942, 745-770-9934, 746-770-
0129, 746-770-4605, 746-770-3446, 746-770-3436, 746-770-3430, 746-770-
3425, and 746-770-3768, located at the southeast intersection of Hickory Bend
Drive and Hickory Park Drive.

Mr. Emerson clarified for Mr. Kaechele the square footage requirements set forth in new proffer #7.

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

On motion of Mrs. O'Bannon, seconded by Mr. Donati, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 252-09 (C-24C-09) with the following proffered conditions:

1. Except as stated and amended herein, all proffers and conditions of the original zoning case C-72C-05 shall remain in effect and full force.
2. Proffer #7 of the original zoning case C-72C-05 shall be deleted in its entirety and replaced with the following:
 7. Square Footage. Homes shall have a minimum of 1,800 finished square feet on the first floor, or if there is not 1,800 square feet finished on the first floor, the home must have a minimum of 2,400 finished square feet of which a minimum of 1,600 must be finished on the first floor. Finished square footage shall be computed by dimensions taken from outside of finished wall to outside of finished wall and shall not include garage area.
3. Proffer #9 of the original zoning case C-72C-05 shall be deleted in its entirety.
4. The following is an additional proffered condition:
 19. Fences. Wooden fences are not permitted.

The vote of the Board was as follows:

Yes: Kaechele, O'Bannon, Donati, Glover, and Thornton

No: None

253-09 Bruce D. Perretz: Request for a Provisional Use Permit under Sections 24-
P-11-09 58.2(d), 24-120 and 24-122.1 of Chapter 24 of the County Code to permit outside
Three Chopt dining for a restaurant on part of Parcel 737-761-2086, located on the east line of
Lauderdale Drive approximately 480 feet north of Three Chopt Road (Shoppes at
Westgate).

Jean Moore, Assistant Director of Planning, confirmed for Mr. Kaechele that the applicant had agreed to the extensive list of conditions.

Mr. Kaechele commented that many restaurants in the Short Pump desire to have outdoor dining and that outdoor dining was appropriate for the high quality restaurant addressed by this case. He further commented that the Planning Department staff and applicant had worked together well on the case.

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

On motion of Mrs. O'Bannon, seconded by Mr. Donati, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 253-09 (P-11-09) with the following conditions:

1. No outdoor live music performances shall be permitted.
2. Any outside speakers or sound system shall comply with the following standards:
 - a. Sound systems shall be equipped with controls permitting full volume adjustment.
 - b. Sound from the system shall not be audible beyond 100 feet from the source.
 - c. Sound systems may be used only when outside dining is permitted.
3. The operator shall not permit food preparation outside the enclosed building.
4. The outdoor dining area shall not be in operation between 10:00 p.m. and 7:00 a.m.
5. The outdoor dining area shall be constructed in general conformance with the floor plan attached as "Exhibit A" (see case file).

6. Unless otherwise approved by the Director of Planning, the outdoor tables, chairs, and umbrellas shall be substantially similar to those submitted with this request (Exhibit B) (see case file).
7. The applicant shall obtain administrative approval from the Planning Department for the design and layout of the outdoor dining area.
8. The railing surrounding the outdoor dining area shall be limited to 42" in height and shall consist of commercial grade material for durability as shown in "Exhibit A" (see case file).
9. Outdoor lighting fixtures shall complement the style of building. Lighting fixtures shall be from a concealed source and shall not produce glare for motorists or pedestrians on the adjacent rights-of-way and parking areas and shall illuminate only the outdoor dining area.
10. Trash receptacles shall be provided and properly serviced to control litter generated by this use.
11. This permit shall apply only to the tenant space to be occupied by Anokha and shall not apply to any other business in the overall shopping center.
12. Access to the outdoor dining area shall be available only through the interior of the restaurant, except during an emergency when a patio fence exit gate may be utilized.
13. Prior to operation, the applicant shall consult with the Special Services Unit within the Division of Police to discuss crime prevention recommendations and conduct a security survey of the property and restaurant operations. The applicant shall implement mutually agreed upon security recommendations.
14. Prior to the construction of the outdoor dining area, the stairs and the adjacent crosswalk north of the outdoor dining area shall be removed. *Plantings consistent with the existing landscaping on either side of the stairs shall be planted in place of the stairway.*

The vote of the Board was as follows:

Yes: Kaechele, O'Bannon, Donati, Glover, and Thornton

No: None

PUBLIC HEARING – OTHER ITEM

254-09 Ordinance - To Amend and Reordain Section 6-117 Titled "Blighted property defined," Section 6-118 Titled "Procedures for declaring blight; notification of owner; public hearing," and Section 6-119 Titled "Declaration of nuisance" of the

Code of the County of Henrico, All to Revise the County's Buildings Ordinance to Comply with Recent Changes Enacted by the General Assembly.

Greg Revels, Building Official, clarified for Mr. Kaechele that the Board held a work session on this proposed ordinance on September 8, 2009. He confirmed for Mrs. O'Bannon that what was being proposed was a housekeeping revision to make the County's ordinance compliant with the Code of Virginia.

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

On motion of Mr. Glover, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 254-09 – see attached resolution.

PUBLIC COMMENTS

There were no comments from the public.

GENERAL AGENDA

255-09 Introduction of Ordinance – To Amend and Reordain Section 20-599 of the Code of the County of Henrico Titled “Deduction of receipts taxed by other jurisdiction” Relating to Deductions from Gross Receipts of Contractors and Speculative Builders.

Mr. Hazelett clarified that the public hearing for this proposed ordinance would be held on November 10, 2009.

Ed Trice, Revenue Division Director for the Department of Finance, confirmed for Mr. Hazelett that the public hearing for this proposed ordinance will be held on November 10, 2009. He responded to a question from Mrs. O'Bannon regarding the Supreme Court case that precipitated the ordinance.

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 255-09 – see attached introduction of ordinance.

256-09 Introduction of Ordinance – To Amend and Reordain Sections 20-311, 20-312, 20-313, 20-314, 20-316, 20-317, 20-318, 20-320, 20-321, 20-325 and 20-327 of the Code of the County of Henrico Titled Respectively “Definitions,” “Levy; amount,” “Taxation of rental property other than daily rental property,” “Application for certificate of registration,” “Collection and remittance; returns,” “Records,” “Procedure upon failure to file return or filing of false return,” “Exemptions,” “Collection without certificate of registration prohibited,” “Bond,” and “Period of limitations,” All Relating to Short-term Rental Property Tax.

In response to a question from Mr. Kaechele, Mr. Trice offered a couple of examples of the types of companies subject to the short-term rental property tax.

On motion of Mrs. O'Bannon, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 256-09 – see attached introduction of ordinance.

257-09 Resolution – Signatory Authority – Second Amendment to Contract for Architectural and Engineering Services – Fire Station #7.

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 257-09 – see attached resolution.

258-09 Resolution – Award of Construction Contract – Fire Station #8.

Paul Proto, Director of General Services, responded to comments from the Board relating to the current bid market and range of the bids for this contract.

On motion of Mrs. O'Bannon, seconded Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 258-09 – see attached resolution.

259-09 Resolution – Award of Contract – Services for the Location and Designation of Subsurface Utilities.

Mr. Proto confirmed for Mr. Kaechele that this contract would apply to all utilities being marked for County projects. He also responded to a question from Mr. Kaechele regarding the role of Miss Utility.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 259-09 – see attached resolution.

260-09 Resolution – Award of Contract for Engineering Services – Commissioning Agent.

Mr. Proto and Mr. Hazelett responded to questions from the Board pertaining to the services that would be provided by the contractor, how the County benefits from this type of contract, and how the contract would augment the County's Leadership in Energy and Environmental Design (LEED) certification program.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 260-09 – see attached resolution.

261-09 Resolution - To Accept the FY2010 Virginia Office of the Attorney General, TRIAD Crime Prevention for Seniors Grant Award.

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

the Board approved Agenda Item No. 261-09 – see attached resolution.

- 262-09 Resolution - To Accept the FY2009 Edward Byrne Memorial Justice Assistance Grant (JAG) Program: Local Solicitation Award to the County of Henrico, Division of Police, for Specialized Police-Related Equipment.

Col. Henry Stanley, Chief of Police, clarified for Mr. Kaechele that this grant program is provided through the United States Department of Justice.

On motion of Mr. Glover, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 262-09 – see attached resolution.

- 263-09 Resolution – Signatory Authority – Rental Agreement – North Gayton Road Extension Project – Three Chopt District.

On motion of Mrs. O'Bannon, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 263-09 – see attached resolution.

- 264-09 Resolution - Award of Construction Contract - Foxhill Townhouses Water Service Replacement – G. L. Howard, Inc.

Bill Mawyer, Assistant Director of Public Utilities, and Mr. Hazelett responded to a number of questions from the Board relating to the size, type, and depth of the new pipe that would be used in this project; the age of the existing pipe proposed for replacement; existing standards for water service line connections; problems the County has experienced with plastic pipes versus copper pipes; the freeze line for water pipes; and the type of water pipe used on residential properties between the County's meter box and private homes.

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 264-09 – see attached resolution.

- 265-09 Resolution - Award of Construction Contract - River Road Roadway Improvements from Roslyn Hills Drive to Ralston Road. Project #2111.50709.28004.00682 (formerly #502153-709-301-04). Tuckahoe District.

Mrs. O'Bannon noted that this project was first brought to her attention in 1995 by citizens along River Road who were concerned about insufficient site distance at the intersections of their subdivisions with River Road. She further noted that the County had held many meetings with citizens to work out the details of the project, the citizens understood the need for the project, and the lowest bid for the project had come in at just one-half of its estimated cost.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 265-09 – see attached resolution.

Mrs. O'Bannon commented on the timing of the project in response to a question from Mr. Kaechele. Mr. Foster confirmed for Mr. Hazelett that the project's estimated \$700,000 utility relocation cost is not included in this contract.

266-09 Resolution - Award of Annual Contract - Engineering Services - Bridge and Major Drainage Structures Design and Repair Projects.

Mr. Foster clarified that AECOM was the County's previous bridge contractor under the name of Earth Tech. He responded to questions from Mr. Kaechele concerning the scope of the contract.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 266-09 – see attached resolution.

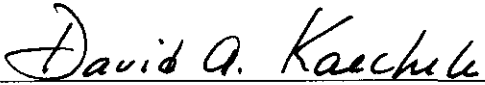
267-09 Resolution - To Permit Additional Fine of \$200 for Speeding on Blue Jay Lane, Notre Dame Drive, Camden Drive, and a Portion of Rolando Drive.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 267-09 – see attached resolution.

268-09 Resolution - Acceptance of Roads.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 268-09 – see attached resolution.

There being no further business, the meeting was adjourned at 8:08 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia

Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

ENERGY CONSERVATION AWARENESS WEEK

October 18 – 24, 2009

WHEREAS, the United States Department of Energy sponsors national observance of Energy Awareness Month each year during the month of October; and

WHEREAS, energy efficiency and protection of the environment are important to the County of Henrico; and

WHEREAS, sustainable energy management reduces green house gases and air pollution; and

WHEREAS, the County's Board of Supervisors and staff are committed to making energy resources available and affordable to our citizens; and

WHEREAS, the Board is also committed to making positive changes in our energy culture through sustainable strategies such as Leadership in Energy and Environmental Design (LEED) certification; and

WHEREAS, the County is proud to join nationwide and statewide efforts to promote energy efficiency and environmental stewardship by conducting facility energy audits and holding an annual energy symposium; and

WHEREAS, County staff and Henrico citizens can do their part by properly managing energy in their everyday operations; and

WHEREAS, the County of Henrico will be hosting its Fifth Annual Energy Symposium on October 21, 2009 at Three Lakes Park and on October 22, 2009 at the Henrico County Administration Building.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Supervisors of Henrico County, Virginia hereby recognizes October 18 – 24, 2009 as Energy Conservation Awareness Week and encourages all residents and employees to reduce their energy use and conserve our beautiful environment.



David A. Kaechele

David A. Kaechele, Chairman
Board of Supervisors

Barry R. Lawrence

Barry R. Lawrence, Clerk
October 13, 2009

Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

DOMESTIC VIOLENCE AWARENESS MONTH

October 2009

WHEREAS, domestic violence is a pervasive social issue affecting people of all ages, races, religions, cultures, and economic backgrounds; and

WHEREAS, the crime of domestic violence violates an individual's privacy, safety, and dignity and has a serious physical, emotional, social, sexual, psychological, and economic impact on victims, families, neighborhoods, workplaces, and communities; and

WHEREAS, children who are subjected to domestic violence often grow up to inflict violence on others, creating a cycle that must be stopped through prevention and early education and by developing positive opportunities; and

WHEREAS, the local economy endures losses due to the effect of domestic violence on businesses in the form of absenteeism, reduced efficiency, lost wages, sick leave, security costs, and health care; and

WHEREAS, the County of Henrico is committed to prioritizing the problem of domestic violence in our community by increasing public awareness and providing education to our citizens; and

WHEREAS, Henrico citizens can make a difference in the lives of families experiencing domestic and sexual violence and can play an important role in preventing and eradicating this violence.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Supervisors of Henrico County, Virginia hereby recognizes October 2009 as Domestic Violence Awareness Month and acknowledges the ongoing and coordinated efforts of local domestic violence service providers and the community in addressing the problem of domestic violence.



David A. Kaechele

David A. Kaechele, Chairman
Board of Supervisors

Barry R. Lawrence

Barry R. Lawrence, Clerk
October 13, 2009



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 264-09
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Agenda Title: **ORDINANCE — To Amend and Reordain Section 6-117 Titled “Blighted property defined,” Section 6-118 Titled “Procedures for declaring blight; notification of owner; public hearing,” and Section 6-119 Titled “Declaration of nuisance” of the Code of the County of Henrico, All to Revise the County’s Buildings Ordinance to Comply with Recent Changes Enacted by the General Assembly**

For Clerk’s Use Only:

OCT 13 2009

Date: _____

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

BOARD OF SUPERVISORS ACTION

Moved by (1) Clover Seconded by (1) Donati
(2) _____ (2) _____

REMARKS:

APPROVED

YES NO OTHER

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

AN ORDINANCE to amend and reordain Section 6-117 titled “Blighted property defined,” Section 6-118 titled “Procedures for declaring blight; notification of owner; public hearing,” and Section 6-119 titled “Declaration of nuisance” of the Code of the County of Henrico, all to revise the County’s buildings ordinance to comply with recent changes enacted by the General Assembly

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

1. That Section 6-117 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 6-117. Blighted property defined.

A blighted property is a property with a building or improvement that by reason of dilapidation, obsolescence, overcrowding, faulty arrangement of design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, is detrimental to the safety, health, morals or welfare of the community any individual commercial, industrial, or residential structure or improvement that endangers the public’s health, safety, or welfare because the structure or improvement upon the property is dilapidated, deteriorated, or violates minimum health and safety standards, or any structure or improvement previously designated as blighted

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. 254-09
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Agenda Title: **Ordinance - To Amend and Reordain Section 6-117 Titled "Blighted property defined," Section 6-118 Titled "Procedures for declaring blight; notification of owner; public hearing," and Section 6-119 Titled "Declaration of nuisance" of the Code of the County of Henrico, All to Revise the County's Buildings Ordinance to Comply with Recent Changes Enacted by the General Assembly**

under the process for determination of "spot blight." Any property which meets the above definition or criteria 1 and 2 below, or three or more of criteria 2 through 9 below, may be declared blighted:

- 1) ~~Condemned structure -- A structure on the property has been condemned as unfit for human occupancy by the building official in accordance with the Virginia Uniform Statewide Building Code, but the building official is unable to find that the criteria for demolition have been met, and the owner has failed to take corrective action as directed by the building official;~~
- 2) ~~Vacant structure -- The structure on the property has been continuously vacant for at least one year;~~
- 3) ~~Nonpayment of taxes -- Real estate taxes have not been paid on the property for at least two consecutive years;~~
- 4) ~~Rat and rodent infestation -- There is evidence of rat or rodent infestation or harborages caused by conditions on the property that violate one or more county ordinances;~~
- 5) ~~Previous citations -- The property has been used or maintained in a condition which has resulted in the following actions:~~
 - a) ~~The owner has been cited on at least three separate occasions because activities or conditions on the property violate state or county criminal laws, or county ordinances governing the use or maintenance of property, and those activities or conditions threaten the public health, safety, morals, and welfare of the community, and~~
 - b) ~~The owner has refused to abate violations as ordered by the court, or has repeated conduct for which the owner has been convicted of violating county ordinances in the past.~~
- 6) ~~Inadequate utilities -- The property has inadequate sewerage, plumbing or heating facilities;~~
- 7) ~~Potential trespass -- If the property is vacant, the owner has failed to take adequate precautions to prevent the use of the property by trespassers;~~

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
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Agenda Item No. 254-09
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Agenda Title: **Ordinance - To Amend and Reordain Section 6-117 Titled "Blighted property defined," Section 6-118 Titled "Procedures for declaring blight; notification of owner; public hearing," and Section 6-119 Titled "Declaration of nuisance" of the Code of the County of Henrico, All to Revise the County's Buildings Ordinance to Comply with Recent Changes Enacted by the General Assembly**

- ~~8) Nuisance to children — A potential attractive nuisance to children exists on the property, including, but not limited to, abandoned wells, basements, excavations, or broken fences; and~~
- ~~9) Fire hazard — Any condition exists on the property that has been specifically identified as a fire hazard by the division of fire or the building official.~~

2. That Section 6-118 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 6-118. Procedures for declaring blight; notification of owner; public hearing.

- (a) The county manager or his designee shall make a preliminary determination that a property is blighted in accordance with section 6-117. The county manager or his designee shall notify the owner by regular and certified **mail sent to the last address shown on the county's assessment records**, specifying the reasons why the property is considered blighted. ~~The notice mailed to the owner also shall be posted on the property. The owner shall have 30 days within which to respond~~ **in writing** with a plan to cure the blight within a reasonable time.
- (b) If the owner fails to respond within the 30-day period with a plan that is acceptable to the county manager or his designee, the county manager or his designee may **prepare a proposed plan to abate the spot blight**, (i) request the planning commission to conduct a public hearing and make findings and recommendations that shall be reported to the board of supervisors concerning the clearing or repair of the property in question **to declare the property is blighted by ordinance, and request the board of supervisors to approve the proposed plan to abate the spot blight.** and (ii) if a public hearing is scheduled, shall prepare a plan for the clearing or repair of the property. **The county manager or his designee shall send written notice and the proposed plan to the owner before the board of supervisors acts on the ordinance and proposed plan.**
- ~~(c) Not less than three weeks prior to the date of the public hearing before the planning commission, the commission shall provide, by regular and certified mail, notice of such hearing to (i) the owner of the blighted property or the agent designated by him for receipt of service of notices concerning the payment of real estate taxes on the property; (ii) the abutting property owners in each direction;~~

COUNTY OF HENRICO, VIRGINIA
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Agenda Item No. 254-09
Page No. 4 of 5

Agenda Title: **Ordinance - To Amend and Reordain Section 6-117 Titled "Blighted property defined," Section 6-118 Titled "Procedures for declaring blight; notification of owner; public hearing," and Section 6-119 Titled "Declaration of nuisance" of the Code of the County of Henrico, All to Revise the County's Buildings Ordinance to Comply with Recent Changes Enacted by the General Assembly**

~~including these property owners immediately across the street or road from the property; and (iii) the representative neighborhood association, if any, for the immediate area. The notice shall include the plan for the intended clearing or repair of such property. The notice of the public hearing shall be published at least twice, with not less than six days elapsing between the first and second publication, in a newspaper published or having general circulation in the county. The notice also shall be posted on the property. The notice shall specify the time and place of the hearing at which persons affected may appear and present their views, not less than six days nor more than 21 days after the second publication.~~

~~(d) The planning commission shall determine whether:~~

- ~~1. The owner has failed to cure the blight or present a reasonable plan to do so;~~
- ~~2. The property is blighted;~~
- ~~3. The plan for the clearing or repair of the property is in accordance with the county's comprehensive plan, zoning ordinance, and other applicable land use regulations; and~~
- ~~4. The property is located within an area listed on the National Register of Historic Places.~~

~~(ec) The planning commission shall report its findings and recommendations concerning the property to the board of supervisors. The board of supervisors, upon receipt of such findings and recommendations, may, after an advertised public hearing, affirm, modify, or reject the planning commission's findings and recommendations. If the clearing or repair of the property is approved **the board of supervisors declares the property is blighted by ordinance and approves the proposed plan**, the county may carry out the approved plan to clear or repair the property in accordance with the approved plan, the provisions of this section, and applicable law. The county shall have a lien on all property so cleared or repaired under an approved plan to recover the cost of demolition or improvements made by the county to bring the blighted property into compliance with applicable building codes. **The lien on such property shall bear interest at the legal rate of interest established in section 6.1-330.53 of the Code of Virginia, beginning on the date the repairs are completed through the date on which the lien is paid.** The lien authorized by this subsection shall be filed in the circuit court and shall be subordinate to any prior liens of record **treated in all**~~

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 254-09
Page No. 5 of 5

Agenda Title: **Ordinance - To Amend and Reordain Section 6-117 Titled "Blighted property defined," Section 6-118 Titled "Procedures for declaring blight; notification of owner; public hearing," and Section 6-119 Titled "Declaration of nuisance" of the Code of the County of Henrico, All to Revise the County's Buildings Ordinance to Comply with Recent Changes Enacted by the General Assembly**

respects as a tax lien and enforceable in the same manner as provided by law. The county may recover its costs of clearing or repair from the owner of record of the property when the clearing or repairs were made at such time as the property is sold or disposed of by such owner. The costs of clearing or repair shall be recovered from the proceeds of any such sale.

3. That Section 6-119 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 6-119. Declaration of nuisance.

In lieu of the exercise of powers granted in sections 6-116 through 6-118, the board of supervisors, by ordinance, may declare any blighted property to constitute a nuisance, and thereupon abate the nuisance pursuant to state law. Such ordinance shall be adopted only after written notice by certified mail to the owner or owners at the last known address of such owner as shown on the current real estate tax assessment books or current real estate tax assessment records. **If the owner does not abate or remove the nuisance and the county abates or removes the nuisance at its expense, the costs of abatement or removal shall be a lien on the property and the lien shall bear interest at the legal rate of interest established in section 6.1-330.53 of the Code of Virginia, beginning on the date the abatement or removal is completed through the date on which the lien is paid.**

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



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 255-09
Page No. 1 of 1

Agenda Title: **Introduction of Ordinance - To Amend and Reordain Section 20-599 of the Code of the County of Henrico Titled "Deduction of receipts taxed by other jurisdiction" Relating to Deductions from Gross Receipts of Contractors and Speculative Builders.**

For Clerk's Use Only:

Date: **OCT 13 2009**

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

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

The Clerk is directed to advertise, in the Richmond Times-Dispatch on October 20, 2009 and October 27, 2009, the following ordinance for a public hearing to be held at the Board Room on November 10, 2009 at 7:00 p.m.:

"AN ORDINANCE to amend and reordain Section 20-599 of the Code of the County of Henrico titled 'Deduction of receipts taxed by other jurisdiction' relating to deductions from gross receipts of contractors and speculative builders. A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

Comments: The Director of Finance recommends approval of this Board paper; 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 20-599 of the Code of the County of Henrico Titled "Deduction of receipts taxed by other jurisdiction" Relating to Deductions from Gross Receipts of Contractors and Speculative Builders.

AN ORDINANCE to amend and reordain Section 20-599 of the Code of the County of Henrico titled "Deduction of receipts taxed by other jurisdiction" relating to deductions from gross receipts of contractors and speculative builders.

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

1. That Section 20-599 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-599. ~~Deduction of r~~Receipts taxed by **for business done in** other jurisdictions.

In computing the license tax of a contractor or speculative builder whose principal office or branch office is located in the county, there shall be exempt from the basis of taxation the amount of business done in any other city, town or county **in which the contractor or speculative builder has (i) a definite place of business or (ii) no definite place of business and** upon which a local license tax has been assessed as provided in Code of Virginia, § 58.1-3715.

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

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



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 256-09
Page No. 1 of 1

Agenda Title: **Introduction of Ordinance – To Amend and Reordain Sections 20-311, 20-312, 20-313, 20-314, 20-316, 20-317, 20-318, 20-320, 20-321, 20-325 and 20-327 of the Code of the County of Henrico Titled Respectively “Definitions,” “Levy; amount,” “Taxation of rental property other than daily rental property,” “Application for certificate of registration,” “Collection and remittance; returns,” “Records,” “Procedure upon failure to file return or filing of false return,” “Exemptions,” “Collection without certificate of registration prohibited,” “Bond,” and “Period of limitations,” All Relating to Short-term Rental Property Tax.**

For Clerk's Use Only:

OCT 13 2009

Date: _____

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

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Glover
(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 October 20, 2009 and October 27, 2009, the following ordinance for a public hearing to be held at the Board Room on November 10, 2009 at 7:00 p.m.:

"AN ORDINANCE to amend and reordain Sections 20-311, 20-312, 20-313, 20-314, 20-316, 20-317, 20-318, 20-320, 20-321, 20-325 and 20-327 of the Code of the County of Henrico titled respectively "Definitions," "Levy; amount," "Taxation of rental property other than daily rental property," "Application for certificate of registration," "Collection and remittance; returns," "Records," "Procedure upon failure to file return or filing of false return," "Exemptions," "Collection without certificate of registration prohibited," "Bond," and "Period of limitations," all relating to short-term rental property tax. A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

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

By Agency Head _____

By County Manager _____

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

Ordinance to amend and reordain Sections 20-311, 20-312, 20-313, 20-314, 20-316, 20-317, 20-318, 20-320, 20-321, 20-325 and 20-327 of the Code of the County of Henrico titled respectively "Definitions," "Levy; amount," "Taxation of rental property other than daily rental property," "Application for certificate of registration," "Collection and remittance; returns," "Records," " Procedure upon failure to file return or filing of false return," "Exemptions," "Collection without certificate of registration prohibited," "Bond," and "Period of limitations," all relating to short-term rental property tax.

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

1. That Section 20-311 of the Code of the County of Henrico be amended and reordained as follows:

ARTICLE X. ~~DAILY~~ SHORT-TERM RENTAL PROPERTY TAX

Sec. 20-311. Definitions. Short-term rental property; short-term rental business.

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

(a) Daily~~Short-term~~ rental property means all tangible personal property held for rental and owned by a person engaged in the short-term rental business, except trailers as defined in Code of Virginia, § 46.2-100, as amended, and other tangible personal property required to be licensed or registered with the state department of motor vehicles, the state department of game and inland fisheries, or the state department of aviation.

(b) A person is engaged in the ~~Short~~short-term rental business. ~~A person is engaged in the short-term rental business if:~~

(1) ~~not~~Not less than 80 percent of the gross rental receipts of such business in ~~any~~during the preceding year are from transactions involving the rental of short-term rental property, other than heavy equipment property, for rental periods of 92 consecutive days or less, including all extensions and renewals to the same person or a person affiliated with the ~~lessor~~lessee; or

(2) Not less than 60 percent of the gross rental receipts of such business during the preceding year are from transactions involving the rental of heavy equipment property for periods of 270 consecutive days or less, including all extensions and renewals to the same person or a person affiliated with the lessee. For purposes of this subdivision, "heavy equipment property" means rental property of an industry that is described under

code 532412 or 532490 of the 2002 North American Industry Classification System as published by the United States Census Bureau, excluding office furniture, office equipment, and programmable computer equipment and peripherals as defined in Code of Virginia § 58.1-3503 A 16, as amended.

(c) For purposes of determining whether a person is engaged in the short-term rental business as defined in subsection (b), (i) a person is ~~The term "affiliated," for purposes of this subsection with the lessee of rental property if such person is an officer, director, partner, member, shareholder, parent or subsidiary of the lessee, or if such person and the lessee have~~ shall mean any common ownership interest in excess of five percent, of any officers or partners in common with the lessor and lessee ~~(ii) For purposes of this subsection, any rental to a person affiliated with the lessor-lessee shall be treated as rental receipts but shall not qualify for purposes of the 80 percent requirement~~ of subdivision (1) of subsection (b) or the 60 percent requirement of subdivision (2) of subsection (b), and (iii) any rental of personal property which also involves the provision of personal services for the operation of the personal property rented shall not be treated as gross receipts from rental-, provided however that ~~For purposes of this subsection, the delivery and installation of tangible personal property shall not mean operation~~ for the purposes of this subsection. ~~For purposes of this article, the term "gross proceeds" means the total amount charged to each person for the rental of daily rental property, excluding any state and local sales tax paid pursuant to the Virginia Retail Sales and Use Tax Act, Code of Virginia, § 58.1-600 et seq.~~

(d) A person who has not previously been engaged in the short-term rental business who applies for a certificate of registration pursuant to § 20-314 shall be eligible for registration upon his certification that he anticipates meeting the requirements of a specific subdivision of subsection (b), designated by the applicant at the time of application, during the year for which registration is sought.

(e) In the event that the director of finance makes a written determination that a rental business previously certified as a short-term rental business under § 20-315 has failed to meet either of the tests set forth in subsection (b) during a preceding tax year, such business shall lose its certification as a short-term rental business and shall be subject to the business personal property tax with respect to all rental property for the tax year in which such certification is lost and any subsequent tax years until such time as the rental business obtains recertification under § 20-315. In the event that a rental business loses its certification as a short-term rental business pursuant to this subsection, such business shall not be required to refund to customers daily rental property taxes previously collected in good faith and shall not be subject to assessment for business personal property taxes with respect to rental property for tax years preceding the year in which the certification is lost unless the director of finance makes a written determination that the business obtained its certification by knowingly making materially false statements in its application, in which case the director of finance may assess the taxpayer the amount of the difference between short-term rental property taxes remitted by such business during the period in which the taxpayer wrongfully held certification and the business personal property taxes that would have been due during such period but for the certification obtained by the making of the materially false statements. Any such assessment, and any determination not to certify or to decertify a rental business as a short-term rental business as defined in this section, may

be appealed pursuant to the procedures and requirement in Code of Virginia, § 58.1-3983.1, as amended, for appeals of local business taxes, which shall apply mutatis mutandis to such assessments and certification decisions.

(f) A rental business that has been decertified under the provision of subsection (e) shall be eligible for recertification for a subsequent tax year upon a showing that it has met one of the tests provided in subsection (b) for at least ten months of operations during the present tax year.

2. That Section 20-312 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-312. Levy; amount.

Pursuant to Code of Virginia, § 58.1-3510.46 **A**, as amended, for each tax year, there is hereby levied and imposed **a tax of one percent** on the gross proceeds **arising from rentals** of every person engaged in the short-term rental business ~~a tax of one percent of such gross proceeds~~. Such tax shall be in addition to the tax levied pursuant to Code of Virginia, § 58.1-605, as amended. **"Gross proceeds" means the total amount charged to each person for the rental of short-term rental property, excluding any state and local sales tax paid under the provisions of Code of Virginia, Title 58.1, Chapter 6. The imposition and collection of a short-term rental property tax under this article with respect to rental property shall be in lieu of taxation of such rental property as tangible business personal property in the same tax year.**

3. That Section 20-313 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-313. Taxation of rental property other than daily rental property.

~~Except for daily rental passenger cars~~**vehicles**, all rental property ~~not meeting the definition of daily rental property provided in section 20-311 shall be classified for taxation pursuant to Code of Virginia, § 58.1-3503, as amended~~**shall be classified, assessed and taxed as tangible personal property if such property (i) is owned and rented by a person not engaged in the short-term rental business, as defined in § 20-311; or (ii) has acquired situs in the Commonwealth and is owned and rented by a person who does not collect and remit to a locality within the Commonwealth a short-term rental property tax with respect to the rental of such property.**

4. That Section 20-314 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-314. Application for certificate of registration.

(a) Every person engaging in the business of short-term rental shall file annually an application for a certificate of registration with the director of finance for each place of business in the county from which short-term rental business will be conducted by the applicant. Such application shall be

filed by December 1 of the year preceding or within 30 days of the beginning of a short-term rental business. The application shall be on a form prescribed by the director of finance and shall set forth the name under which the applicant operates or intends to operate the rental business, the location of the business, the subdivision of § 20-311 (b) under which the business asserts that it is qualified for certification as a short-term rental business, and such other information as the director of finance may require.

(b) A list of rental inventory and copies of the applicant's standard rental contracts shall be submitted with each application.

(c) Each applicant shall sign the application as owner of the rental business. If the rental business is owned by an association, partnership, limited liability company or corporation, the application shall be signed by a member, partner, executive officer or other person specifically authorized by the association, partnership, limited liability company or corporation to sign.

5. That Section 20-316 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-316. Collection and remittance; returns.

Every person engaged in the short-term rental business shall collect the daily short-term rental property tax from the lessee of the daily short-term rental property at the time of the rental. The lessor of the daily short-term rental property shall transmit a quarterly return to the director of finance, indicating the gross proceeds derived from the short-term rental business, and shall remit therewith the payment of such tax as is due for the quarter. The quarterly returns and payment of tax shall be filed with the director of finance on or before April 2015, July 2015, October 2015 and January 2015, representing, respectively, the gross proceeds and taxes collected during the preceding quarters ending March 31, June 30, September 30 and December 31. The tax imposed by this article shall become delinquent for each quarter on April 2416, July 2416, October 2416 and January 2416. The return shall be upon such forms and set forth such information as the director of finance may require, showing the amount of gross proceeds and the tax required to be collected. The taxes required to be collected under this article shall be deemed to be held in trust by the business required to collect such taxes until remitted as required in this article. Any person who neglects, fails or refuses to collect the tax imposed by this article shall be liable for and pay the tax himself.

6. That Section 20-317 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-317. Records.

(a) *Record of transactions.* The person collecting the daily short-term rental property tax shall maintain a record of all rental transactions for which this tax is collected, which record shall contain:

- (1) A description of the property rented;
- (2) The period of time for which the property was rented;
- (3) The name of the person to whom the property was rented; and

(4) The amount charged for each rental, including all late charges, penalties and interest.

(b) *Record of exemptions.* In addition to the information specified in subsection (a) of this section, every person engaged in a short-term rental business shall maintain a complete record of all exemptions from payment of this tax granted to renters of short-term rental property, including:

- (1) A copy of the state department of taxation tax exemption certificate; or
- (2) A copy of the U.S. State Department tax exemption certificate, which U.S. State Department card must specify the renter by name as exempt from sales tax; or
- (3) Other explanation and proof of claimant exemption.

7. That Section 20-318 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-318. Procedure upon failure to file return or filing of false return.

Except as otherwise provided in § 20-311 (e), if ~~If~~ any person, whose duty it is so to do, shall fail or refuse to file within the time provided in this article the returns required in this article or files a return that is false or fraudulent, it shall be the duty of the director of finance to make an estimate for the taxable period of the gross proceeds of such person and assess the tax plus such penalties and interest as are provided in this article. The director of finance shall give the person ten days' notice in writing requiring such person to appear before him with such books, records and papers as he may require relating to the business for the taxable period. The director of finance may require the person or his agents and employees to give testimony or to answer interrogatories under oath administered by the director of finance respecting such gross proceeds or the failure to make a return thereof as provided in this article. If any person fails to make any such return or refuses to permit an examination of his books, records or papers or to appear and answer questions within the scope of such investigation, the director of finance shall proceed to make an assessment based upon such information as may be available to him. The assessment so made shall be deemed prima facie correct.

8. That Section 20-320 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-320. Exemptions.

No tax shall be collected or assessed on rentals by the state, any political subdivision of the state or the United States or any rental of durable medical equipment as defined in subdivision ~~210~~ **210** of Code of Virginia, § 58.1-609.7**10**, as amended. Additionally, all exemptions applicable in Code of Virginia, §§ 58.1-609.1--58.1-609.10**1**, as amended, shall apply mutatis mutandis to the daily rental property tax.

9. That Section 20-321 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-321. Collection without certificate of registration prohibited.

No person renting any property or service to any other person shall collect from the lessee the daily rental property tax authorized by this article unless he has a valid certificate of registration issued for the current year by the director of finance. **Except as otherwise provided in § 20-311 (e), any** Any payments collected by any person, certified or uncertified, in a manner not authorized by law shall be refunded to such lessees as can be identified, with the remainder forfeited to the county.

10. That Section 20-325 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-325. Bond.

The director of finance, when in his judgment it is necessary and advisable so to do in order to secure the collection of the daily **short-term** rental tax, may require any person subject to such tax to file with him a bond with such surety as the director of finance determines is necessary to cover the payment of the tax, penalty or interest due or which may become due from such person.

11. That Section 20-327 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 20-327. Period of limitations.

Except as otherwise provided in § 20-311 (e), the The tax imposed by this article shall be assessed within three years from the date on which such taxes became due and payable. ~~In, or in~~ the case of a false or fraudulent return with intent to evade payment of the tax imposed by this article, or a failure to file a return, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time within six years from such date. The director of finance shall not examine any person's records beyond the three-year period of limitations unless he has reasonable evidence of fraud or reasonable cause to believe that such person was required by law to file a return and failed to do so.

12. That this ordinance shall be effective for tax years beginning on and after January 1, 2009.

Comments: The Director of Finance recommends approval of this Board paper; the County Manager concurs



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 257-09

Page No. 1 of 1

Agenda Title: **Resolution – Signatory Authority – Second Amendment to Contract for Architectural and Engineering Services – Fire Station #7**

For Clerk's Use Only: Date: OCT 13 2009 <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Donati</u> Seconded by (1) <u>O'Bannon</u> (2) _____ (2) _____ REMARKS: APPROVED	<table><thead><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr></thead><tbody><tr><td>Donati, J.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Kaechele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></tbody></table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		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 June 24, 2008 the Board of Supervisors awarded a contract in the amount of \$310,000 to RP Hughes Architects, Inc. for architectural and engineering services for design and construction administration services for Fire Station #7; and,

WHEREAS, on January 27, 2009 the Board of Supervisors approved an amendment in the amount of \$58,000 for additional services relating to LEED design and certification; and,

WHEREAS, it is necessary and desirable to further amend the contract in order to provide for additional architectural and engineering services for the analysis of the off-site stormwater drainage; design improvements which may be necessary as a result of the fire station's impact on the existing stormwater system; and additional architectural and engineering services for the design of a recycling center at the site; and,

WHEREAS, an amendment to the June 24, 2008 contract has been negotiated with RP Hughes Architects, Inc., in the amount of \$26,600.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the County Manager is authorized to execute Amendment #2 the amount of \$26,600 in accordance with the two September 3, 2009 letters from RP Hughes Architects, Inc. and in a form approved by the County Attorney.

Comments: Funding to support this contract amendment is available within the project budget. The Director of General Services and the Fire Chief, 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. 258-09

Page No. 1 of 2

Agenda Title: Resolution – Award of Construction Contract – Fire Station # 8

For Clerk's Use Only:

Date: OCT 13 2009

- () 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 September 9, 2009 nine bids were received in response to Bid Request No. 09-8678-7JK and Addenda 1, 2, and 3 for the construction of a replacement for Fire Station # 8:

<u>Bidder</u>	<u>Bid</u>
Evans Construction, Inc.	\$2,055,171
Leipertz Construction, Inc.	\$2,056,000
Kenbridge Construction Company, Inc.	\$2,155,000
Haley Builders, Inc.	\$2,214,000
Dominion Construction Group, LLC	\$2,327,000
David A. Nice Builders, Inc.	\$2,358,900
Gulf Seaboard General Contractors, Inc.	\$2,407,000
Raymond Key Commercial Contracting, LLC	\$2,640,000
A. D. Whittaker Construction, Inc.	\$2,753,000

WHEREAS, after review and evaluation of all bids received, it was determined that Evans Construction, Inc. is the lowest responsive and responsible bidder with a bid in the amount of \$2,055,171.

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. **258-09**

Page No. 2 of 2

Agenda Title: **Resolution – Award of Construction Contract – Fire Station # 8**

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 construction of a replacement for Fire Station # 8 is awarded to **Evans Construction, Inc.**, the lowest responsive and responsible bidder, in the amount of **\$2,055,171** pursuant to Bid Request No. 09-8678-7JK, Addenda 1, 2, and 3, and the bid submitted by **Evans Construction, Inc.**
2. The County Manager and Clerk are authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Director of General Services as his designee, is further authorized to execute all necessary change orders within the scope of the project budget.

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



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 259-09

Page No. 1 of 2

Agenda Title: **Resolution – Award of Contract – Services for the Location and Designation of Subsurface Utilities**

For Clerk's Use Only:

Date: **OCT 13 2009**

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

WHEREAS, on May 15, 2009, seven proposals were received in response to RFP #09-8623-3CS to provide services for the location and designation of subsurface utilities; and,

WHEREAS, based upon review and evaluation of the written proposals, the Selection Committee (consisting of Mr. Edward Bass, Mr. Michael Verdú, Mr. David Graham and Mrs. Cecelia Stowe) interviewed the following offerors:

Accumark, Inc.

JMT in association with the Spectra Group
InfraMap Corporation

WHEREAS, the Selection Committee selected **Accumark, Inc.** as the first-ranked offeror and negotiated the hourly rate schedule and contract terms.

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

1. A contract to provide services on an as-needed basis for the location and designation of subsurface utilities is awarded to **Accumark, Inc.** for an initial one-year term from October 15, 2009 through October 14, 2010, with the option for the County to renew for two additional one-year terms, all in accordance with RFP #09-8623-3CS, **Accumark, Inc.'s** May 15, 2009 proposal, and **Accumark, Inc.'s** September 25, 2009 best and final hourly rate schedule.
2. Compensation for services rendered pursuant to the contract will be based on the agreed-upon hourly rate schedule.
3. Fees shall not exceed \$300,000 for any single project and \$1,500,000 for any one-year term of the contract.

By Agency Head

By County Manager

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

4. The County Manager and Clerk are authorized to execute the contract in a form approved by the County Attorney.

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. **254-09**

Page No. 2 of 2

Agenda Title: **Resolution – Award of Annual Contract – Subsurface Utility Designating and Locating**

5. The County Manager, or the Director of General Services as his designee, is authorized to execute all change orders within the scope of the project budget.

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



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 260-09
Page No. 1 of 2

Agenda Title: **Resolution – Award of Contract for Engineering Services – Commissioning Agent**

For Clerk's Use Only:

Date: **OCT 13 2009**

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

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

WHEREAS, on July 24, 2009, twenty written proposals were received in response to RFP #09-8667-6CS to provide engineering services for the commissioning of buildings and building systems; and

WHEREAS, based upon review and evaluation of the written proposals, the Selection Committee (consisting of Ms. Jaspreet Pahwa, Mr. Fred Drake, Mr. Jerry Walker, Mr. Roy Salinsky and Mrs. Cecelia Stowe) interviewed the following offerors:

Facility Dynamics Engineering Corporation
DEI Consulting

WHEREAS, the Selection Committee selected **Facility Dynamics Engineering Corporation ("FDEC")** as the top-ranked offeror and negotiated an hourly rate schedule and contract terms.

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

1. A contract to provide on an as-needed basis engineering services for the commissioning of buildings and building systems is awarded to **FDEC** for an initial one-year term from October 14, 2009 through October 31, 2010, with the option for the County to renew the contract for two additional one-year terms, in accordance with RFP #09-8667-6CS, **FDEC's** July 23, 2009 proposal, and **FDEC's** September 23, 2009 fee proposal.
2. Compensation for services rendered pursuant to the contract will be based upon the agreed upon hourly rate schedule.
3. Fees shall not exceed \$300,000 for any single project and \$1,500,000 in any one-year term of the contract.
4. The County Manager and Clerk are authorized to execute the contract in a form approved by the County Attorney.

By Agency Head

Ral 3 Pst qui

By County Manager

Randall R. Bilson

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. **260-09**
Page No. 2 of 2

Agenda Title: **Resolution – Award of Contract for Engineering Services – Commissioning Agent**

5. The County Manager, or the Director of General Services as his designee, is authorized to execute all change orders within the scope of the project budget.

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



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 261-09
Page No.

Agenda Title

RESOLUTION - To Accept the FY2010 Virginia Office of the Attorney General, TRIAD Crime Prevention for Seniors Grant Award.

For Clerk's Use Only:

OCT 13 2009

Date
☒ Approved
☐ Denied
☐ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

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

WHEREAS, the Henrico County Division of Police partners with concerned citizen groups to strive to make life better within the County and is currently an active partner with the Henrico County Seniors and Law Enforcement Together (SALT)/TRIAD Council ("Council"); and

WHEREAS, in order to enhance the Council through the Senior Citizens Police Academies, the Division applied for and was awarded \$752 in TRIAD Crime Prevention for Seniors Grant by the Virginia Office of the Attorney General, with a local match of \$84 (for a total grant of \$836).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County accepts this grant award and authorizes the County Manager to sign appropriate agreements to receive these funds.

COMMENT: The Chief of Police and the County Manager recommend approval of this resolution. The local match will come from the Police Reserve Grant Match Fund.

By Agency Head *[Signature]*

By County Manager *[Signature]*

Routing:

Yellow to:

Copy to:

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Date:



COMMONWEALTH of VIRGINIA

Office of the Attorney General

William C. Mims
Attorney General

900 East Main Street
Richmond, Virginia 23219
804-786-2671
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

September 24, 2009

Colonel Henry W. Stanley, Jr.
Chief of Police
Henrico County Division of Police
P.O. Box 90775
Henrico, VA 23273

Re: TRIAD Crime Prevention for Seniors Grant Program

Dear Chief Stanley:

Congratulations, your organization has been selected to participate in the Office of the Attorney General TRIAD Crime Prevention for Seniors Grant Program. I am pleased to advise you that grant number **0910-TRIAD-17** for the above-referenced grant program has been approved in the amount of **\$752.00 in state funds** and **\$84.00 in local matching funds** for a total award of **\$836.00**. The grant period runs from September 1, 2009 to June 30, 2010.

Enclosed you will find a Statement of Grant Award, Reporting Requirements, and Grant Award Special Conditions. To indicate your acceptance of the award and conditions, please sign the Statement of Grant Award acceptance and return it to Jennifer Aulgur, Director of TRIAD & Citizen Outreach, at the Office of the Attorney General (OAG) by the specified date. Please review the special conditions carefully; as some require action on your part by a specified date before we will release grant funds.

When we receive documentation showing that you have complied with the conditions, you will be eligible to request reimbursement of grant funds awarded under this grant. A REQUEST FOR REIMBURSEMENT form is included with this letter and should be used for this purpose. We cannot process your request until we have received and approved all required information. Also included with this packet are the Final Financial Form and Final Progress Report Form. Please refer to the Reporting Requirements and read this information carefully as it contains details on submitting and processing financial and progress reports, as well as requesting reimbursement for the awarded funds. If you have any questions about due dates or reporting requirements contact Jennifer Aulgur.

We appreciate your interest in this grant program and will be happy to assist you any way we can to assure your project's success. If you have any questions, please contact Jennifer Aulgur at (804) 786-9516 or via email at jaulgur@oag.state.va.us.

Sincerely,

William C. Mims

Enclosure

cc: Virgil R. Hazelett, P.E., County Manager
John A. Vithoukas, Director of Finance

The proposed timeline for this grant project, known as the TRIAD10 Project to the Division of Police, follows:

If the grant award is received before mid-August 2009, a Board of Supervisors acceptance Resolution can be acted on at its September 8, 2009, meeting.

Funds could be appropriated by the County Office of Management and Budget following the Board's approval (with an estimated Board meeting of November 24, 2009).

Division Council Coordinator orders all items by December 11, 2009.

Purchased items available for use by January 1, 2010.

The SALT/TRIAD Council of Henrico County is a collaborative effort to ally senior citizens with law enforcement in this community. The Office of the Sheriff and the Office of the Commonwealth's Attorney work with the Council. The Division of Police offers staff support, meeting logistics, and grant management.

The SALT/TRIAD Council of Henrico County is a successful partnership in this community and has been such since 1995. This grant will enhance the outreach abilities of the Council as its members participate in senior crime prevention events, seminars, workshops, and the like.

B. BUDGET DETAIL (1 PAGE MAXIMUM)

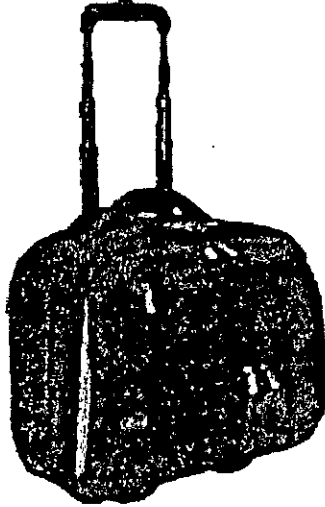
Grand Total:	\$836.00
State Amount:	\$752.00
Local Match:	\$ 84.00

1. Food Items \$ 500.00

Two Senior Citizen Police Academies are held annually. Two large social gatherings are hosted by the Council, as well as a summer picnic. Condiments, morning drinks and sodas, graduation cakes, and fruit cost the Division of Police over \$1,000 annually. With the rising cost of food, the Division may have to reduce food and drink availability. This grant requests the maximum allowed for food.

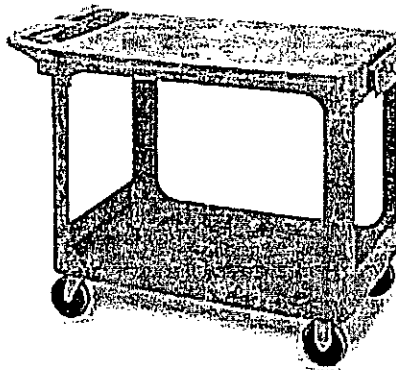
2. Case Logic Carrying Case \$ 103.00
Case Logic 15.4" Rolling Projector and Laptop Carrying Case.

This hand carrying case will assist SALT/TRIAD seniors to transport their laptops to presentations.



3. Service Cart \$ 233.00
Rubbermaid #452500BEIG Service Cart, 400 Pound Capacity.

This cart will assist the SALT/TRIAD seniors to transport their audio system and display board to presentations.



The SALT/TRIAD Council of Henrico County receives staffing and limited group assistance from the Division of Police. The Council is attempting to fund its own programs, but the Division assists as needed. There are no other Federal or State funds involved with this group through the Division of Police.

Gage, Sam

From: Aulgur, Jennifer [JAulgur@oag.state.va.us]
Sent: Monday, 28 September 2009 09:11
To: Stanley, H W
Cc: Gage, Sam; Hazelett, Virgil; Vithoulikas, John
Subject: Triad Grant Award Packet
Attachments: Henrico Award Letter.doc; Henrico Special Conditions.doc; Henrico Statement of Award.doc; Final Financial Report.doc; Final Progress Report Form.doc; Helpful Grant Tips.doc; Notice of Reporting Requirements.doc; Request for Reimbursement.doc

Attached above are the documents related to your FY10 Triad Crime Prevention for Seniors Grant Award.

Please look through each attachment and let me know if you have any questions. The Statement of Award document is due to me by October 17th along with any special conditions you need to submit, which are due by October 24th.

I look forward to working with you and your Triad during the grant period.

Sincerely,
Jennifer

Jennifer Aulgur
Director, Triad & Citizen Outreach
Office of the Attorney General
900 E. Main Street
Richmond, VA 23219
(804) 786-9516 Direct
(804) 786-0991 Fax
www.oag.state.va.us

2009-09-28



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 262-09
Page No.

Agenda Title

RESOLUTION - To Accept the FY2009 Edward Byrne Memorial Justice Assistance Grant (JAG) Program: Local Solicitation Award to the County of Henrico, Division of Police; for Specialized Police-Related Equipment.

For Clerk's Use Only:

OCT 13 2009

- Date OCT 13 2009
- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

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

REMARKS

APPROVED

YES NO OTHER

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

WHEREAS, the County of Henrico, Virginia attempts to provide a safe and peaceful community in which to live, work, and recreate; and

WHEREAS, the prevention of criminal acts is vital to a safe and sound community, and law enforcement can be dangerous at times for police working routine patrol and undercover operations; and

WHEREAS, the County of Henrico, Division of Police, was awarded \$111,576 under the FY2009 Edward Byrne Memorial Justice Assistance Grant (JAG) Program: Local Solicitation of the U.S. Department of Justice's Office of Justice Programs; and

WHEREAS, these allocated funds, which do not require a local match, will be used to make purchases to enhance the capabilities of specialized tactical and investigative teams.

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

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

By Agency Head [Signature]

By County Manager [Signature]

Routing:

Yellow to: _____


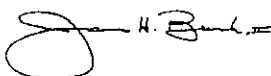
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Certified:

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Clerk, Board of Supervisors

Date: _____

 Department of Justice Office of Justice Programs Bureau of Justice Assistance		Grant		PAGE 1 OF 5
1. RECIPIENT NAME AND ADDRESS (Including Zip Code) <i>County of Henrico</i> P.O. Box 27032 Richmond, VA 23273-0775		4. AWARD NUMBER: 2009-DJ-BX-1235 5. PROJECT PERIOD: FROM 10/01/2008 TO 09/30/2012 BUDGET PERIOD: FROM 10/01/2008 TO 09/30/2012		
1A. GRANTEE IRS/VENDOR NO. 546001344		6. AWARD DATE 09/17/2009 8. SUPPLEMENT NUMBER 00	7. ACTION <i>Initial</i>	
3. PROJECT TITLE FY 2009 Justice Assistance Grant Program		9. PREVIOUS AWARD AMOUNT \$ 0 10. AMOUNT OF THIS AWARD \$ 111,576 11. TOTAL AWARD \$ 111,576		
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).				
13. STATUTORY AUTHORITY FOR GRANT This project is supported under 42 U.S.C. 3751(a) (BJA - JAG Formula)				
15. METHOD OF PAYMENT PAPRS				
AGENCY APPROVAL		GRANTEE ACCEPTANCE		
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL James H. Burch II Acting Director		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Virgil Hazelett County Manager		
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL		19A. DATE
AGENCY USE ONLY				
20. ACCOUNTING CLASSIFICATION CODES FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC. REG. SUB. POMS AMOUNT X B DJ 80 00 00 111576		21. IDJUGT5328		

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET**
Grant

PAGE 2 OF 5

PROJECT NUMBER 2009-DJ-BX-1235

AWARD DATE 09/17/2009

SPECIAL CONDITIONS

1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.
3. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from OMB Circular A-133 audits (and any other audits of OJP grant funds) are not satisfactorily and promptly addressed, as further described in the current edition of the OJP Financial Guide, Chapter 19.
4. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.
5. The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by -

mail:

Office of the Inspector General
U.S. Department of Justice
Investigations Division
950 Pennsylvania Avenue, N.W.
Room 4706
Washington, DC 20530

e-mail: oig.hotline@usdoj.gov

hotline: (contact information in English and Spanish): (800) 869-4499

or hotline fax: (202) 616-9881

Additional information is available from the DOJ OIG website at www.usdoj.gov/oig.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET**
Grant

PAGE 3 OF 5

PROJECT NUMBER 2009-DJ-BX-1235

AWARD DATE 09/17/2009

SPECIAL CONDITIONS

6. The grantee agrees to assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these grant funds, either directly by the grantee or by a subgrantee. Accordingly, the grantee agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the grant, the grantee agrees to contact BJA.

The grantee understands that this special condition applies to its following new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the grantee, a subgrantee, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:

- New construction;
- Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The grantee understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The grantee further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <http://www.ojp.usdoj.gov/BJA/resource/nepa.html>, for programs relating to methamphetamine laboratory operations.

Application of This Special Condition to Grantee's Existing Programs or Activities: For any of the grantee's or its subgrantees' existing programs or activities that will be funded by these grant funds, the grantee, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

7. To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdiction, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the grantee can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.
8. To support public safety and justice information sharing, OJP requires the grantee to use the National Information Exchange Model (NIEM) specifications and guidelines for this particular grant. Grantee shall publish and make available without restriction all schemas generated as a result of this grant to the component registry as specified in the guidelines. For more information on compliance with this special condition, visit <http://www.niem.gov/implementationguide.php>.
9. The recipient is required to establish a trust fund account. (The trust fund may or may not be an interest-bearing account.) The fund, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The recipient also agrees to obligate and expend the grant funds in the trust fund (including any interest earned) during the period of the grant. Grant funds (including any interest earned) not expended by the end of the grant period must be returned to the Bureau of Justice Assistance no later than 90 days after the end of the grant period, along with the final submission of the Financial Status Report (SF-269).



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 4 OF 5

PROJECT NUMBER 2009-DJ-BX-1235

AWARD DATE 09/17/2009

SPECIAL CONDITIONS

10. The grantee agrees to comply with all reporting, data collection and evaluation requirements, as prescribed by law and detailed by the BJA in program guidance for the Justice Assistance Grant (JAG) Program. Compliance with these requirements will be monitored by BJA.
11. The recipient agrees that any information technology system funded or supported by OJP funds will comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 42 U.S.C. 3789g(c)-(d). Recipient may not satisfy such a fine with federal funds.
12. The recipient agrees to ensure that the State Information Technology Point of Contact receives written notification regarding any information technology project funded by this grant during the obligation and expenditure period. This is to facilitate communication among local and state governmental entities regarding various information technology projects being conducted with these grant funds. In addition, the recipient agrees to maintain an administrative file documenting the meeting of this requirement. For a list of State Information Technology Points of Contact, go to <http://www.it.ojp.gov/default.aspx?area=policyAndPractice&page=1046>.
13. The grantee agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See http://www.ojp.gov/about/ocr/equal_fbo.htm.
14. The recipient acknowledges that all programs funded through subawards, whether at the state or local levels, must conform to the grant program requirements as stated in BJA program guidance.
15. Grantee agrees to comply with the requirements of 28 C.F.R. Part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.
16. Grantee agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Grantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.
17. The recipient agrees that funds received under this award will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET**
Grant

PAGE 5 OF 5

PROJECT NUMBER 2009-DJ-BX-1235

AWARD DATE 09/17/2009

SPECIAL CONDITIONS

18. The grantee agrees that within 120 days of award, for any law enforcement task force funded with these funds, the task force commander, agency executive, task force officers, and other task force members of equivalent rank, will complete required online (internet-based) task force training to be provided free of charge through BJA's Center for Task Force Integrity and Leadership. This training will address task force effectiveness as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. Additional information will be provided by BJA regarding the required training and access methods via BJA's web site and the Center for Task Force Integrity and Leadership (www.ctfli.org).
19. Recipient may not obligate, expend or drawdown funds until the Bureau of Justice Assistance, Office of Justice Programs has received documentation demonstrating that the state or local governing body review and/or community notification requirements have been met and has issued a Grant Adjustment Notice (GAN) releasing this special condition.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 268-09

Page No.

1 of 1

Agenda Title

RESOLUTION – Signatory Authority – Rental Agreement – North Gayton
Road Extension Project – Three Chopt District

For Clerk's Use Only:

Date **OCT 13 2009**

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

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

WHEREAS, the North Gayton Road Extension Project requires the County to acquire a parcel of land located at 12520 Bacova Drive owned by Darrell H. Bowman and Marsha Morgan (the "Owners") and improved with a single family house they have leased to a tenant for many years; and,

WHEREAS, the tenant recently vacated this house and the Owners seek to lease it to a new tenant; and,

WHEREAS, the County desires not to have to displace a tenant and pay relocation benefits if the property is leased to a new tenant; and,

WHEREAS, the Owners have agreed to a month-to-month rental agreement with the County for \$1,400.00 per month that will terminate upon the acquisition of the property by the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County that the County Manager is authorized to execute a rental agreement on behalf of the County, in a form approved by the County Attorney, for the above-described real property for \$1,400.00 per month that will terminate upon the acquisition of the property by the County.

The Directors of Public Works and Real Property recommend approval of this paper; the County Manager concurs.

By Agency Head [Signature]

By County Manager [Signature]

Routing:
Yellow to: Real Property

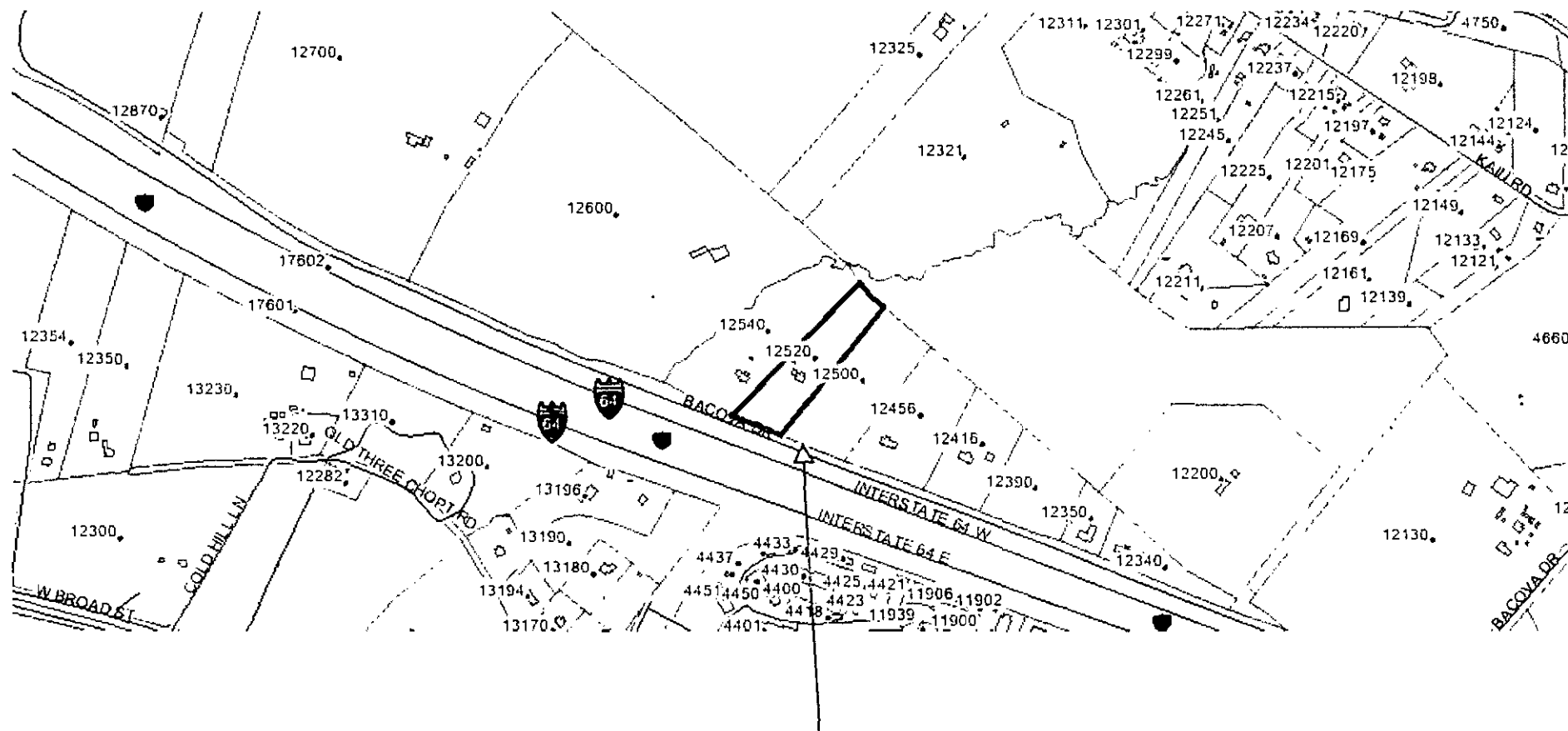
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Certified:

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Clerk, Board of Supervisors

Date: _____



VICINITY MAP - NORTH GAYTON
ROAD EXTENSION PROJECT -
BOWMAN AND MORGAN
PROPERTY



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 2004-09

Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Construction Contract — Foxhill Townhouses Water Service Replacement – G.L. Howard, Inc.

For Clerk's Use Only:

OCT 13 2009

Date:

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

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

WHEREAS, 11 bids were received on September 17, 2009 and were opened on September 18, 2009 in response to Bid Request No. 09-8696-8CE and Addenda Nos. 1 and 2 for the Foxhill Townhouses Water Service Replacement Project located in the Varina District; and,

WHEREAS, the project includes replacement of approximately 400 linear feet of 3-inch cast iron pipe with 6-inch ductile iron pipe, and replacement of 110 ¾-inch polyethylene water service lines totaling approximately 3,100 linear feet with 1-inch copper pipe throughout the Foxhill Townhouses complex; and,

WHEREAS, the bids were as follows:

BIDDERS

TOTAL BID AMOUNT

G.L. Howard, Inc.	\$139,800.00
K.P. Glass Construction, Inc.	\$149,904.50
Castle Equipment Corporation	\$155,511.10
Lyttle Utilities, Inc.	\$157,500.00
Enviroscape, Inc.	\$164,950.00
C.T. Purcell Excavating, Inc.	\$174,657.25
Southern Construction Utilities, Inc.	\$181,495.00
Johnson & Glazier Construction Company, Inc.	\$199,000.00
Delta Marine Construction	\$240,840.60
Walter C. Via Enterprises, Inc.	\$241,250.00
Ward & Stancil, Inc.	\$249,645.00

WHEREAS, after a review and evaluation of all bids, it was determined that G. L. Howard, Inc. is the lowest responsive and responsible bidder with a bid of \$139,800.00.

By Agency Head W. Armanget

By County Manager R. R. Zilber

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. **264-09**

Page No. 2 of 2

Agenda Title: **RESOLUTION — Award of Construction Contract — Foxhill Townhouses Water Service Replacement – G. L. Howard, Inc.**

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

1. The contract is awarded to G. L. Howard, Inc., the lowest responsive and responsible bidder, in the amount of \$139,800.00.
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 change orders within the scope of the project budget not to exceed 15% of the original contract amount.

Comment: Funding to support the contract is available within the Water and Sewer Revenue Fund. The Directors of Public Utilities and General Services recommend approval of this Board paper, and the County Manager concurs.



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

Agenda Item No. **265-09**
Page No. 1 of 2

Agenda Title: **RESOLUTION — Award of Construction Contract — River Road Roadway Improvements from Roslyn Hills Drive to Ralston Road. Project #2111.50709.28004.00682 (formerly #502153-709-301-04). Tuckahoe District**

For Clerk's Use Only:

Date: **OCT 13 2009**

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

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

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

WHEREAS, 12 bids were received on September 17, 2009 in response to Bid Request No. 09-8683-7JK and Addenda No.1 and 2 for the River Road Roadway Improvements project; and,

WHEREAS, the project consists of roadway improvements for 0.601 miles of River Road, including storm drainage, grading, paving, and utility adjustments; and,

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

<u>Bidder</u>	<u>Bid</u>
Shoosmith Construction, Inc.	\$870,871.56
K. P. Glass Construction, Inc.	\$917,378.54
George Nice & Sons, Inc.	\$935,714.00
Howard Brothers Contractors, Inc.	\$999,598.20
Virginia Construction	\$1,088,970.00
Forty-Two Contracting, Inc.	\$1,142,068.95
Central Contracting Co., Inc.	\$1,214,570.05
J. E. Liesfield Contractor, Inc.	\$1,241,702.55
Richard L. Crowder Construction, Inc.	\$1,293,648.27
Jack L. Massie Contractor, Inc.	\$1,388,707.01
Simons Hauling Co, Inc.	\$1,403,366.34
Branscome Richmond	\$1,559,723.90

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. **265-09**
Page No. 2 of 2

Agenda Title: RESOLUTION — Award of Construction Contract — River Road Roadway Improvements from Roslyn Hills Drive to Ralston Road. Project #2111.50709.28004.00682 (formerly #502153-709-301-04). Tuckahoe District

WHEREAS, after review and evaluation of all bids received, it was determined that Shoosmith Construction Inc. is the lowest responsive and responsible bidder with a bid in the amount of \$870,871.56. .

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 River Road Roadway Improvements is awarded to Shoosmith Construction Inc., the lowest responsive and responsible bidder, in the amount of \$870,871.56, pursuant to Bid Request No. 09-8683-7JK, Addenda No.1 and 2, and the bid submitted by Shoosmith Construction 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 necessary change orders within the scope of the project budget.

COMMENTS: The funds for this project will be provided from the Capital Initiatives Fund, Project #2111.50709.28007.00682 (formerly #502153-709-301-04). The Directors of Public Works and General Services recommend approval of this Board paper, and the County Manager concurs.

RIVER ROAD



RESOLUTION - AWARD OF CONSTRUCTION
CONTRACT - RIVER ROAD ROADWAY
IMPROVEMENTS FROM ROSLYN HILLS
DRIVE TO RALSTON ROAD. PROJECT #
2110.50709.28004.00682 (FORMERLY
#502153-709-301-04). TUCKAHOE DISTRICT

FROM: 571 FT. W. OF ROSLYN HILLS DRIVE
TO: RALSTON ROAD
LENGTH: 0.60 MI.

DISTRICT: TUCKAHOE
DATE: OCTOBER 13, 2009



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 266-09.
Page No. 1 of 2

Agenda Title:

RESOLUTION — Award of Annual Contract — Engineering Services — Bridge and Major Drainage Structures Design and Repair Projects

For Clerk's Use Only: OCT 13 2009 Date: _____ <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Donati</u> (2) _____ (2) _____ REMARKS: APPROVED	<table><thead><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr></thead><tbody><tr><td>Donati, J.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Kaechele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></tbody></table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
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Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

WHEREAS, on May 8, 2009, three proposals were received in response to RFP #09-8627-4CS to provide engineering services for bridge and major drainage structures design and repair projects; and

WHEREAS, based upon review of the written proposals, the Selection Committee (consisting of Mr. Robert Tieman, Ms. Margaret-Anne Hilliard, Mr. Brian Moore, Mr. Travis Linville, Mr. Dennis Farmer, and Mrs. Cecelia Stowe) interviewed the following firms:

AECOM
Wilbur Smith Associates
The Louis Berger Group, Inc.

WHEREAS, the Selection Committee selected AECOM as the first-ranked firm and negotiated the hourly rate schedule and contract terms.

WHEREAS, compensation for services will be based upon the contract's hourly and equipment rate schedule and fees shall not exceed \$300,000 for any single project or a total of \$1,500,000 in any one-year term of the contract.

By Agency Head 2824

By County Manager Randall R. Silberman

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. **266-09**
Page No. **2 of 2**

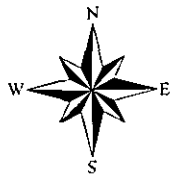
Agenda Title: RESOLUTION — Award of Annual Contract — Engineering Services — Bridge and Major Drainage Structures Design and Repair Projects

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

1. An annual contract to provide engineering services for bridge and major drainage structures design and repair projects is hereby awarded to AECOM for the period of October 15, 2009 through October 31, 2010 with the option to renew for two additional one-year terms, in accordance with RFP #09-8627-4CS, the May 8, 2009 proposal and the August 7, 2009 fee schedules submitted by AECOM.
2. The County Manager and Clerk are authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Director of General Services as his designee, is authorized to execute all change orders within the scope of the project budget.

COMMENTS: Funding to support the contract is available. The Directors of Public Works and General Services recommend approval of this Board paper, and the County Manager concurs.

ENGINEERING SERVICES, BRIDGE AND MAJOR DRAINAGE STRUCTURES DESIGN AND REPAIR PROJECTS



AWARD OF ANNUAL CONTRACT -
ENGINEERING SERVICES, BRIDGE
AND MAJOR DRAINAGE STRUCTURES
DESIGN AND REPAIR PROJECTS

DATE: OCTOBER 13, 2009



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda 267-09
Page No. 1 of 2

Agenda Title: RESOLUTION — To Permit Additional Fine of \$200 for Speeding on Blue Jay Lane, Notre Dame Drive, Camden Drive, and a Portion of Rolando Drive

For Clerk's Use Only:

Date: OCT 13 2009

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

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

WHEREAS, 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 Blue Jay Lane, Notre Dame Drive, Camden Drive, and a portion of Rolando Drive between N. Parham Road and Santa Anna Road in the County are experiencing speeding problems and meet the Criteria for traffic calming measures set forth in the Traffic Calming Program; and,

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. **267-09**

Page No. 2 of 2

Agenda Title: RESOLUTION — To Permit Additional Fine of \$200 for Speeding on Blue Jay Lane, Notre Dame Drive, Camden Drive, and a Portion of Rolando Drive

WHEREAS, the citizens in the area of these roads requesting the increased fine have collected signatures from 82% of the residents on Blue Jay Lane; 76% of the residents on Notre Dame Drive; 77% of the residents on Camden Drive; and 91% of the residents on Rolando Drive; and,

WHEREAS, these roads are local residential streets 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 Blue Jay Lane, Notre Dame Drive, Camden Drive, and a portion of Rolando Drive between N. Parham Road and Santa Anna Road advising citizens of an additional fine of \$200 for exceeding the posted speed limit on these roads.

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



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 268-09

Page No. 1 of 2

Agenda Title: RESOLUTION - ACCEPTANCE OF ROADS

For Clerk's Use Only: Date: OCT 13 2009 <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: APPROVED</p>	<table><thead><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr></thead><tbody><tr><td>Donati, J.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Kaechele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></tbody></table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

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

Dillyn Place, Section 1 - Fairfield District

Dillyn Place from Barrington Road to 0.09 Mi. W. of Barrington Road	0.09 Mi.
Dillyn Court from Dillyn Place to 0.10 Mi. S. of Dillyn Place	0.10 Mi.
Dillyn Terrace from Dillyn Court to 0.03 Mi. W. of Dillyn Court	0.03 Mi.
Total Miles	0.22 Mi.

Turnberry - Three Chopt District

Turnberry Park Drive from Shady Grove Road to 0.16 Mi. S. of Shady Grove Road	0.16 Mi.
Turnberry Park Lane from Turnberry Park Drive to 0.12 Mi. W. of Turnberry Park Drive	0.12 Mi.
Turnberry Park Court from Turnberry Park Drive to 0.05 Mi. E. of Turnberry Park Drive	0.05 Mi.
Total Miles	0.33 Mi.

By Agency Head ZPA

By County Manager R. M. R. S. B.

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. **208-09**

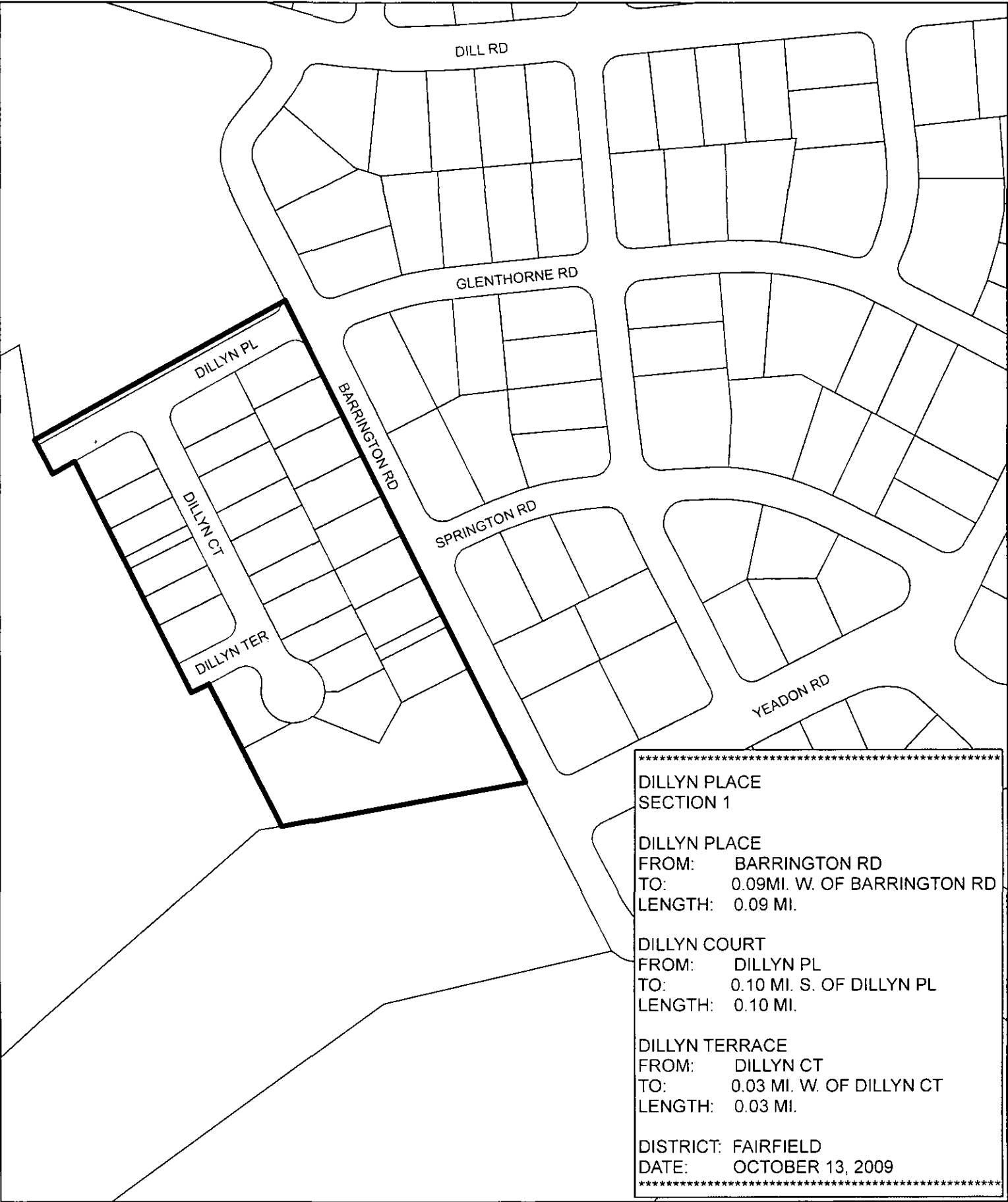
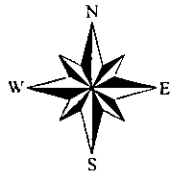
Page No. 2 of 2

Agenda Title: RESOLUTION – ACCEPTANCE OF ROADS

**Castleton, Section 2 – A Resubdivision of
Castleton, Section 1 Future Development – Varina District**

Macallan Parkway from 0.66 Mi. E. of Doran Road to Darbytown Road	0.79 Mi.
Boleyn Drive from 0.03 Mi. E. of Macallan Parkway to 0.03 Mi. E. of Macallan Parkway	0.27 Mi.
Old Wick Lane from 0.01 Mi. W. of Macallan Parkway to 0.02 Mi. W. of Macallan Parkway	0.01 Mi.
Windsor Castle Way from Boleyn Drive to 0.03 Mi. S. of Boleyn Drive	0.03 Mi.
Middleham Court from Boleyn Drive to 0.03 Mi. S. of Boleyn Drive	0.03 Mi.
Ravenscraig Crescent from Macallan Parkway to 0.02 Mi. E. of Macallan Parkway	0.02 Mi.
Sir Galahad Road from Macallan Parkway to 0.01 Mi. W. of Macallan Parkway	0.01 Mi.
Launceton Way from Macallan Parkway to 0.01 Mi. E. of Macallan Parkway	0.01 Mi.
Grail Lane from Macallan Parkway to 0.01 Mi. W. of Macallan Parkway	0.01 Mi.
Shining Armor Lane from Macallan Parkway to 0.01 Mi. W. of Macallan Parkway	<u>0.01 Mi.</u>
Total Miles	1.19 Mi.

DILLYN PLACE SECTION 1



DILLYN PLACE
SECTION 1

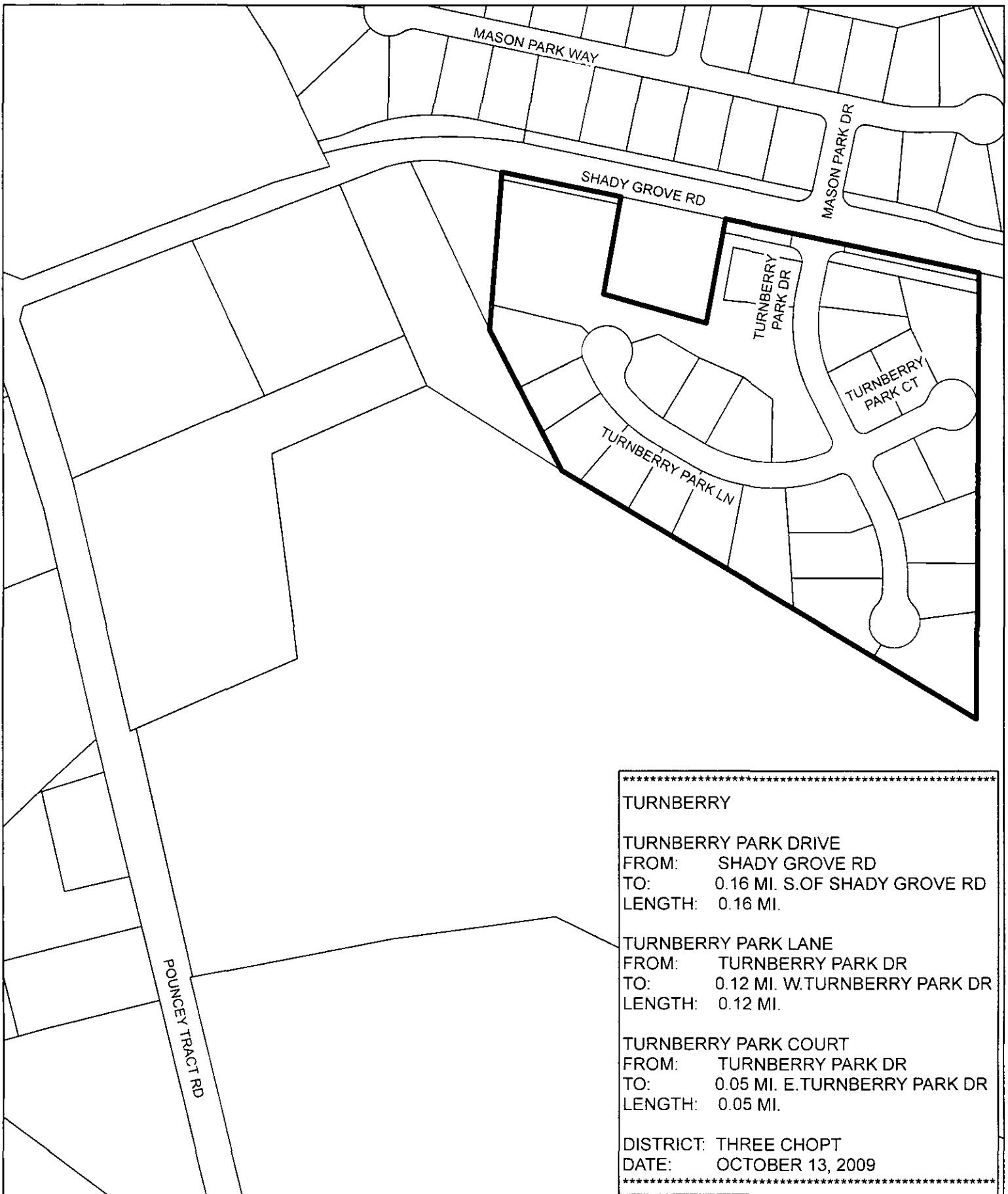
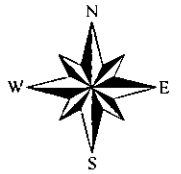
DILLYN PLACE
FROM: BARRINGTON RD
TO: 0.09MI. W. OF BARRINGTON RD
LENGTH: 0.09 MI.

DILLYN COURT
FROM: DILLYN PL
TO: 0.10 MI. S. OF DILLYN PL
LENGTH: 0.10 MI.

DILLYN TERRACE
FROM: DILLYN CT
TO: 0.03 MI. W. OF DILLYN CT
LENGTH: 0.03 MI.

DISTRICT: FAIRFIELD
DATE: OCTOBER 13, 2009

TURNBERRY



TURNBERRY	
TURNBERRY PARK DRIVE	
FROM:	SHADY GROVE RD
TO:	0.16 MI. S.OF SHADY GROVE RD
LENGTH:	0.16 MI.
TURNBERRY PARK LANE	
FROM:	TURNBERRY PARK DR
TO:	0.12 MI. W.TURNBERRY PARK DR
LENGTH:	0.12 MI.
TURNBERRY PARK COURT	
FROM:	TURNBERRY PARK DR
TO:	0.05 MI. E.TURNBERRY PARK DR
LENGTH:	0.05 MI.
DISTRICT: THREE CHOPT	
DATE:	OCTOBER 13, 2009

CASTLETON SECTION 2 A RESUBDIVISION OF CASTLETON SECTION 1 FUTURE DEVELOPMENT

