

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
December 8, 2009

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, December 8, 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
Barry R. Lawrence, CMC, Assistant to the County Manager/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
Leon T. Johnson, Deputy County Manager for Administration
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 7:03 p.m. He thanked everyone for coming to the meeting, the first and only meeting of the Board this month. Mr. Kaechele noted the Christmas spirit that was present with the Henrico Christmas Mother. He then led recitation of the Pledge of Allegiance.

Rev. Michael J. Poole, Pastor of Hatcher Memorial Baptist Church, delivered the invocation.

On motion of Mrs. O'Bannon, seconded by Mr. Glover, the Board approved the minutes of the November 24, 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

The County's Public Library has been selected as the 2009 recipient of the Virginia Library Association's (VLA's) George Mason Award, VLA's highest honor, for its distinguished advocacy of libraries and in specific recognition of its 2008 *All Henrico Reads* event featuring author Julia Alvarez and held in partnership with Henrico County Public Schools. Over 1,000 members of the community attended this event, which helped educate the Henrico community about the immigration experiences of local Hispanic families and served as a catalyst for communicating to these families that Henrico's public libraries and schools are eager to help them assimilate into the American way of life. The George Mason Award is presented when merited to a library or individual that has contributed to the promotion and development of improved public understanding of library and information services. The award was accepted on October 30, 2009 during VLA's Annual Conference. Mr. Hazelett congratulated the following staff members from the Public Library: Sallie Morris, Collection Development Librarian and former Young Adult and Adult Services Coordinator; Christine Campbell, Assistant Director; and Jerry McKenna, Director.

Beth Tetrault, a Program Manager for Henrico Area Mental Health and Retardation Services and the County's local government representative on the Chickahominy Disability Services Board, has won the Corbett Reedy Award for Excellence from the Virginia Rehabilitation Association (VRA). VRA is a chapter of the National Rehabilitation Association, the nation's oldest and largest advocacy organization for persons with disabilities. Created in 1985 to honor former VRA service provider Corbett Reedy, the award is presented to a Virginia resident who has creatively pursued excellence in the field of rehabilitation and in serving persons with disabilities. Mr. Hazelett congratulated Ms. Tetrault for her efforts.

Mr. Hazelett recognized the County government Christmas Mother Program Chair, Lisa H. Orlosky of the Department of Information Technology, and her Co-Chair, Juliana L. Haalboom of the Division of Recreation and Parks. With the assistance of Ms. Haalboom, Mrs. Orlosky presented a ceremonial check in the amount of \$6,000 to the 2009 Henrico Christmas Mother, Robin D. Smith. Mrs. Smith announced that the Henrico Christmas Mother program has received a record number of applications for assistance (2,100) and is serving a record number of families (2,000) and individuals (6,100), including 3,500 children and 700 senior citizens or disabled adults. About 40 percent of this year's applicants are requesting help for the first time. Mrs. Smith noted that the warehouse offered by the County for the use of program volunteers is quickly filling up with donated toys, books, clothing, bicycles, and food. She thanked the Henrico community and County employees for generosity and expressed gratitude to Ms. Haalboom and Mrs. Orlosky for their leadership. Mr. Hazelett voiced pride in the County's participation in the Christmas Mother program and thanked Mrs. Smith for her efforts.

BOARD OF SUPERVISORS' COMMENTS

Mr. Glover requested an ordinance that would allow an American flag to be flown on a pole in any neighborhood in the County. He expressed concerns that the County is being looked at nationally as the culprit in a local private property rights issue between an elderly Medal of Honor recipient and a neighborhood association. Mr. Kacchele commented that this situation

is not well understood by the media and suggested that staff review the County's legal authority to adopt the ordinance Mr. Glover suggested. There was further discussion of the matter by Mr. Glover, Mr. Kaechele, and Mr. Rapisarda. Mr. Hazelett agreed to look into Mr. Glover's request and bring information back to the Board.

Mr. Kaechele announced that the Board enjoyed a nice Christmas meal in the County's cafeteria with the staff and Christmas Mother before the meeting. He noted that it has been a difficult and challenging year for the County but there is still much for which to be thankful. Mr. Kaechele expressed thanks to everyone who was participating in this meeting and wished them and their families a Merry Christmas and a happy holiday season.

RECOGNITION OF NEWS MEDIA

No media representatives were present.

PUBLIC HEARINGS - REZONING CASES

299-09 Duke M. du Frane: Request to conditionally rezone from R-3 One-Family
C-29C-09 Residence District to O-2C Office District (Conditional), part of Parcel 777-758-
Fairfield 4306, containing 0.676 acres, located on the north line of E. Parham Road
 approximately 215 feet west of Lydell Drive.

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

On motion of Mr. Thornton, seconded by Mr. Glover, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 299-09 (C-29C-09) with the following proffered conditions:

1. No portion of the property shall be used for the following purposes that are otherwise allowed in an O-2 zoning classification: funeral homes or undertaking establishment, parking deck, or free standing day-care center.
2. All trash receptacle areas and rooftop mechanical systems which are visible from ground level shall be screened from view in such a manner as required by the Planning Commission at the time of Plan of Development review.
3. Any parking light standards located on the property shall not exceed thirty (30) feet in height and shall be lower height if required by the Planning Commission at the time of Plan of Development approval or by any other governmental body, agency or official having jurisdiction with respect thereto.

All parking lot lighting standards shall be of low intensity, shall be positioned in such a manner as to minimize the impact of such lighting on any adjacent single-family residential homes and shall be "absolute cut-off" type (light source being substantially concealed from view by the

design of the luminaire) or of such type as required by the Planning Commission at the time of the approval of the Plan of Development for such property.

4. No building shall exceed forty-five (45) feet in height.
5. There shall be no permanent access to Parham Road from this parcel.
6. Any proposed buildings located on the property shall be similar and consistent with the architecture of the Parham Place I and II buildings as required by the Planning Commission at the time of the Plan of Development approval or by any other governmental body, agency or official having jurisdiction with respect thereto.
7. There shall be a 40 foot landscaped setback for buildings, parking areas, and BMP's from Parham Road unless otherwise required and approved by the Planning Commission at the time of Plan of Development approval.

The vote of the Board was as follows:

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

No: None

300-09 Nobility Investments LLC: Request to amend proffered conditions accepted with
C-23C-09 Rezoning Case C-11C-07, on Parcel 767-747-9248, located on the north line of
Brookland Glenside Drive approximately 355 feet west of Bethlehem Road.

Joe Emerson, Director of Planning, responded to questions from the Board regarding the landscaping plan agreed to by the owners of office condominiums adjoining the subject property.

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

On motion of Mr. Glover, seconded by Mr. Thornton, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 300-09 (C-23C-09) with the following proffered conditions:

Except as amended below, all proffers accepted with C-11C-07 shall remain in full force and effect.

Proffer 15: Landscaping as depicted on the attached landscaping plan prepared by Fox Meadow Landscape Designs and dated April 2009, (see case file) except for such variations as may be approved by the Director of Planning or his designee, shall be installed along the northeast property line adjacent to the areas described as L1, L2 and L3 on the zoning plat.

The vote of the Board was as follows:

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

No: None

301-09 David R. Gibbs and Clyde S. Taylor: Request to conditionally rezone from A-1
C-20C-09 Agricultural District to R-3C One-Family Residence District (Conditional),
Brookland Parcels 759-765-5522, 759-765-7424, 759-765-8939 and 759-765-7456,
containing 6.807 acres, located on the east line of Francistown Road at its
intersection with Nuckols Road.

Jean Moore, Assistant Director of Planning, responded to questions from the Board concerning the parcel of land included in this zoning case and plans by the applicant for future extension of a 20 foot access road on the site.

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

On motion of Mr. Glover, seconded by Mr. Thornton, the Board followed the recommendation of the Planning Commission and approved Agenda Item No. 301-09(C-20C-09) with the following proffered conditions:

1. **Conceptual Plan.** Development of the Property shall be in substantial conformance with the conceptual site plan attached hereto as Exhibit "A" (see case file).
2. **Density.** There shall be no more than fourteen (14) homes developed on the Property, which such limitation does not include the property identified as 4929 Francistown Road (GPIN 759-765-5522).
3. **Redevelopment of Lot 759-765-5522.** The construction of any dwelling unit, other than the existing home on the property identified as 4929 Francistown Road (GPIN 759-765-5522), shall be in compliance with the proffers set forth in this case.
4. **Minimum Size.** The minimum size of all homes constructed on the Property shall be 2,300 gross square feet of finished space. These square footage requirements shall be exclusive of garages and unfinished basements.
5. **Francistown Road Lot Orientation.** Homes on any lots abutting Francistown Road, or the twenty (20) foot access strip referenced in Proffer #6, shall have the front elevation facing Francistown Road.
6. **Francistown Road Lot Access/Frontyard Setback.** All lots fronting on Francistown Road shall be accessed by a twenty (20) foot access strip that shall be built to Henrico County public road standards except as to

pavement width. Prior to issuance of any certificates of occupancy, for any homes utilizing the access strip, the Applicant shall provide the Planning Department with certification from a licensed engineering firm that the roadway within the access strip was constructed according to the approved subdivision plat and in compliance with Henrico County road design standards and specifications (except as to pavement width) to include proper compaction of the sub-base soils, utility trenches, base stone and asphalt surface. Front yard setbacks along Francistown Road shall be measured from the eastern curb line of the 20 foot access strip and the setback shall be a minimum of twenty (20) feet from the access strip.

7. **Exterior Materials.** At least fifty percent (50%) of all of the homes constructed shall have a minimum fifty percent (50%) brick on their front elevation. All homes utilizing all brick on the front elevation shall have the brick wrap at least 12 inches along the corner of the side elevation. Applicant shall maintain a record of the amount of such brick used on the front elevation of each home and shall provide such list when and as requested by the County.
8. **Architecture.** Various design elements will be incorporated to provide variety amongst individual units including, but not limited to the following: varying colors of brick, brick accents (including, but not limited to, arches with or without keystones, soldier courses, quoin corners, and accent coloring different from any main brick coloring), varying colors of siding, varying window designs, and varying doorway designs. No homes with the same elevation shall be constructed next to each other.
9. **Foundations and Front Steps.** All houses shall be constructed on foundations, except for garages, patios and screened porches. Slab foundations shall be prohibited. All visible portions of the homes below the first floor shall be constructed with brick or stone, except for poured concrete retaining walls that are used to create the steps needed for a basement. Steps, stoops of front entries and piers for porches shall be brick or stone.
10. **No Cantilevering.** There shall be no cantilevered features including, but not limited to, bay windows and chimneys.
11. **Fireplace Chimneys.** The exposed portion of a chimney shall be constructed of brick or stone. The exposed portion of a flue for a direct-vent gas fireplace shall be constructed of the same material used on the adjacent siding and shall be built on a foundation that is constructed of the same material that is used on the adjacent foundation.
12. **Garages.** Each house on the Property shall be constructed with a two (2) car attached garage. The garage shall have a minimum interior clear space

of 20' wide by 18' deep.

13. **Francistown Road Planting Strip/Entrance Feature.** A decorative "wrought iron-style" fence with brick columns shall be provided along the Francistown Road frontage on the Property, such columns not to be spaced farther apart than fifty (50) feet. Such fence shall be extended along the Francistown Road frontage of 4929 Francistown Road (GPIN 759-765-5522) upon any redevelopment of such property as set forth in Proffer 2. A planting strip of twenty (20) feet in width shall be reserved on any lots adjoining the right-of-way of Francistown Road. Landscaping installed in conjunction with the planting strip shall include an irrigation system. Such landscaping shall be planted in accordance with a landscape plan as approved by the Planning Commission. The width of this planting strip shall be in addition to the dwelling setbacks required by the Zoning Ordinance. The foregoing landscaping shall be substantially in accordance with the plan entitled "Exhibit B" prepared by Jennings Stevenson, P.C., dated October 22, 2009 and filed herewith (see case file).
14. **Driveways.** All driveways shall be constructed of asphalt, brushed concrete, stamped concrete, exposed aggregate or pavers. No driveway shall have direct access to Francistown Road or the access road to Hungary Creek Middle School.
15. **Sod and Irrigation.** The front and side yards of all homes constructed on the Property shall contain sod and irrigation systems.
16. **Street Trees.** The neighborhood shall have a street tree landscape plan in which trees shall be planted upon home completion within ten (10) feet of the curb on each side of the roadway at an average spacing of fifty (50) feet between trees. The trees shall have a minimum caliper of 2½ inches at the time of planting.
17. **Mail Boxes.** All improved lots shall be required to have a mail box with supporting post of similar design.
18. **Roads and Curb and Gutter.** Curb and gutter shall be used on all streets (including the twenty (20) foot access strip) and shall be designed to meet the current County standard for "roll top" curb and gutter and shall measure not less than three (3) feet from edge of pavement to back of curb. All public roads shall be designed to have a minimum width of thirty-six (36) feet from back of curb to back of curb (thirty (30) feet from edge of pavement to edge of pavement with an additional three (3) feet from edge of pavement to back of curb).
19. **Underground Utilities.** Except for junction boxes, meters and existing overhead utility lines or for technical or environmental reasons, all utility lines shall be underground.

20. **Restrictive Covenants/Homeowners' Association.** Prior to or concurrent with the recordation of the first subdivision plat approved by the County and before the conveyance of any portion of the Property covered by said subdivision plat (other than for the dedication of easements, roads or utilities), a document shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia, setting forth controls on the development and maintenance of such portions of the Property. In addition, there shall be a Homeowner's Association of the owners of lots in the subdivision that shall be responsible for the enforcement of the restrictive covenants, including, but not limited to, maintenance of the lots and common areas. The above referenced recorded document shall contain language which requires that Lots 1, 2 and 3, as shown on Exhibit A (see case file), shall be solely responsible for maintaining the 20' Access Easement.
21. **C-1 Zoning.** Applicant shall file an application for C-1 Zoning for the areas within the Property that are within the 100 year flood plain, unless such areas are needed for roads, access ways or other purposes approved or required by the Planning Commission or any other governmental body or official, prior to the time of subdivision approval for the last lot on the Property. The acreage then zoned C-1 may or may not be included in any subdivision or lot on the Property, at the sole discretion of the Applicant.
22. **Fencing/Wall.** A wall made of pre-cast concrete (Brickcrete), or such other material as approved by the Planning Commission at the time of subdivision review, a minimum of eight (8) feet in height shall be provided in the location shown on Exhibit B (see case file). A white solid vinyl privacy fence a minimum of six (6) feet in height shall be provided as shown on Exhibit B (see case file). All fencing shall be installed prior to the issuance of the first certificate of occupancy for the Property.
23. **Permitted Uses.** The development on the Property shall be restricted to single family detached dwellings and ancillary recreational facilities.
24. **Public Roads.** All roads constructed on the Property shall be constructed and dedicated as public roads, with the exception of the 20' access strip which shall be private and constructed consistent with proffer number 6 above.
25. **Construction.** There shall be no onsite burning of cleared trees and stumps, branches or construction debris. Construction access to the Property shall be limited to Francistown Road.
26. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

The vote of the Board was as follows:

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

No: None

PUBLIC HEARINGS – OTHER ITEMS

302-09 Resolution – Amendments to the FY 2009-10 Annual Fiscal Plan: December, 2009.

Director of Management and Budget Gene Walter, Mr. Hazelett, and Director of Finance John Vithoulkas responded to questions from the Board pertaining to the federally subsidized interest rate of Recovery Zone Economic Development Bonds that were sold to fund a sewer line rehabilitation project.

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

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 302-09 – see attached resolution.

303-09 Ordinance – To Amend and Reordain Section 9-2 of the Code of the County of Henrico Titled “Precincts and polling places” by Making Technical Corrections in the Text Relating to the Polling Places for the Westwood Precinct in the Brookland District, the Maplewood and Yellow Tavern Precincts in the Fairfield District, and the Laburnum and Sandston Precincts in the Varina District.

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

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 303-09 – see attached ordinance.

PUBLIC COMMENTS

There were no comments from the public.

GENERAL AGENDA

304-09 Introduction of Ordinance – To Amend and Reordain Sections 10-71 Titled “Complaints” and 10-73 Titled “Prohibited noises enumerated” of the Code of the County of Henrico, to Repeal and Reserve 10-72 Titled “Prohibited noise generally,” and to Add Section 10-74 Titled “Exemptions,” All Relating to the Regulation of Noise.

Assistant County Attorney Ben Thorp, Mr. Rapisarda, and Mr. Hazelett responded to questions from the Board relating to the proposed date of the public

hearing for this ordinance and the process for considering requests by citizens to add prohibited noises to the ordinance.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 304-09 – see attached introduction of ordinance.

305-09 Resolution - Consent to Granting Leases and Easements by the Capital Region Airport Commission.

Mr. Rapisarda commented on the legal technicality that would be addressed by adoption of this resolution. The resolution was requested by the Capital Region Airport Commission.

On motion of Mr. Glover, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 305-09 – see attached resolution.

306-09 Resolution – Approving the Plan of Financing for the Capital Region Airport Commission for the Purpose of Financing or Refinancing Improvements and Extensions at the Richmond International Airport.

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 306-09 – see attached resolution.

307-09 Resolution – Award of Contract for Automated Credit Card Payment Processing Service.

Mr. Vithoukas and Mr. Hazelett responded to questions from the Board regarding the contract, including how convenience fees would be paid by customers, the responsibilities that would be performed by the firm offering the Automated Credit Card Payment Processing Service, how payments would be made and processed, how the firm offering the processing service would be compensated, and security measures that would be built into the service.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 307-09 – see attached resolution.

308-09 Resolution – Award of Contract for Lockbox Services.

Mr. Vithoukas and Mr. Hazelett responded to questions from the Board concerning the contract, including the savings that would be achieved by the County over the current contract for these services, the two firms interviewed by the County, and the County's previous experience with Wachovia for banking services.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 308-09 – see attached resolution.

309-09 Resolution – Award of Construction Contract – Fire Station #12 Renovations and Addition.

Paul Proto, Director of General Services, responded to a question from Mr. Kaechele pertaining to staff's original estimate of the project cost compared to the bids that were received by the County.

On motion of Mr. Glover, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 309-09 – see attached resolution.

310-09 Resolution – Award of Contract for Architectural and Engineering Services – Fire Station #9.

Mr. Proto clarified the amount of the contract for Mr. Kaechele.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 310-09 – see attached resolution.

311-09 Resolution – Award of Construction Contract – Administration Building Cafeteria Renovation.

Mr. Proto responded to questions from the Board relating to the scope of work that would be included in this contract, how the renovations would affect the cafeteria's operating hours, and the location of the companies that were interviewed by the selection committee.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 311-09 – see attached resolution.

312-09 Resolution – Authorization to Apply for and Accept State Homeland Security Grant Program.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 312-09 – see attached resolution.

313-09 Resolution – Award of Contract for Architectural and Engineering Services – Capital Area Training Consortium (CATC) Office Building.

Mr. Hazelett and Mr. Proto responded to questions from the Board regarding how the costs of these improvements would be allocated to the City of Richmond and the County's other local government partners in CATC.

On motion of Mr. Thornton, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 313-09 – see attached resolution.

314-09 Resolution – To Initiate Possible Amendments to the Henrico County Code Concerning the Location and Servicing of Refuse Containers.

Mr. Emerson responded to a question from Mr. Kaechele concerning the scope of the proposed amendments.

On motion of Mr. Glover, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 314-09 – see attached resolution.

315-09 Resolution – Acceptance of Target Stores, Inc. Law Enforcement Community Giving Grant Program Award to the County of Henrico Division of Police for Criminal Interview Room Communication Equipment.

Col. Henry Stanley, Chief of Police, responded to a question from Mrs. O'Bannon pertaining to how information will be communicated through this equipment.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 315-09 – see attached resolution.

316-09 Resolution - Signatory Authority – First Amendment to Lease of Office Space for the Henrico Drug Court Program – 8604 Staples Mill Road - Brookland District.

Jon Tracy, Director of Real Property, and Mr. Hazelett responded to a question from Mr. Kaechele relating to the status of plans to relocate this program to a new facility.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 316-09 – see attached resolution.

317-09 Resolution – Approval of Acquisition – Permanent Utility and Temporary Construction Easements – East Area Utilities Project, Phase III – John Burton, Jr. and Amena K. Burton – Varina District.

Mr. Tracy responded to a question from Mr. Kaechele regarding the status of condemnation proceedings previously authorized by the Board for this property.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 317-09 – see attached resolution.

318-09 Resolution - Request for Letter of Necessity - Charles City Road. Project #00984. Varina District.

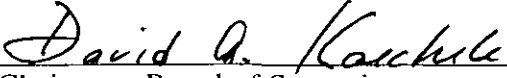
Director of Public Works Tim Foster, Mr. Vithoulikas, and Mr. Hazelett responded to questions from the Board concerning the source and status of funding for this project, the various entities involved in the project, and the scope of the project.

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 318-09 – see attached resolution.

319-09 Resolution - Acceptance of Roads.

On motion of Mr. Donati, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved Agenda Item No. 319-09 – see attached resolution.

There being no further business, the meeting was adjourned at 8:26 p.m.


Chairman, Board of Supervisors
Henrico County, Virginia

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For Clerk's Use Only: Date <u>DEC 8 2009</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to _____	BOARD OF SUPERVISORS ACTION		
	Moved by (1) <u>O'Bannon</u>	Seconded by (1) <u>Donati</u>	YES NO OTHER Donati, J. <u>✓</u> <u>✓</u> <u> </u>
	(2) _____	(2) _____	Glover, R. <u>✓</u> <u>✓</u> <u> </u>
	REMARKS: APPROVED		Kaechele, D. <u>✓</u> <u>✓</u> <u> </u>
			O'Bannon, P. <u>✓</u> <u>✓</u> <u> </u>
		Thornton, F. <u>✓</u> <u>✓</u> <u> </u>	

Date:

Clerk, Board of Supervisors

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

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Department - 22 - Social Services

22001 - Independent Living Program

1302 00000 - Purchase of Services \$ 13,500

This will appropriate additional funds for the Independent Living Education and Training Voucher Program. This program provides funding to help foster care youth with expenses associated with college and vocational training. The program is funded with Federal (80%) and State (20%) funding. The total appropriation for this program in fiscal year 2009-10 will be \$58,010, after this addition. No County matching funds are required.

22031 - TANF Hard to Serve

1301 00000 - Administration 96,807

1302 00000 - Purchase of Services 420,943

The Commonwealth of Virginia, Department of Social Services, has awarded the County of Henrico \$517,750 in additional Federal funding for fiscal year 2009-10 to continue providing employment services for the Hard-to-Serve Temporary Assistance for Needy Families (TANF) recipients. Of this total, \$96,807 has been designated for administration and \$420,943 is allotted for the purchase of services. No County matching funds are required.

22609 - Refugee Program

1302 00000 - Purchase of Services 100,000

The Commonwealth of Virginia, Department of Social Services, has awarded the County of Henrico an additional \$100,000 in Federal funding for fiscal year 2009-10 to fund State and Federal mandated Refugee Program expenditures. The total appropriation for this program in fiscal year 2009-10 will be \$117,000, after this addition. No local match is required.

Total Social Services	\$ 631,250
Total GENERAL FUND	\$ 964,908

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

Department 12 - Police

12002 - Fiscal Records

0000 05292 - TRIAD 10 \$ 752

The Office of the Attorney General has awarded the County of Henrico \$752 in State funds for the Senior Services program. Funds will be used to purchase supplies for the Senior Citizen Police Academies. A County required match of \$84 will be provided via a transfer of appropriated funds from a Police reserve account, for a total program amount of \$836.

0000 05293 - Justice Assistance Grant 10 111,576

Funds have been received from the Justice Assistance Grant (JAG), for \$111,576. These federal funds are to be used to purchase navigation devices, forensic and computer equipment. No County matching funds are required.

Total Police	\$ 112,328
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COUNTY OF HENRICO, VIRGINIA
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Department 13 - Fire

13113 - Emergency Planning and Safety

0000 05291 - VFSB - Training Equipment \$ 9,535

To appropriate grant funding of \$9,535 received from the Commonwealth of Virginia Department of Fire Programs. Funds were awarded by the Virginia Services Board as part of the Fire Programs Training Mini Grant Program and will be used to purchase training equipment for the Division of Fire's classrooms. No local match is required.

0000 00000 - FAEMS - Personal Protection Equipment 27,660

To appropriate grant funding of \$27,660 received from the Commonwealth of Virginia, Department of Health, Office of Emergency Medical Services (OEMS). Funding will be used for the purchase of surgical masks that are intended to provide OEMS licensed agencies with an inventory of masks in preparation for pandemic event. No local match is required.

Total Fire

\$ 37,195

Total Fund 1102 - Special Revenue Fund-State/Fed Grants-County

\$ 149,523

FUND 1110 - SPECIAL REVENUE FUND - Mental Health/Retardation Services

Department 26 - Mental Health/Retardation Services

26108 - Medical Services

1506 00000 - State Pharmacy Funds \$ 321,824

To appropriate restricted State funds to purchase medications for eligible consumers with mental illness due to the closing of the state community resource pharmacy as part of State budget reductions. The allocation replaces the disbursement of medication by the State operated community resource pharmacy that will now be allocated directly to MH/MR for the purchase of medications.

FUND 1113 - SPECIAL REVENUE FUND - Forfeitures Commonwealth's Attorney State

Department 05 - Commonwealth's Attorney

05001 - Commonwealth's Attorney

0000 00000 - Forfeitures - Commonwealth's Attorney - State \$ 101,743

Law enforcement special funds which have been received by the County of Henrico, and heretofore not appropriated for expenditure, are to be appropriated and used by the Commonwealth's Attorney for law enforcement projects as determined and approved by the County Manager or his designee.

Total SPECIAL REVENUE FUND

\$ 573,090

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. **302-09**
Page 4 of 6

FUND 6301 - RISK MANAGEMENT FUND

Department 16 - General Services

16001 - Risk Management

0000 00000 - Risk Management \$ 5,560,534

Funds are required to support anticipated expenses for the Workers' Compensation and Property/Liability programs for fiscal year ending June 30, 2010. This appropriation is an estimate of what will be required for the balance of the fiscal year. In fiscal year 2008-09, this amendment was appropriated in the amount of \$5,507,380. Funds are to come from the Self-Insurance Reserve in the General Fund, via an interfund transfer to the Internal Service Fund.

Total OPERATING FUNDS \$ 7,098,532

FUND 2101 - CAPITAL PROJECTS FUND - General Capital Projects

Department 12 - Police

12999 - Police Capital Projects

0000 06580 - Forensics Lab Expansion and Renovation \$ 253,700

To provide funding to expand the Police Forensics Lab and renovate the Technology Crime Unit and the Automated Fingerprint Identification System areas in the Public Safety Building. The renovation and expansion of these areas will enhance the efficiency of these units. Funds are to come from Wireless E-911 revenues that have been received by the County but not appropriated. This funding is to be moved from the Special Revenue Fund via an interfund transfer to the Capital Projects Fund.

FUND 2111 - CAPITAL PROJECTS FUND - Capital Initiatives

Department 23 - Recreation and Parks

23101 - Administration - Director

0000 01153 - RF&P Park \$ 12,000

To provide funding for improvements to the railroad mail car located at the Glen Allen Stadium at RF&P Park. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.

4015 06241 - Virginia Randolph 55,000

To provide funding for improvements to the 1,800 foot long walking trail at the Virginia Randolph athletic facility. The improvements would include construction of a six foot wide asphalt walking trail to replace the existing gravel walking trail. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.

4007 06587 - Wilder Soccer Facility 95,000

To provide funding for sodding and grading of two soccer fields at the Wilder Youth Soccer facility. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.

Total Recreation and Parks \$ 162,000

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 302-09
Page 5 of 6

Department 28 - Public Works

28004 - Construction

0000 06585 - Horsepen Road Feasibility Study \$ 31,760

This amendment will provide funding for a drainage corridor feasibility study on Horsepen Road from the intersection of Horsepen Road and Shrewsbury Road to the existing drainage outfall at Hampshire Road. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.

0000 06588 - St. Claire Lane and Walnut Street Drainage Improvements 69,375

This amendment will provide funding for survey and engineering services for approximately 1,300 linear feet of drainage improvements along Saint Claire Lane and Walnut Street. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.

0000 06589 - Oak Hill Lane Drainage Improvements 59,370

This amendment will provide funding for survey and engineering services for approximately 1,150 linear feet of drainage improvements along Oak Hill Lane. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.

0000 06590 - Michael Road Drainage Improvements 80,000

This amendment will provide funding for a storm sewer collection system for the drainage from the roadside ditches along Yolanda Road and surface drainage between Yolanda Road and Michael Road. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.

Total Public Works \$ 240,505

Department 32 - Non-Departmental

32001 - Non-Departmental

0488 06555 - Babe Ruth World Series \$ 40,000

This amendment will provide funding to Varina Youth Sports for the application to host the Babe Ruth Fast Pitch Softball 16 and under World Series in August 2010 at Dorey Park. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.

Total Capital Projects Fund - Capital Initiatives \$ 442,505

Total CAPITAL PROJECTS FUND \$ 696,205

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

Agenda Item No. **302-09**
Page 6 of 6

FUND 5102 - Water and Sewer Construction Fund

31201 - Accounting

1001 00735 - Water Reclamation Facility \$ 5,132,842

The Virginia Department of Environmental Quality (DEQ) under the Water Quality Improvement Program has awarded a grant equal to thirty-five percent of the cost of design and installation of Nutrient Removal Technology at the Water Reclamation Facility. The total estimated value of the grant is \$8,584,821. This amendment reflects the first reimbursement from the DEQ that totals \$5,132,842.

FUND 5107 - ARRA - Water and Sewer Construction Fund

31201 - Accounting

1000 06586 - Dabbs House Road Water Main Extension/DEQ \$ 300,000

This funding will extend the water main from Creighton Road southward along Dabbs House Road to provide water service for three homes with petroleum contaminated wells. The Virginia Department of Environmental Quality (DEQ) will reimburse the County for design and construction costs for these improvements. The DEQ has a program for extension of water to homes with petroleum contaminated wells. The DEQ is allocating American Resources and Recovery Act (ARRA) funding for this project.

FUND 5108 - Water and Sewer Recovery Zone Economic Development Bonds (RZEDB)

31201 - Accounting

1001 00732 - Sewer Line Rehabilitation \$ 9,800,000

This project will rehabilitate or replace deteriorating sewer piping to reduce wet weather flows due to infiltration and inflow, prevent overflows, ensure adequate pipe capacity and improve the overall condition of the sewer system in part or all of the three designated recovery zones - Lakeside and Monument Avenue Areas (Strawberry Hill Sewer Basin) and the Highland Springs Area (Broadwater Sewer Area). Funding for this project will be provided by the sale of the Recovery Zone Economic Development Bonds (RZEDB).

Total Water and Sewer Capital Projects

\$ 15,232,842

TOTAL CAPITAL FUNDS

\$ 15,929,047

Total Amendments/Appropriations

\$ 23,027,579

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



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 303-09
Page No. 1 of 1

Agenda Title: **ORDINANCE – To Amend and Reordain Section 9-2 of the Code of the County of Henrico Titled “Precincts and polling places” by Making Technical Corrections in the Text Relating to the Polling Places for the Westwood Precinct in the Brookland District, the Maplewood and Yellow Tavern Precincts in the Fairfield District, and the Laburnum and Sandston Precincts in the Varina District**

For Clerk's Use Only:

Date: **DEC 8 2009**

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

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

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

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

By Agency Head Joseph P. Riquianda Jr. By County Manager Sup. S. Haydel

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

AN ORDINANCE To Amend and Reordain Section 9-2 of the Code of the County of Henrico Titled "Precincts and polling places" by Making Technical Corrections in the Text Relating to the Polling Places for the Westwood Precinct in the Brookland District, the Maplewood and Yellow Tavern Precincts in the Fairfield District, and the Laburnum and Sandston Precincts in the Varina District.

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

1. That Section 9-2 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 9-2. Precincts and polling places.

The following shall be the precinct boundaries and polling places for the magisterial districts in the county.

(1) Brookland Magisterial District.

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p. *Westwood Precinct.* Beginning at the intersection of the boundary line of the City of Richmond and Henrico County and West Broad Street; thence northwestwardly along West Broad Street to its intersection with Horsepen Road; thence westwardly along Horsepen Road to its intersection with Betty Lane; thence southwardly along Betty Lane to its intersection with Fitzhugh Avenue; thence eastwardly along Fitzhugh Avenue to its intersection with Orchard Road; thence southwestwardly along Orchard Road to its intersection with Monument Avenue; thence southeastwardly along Monument Avenue to its intersection with Libbie Avenue; thence southwestwardly along Libbie Avenue to its intersection with the boundary line of the City of Richmond and Henrico County; thence eastwardly and northwardly along the boundary line of the City of Richmond and Henrico County to its intersection with West Broad Street and the point of beginning. The polling place for Westwood Precinct shall be ~~Epiphany Evangelical Lutheran Church, 1400 Horsepen Road.~~ **the Jewish Community Center, 5403 Monument Avenue.**

(2) Fairfield Magisterial District.

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- o. *Maplewood Precinct.* Beginning at the intersection of Mechanicsville Turnpike (U.S. Route 360) and the Virginia Power easement (approximately 1,800 feet northeast of the intersection of Mechanicsville Turnpike (U.S. Route 360) and Springdale Road); thence southeastwardly along the Virginia Power easement to its intersection with Creighton Road (approximately 400 feet northeast of the intersection of Carolee Drive and Creighton Road); thence southwestwardly along Creighton Road to its intersection with North Laburnum Avenue; thence northwestwardly along North Laburnum Avenue to its intersection with Harvie Road and East Laburnum Avenue; thence northwestwardly along East Laburnum Avenue to its intersection with Mechanicsville Turnpike (U.S. Route 360); thence northeastwardly along Mechanicsville Turnpike (U.S. Route 360) to its intersection with the Virginia Power easement (approximately 1,800 feet northeast of the intersection of Mechanicsville Turnpike (U.S. Route 360) and Springdale Road) and the point of beginning. The polling place for Maplewood Precinct shall be ~~Broadus Memorial Baptist Church~~ **Abundant Life Church of Christ**, 3700 Goodell Road.

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- w. *Yellow Tavern Precinct.* Beginning at the intersection of the Richmond and Ashland Electric right-of-way and the boundary line of Hanover County and Henrico County; thence eastwardly along the boundary line of Hanover County and Henrico County to its intersection with Chamberlayne Road (U.S. Route 301); thence southwestwardly along Chamberlayne Road (U.S. Route 301) to its intersection with East Parham Road; thence southwestwardly along East Parham Road to its intersection with Interstate Route 95; thence northwardly along Interstate Route 95 to its intersection with Interstate Route 295; thence northwestwardly along Interstate Route 295 to its intersection with Longdale Avenue extended; thence southeastwardly along Longdale Avenue extended to its intersection with Davis Avenue and Longdale Avenue; thence southeastwardly along Longdale Avenue to its intersection with Lee

Avenue; thence southwestwardly along Lee Avenue to its intersection with Richmond Road; thence southeastwardly along Richmond Road to its intersection with Cole Boulevard; thence southwestwardly along Cole Boulevard to its intersection with Greenwood Road; thence northwardly along Greenwood Road to its intersection with Interstate Route 295; thence northwestwardly along Interstate Route 295 to its intersection with Woodman Road; thence northeastwardly along Woodman Road to its intersection with Greenwood Road; thence southeastwardly along Greenwood Road to its intersection with Winfrey Road; thence northwardly along Winfrey Road to its intersection with the Richmond and Ashland Electric right-of-way; thence northwestwardly along the Richmond and Ashland Electric right-of-way to its intersection with the boundary line of Hanover County and Henrico County and the point of beginning. The polling place for Yellow Tavern Precinct shall be North Park Library, 8508 Franconia Road.

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(5) Varina Magisterial District.

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- i. *Laburnum Precinct.* Beginning at the intersection of the Norfolk Southern Railway and S. Airport Drive (State Route 156); thence southwardly along S. Airport Drive (State Route 156) to its intersection with W. Williamsburg Road (U.S. Route 60 and Williamsburg Road (U.S. Route 60); thence westwardly along Williamsburg Road (U.S. Route 60) to its intersection with S. Airport Drive Extended; thence southwardly along S. Airport Drive Extended to its intersection with S. Airport Drive (State Route 156); thence southwardly along S. Airport Drive (State Route 156) to its intersection with Charles City Road; thence northwestwardly along Charles City Road to its intersection with Williamsburg Road (U.S. Route 60); thence eastwardly along Williamsburg Road (U.S. Route 60) to its intersection with Millers Lane; thence northwardly along Millers Lane to its intersection with Millers Lane Extended; thence northwardly along Millers Lane Extended to its intersection with Interstate Route 64; thence eastwardly along Interstate Route 64 to its intersection with Oakleys Lane; thence northwardly along Oakleys Lane to its intersection with the Norfolk Southern Railway; thence eastwardly along the Norfolk Southern Railway to its

intersection with S. Airport Drive (State Route 156) and the point of beginning. The polling place for Laburnum Precinct shall be ~~St. Paul Lutheran Church~~ **Mountain of Blessings Christian Center**, 4700 Oakleys Lane.

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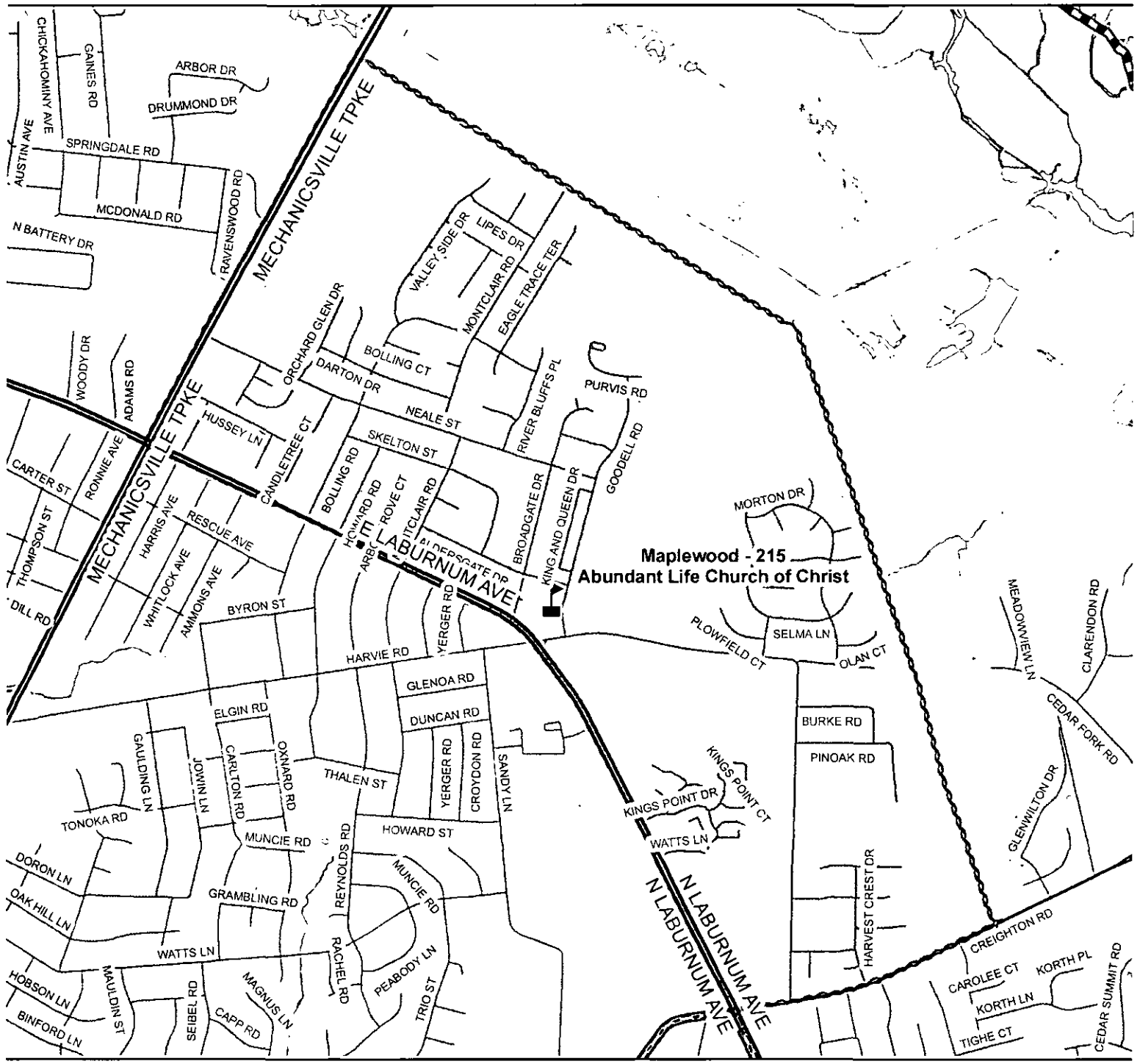
- p. *Sandston Precinct.* Beginning at the intersection of Charles City Road and S. Airport Drive; thence northwardly along S. Airport Drive to its intersection with S. Airport Drive Extended (approximately 2,650 feet southwest of the intersection of S. Airport Drive and Williamsburg Road); thence northwardly along S. Airport Drive Extended to its intersection with Williamsburg Road (U.S. Route 60); thence eastwardly along Williamsburg Road (U.S. Route 60) to its intersection with S. Airport Drive (State Route 156); thence northwardly along S. Airport Drive (State Route 156) to its intersection with the Southern Railway; thence eastwardly along the Southern Railway to its intersection with East Nine Mile Road (State Route 33); thence southeastwardly along East Nine Mile Road (State Route 33) to its intersection with Bond Street; thence northeastwardly along Bond Street to its intersection with Algiers Drive; thence southeastwardly along Algiers Drive to its intersection with Defense Avenue; thence southeastwardly along Defense Avenue to its intersection with Seven Pines Avenue; thence southwardly along Seven Pines Avenue to its intersection with Howard Street; thence southwestwardly along Howard Street to its intersection with East Nine Mile Road (State Route 33); thence southwardly along East Nine Mile Road (State Route 33) to its intersection with East Williamsburg Road (U.S. Route 60); thence eastwardly along East Williamsburg Road (U.S. Route 60) to its intersection with Sandston Avenue; thence southwardly along Sandston Avenue to its intersection with Huntsman Road; thence eastwardly along Huntsman Road to its intersection with Seabury Avenue; thence southwardly along Seabury Avenue to its intersection with Treva Road; thence westwardly along Treva Road to its intersection with Beulah Road; thence southwardly along Beulah Road to its intersection with White Oak Swamp Creek (approximately 1,200 feet north of the intersection of Beulah Road and La France Road); thence southeastwardly along White Oak Swamp Creek to its intersection with Portugee Road; thence southwardly along White Oak Swamp Creek to a fork in the creek (approximately 400 feet west of the intersection of Poplar Springs Road and White Oak Swamp Creek); thence southwestwardly along White Oak Swamp Creek to its intersection with an unnamed

stream (approximately 4,800 feet east of the intersection of White Oak Swamp Creek and Interstate Route 295); thence southwardly along the unnamed stream to its intersection with another unnamed stream; thence southwestwardly along this unnamed stream to its intersection with Charles City Road (approximately 2,000 feet east of the intersection of Turner Road and Charles City Road); thence northwestwardly along Charles City Road to its intersection with S. Airport Drive and the point of beginning. The polling place for Sandston Precinct shall be ~~Sandston Library, 23 E. Williamsburg Road.~~ **Sandston Baptist Church, 100 W. Williamsburg Road.**

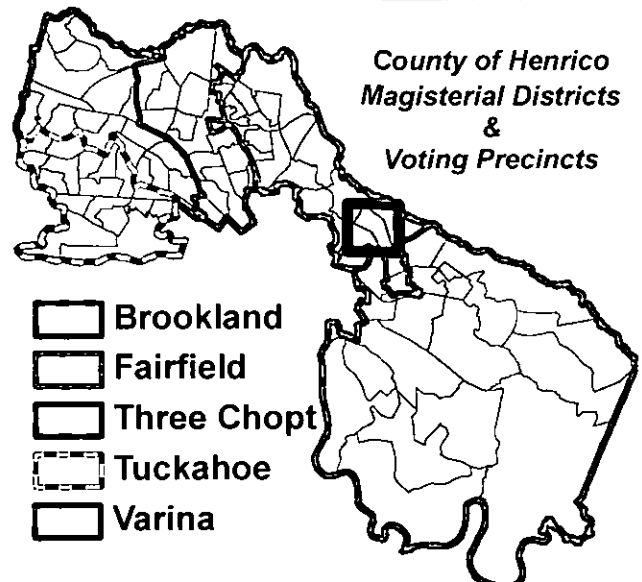
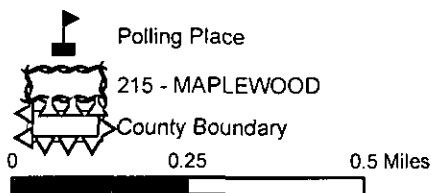
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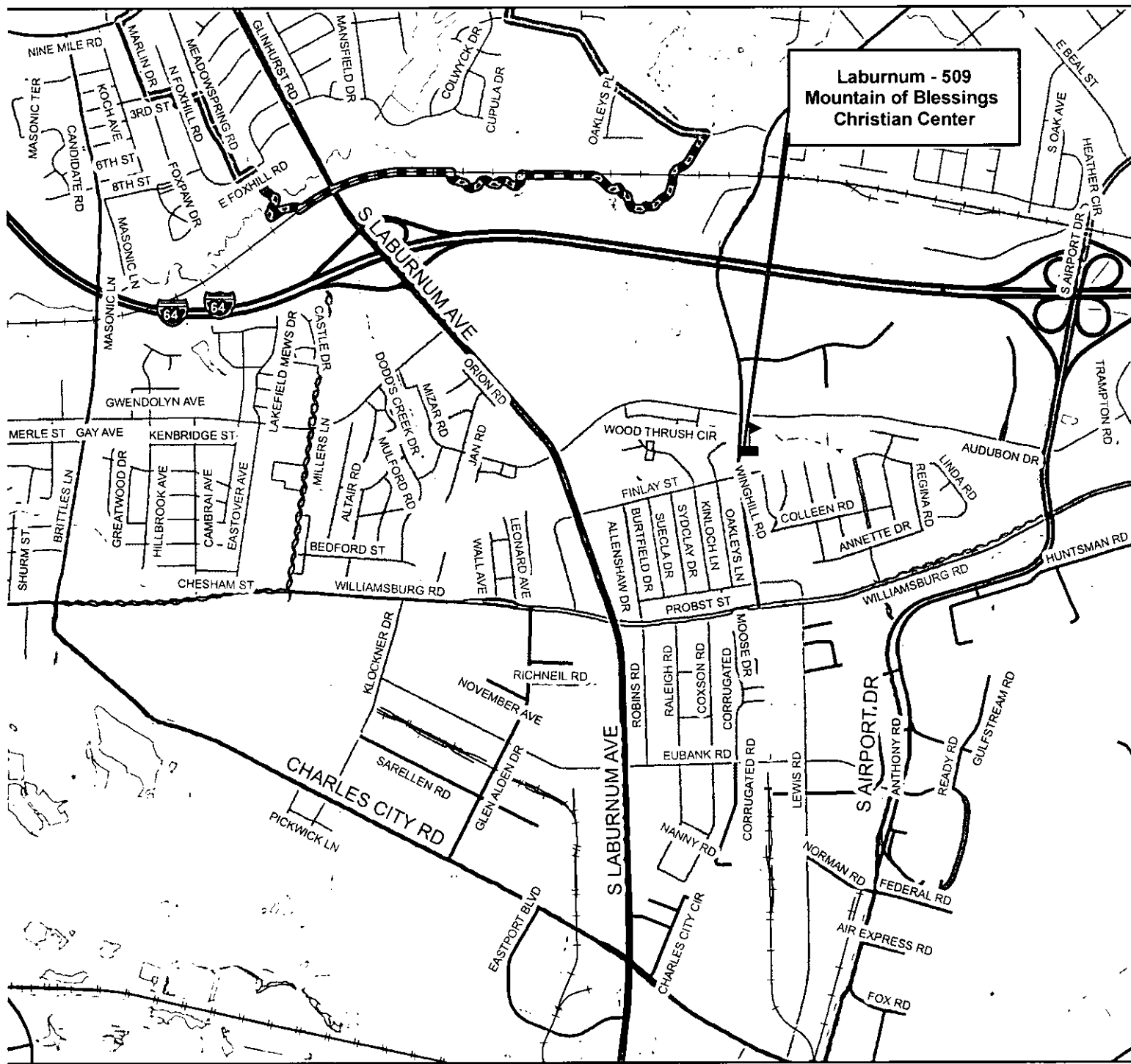
2. That the remaining provisions of Section 9-2 of the Code of the County of Henrico shall remain unchanged and in full force and effect.

3. That this ordinance shall be in full force and effect on and after its passage as provided by law.



Maplewood - 215
 Henrico County , VA
 Fairfield Magisterial District
 Polling Location:
 Abundant Life Church of Christ
 3700 Goodell Road
 Henrico , 23223





Laburnum - 509

Henrico County, VA

Varina Magisterial District

Polling Location:


Mountain of Blessings

Christian Center

4700 Oakleys Lane






23150, Sandston

 Polling Place

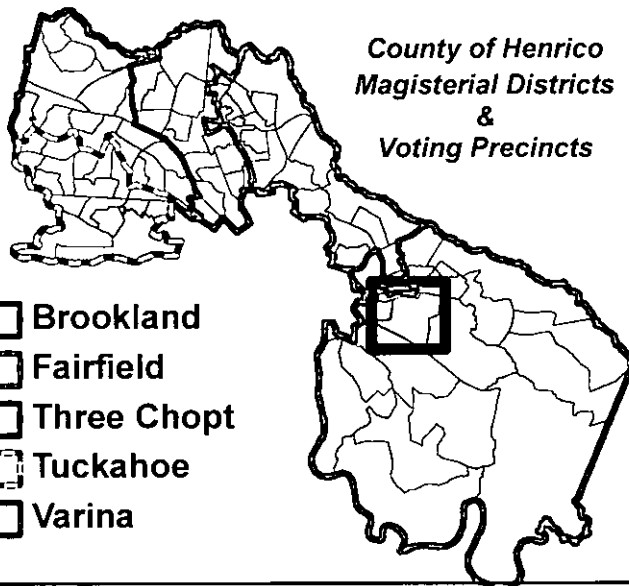
 509 - LABURNUM
County Boundary

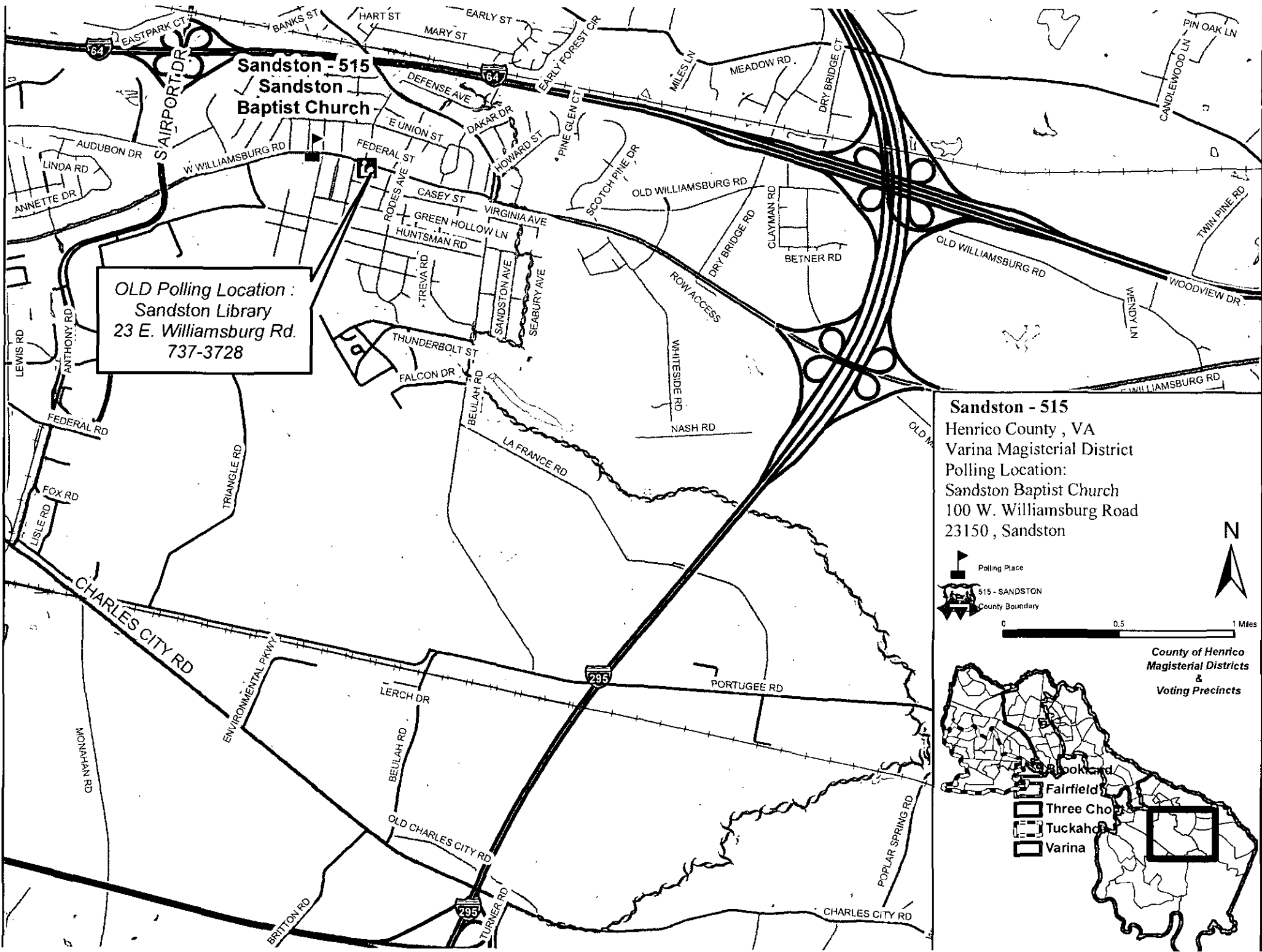
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-  Brookland
-  Fairfield
-  Three Chopt
-  Tuckahoe
-  Varina

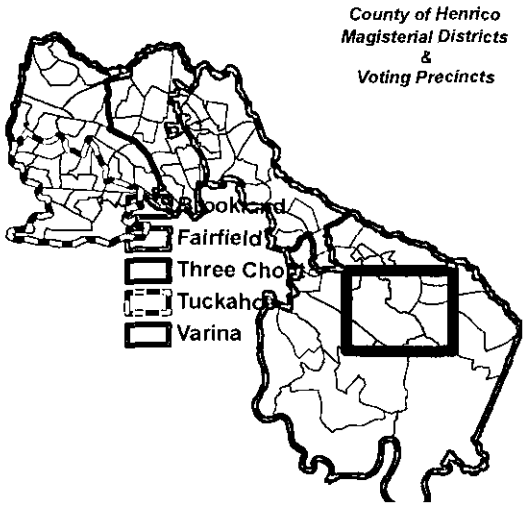
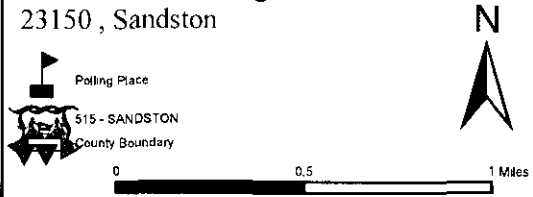
County of Henrico
Magisterial Districts
&
Voting Precincts





OLD Polling Location :
Sandston Library
23 E. Williamsburg Rd.
737-3728

Sandston - 515
Henrico County , VA
Varina Magisterial District
Polling Location:
Sandston Baptist Church
100 W. Williamsburg Road
23150 , Sandston





COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 304-09
Page No. 1 of 1

Agenda Title: Introduction of Ordinance – To Amend and Reordain Sections 10-71 Titled “Complaints” and 10-73 Titled “Prohibited noises enumerated” of the Code of the County of Henrico, to Repeal and Reserve Section 10-72 Titled “Prohibited noise generally,” and to Add Section 10-74 Titled “Exemptions,” All Relating to the Regulation of Noise.

For Clerk's Use Only: Date: DEC 8 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>Kacchele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></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"/>	Kacchele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

The Clerk is directed to advertise, in the Richmond Times-Dispatch on January 5, 2010 and January 12, 2010, the following ordinance for a public hearing to be held at the Board Room on January 26, 2010 at 7:00 p.m.:

"AN ORDINANCE to amend and reordain Sections 10-71 titled 'Complaints' and 10-73 titled 'Prohibited noises enumerated' of the Code of the County of Henrico, to repeal and reserve Section 10-72 titled 'Prohibited noise generally,' and to add Section 10-74 titled 'Exemptions,' all relating to the regulation of noise. A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

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

By Agency Head _____

By County Manager _____

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

Ordinance – To amend and reordain Sections 10-71 titled “Complaints” and 10-73 titled “Prohibited noises enumerated” of the Code of the County of Henrico, to repeal and reserve Section 10-72 titled “Prohibited noise generally,” and to add Section 10-74 titled “Exemptions,” all relating to the regulation of noise.

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

1. That Section 10-71 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 10-71. Complaints. Penalty and enforcement.

- (a)** No person shall be charged with a violation of the provisions of section 10-73 unless the **a (1)** complainant appears before a magistrate and requests a summons to be issued **or (2)**. ~~However, when a violation is committed in the presence of a police officer, he shall proceed as provided by section 1-13.~~
- (b)** **Any person convicted of violating any of the provisions of section 10-73 shall be punished by a fine not to exceed \$500. Any person convicted of a second offense within less than five years after a first offense under this article shall be punished by a fine not to exceed \$1000. Any person convicted of a third offense within less than 10 years after a first offense under this article shall be punished by a fine not to exceed \$2500.**
- (c)** **Each day a violation continues unabated shall constitute a separate offense.**
- (d)** **Criminal enforcement against a person violating this article shall not be a bar against, or a prerequisite for, taking any other action permitted by this Code or the Code of Virginia to abate the violation.**

2. That Section 10-72 of the Code of the County of Henrico be repealed and reserved as follows:

Sec. 10-72. Prohibited noise generally Reserved.

~~It shall be unlawful for any person to create any unreasonably loud, disturbing and unnecessary noise in the county. Noise of such character, intensity and duration as to be detrimental to the life or health of any person or to unreasonably disturb or annoy the quiet, comfort or repose of any person is hereby prohibited.~~

3. That Section 10-73 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 10-73. Prohibited noises enumerated.

~~The following acts are declared to be loud, disturbing and unnecessary noises in violation of section 10-72, but such enumeration shall not be deemed to be exclusive~~ **It shall be unlawful for any person to cause or permit to be caused any of the following prohibited sounds or noises:**

- (1) ~~Horns and signaling devices on vehicles.~~ The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle while not in motion, except as a danger signal if any other vehicle is approaching apparently out of control, or if in motion only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended, ~~or other evasive action is taken; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for any unnecessary and unreasonable period of time.~~
- (2) ~~Radios, phonographs and musical instruments~~ **Sound-producing and sound-reproducing devices.** The ~~use, operation or~~ playing of any radio, phonograph, television, record, compact disc, tape, digital music, MP3 or DVD player, or musical instrument, ~~loudspeaker, sound amplifier or other machine or device capable of producing or reproducing sound, regardless of whether such sound-producing or sound-reproducing machine or device is located inside of a structure, outside of or on a structure or in or on a motor vehicle located on private property,~~ in such a manner or with such volume ~~or duration that it is plainly audible,~~ particularly during the hours between 12:00 midnight **11:00 p.m.** and 7:00 a.m., **(i) inside the confines of the dwelling unit, house or apartment of another person or (ii) at 50 or more feet from the device,** as to annoy or disturb the quiet, comfort or repose of persons in any dwelling, hotel or other type of residence.
- (3) ~~Noisy animals.~~ The ~~Allowing~~ keeping of any animal or bird which by ~~to~~ causing **any sound or noise such that it is plainly audible (i) inside the confines of the dwelling unit, house or apartment of another person at least once a minute for 10 consecutive minutes or (ii) at 100 or more feet from the animal at least once a minute for 10 consecutive minutes** frequent or long continued noise shall disturb the quiet, comfort or repose of any person in the vicinity to such an extent as shall constitute a nuisance.
- (4) ~~Defect in vehicle or load.~~ The use of any automobile, motorcycle or vehicle so out of repair, so loaded or operated in such manner as to create loud and unnecessary grating, grinding, rattling or other noises.

- (5) ~~Steam whistles. The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of danger or other emergency.~~
- (6) ~~Noisy exhausts. The discharge of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or motorboat engine into the open air except through a muffler or other device which will effectively prevent loud and explosive noises therefrom.~~
- (7) ~~Creation of noise near schools, courts or hospitals. The creation of any excessive sound on any street adjacent to any school, institution of learning or court while such institution is in session, or adjacent to any hospital, which unreasonably interferes with the workings of such institution or disturbs or unduly annoys patients in the hospital; provided that conspicuous signs are displayed in such streets indicating that such street is a school, hospital or court street.~~
- (4) Trash and recycling collection. The creation of any sound or noise between 12:00 midnight and 6:00 a.m. that is plainly audible in a residential area, except those areas zoned for Urban Mixed Use, when the sound or noise is produced in connection with the loading or unloading of refuse, waste or recycling collection vehicles.
- (85) Street cleaning and construction. Loading, unloading or opening boxes. The creation of any sound or noise between 11:00 p.m. and 6:00 a.m. that is plainly audible in a residential area, except those areas zoned for Urban Mixed Use, when the sound or noise is produced in connection with (i) the cleaning of streets or parking lots or (ii) construction or demolition activities loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.
- (96) Peddlers and hawkers. The Yelling, shouting, whistling, screaming or and crying for the purpose of attracting attention to a performance, show, sale or display of merchandise between the hours of 11:00 p.m. and 7:00 a.m. on any public street, sidewalk or parking lot or any privately-owned street, sidewalk or parking lot open to the public, except to summon aid in an emergency of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.
- (10) ~~Drums, loudspeakers and other attention-attracting devices. The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale or display of merchandise.~~
- (117) Amplified sound from vehicles. The Playing, using or operating, or permitting the playing, use or operation of, any radio, stereo, tape player, compact disc player, loud speaker or other electronic device or mechanical equipment used for the amplification of sound, which is located on or within a motor vehicle being operated on a public street or alley, and which is plainly audible from outside the motor vehicle

at a distance of 50 feet or more. The provisions of this subsection shall not apply to ~~motor vehicle alarms or other security devices, nor to the emission of sound for the purpose of alerting persons to the existence of an emergency, or the emission of sound in the performance of emergency work~~ the playing of music or jingles by an ice cream truck or similar mobile food-service vehicle, provided such vehicle may emit sounds otherwise prohibited by this subsection only between the hours of 7:00 a.m. and 9:00 p.m.

- (8) Lawn care activities. Creating any sound or noise plainly audible in residential areas between 11:00 p.m. and 7:00 a.m. in connection with lawn care, leaf removal, gardening, tree maintenance or removal or other landscaping, lawn or timbering activities.

4. That Section 10-74 be added to the Code of the County of Henrico as follows:

Sec. 10-74. Exemptions.

The prohibitions of section 10-73 of this article shall not apply to any sound or noise generated by any of the following:

- (1) Sound or noise which is necessary for the protection or preservation of property or the health, safety, life or limb of any person, including sound or noise caused by restoration of utility service after an interruption.
- (2) Sound or noise which is necessary for the maintenance or construction of roads and highways.
- (3) Radios, sirens, horns and bells on police, fire or other emergency response vehicles.
- (4) Parades, fireworks displays, school-related activities and other such public special events or public activities.
- (5) Band performances or practices, athletic contests or practices and other school-sponsored activities on the grounds of public or private schools, colleges or universities.
- (6) Athletic contests and other officially-sanctioned activities in county parks.
- (7) Fire alarms, burglar alarms and car alarms, prior to the giving of notice and a reasonable opportunity for the owner or person in possession of the premises or vehicle served by any such alarm to turn off the alarm.
- (8) Religious services, religious events or religious activities or expressions, including, but not limited to music, singing, bells, chimes and organs which are part of such service, event, activity or expression.

- (9) Locomotives and other railroad equipment, and aircraft.
- (10) Military activities of the state or of the United States of America.
- (11) Agricultural operations, as defined in Code of Virginia § 3.2-300, provided such operations comply with all applicable laws, regulations and ordinances.
- (12) Amateur and professional motorsports competitions and competition-related events such as time trials and practices, provided the competition is sanctioned by a nationally-recognized motorsports racing organization and complies with all applicable laws, regulations and ordinances, including permit terms and conditions, if any.
- (13) Political gatherings and other activities protected by the First Amendment to the United States Constitution.
- (14) Activities for which the regulation of noise has been preempted by federal law.

5. That this ordinance shall be effective on and after its passage.

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



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

Agenda Item No. 305-09
Page No. 1 of 2

Agenda Title: RESOLUTION — Consent to Granting Leases and Easements by the Capital Region Airport Commission

For Clerk's Use Only:

Date: **DEC 8 2009**

- ☒ 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"/>

WHEREAS, the Deed and Agreement dated January 1, 1976, between the City of Richmond (the "City"), Henrico County and the Capital Region Airport Commission (the "Commission") recorded in Deed Book 1684, page 944 in the Clerk's Office, Circuit Court, Henrico County, Virginia, as amended by First Amendment to Tripartite Agreement dated December 1, 1984, Second Amendment to Tripartite Agreement dated October 29, 1985 and Third Amendment to Tripartite Agreement dated April 25, 1990 (collectively the "Tripartite Agreement"), provides in paragraph 1 ("Paragraph 1") that the Commission shall not convey, sell or otherwise dispose of any real estate conveyed to the Commission by the City (the "Property") without the prior written consent of the City, Henrico County, Chesterfield County and Hanover County ("Member Jurisdictions"); and,

WHEREAS, City Attorneys for the City by letters dated January 29, 1976 and May 2, 1988 (the "City Opinions") have opined that Paragraph 1 was not intended to require the consent of the City for (i) granting leases for a term of years on any of the Property, (ii) granting easements to tenants necessary for ingress and egress to the leased premises, (iii) granting easements relating to the operation and maintenance of the Property that are beneficial (necessary or desirable) to the Property as a regional airport facility, and (iv) granting easements to the Commission's lessees that are performing a service or function under the lease related to the Commission purpose of operating a regional airport; and,

WHEREAS, in reliance on the City Opinions, the Commission has from time to time executed and delivered leases and easements to third parties and the Commission now wishes to obtain general approval from the Member Jurisdictions to continue that process and accordingly, by Resolution dated September 29, 2009, the Commission has requested each Member Jurisdiction to authorize that process.

By Agency Head

Joseph B. Rappando, Jr.

By County Manager

David L. Haydel

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. 305-09
Page No. 2 of 2

Agenda Title: RESOLUTION — Consent to Granting Leases and Easements by the Capital Region Airport Commission

NOW, THEREFORE, BE IT RESOLVED that the Henrico County Board of Supervisors authorizes the Commission, without the prior approval of Henrico County, (i) renting or leasing for a term of years any of the Property, (ii) granting an easement to tenants necessary for ingress and egress to such leased premises, and (iii) granting utility and other easements beneficial (necessary or desirable) to the Commission or its lessees, as determined by the Chief Executive Officer of the Commission relating to the operation and maintenance of the Property as an airport pursuant to its Enabling Act.

Comments: This Board paper was requested by the Capital Region Airport Commission.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 306-09

Page No. 1 of 1

Agenda Title: - RESOLUTION ~ Approving the Plan of Financing for the Capital Region Airport Commission for the Purpose of Financing or Refinancing Improvements and Extensions at the Richmond International Airport

For Clerk's Use Only:

Date: DEC 8 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.	<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"/>

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

Comments: This paper has been requested by the Capital Region Airport Commission. The Board approved a similar request in January, 2007.

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: _____

**RESOLUTION – APPROVING THE PLAN OF FINANCING FOR THE CAPITAL
REGION AIRPORT COMMISSION FOR THE PURPOSE OF FINANCING OR
REFINANCING IMPROVEMENTS AND EXTENSIONS AT THE RICHMOND
INTERNATIONAL AIRPORT**

WHEREAS, the Capital Region Airport Commission was created pursuant to the provisions of Chapter 380 of the Acts of Assembly of 1980, as amended (the “Enabling Act”), and owns and operates the Richmond International Airport (the “Airport”); and

WHEREAS, in order to expand its facilities due to increasing passenger and cargo demand, the Commission desires to undertake any or all of the improvements, enlargements or replacements at the Airport (the “Project”) and issue its bonds, notes or other obligations (the “Obligations”) pursuant to a plan of financing, all as set forth in *Exhibit A* attached hereto; and

WHEREAS, the Enabling Act requires that the governing body of each participating political subdivision of the Commission approve the maximum amount and general purposes of the issuance of indebtedness by the Commission; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), provides that, following a public hearing, the plan of financing for the issuance of exempt facilities bonds or notes be approved by certain elected public bodies in respect of the issuer of such bonds or notes, which in the case of the Commission includes the Board of Supervisors of the County of Henrico, Virginia (the “County”); and

WHEREAS, the plan of financing for the issuance of the Obligations for the Project was the subject of a public hearing by the Commission on November 24, 2009, in accordance with the provisions of Section 147(f) of the Code; and

WHEREAS, the Commission has requested that the Board of Supervisors of the County approve the plan of financing for the issuance of the Obligations to finance or refinance any or all parts of the Project and their maximum amount, as required by the Enabling Act and to the extent required by the Code; and

WHEREAS, it is in the best interests of the County to approve the Commission's plan of financing as set forth in *Exhibit A*.

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

1. The Board hereby approves the issuance from time to time of Obligations by the Commission pursuant to the plan of financing for the Project, all as described in *Exhibit A*, and the general purposes thereof for the financing or refinancing of the Project, as required by the Enabling Act and to the extent required by Section 147(f) of the Code.

2. The approval of the plan of financing for the issuance of the Obligations does not constitute an endorsement to prospective purchasers of the Obligations of the creditworthiness of the Project, the Airport or the Commission. As set forth in the plan of financing, the Obligations shall provide (i) that the County shall not be obligated to pay the Obligations or the interest thereon or other costs incident thereto, and (ii) that the Commission shall not be obligated to pay the Obligations or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor and from any other funds which may become available. Neither the faith or credit nor the taxing power of the Commonwealth, the County or the Commission shall be pledged to the payment of the Obligations.

3. This resolution shall take effect immediately upon its adoption.

CAPITAL REGION AIRPORT COMMISSION

Airport Development Program

PLAN OF FINANCE

(November 24, 2009)

The Capital Region Airport Commission (the "Commission") was created by and pursuant to Chapter 537 of the Acts of Assembly of 1975, as amended, and continued by Chapter 380 of the Acts of Assembly of 1980, as amended (the "Enabling Act"), and is authorized to issue its bonds or other obligations for the purpose of financing and refinancing, among other things, the cost of maintaining, enlarging and improving any of its facilities.

The Commission is continuing the capital expansion program that was the subject of its previous plan of finance, dated December 12, 2006, and approved by its Participating Political Subdivisions (as that term is defined in the Enabling Act) shortly thereafter (the "2006 Plan of Finance"). The Commission's current capital improvement program (the "Airport Development Program") consists of the following projects (many of which were the subject of the 2006 Plan of Finance):

1. The acquisition, construction and equipping of expansions to the Commission's terminal building, canopies from the terminal building to the Commission's parking facilities, and improvements to the terminal's facilities, systems and equipment (including ticket counters, offices, baggage make-up and claim devices and utility equipment);
2. The acquisition, construction and equipping of expansions to the concourse and administrative areas of the terminal building, including additional concession areas, airline operations areas, public circulation areas, federal inspection facilities, ticket counters, offices and passenger holdrooms for additional gates in Concourses A and B, and including passenger loading bridges;
3. The acquisition, renovation and equipping of upgrades, improvements and refurbishments to the heating - ventilating - air conditioning system and the interior areas (including furnishings and tenant build-outs/finishes) of the terminal building and the concourses thereto;
4. The construction and equipping of security and screening facilities at the Airport including the terminal building and the concourses thereto, including bulk baggage screening, security checkpoints, and space and equipment for screening agencies, companies, personnel and the foregoing;

5. The acquisition, construction, reconstruction and equipping of the ingress and egress terminal area roadways, including the construction and signage of major roadway improvements for Airport Drive and other ancillary roadways including structures for traffic separation, realignment and relocation of existing roadways and parking facilities, and site improvements with respect thereto;
6. The acquisition, construction and equipping of an office/administration, maintenance and warehouse building and related real estate;
7. The acquisition, construction and equipping (including site work) of a building or buildings of up to 400,000 square feet for air cargo, commercial development and other aviation-related purposes and to serve the Commission's foreign trade zone, such projects to include associated office space, ancillary roads, site infrastructure and equipment;
8. The acquisition (including related land and associated rights in respect thereof), construction, reconstruction, expansion, improving and equipping of (i) additional public parking facilities, including satellite parking facilities (5,000 spaces), additional structured parking facilities adjacent to the existing public parking garages (2,800 spaces), structured parking facilities adjacent to the terminal building (1,000 spaces), and related vehicle servicing facilities, (ii) improvements to the rental car storage and ready/return facilities, including the rental car ready/return garage adjacent to the terminal building to accommodate additional vehicles, and related vehicle servicing facilities, and (iii) additional employee and tenant parking facilities;
9. The construction, reconstruction, renovation, expansion, conversion and equipping (including site work) of current and future aircraft hangars of up to 400,000 square feet for general aviation, air cargo and aircraft maintenance purposes, and the acquisition, construction and equipping of additional facilities, including aircraft hangars, for air cargo (including for transportation logistics, intermodal purposes, and package sorting, distribution, and delivery), aircraft storage and aircraft maintenance by commercial entities and governmental agencies;
10. The construction, reconstruction, extension or rehabilitation of aircraft parking aprons, taxiways and runways, including, but not limited to, the extension of Runways 16-34 and 2-20, and the costs of land acquisition related thereto and associated rights in respect thereof and costs incident thereto;
11. The construction, reconstruction, rehabilitation, extension and upgrade of the Commission's infrastructure facilities, including its water, sewer, de-icing, drainage and stormwater management systems and other utilities;

12. The development and redevelopment of the areas formerly used by the Virginia Air National Guard, including the relocation of current Airport tenants and the construction and equipping of fixed base operators, aircraft storage and aircraft maintenance facilities and infrastructure in support thereof;
13. The acquisition of land for general airport purposes, construction, renovation or relocation of other functionally related and subordinate facilities in and around the Airport and the projects set forth above; and
14. The funding of debt service reserve and other reserve funds, the costs of design and engineering of any part of the Airport Development Program, and the costs of issuance of the Obligations referred to below, including the costs of any credit enhancement for such obligations and interest on them during and for up to one year after the completion of any of the projects set forth above.

The Airport Development Program will provide better airport services to the inhabitants of the Participating Political Subdivisions, which presently consist of the City of Richmond and the Counties of Chesterfield, Hanover and Henrico. The Airport Development Program will also promote the welfare, convenience and prosperity of the inhabitants of the Participating Political Subdivisions and the Commonwealth of Virginia, and the increase of their commerce.

The Commission anticipates that it will finance or refinance all or a part of the Airport Development Program through the issuance from time to time of its bonds, notes or other obligations in an aggregate maximum amount now estimated not to exceed \$200,000,000. As described further below, the Commission contemplates that it may also issue bonds, notes or other obligations to refund any bonds, notes or other obligations issued to finance or refinance the Airport Development Program, also in an aggregate maximum amount now estimated not to exceed \$200,000,000. Any such bonds, notes or other obligations and refunding bonds, notes or other obligations are together referred to in this plan of finance as "Obligations". Obligations for initial financing or refunding may be issued at different times in several series of different amounts, with the timing, amounts and number depending on the Commission's need for funds and market conditions. The Commission expects that the first issuance of Obligations will occur no later than one year after the approval of the last Participating Political Subdivision to approve the issuance of the Obligations and the general purposes thereof and the last such issuance to occur no later than three years after the first issuance pursuant to the plan of finance.

The Obligations may be issued on either a taxable or tax-exempt basis and may be secured by or payable (i) from the revenues of the Commission generally or certain designated projects or facilities on or about the Airport, (ii) exclusively from the income and revenues of the Airport Development Program's facilities or any part thereof, or (iii) from passenger facility charges approved by the Federal Aviation Administration and collected by or on behalf of the Commission. The Commission may additionally secure the Obligations by a pledge of any grant or contribution from a Participating Political Subdivision, the Commonwealth of Virginia or any political subdivision, agency or instrumentality thereof, any federal agency or any unit, private corporation, copartnership, association, or individual, as such Participating Political Subdivision,

or other entities may be authorized to make under general law or by a pledge of any income or revenues of the Commission, or where such mortgage has been approved by the Participating Political Subdivisions, a mortgage of facilities of the Commission. The Commission may also obtain credit enhancement, such as bond insurance or letters of credit, to secure the Obligations, but it does not now contemplate that it will seek the moral obligation support of the Participating Political Subdivisions. *The Obligations shall not be a debt of the Commonwealth of Virginia or any political subdivision thereof (including the Participating Political Subdivisions), other than the Commission, and neither the Commonwealth of Virginia nor any political subdivision thereof (including the Participating Political Subdivisions), other than the Commission, shall be liable thereon, nor shall such bonds be payable out of funds or properties other than those of the Commission.*

While the Airport Development Program likely will be financed ultimately through the issuance of the Commission's long term revenue bonds, the Commission anticipates that it will finance some or all of it initially through a short term credit facility, a line or lines of credit or bond anticipation notes. Accordingly, the plan of finance includes not only the issuance of bonds, note or other obligations in an aggregate amount now estimated not to exceed \$200,000,000 to finance the Airport Development Program, but also the issuance of refunding bonds, notes or other obligations, also in an aggregate amount now estimated not to exceed \$200,000,000, to refinance indebtedness issued to finance or refinance the Airport Development Program.

The plan of financing also includes the refunding, if deemed advantageous or desirable by the Commission, of any or all of the Commission's outstanding indebtedness, including its General Airport Revenue Refunding Bonds – Series 2004, General Airport Revenue Bonds – Series 2001, General Airport Revenue Refunding Bonds – Series 2005, General Airport Revenue Bonds – Series 2008, Passenger Facility Charge Revenue Bonds – Series 2006, Car Rental Facilities Revenue Bonds – Series 2000, or amounts outstanding from time to time under the Commission's line of credit, all of which financings previously have been approved by the Participating Political Subdivisions through approval of previous Commission plans of finance.

CERTIFICATE

The undersigned President and Chief Executive Officer of the Capital Region Airport Commission (the "Commission") hereby certifies as follows:

1. A regularly scheduled meeting of the Commission was duly called and held on November 24, 2009, at 8:00 o'clock A.M. in the Commission's Board Room, located in Henrico County, Virginia. The meeting was open to the public, and persons of differing views were given an opportunity to be heard. At such meeting all of the Commissioners of the Commission were present or absent throughout as follows:

PRESENT:	Lynda Sharp Anderson	John V. Mazza, Jr.
	Algenon L. Brown	Robert F. Norfleet, Jr.
	James B. Donati	Thomas E. Pruitt
	Daniel A. Gecker	Aubrey M. Stanley
	James M. Holland	J.T. "Jack" Ward
	David A. Kaechele	Arthur S. Warren
ABSENT:	Beverley W. Armstrong	Robert M. Attack

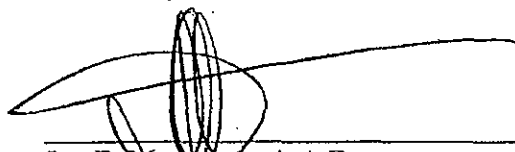
2. Chairman Stanley announced the commencement of a public hearing on the plan of financing for the proposed expansion of facilities at the Richmond International Airport (the "Airport"), including the continued expansion and improvement of the terminal facilities, new parking facilities and roadway improvements. A notice of the public hearing had been published previously on November 10, 2009, and November 17, 2009, in the Richmond Times-Dispatch, a newspaper having general circulation in the Counties of Chesterfield, Hanover, and Henrico and the City of Richmond, Virginia. A notice of the public hearing had also been published previously on November 18, 2009, in the Urban Views Weekly, a newspaper having general

circulation in the City of Richmond, Virginia. A copy of each notice and a certificate of publication of each such notice have been filed with the records of the Commission and are attached hereto as Exhibit A.

3. Chairman Stanley opened the public hearing and gave general comments, a reasonably detailed summary of which, together with the fiscal impact statement in the form prescribed by the Virginia Industrial Development and Revenue Bond Act, are attached hereto as Exhibit B and Exhibit C, respectively.

4. Attached hereto as Exhibit D is a true, correct and complete copy of a resolution (the "Resolution") adopted at such meeting of the Commission by the unanimous vote of the Commissioners present at such meeting. The Resolution constitutes all formal action taken by the Commission at such meeting relating to the plan of finance referred to in the Resolution. The Resolution has not been repealed, revoked, rescinded or amended and is in full force and effect on the date hereof.

WITNESS my hand this 25th day of November, 2009.



Jon E. Mathisen, A.A.E.
President and Chief Executive Officer
Capital Region Airport Commission

NOTICE OF PUBLIC HEARING

Richmond Times-Dispatch

Advertising Affidavit

Account Number

3013540

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

Date

November 17, 2009

CAPITAL REG AIRPORT COMMISSION
 Attn: FINANCE DEPARTMENT
 1 RICHARD E. BYRD TERMINAL DR.
 RICHMOND INTL AIRPORT, VA 23250-2400

Date	Category	Description	Ad Size	Total Cost
11/17/2009	Meetings-Events	NOTICE OF PUBLIC HEARING ON PROPOSED BO	2 x 178 L	3,874.00

RICHMOND
 NOTICE OF PUBLIC HEARING ON
 PROPOSED BONDS OR OTHER OBLIGATIONS
 TO BE ISSUED BY THE
 CAPITAL REGION AIRPORT COMMISSION
 WITH RESPECT TO RICHMOND
 INTERNATIONAL AIRPORT
 Notice is hereby given that the Capital Region
 Airport Commission (the "Commission") as its
 scheduled monthly business meeting on Tues-
 day, November 24, 2009 commencing at 8:00
 AM in the Commission's Board Room located
 in the Airport Terminal Building, 1 Richard E.
 Byrd Terminal Drive, Richmond International
 Airport, Virginia 23250, will hold a public hear-
 ing concerning the issuance of bonds or other
 obligations by the Commission pursuant to a
 bond resolution for facilities to be owned by
 the Commission and located at a part of Rich-
 mond International Airport (the "Airport") in
 Henrico County, Virginia, 23250.
 The Commission's plan of financing includes
 and includes the following: (1) the issuance of
 an amount now estimated not to exceed \$200 mil-
 lion to finance any or all of the following pro-
 jects: (a) the acquisition, construction, im-
 provement, reconstruction and equipment of
 expansion of the Commission's Terminal B
 building, including the terminal building, the
 Commission's parking facilities, and the
 improvements to the terminal's facilities, systems
 and equipment (including ticket counters, illi-
 nes, baggage make-up and plain dress and
 study equipment); (b) the acquisition, con-
 struction and equipment of expansions in the
 baggage and administrative areas of the ter-
 minal building, including additional concourse
 space, all new one-level baggage screening
 facilities, federal inspection facilities, ticket
 counters, offices and passenger holdrooms for
 regional flights; (c) the acquisition, con-
 struction, improvement and equipment of
 the terminal's ventilation, air conditioning sys-
 tem and the interior areas, including furni-
 ture and tenant build-outs (fit-outs) of the ter-
 minal building and the concourse area; (d)
 the construction and equipping of security and
 screening facilities at the Airport, including the
 terminal building and the concourse area, in-
 cluding bulk baggage screening, security
 clearance, baggage screening and equipment for
 screening baggage, computerized personnel and
 the baggage; (e) the acquisition, construction,
 reconstruction and equipment of the baggage
 and baggage terminal area, including the
 the construction and staging of major roadway
 improvements for Airport drive and subse-
 quent roadway improvements, including the
 separation, realignment and relocation of cul-
 de sacs and parking facilities, and other
 improvements with respect to the (1) the ac-
 quisition, construction and equipment of an
 office building, including the acquisition and
 the building and related real estate; (2) the
 acquisition, construction and equipping of
 the building and the building or buildings of
 the terminal building for future capital con-
 struction and other assets.

Media General Operations, Inc.

Publisher of the
 Richmond Times-Dispatch

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

11/10, 11/17/2009

The First Insertion being given ... 11/10/2009

Newspaper reference: 0001660608

Sworn to and subscribed before me this

November 18 2009

Kimberly Harris *Sheik Phayd*
 Notary Public Supervisor

State of Virginia

City of Richmond

My Commission expires

KIMBERLY HARRIS
 NOTARY PUBLIC
 Commonwealth of Virginia
 356763
 My Commission Expires Jan 13, 2013

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

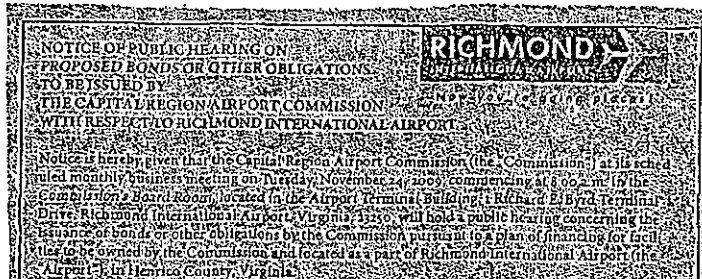
NOT A BILL. PLEASE PAY FROM INVOICE. THANK YOU

NOTICE OF PUBLIC HEARING

URBAN VIEWS WEEKLY

Certification of Publication

The attached advertisement was published in the November 18, 2009 edition of Urban Views Weekly.



I, Ervin B. Clarke, the undersigned, certify that on November 18, 2009, the NOTICE OF PUBLIC HEARING ON PROPOSED BONDS OR OTHER OBLIGATIONS TO BE ISSUED BY THE CAPITAL REGION AIRPORT COMMISSION WITH RESPECT TO RICHMOND INTERNATIONAL AIRPORT was published in Urban Views Weekly; a newspaper of general circulation in Richmond, Virginia.

Ervin B. Clarke
Signature

Ervin B. Clarke
Printed Name

11-30-09
Date

Publisher
Title

NOTICE OF PUBLIC HEARING

The Commission's plan of financing includes the issuance of obligations in a total maximum amount now estimated not to exceed \$200 million to finance any or all of the following projects:

- (1) the acquisition, construction and equipping of expansions to the Commission's terminal building, canopies from the terminal building to the Commission's parking facilities, and improvements to the terminal's facilities, systems and equipment (including ticket counters, check-in bags, make-up and claim devices and utility equipment); (2) the acquisition, construction and equipping of expansions to the concourse and administrative areas of the terminal building, including additional concourse areas, airline operations areas, public circulation areas, federal inspection facilities, ticket counters, offices and passenger holdrooms for additional gates in Concourses A and B, and including passenger loading bridges; (3) the acquisition, renovation and equipping of upgrades, improvements and refurbishments to the heating, ventilating and air conditioning system and the interior areas, including furnishings and tenant build-out (furniture) of the terminal building and the concourse; (4) the construction and equipping of security and screening facilities at the Airport including the terminal building and the concourse thereon, including bulk baggage screening, security checkpoints, and space and equipment for screening agencies, companies, personnel, and the foregoing; (5) the acquisition, construction, reconstruction and equipping of the ingress and egress terminal area roadways, including the construction and signage of major roadway improvements for Airport Drive and other auxiliary roadways including structures for traffic separation, realignment and relocation of existing roadways and parking facilities, and site improvements with respect thereto; (6) the acquisition, construction and equipping of an office, administration, maintenance and warehouse building and related real estate; (7) the acquisition, construction and equipping (including site work) of a building or buildings of up to 400,000 square feet for air cargo, commercial development and other aviation-related purposes and to serve the Commission's foreign trade zone, such projects to include associated office space, ancillary roads, site infrastructure and equipment; (8) the acquisition (including related land and a related right in respect thereto) construction, reconstruction, expansion, improving and equipping of (i) additional public parking facilities, including satellite parking facilities (5,000 spaces), additional structured parking facilities adjacent to the existing phone parking garage (2,500 spaces), structured parking facilities adjacent to the terminal building (1,000 spaces), and related vehicle servicing facilities; (ii) improvements to the rental car storage and return facilities including the rental car, ready return garage adjacent to the terminal building for commercial additional vehicles, and related vehicle servicing facilities; and (iii) additional employee and tenant parking facilities; (9) the renovation, expansion, conversion and equipping (including site work) of current and future aircraft hangars of up to 400,000 square feet for general aviation, air cargo and aircraft maintenance purposes; and the acquisition, construction and equipping of additional facilities, including aircraft hangars, for air cargo (including for transportation logistics, intermodal purposes, and package sorting, distribution, and delivery), aircraft storage and aircraft maintenance by commercial entities and governmental agencies; (10) the construction, reconstruction, extension or rehabilitation of aircraft parking aprons, taxiways and runways, including, but not limited to, the extension of Runways 16-34 and 2-20, and the cost of land acquisition related thereto and associated rights in respect thereof and costs incident thereto; (11) the construction, reconstruction, rehabilitation, extension and upgrade of the Commission's infrastructure facilities including the water, sewer, heating, drainage and storm water management systems and other utilities; (12) the development and redevelopment of the areas formerly used by the Virginia Air National Guard, including the relocation of current Airport tenants and the construction and equipping of fixed base operations, aircraft storage and aircraft maintenance facilities and infrastructure to support thereof; (13) the acquisition of lands for general airport purposes, construction, renovation or restoration of other functionally related and subordinate facilities in and around the Airport and the projects set forth above; and (14) the funding of debt service reserve and other reserve funds, the costs of design and engineering of any part of the foregoing projects, and the costs of issuance of the obligations referred to herein, including the costs of any credit enhancement for such obligations and interest on them during and for up to one year after the completion of any of the projects set forth above. The Commission's plan of financing also includes the issuance of up to \$200 million of obligations to refund and refund debts incurred to finance any of the foregoing projects, as well as the refunding from time to time of the Commission's outstanding indebtedness if deemed advantageous by the Commission. Proceeds of such outstanding indebtedness financed capital projects at the airport.

The public hearing, which may be continued or adjourned, will be held at 2:00 P.M. on November 2, 2009, before the Commission in the Commission's Board Room, located in the Airport Terminal Building, Richard E. Byrd Terminal Drive, Richmond International Airport, Virginia 23220. All interested persons are invited to submit written comments at the public hearing regarding the ability to improve the issuance of the Commission's bonds or other obligations and the plan of financing. Persons wishing to make oral comments or to submit written comments should do so at the office of the Commission by telephone at (804) 214-3011 or in writing at the Capital Region Airport Commission, Richard E. Byrd Terminal Drive, Richmond International Airport, Virginia 23220, no later than 5:00 P.M. November 20, 2009. A general description of the plan of financing of the facilities to be financed is available at the office of the Commission's Chief Financial Officer at the address set forth above.

As required by the Act, the obligations shall not be a debt of the Commonwealth of Virginia or any political subdivision thereof, other than the Commission, and neither the Commonwealth of Virginia nor any political subdivision thereof, other than the Commission, shall be liable thereon, nor shall bonds be payable out of funds or properties other than those of the Commission.

Capital Region Airport Commission
by: Jon B. Mathiasen, President and CEO

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**SUMMARY OF COMMENTS
AT PUBLIC HEARING**

Chairman Stanley announced the commencement of a public hearing on the Commission's plan of financing. He noted that notice of the public hearing had been published on November 10, 2009, and November 17, 2009, in the Richmond Times Dispatch and November 18, 2009 in the Urban Views Weekly and that such notice generally described the projects in the plan of financing and the time and location of the public hearing. He further advised that the public hearing was required under provisions of the Internal Revenue Code for tax-exempt status of the Commission's revenue bonds and that public approval of the plan of financing by the participating political subdivisions would constitute the requisite approval under the Commission's enabling legislation and the Internal Revenue Code.

Chairman Stanley then asked if there were any others present who wished to address the Commission on the matters set forth in the plan of financing or the notice of public hearing. None did so, and Chairman Stanley then concluded the public hearing.

EXHIBIT C

FISCAL IMPACT STATEMENT

November 24, 2009

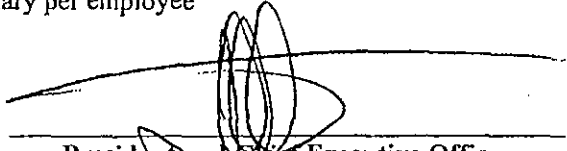
Date

Capital Region Airport Commission

Applicant

Expansion of Terminal, Roadways, Airfield and
Other Facilities at Richmond International Airport
Facility

- | | | |
|----|--|--|
| 1. | Maximum amount of financing sought | not to exceed
<u>\$ 200,000,000</u> |
| 2. | Estimated taxable value of the facility's
real property to be constructed in the
municipality | <u>See Schedule A</u> |
| 3. | Estimated real property tax per year
using present tax rates | <u>See Schedule A</u> |
| 4. | Estimated personal property tax per
year using present tax rates | <u>See Schedule A</u> |
| 5. | Estimated merchants' capital tax per
year using present tax rates | <u>See Schedule A</u> |
| 6. | a. Estimated dollar value per year of
goods that will be purchased from
Virginia companies within the locality; | <u>See Schedule A</u> |
| | b. Estimated dollar value per year of goods
that will be purchased from non-Virginia
companies within the locality; | <u>See Schedule A</u> |
| | c. Estimated dollar value per year of
services that will be purchased from
Virginia companies within the locality; and | <u>See Schedule A</u> |
| | d. Estimated dollar value per year of services
that will be purchased from non-Virginia
companies within the locality. | <u>See Schedule A</u> |
| 7. | Estimated number of regular employees
on year round basis | <u>See Schedule A</u> |
| 8. | Average annual salary per employee | <u>See Schedule A</u> |



President and Chief Executive Officer

Capital Region Airport Commission
Name of Commission

SCHEDULE A TO FISCAL IMPACT STATEMENT

CAPITAL REGION AIRPORT COMMISSION

1. Commission property is exempt from real estate taxation. Real property (leasehold) tax is assessed against tenants at the Airport. For the year ended December 31, 2008, such taxes total \$200,034.
2. Vehicle rental tax for the year ended December 31, 2008 is estimated to be \$1.8 million.
3. Commission property is exempt from personal property tax. For the year ended December 31, 2008, personal property on others using Airport facilities totaled \$1,340,490.
4. The Commission is not aware of merchants' capital tax collected in respect of the Airport. For the year ended December 31, 2008, business license tax on taxable activities at the Airport totaled \$251,230. Sales tax revenue to the County of Henrico for such period totaled approximately \$193,783.
5. The bulk of the money spent locally by the Commission is for supplies, salaries and services and is in the range of \$20 million to \$21 million annually (excluding money spent by the Commission on capital assets). During its past three fiscal years, the Commission has spent an estimated \$114.5 million on capital assets in and around the Airport. Of the approximately \$10 million spent on goods and services, approximately \$8 million is spent with Virginia companies.
6. The Commission employs approximately one-hundred eighty-five (185) people full and part time. In addition, the Commission estimates that two thousand nine hundred (2,900) people are employed by other entities using facilities at the Airport.
7. The Commission estimates an average annual salary of \$49,296 (based on Virginia Employment Commission retail, service and local government sector data for Henrico County for the first quarter of 2009).
8. The Commission anticipates that the Airport Development Program described in the plan of financing will result in increased economic activity in the metropolitan Richmond area, including increases in real property (leasehold) taxes, personal property taxes, business license taxes and retail sales taxes, as well as an increase in Commission spending and employment by entities using facilities at the Airport. The Commission, at this time, cannot accurately predict the extent of such increases.

**RESOLUTION OF THE
CAPITAL REGION AIRPORT COMMISSION**

WHEREAS, the Capital Region Airport Commission (the "Commission") was created by and pursuant to Chapter 537 of the Acts of Assembly of 1975, as amended, and continued by Chapter 380 of the Acts of Assembly of 1980, as amended (the "Enabling Act") and is authorized and empowered to issue its airport revenue bonds for the purpose of financing and refinancing, among other things, the cost of maintaining, enlarging and improving any of its facilities;

WHEREAS, the Commission has recognized the need to continue the expansion and modernization of its airport terminal, access roadways, parking, airfield and related facilities, including the improvements referred to in the plan of financing attached hereto as Exhibit A (all or any portion of such improvements, enlargements or replacements are referred to herein as the "Project"), at the Richmond International Airport in Henrico County, Virginia (the "Airport"), to provide better airport services to the inhabitants of the Participating Political Subdivisions, as that term is defined in the Enabling Act;

WHEREAS, a public hearing has been held as required by Section 147(f) of the Internal Revenue Code of 1986 (the "Code"), as amended;

WHEREAS, the Code and the Treasury Regulations thereunder provide that proceeds of tax-exempt obligations may be used to reimburse a previously paid expenditure provided that certain criteria are met; and

WHEREAS, the Commission has paid, and intends to pay, expenditures related to the public parking component of the Project prior to the issuance of tax-exempt bonds to finance the such Project and to receive reimbursement for such expenditures from proceeds of such tax-exempt bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE CAPITAL REGION AIRPORT COMMISSION:

1. It is hereby found and determined that the Project is necessary for the successful operation of the Airport and will promote the welfare, convenience and prosperity of the inhabitants of the Participating Political Subdivisions and the Commonwealth of Virginia, and the increase of their commerce.

2. The Commission hereby approves the plan of financing and recommends that, pursuant to the Enabling Act and Section 147(f) of the Code, the governing bodies of the Participating Political Subdivisions approve the plan of financing as set forth in Exhibit A, including the maximum amount of the indebtedness and the general purposes thereof.

3. The Commission shall perform such other acts and adopt such further resolutions

as may be desirable to implement the undertaking of the Project and the plan of financing, and may make application to the Internal Revenue Service for such tax rulings as may be necessary in the opinion of bond counsel. To that end, the Chairman, Vice Chairman, or President and Chief Executive Officer of the Commission are each authorized to execute an appropriate power of attorney naming counsel selected by the Commission for such purposes.

4. No bonds, notes or other obligations may be issued pursuant to this Resolution until the final terms and conditions thereof have been approved by subsequent resolution of the Commission.

5. As to that certain component of the Project consisting of additional surface parking facilities (the "Parking Project") adjacent to the existing Economy Lot B,

- (a) the Commission intends to incur debt (the "Obligations"), in an amount now presently estimated not to exceed \$5,000,000 to pay costs of such Parking Project;
- (b) the Commission intends to receive reimbursement from proceeds of the Obligations, when issued, for expenditures made not more than 60 days prior to the date of this Resolution related to the Parking Project paid prior to such issuance and for "preliminary expenditures" (as described below);
- (c) each expenditure reimbursed with proceeds of the Obligations was and will be, unless otherwise approved by bond counsel to the Commission, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the expenditure), (b) a cost of issuance with respect to the Obligations, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the Commission so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Commission;
- (d) the Commission intends to make a reimbursement allocation, which is a written allocation by the Commission that evidences the Commission's use of proceeds of the Obligations to reimburse an expenditure, no later than 18 months after the later of the date on which the expenditure is paid or the Parking Project is placed in service or abandoned, but in no event more than three years after the date on which the expenditure is paid. The Commission recognizes that exceptions are available for certain "preliminary expenditures," expenditures in an amount not in excess of the lesser of \$100,000 or five percent of the proceeds of the Obligations, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least five years; and
- (e) the Commission intends that adoption of this Resolution shall constitute "Official Intent" within the meaning of Treasury Regulations Section

1.150-2, promulgated under the Code.

6. This Resolution shall take effect immediately upon its adoption.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 307-09

Page No. 1 of 2

Agenda Title: **RESOLUTION — Award of Contract for Automated Credit Card Payment Processing Service**

For Clerk's Use Only: Date: DEC 8 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>O'Bannon</u> Seconded by (1) <u>Donati</u> (2) _____ (2) _____ REMARKS: APPROVED	YES NO OTHER Donati, J. <u>✓</u> _____ Glover, R. <u>✓</u> _____ Kaechele, D. <u>✓</u> _____ O'Bannon, P. <u>✓</u> _____ Thornton, F. <u>✓</u> _____
--	--	---

WHEREAS, on August 27, 2009, nine proposals were received in response to RFP #09-8686-7SW to provide a contract for Automated Credit Card Payment Processing Service; and

WHEREAS, based upon review of the written proposals, the Selection Committee (consisting of Mr. Clarence Daniel, Mr. Doug Baugh, Ms. Alice Goodman, Ms. Cheryl Dodson, Mr. Leo Marsh, Ms. Crystal Teillon and Ms. Cecelia Stowe) interviewed and negotiated with the following firms:

Official Payments Corporation
Wachovia Merchant Services
Paymentus Corporation

WHEREAS, the Selection Committee subsequently selected **Official Payments Corporation** to provide Automated Credit Card Payment Processing Service for a one year term commencing on January 1, 2010 with the possibility of four additional one-year extensions.

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

1. A contract to provide Automated Credit Card Payment Processing Service is hereby awarded to **Official Payments Corporation** pursuant to and in accordance with RFP #09-8686-7SW, Official Payments Corporation's August 27, 2009 proposal, Official Payments' best and final offer and other related correspondence between the County and Official Payments Corporation.
2. The County Manager and Clerk are authorized to execute the contract and ancillary agreements in forms approved by the County Attorney to implement this award.
3. The County Manager, or the Director of General Services as his designee, is authorized to execute all amendments necessary for the provision of Automated Credit Card Payment Processing Service during the term of this contract.

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. 307-09
Page No 2 of 2

Agenda Title: RESOLUTION — Award of Contract for Automated Credit Card Payment Processing Service

Comments:

The County will incur no fees for this service. Official Payments will be compensated based on convenience fees paid by County customers.

The Directors of Finance and General Services recommend approval of this Board paper; the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 308-09

Page No. 1 of 2

Agenda Title: **Resolution — Award of Contract for Lockbox Services**

For Clerk's Use Only:

DEC 8 2009

Date:

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS

APPROVED

YES NO OTHER

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

WHEREAS, on September 11, 2009, four proposals were received in response to RFP #09-8682-7CS to provide a contract for Lockbox Services; and

WHEREAS, based upon review of the written proposals, the Selection Committee (consisting of Mr. Clarence Daniel, Mr. Doug Baugh, Mr. Tim Leclerc, Ms. Alice Goodman, Ms. Kathy Townsend, Mr. Leo Marsh, Ms. Crystal Teillon and Ms. Cecelia Stowe) interviewed and entered into negotiations with the following firms:

**Wachovia Bank, N.A.
BB&T Corporation**

WHEREAS, the Selection Committee subsequently selected **Wachovia Bank, N.A.** to provide the County's Lockbox Services for a one year term commencing on January 1, 2010 with the possibility of four additional one-year extensions.

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

1. A contract to provide Lockbox Services is hereby awarded to **Wachovia Bank, N.A.** pursuant to and in accordance with RFP #09-8682-7CS, Wachovia Bank, N.A.'s September 11, 2009 proposal, Wachovia's best and final offer and other related correspondence between the County and Wachovia Bank, N.A.
2. The County Manager and Clerk are authorized to execute the contract and ancillary agreements in forms approved by the County Attorney to implement this award.
3. The County Manager, or the Director of General Services as his designee, is authorized to execute all amendments necessary for the provision of Lockbox Services during the term of this contract.

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. 308-09
Page No 2 Of 2

Agenda Title: Resolution — Award of Contract for Lockbox Services

Comments:

There is no fixed cost for the provision of Lockbox Services. Fees for Lockbox Services are dependent upon activity in the County's lockbox accounts and will be paid through compensating balances maintained in those accounts.

The Directors of Finance and General Services recommend approval of this Board paper; the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 309-09

Page No. 1 of 2

Agenda Title: Agenda Title: Resolution – Award of Construction Contract – Fire Station #12
Renovations and Addition

For Clerk's Use Only:

DEC 8 2009

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

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

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

WHEREAS, ten bids were received on November 12, 2009 in response to Bid Request No. 09-8711-9JK and Addenda 1, 2, 3, 4, 5, and 6 for the construction of renovations and an addition to Fire Station #12, as follows.

<u>Bidder</u>	<u>Bid</u>
Leipertz Construction, Inc.	\$1,855,000
Kenbridge Construction Company, Inc.	\$1,899,900
Evans Construction, Inc.	\$1,927,849
Daniel & Company, Inc.	\$1,939,000
David A. Nice Builders, Inc.	\$1,974,300
Haley Builders, Inc.	\$1,982,000
Canterbury Enterprises, LLC	\$2,031,000
Dave's Construction Service, Inc.	\$2,036,000
John Mattingly Construction Co., Inc.	\$2,038,210
CMS, Inc.	\$2,177,841

WHEREAS, after review and evaluation of all bids received, it was determined that Leipertz Construction, Inc. is the lowest responsive and responsible bidder with a bid in the amount of \$1,855,000.

By Agency Head

Paul W. B. [Signature]

By County Manager

David L. [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. **309-09**
Page No. 2 of 2

Agenda Title: **Resolution – Award of Construction Contract – Fire Station #12 Renovations and Addition**

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

1. A contract to furnish all labor, materials, supplies, equipment, and services necessary for the construction of renovations and an addition to fire station # 12 is awarded to **Leipertz Construction, Inc.**, the lowest responsive and responsible bidder, in the amount of **\$1,855,000**, pursuant to Bid Request No. 09-8711-9JK, Addenda 1, 2, 3, 4, 5, and 6, and the bid submitted by **Leipertz 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, recommend approval of this Board paper.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 310-09

Page No. 1 of 1

Agenda Title: Resolution – Award of Contract for Architectural and Engineering Services –
Fire Station #9

For Clerk's Use Only:

BOARD OF SUPERVISORS ACTION

Date **DEC 8 2009**

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

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, eleven proposals were received on August 28, 2009, in response to RFP #09-8684-7CS to provide architectural and engineering services for the design of Fire Station #9; and

WHEREAS, based upon review and evaluation of the written proposals, the Selection Committee (consisting of Deputy Fire Chief Richard McClure, Mr. Rob Johnston, Mr. Richard Morse, Mr. Jerry Walker, Mr. Fred Drake and Mrs. Cecelia Stowe) interviewed the following offerors:

Bignell Watkins Hasser Architects, P.C.
RP Hughes Architects, Inc.
TENG and Associates, Inc.

WHEREAS, the Selection Committee subsequently negotiated a contract with **Bignell Watkins Hasser Architects, P.C.**, the first-ranked offeror, in the amount of **\$406,525**.

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

1. A contract to provide architectural and engineering services for the design of a new facility for Fire Station #9 is awarded to **Bignell Watkins Hasser Architects, P.C.** in the amount of **\$406,525** in accordance with RFP #09-8684-7CS, **Bignell Watkins Hasser Architects, P.C.**'s August 28, 2009 proposal, and **Bignell Watkins Hasser Architects, P.C.**'s November 23, 2009 best and final offer letter.
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 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 *Paul R. [Signature]*

By County Manager *David L. [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. 311-09

Page No. 1 of 2

Agenda Title: Resolution – Award of Construction Contract – Administration Building Cafeteria Renovation

For Clerk's Use Only: Date: DEC 8 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>O'Bannon</u> Seconded by (1) <u>Donati</u> (2) _____ (2) _____ REMARKS: APPROVED		YES NO OTHER Donati, J. <input checked="" type="checkbox"/> _____ Glover, R. <input checked="" type="checkbox"/> _____ Kaechele, D. <input checked="" type="checkbox"/> _____ O'Bannon, P. <input checked="" type="checkbox"/> _____ Thornton, F. <input checked="" type="checkbox"/> _____
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WHEREAS, 10 bids were received on November 24, 2009 in response to Bid Request No. 09-8736-10CE, Addendum No.1, and Add Alternate No. 1 for the Administration Building Cafeteria Renovation;

WHEREAS, after review and evaluation of all bids received, it was determined that Gulf Seaboard General Contractors, Inc. is the lowest responsive and responsible bidder with a bid in the amount of \$339,400, which includes Add Alternate #1 for ceiling and lighting replacement in the dining area:

Bidder	Bid	Add Alternate #1	Total Bid
Gulf Seaboard General Contractors, Inc.	\$319,300	\$20,100	\$339,400
Woodland Construction, Inc.	\$324,000	\$27,500	\$351,500
North Star Companies, LLC	\$347,175	\$23,500	\$370,675
J.W. Enochs, Inc.	\$352,815	\$20,031	\$372,846
Taft Construction, Inc.	\$348,765	\$24,900	\$373,665
Pincus, LLC t/a Pincus Construction	\$362,638	\$28,739	\$391,377
Master Built Companies, Inc.	\$370,834	\$29,520	\$400,354
Rand America Construction, Corp.	\$382,684	\$20,482	\$403,166
SRC, Inc.	\$408,478	\$27,610	\$436,088
ARW Contracting, Inc.	\$550,797	\$22,611	\$573,408

By Agency Head

By County Manager

Routing:

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Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 311-09

Page No. 2 of 2

Agenda Title: **Resolution – Award of Construction Contract – Administration Building Cafeteria Renovation**

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

1. A contract to furnish all labor, materials, supplies, equipment, and services necessary for the renovations of the Administration Building cafeteria is awarded to **Gulf Seaboard General Contractors, Inc.**, the lowest responsive and responsible bidder, in the amount of **\$339,400**, pursuant to Bid Request No.09-8736-10CE, Addendum No.1, Add Alternate #1, and the bid submitted by **Gulf Seaboard General Contractors, 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 and operating funds of Buildings and Grounds. The Director of General Services recommends approval of this Board paper; the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 312-09

Page No. 1 of 1

Agenda Title: **RESOLUTION - Authorization to Apply for and Accept State Homeland Security Grant Program**

For Clerk's Use Only:

Date: **DEC 8 2009**

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

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

Whereas, the Virginia Department of Emergency Management ("VDEM") has advised the County Manager that \$1.73 million has been allocated to Henrico through the 2009 State Homeland Security Grant Program from the United States Department of Homeland Security; and

Whereas, the allocation will fund voice and data connectivity in and among the EOC/911 centers of each of the jurisdictions within the Richmond Regional Planning District Commission ("RRPDC"); and

Whereas, each of the jurisdictions within the RRPDC has entered into a memorandum of understanding that provides for the responsibilities of each of the jurisdictions and designates Henrico as the administrator and fiscal agent for the project.

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

1. The County Manager is authorized to execute and submit a grant application in the amount of \$1.73 million to VDEM in order to fund voice and data connectivity in and among the EOC/911 centers of each of the jurisdictions within the RRPDC.
2. The County Manager is authorized to accept the grant and execute all acceptance documents related to the grant in a form approved by the County Attorney.

Comment: The Director of General Services, the Chief of Police, and the Fire Chief, the County Manager concurring, recommend approval of this Board paper.

By Agency Head *Paul H. Post*

By County Manager *David L. Haynes*

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. 313-09

Page No. 1 of 1

Agenda Title: **Resolution – Award of Contract for Architectural and Engineering Services – Capital Area Training Consortium (CATC) Office Building**

For Clerk's Use Only:

BOARD OF SUPERVISORS ACTION

YES NO OTHER

DEC 8 2009

Date:

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

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

REMARKS:

APPROVED

	YES	NO	OTHER
Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, sixteen proposals were received on July 31, 2009 in response to RFP #09-8670-6CS for architectural and engineering services for the design of a new office facility for the Capital Area Training Consortium; and

WHEREAS, based upon review and evaluation of the written proposals, the Selection Committee (consisting of Mr. Richard Morse, Mr. Edward Bass, Mrs. Rosalyn Key-Tiller, Mr. Doug Gavin and Mrs. Cecelia Stowe) interviewed the following offerors:

Moseley Architects
Crabtree, Rohrbaugh & Associates Architects
Guernsey Tingle Architects

WHEREAS, the Selection Committee subsequently negotiated a contract with **Moseley Architects**, the first-ranked offeror, in the amount of **\$404,993**.

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

1. A contract to provide architectural and engineering services for the design of a new office facility for the Capital Area Training Consortium is hereby awarded to **Moseley Architects** in the amount of **\$404,993** in accordance with RFP #09-8670-6CS, **Moseley Architects'** October 30, 2009 proposal, and **Moseley Architects'** November 24, 2009 best and final offer letter.
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.

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

By Agency Head *Paul R. Smith*

By County Manager *David S. Hight*

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. 314-09
Page No. 1 of 1

Agenda Title: **RESOLUTION – To Initiate Possible Amendments to the Henrico County Code Concerning the Location and Servicing of Refuse Containers**

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES NO OTHER
DEC 8 2009	Moved by (1) <u>Glover</u> Seconded by (1) <u>Donati</u>	Donati, J. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input checked="" type="checkbox"/> Approved	(2) _____ (2) _____	Glover, R. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Denied	REMARKS: APPROVED	Kaechele, D. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Amended		O'Bannon, P. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Deferred to		Thornton, F. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

WHEREAS, the Code of Virginia permits amendment of the zoning ordinance to promote the health, safety and general welfare of the public; and,

WHEREAS, the Planning Commission must conduct an advertised public hearing and make recommendations to the Board of Supervisors concerning all proposed amendments to the zoning ordinance; and,

WHEREAS, the Board of Supervisors desires that the Planning Commission review the zoning ordinance provisions governing the location and servicing of refuse containers with input from the Director of Planning and make recommendations regarding possible amendments after a public hearing.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County requests (1) the Director of Planning to study and make recommendations regarding possible amendments to Chapter 24 of the Henrico County Code regarding location and servicing of dumpsters and to present them to the Planning Commission and (2) the Planning Commission to conduct a public hearing and make its recommendations for possible ordinance amendments to the Board.

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

By Agency Head

By County Manager

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 315-09
Page No.

Agenda Title

RESOLUTION – Acceptance of Target Stores, Inc. Law Enforcement Community Giving Grant Program Award to the County of Henrico Division of Police for Criminal Interview Room Communication Equipment

For Clerk's Use Only:

Date **DEC 8 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, the County of Henrico Division of Police applied for and was awarded a \$3,000 Law Enforcement Community Giving Grant Program award through Target Stores, Inc. of Minneapolis, Minnesota to purchase communication equipment for three criminal interview rooms; and

WHEREAS, the award requires no local match.

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 all documents, in a form approved by the County Attorney, necessary to accept the grant.

COMMENT: The Chief of Police and the County Manager recommend approval of this Board paper.

By Agency Head [Signature]

By County Manager [Signature]

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 316-09

Page No.

1 of 1

Agenda Title RESOLUTION - Signatory Authority - First Amendment to Lease of Office Space for the Henrico Drug Court Program - 8604 Staples Mill Road - Brookland District

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	
Date <u>DEC 8 2009</u>	Moved by (1) <u>Clover</u> Seconded by (1) <u>Shanton</u>	YES NO OTHER
<input checked="" type="checkbox"/> Approved	(2) <u>APPROVED</u>	Donati, J. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Denied	REMARKS:	Glover, R. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Amended		Kaechele, D. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Deferred to		O'Bannon, P. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		Thornton, F. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

WHEREAS, the County entered into a Lease, dated August 13, 2009, for approximately 3,638 sq. ft. of office space located at 8604 Staples Mill Road in the County's Brookland District for a four month period beginning September 1, 2009 and ending December 31, 2009; and,

WHEREAS, despite an extensive search for suitable property to relocate the Drug Court Program, an appropriate permanent location has yet to be secured; and,

WHEREAS, in order to accommodate the demand for the Drug Court Program, it is necessary to continue the lease of temporary space for a period not to exceed six months while the search continues; and,

WHEREAS, the total rent for the period is \$18,000.00, payable monthly at the rate of \$3,000.00 per month, subject to the terms and conditions specified in the lease agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County, Virginia that the County Manager is hereby authorized and directed to execute a first amendment to the lease agreement, in a form approved by the County Attorney, for an extension not to exceed six months, commencing January 1, 2010, between Staples Mill Equities, LLC, Lessor, and the County of Henrico, Virginia, Lessee, for the lease of approximately 3,638 sq. ft. of office space located at 8604 Staples Mill Road in the County's Brookland District for the Henrico Drug Court Program.

Comments: The Directors of Community Corrections and Real Property recommend approval; the County Manager concurs.

By Agency Head

[Signature]

By County Manager

[Signature]

Routing:

Yellow to:

Real Property

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Copy to:

Date:



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 317-09
Page No. 1 of 1

Agenda Title: **RESOLUTION — Approval of Acquisition — Permanent Utility and Temporary Construction Easements — East Area Utilities Project, Phase III — John H. Burton, Jr. and Amena K. Burton — Varina District**

For Clerk's Use Only:

Date: **DEC 8 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 July 24, 2007, the Board authorized condemnation proceedings to acquire a permanent utility easement containing 9,974 sq. ft. and a temporary construction easement containing 5,230 sq. ft. shown on a plat dated May 11, 2006 and revised November 8, 2006 by the Timmons Group for the construction of the East Area Utilities Project, Phase III (the "Project") across land in the Varina District owned by John H. Burton, Jr. and Amena K. Burton (the "Owners"); and,

WHEREAS, on August 28, 2007, the County filed a Certificate and deposited \$8,858 with the Clerk of the Circuit Court to acquire the easements in accordance with state law; and,

WHEREAS, the Owners are willing to accept \$8,858 for a permanent utility easement containing 6,018 sq. ft. and a temporary construction easement containing 5,131 sq. ft. (the "Easements") shown on a plat dated May 11, 2006 and revised November 24, 2009 prepared by the Timmons Group, (a reduced copy of which is attached and marked Exhibit "A"), for the construction of the Project; and,

WHEREAS, County staff has prepared the necessary documents to memorialize the agreement of the Owners and to complete the acquisition.

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

- (1) The Chairman and the County Manager are authorized to execute the documents and to take all steps necessary for acquisition of the Easements.
- (2) The County Attorney is authorized to file the necessary documents in the Circuit Court of Henrico County to complete the acquisition of the Easements.

Comments: The Directors of Public Utilities and Real Property recommend this Board paper, and the County Manager concurs.

By Agency Head

[Signature]

By County Manager

[Signature]

Routing:

Yellow to:

Real Property

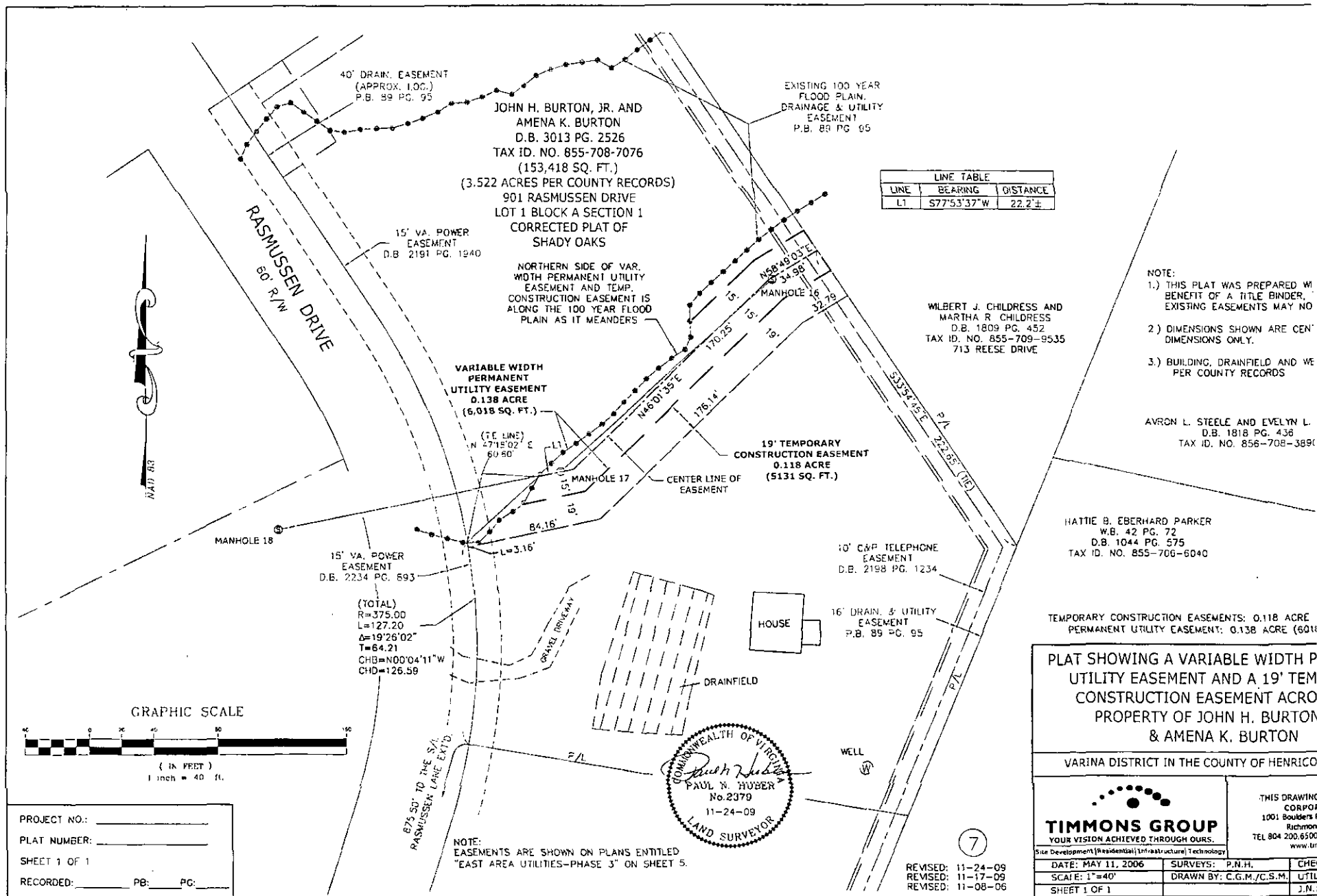
Copy to:

Certified:

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Clerk, Board of Supervisors

Date:



REVISED CERTIFICATE

By Order of the Circuit Court of Henrico County, this Certificate revises the Certificate filed on August 28, 2007 and recorded at Deed Book 4400, Page 2455.

This is to certify that Eight thousand eight hundred and fifty-eight dollars (\$8,858), which sum has been paid into Court, is estimated by the Board of Supervisors of Henrico County, Virginia, (the "Board") to be the fair market value of the permanent utility easement containing 6,018 sq. ft. and a temporary construction easement containing 5,131 sq. ft. (the "Easements") for the construction of the East Area Utilities Project, Phase III (the "Project"), all as more particularly shown on a plat of survey dated May 11, 2006 and revised November 8, 2006, November 17, 2009 and November 24, 2009 by Timmons Group, and for damages to the remainder, if any, across land in the Varina District in the County of Henrico, Virginia (the "County") owned by John H. Burton, Jr. and Amena K. Burton (the "Owners") and described as Lot 1, Block A, Section 1, Shady Oaks subdivision, and also identified as Henrico County GPIN 855-708-7076. On August 28, 2007, \$8,858 was deposited with the Clerk of the Circuit Court of the County pursuant to the authority of § 15.2-1904 and § 15.2-1905 of the Code of Virginia, as amended, and Chapter 3 (§ 25.1-300 *et seq.*) of Title 25.1 of the Code of Virginia, 1950, as amended. The easements taken and to be used are described as follows:

A permanent utility easement containing 6,018 sq. ft. and a temporary construction easement containing 5,131 sq. ft. (the "Easements") for the construction of the East Area Utilities Project, Phase III (the "Project") all as more particularly shown on a plat of survey dated May 11, 2006 and revised November 8, 2006, November 17, 2009 and November 24, 2009 by Timmons Group, a copy of which is attached hereto and made a part hereof as Exhibit A.

The easements are subject to the following conditions:

1. Any appurtenant or drainage facilities installed in the permanent easement shall remain the property of the County, its successors, and assigns. The County shall have the right at any time and from time to time, to construct, maintain, inspect, operate, protect, replace, repair, change the size of, remove, relocate and improve all such property. No charge shall be made at any time for the use or occupancy of this easement by the County, its successors or assigns.

2. The County and its agents shall have full and free use of the easements for the purposes described in this certificate and shall have all rights and privileges reasonably necessary to the utilization of the easements. The County shall exercise such rights in such manner as shall occasion the least practicable damage and inconvenience to the landowner.

3. The County shall have the right to trim, cut and remove any trees, shrubbery, fences, structures or other obstructions or facilities in the easements being conveyed and deemed by the County to interfere with the proper and efficient use of the easements for the purposes stated.

4. The certificate shall be binding upon the Owners, their heirs, successors and assigns.

5. The Owners reserve the right to make use of the land encumbered by the easements herein granted in a manner which is not inconsistent to the rights herein conveyed, and which does not interfere with the use of the easements by the County.

6. Following the exercise of any right granted under this certificate, the County shall promptly return the property to its prior condition to the extent reasonably possible

and consistent with the drainage facilities constructed, maintained, repaired, replaced or relocated within the easements except as specified in paragraph 3.

BOARD OF SUPERVISORS OF
HENRICO COUNTY, VIRGINIA

By David A. Kaechele
Chairman

Attest:

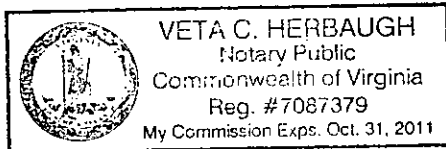
Barry R. Lawrence
Clerk

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO, TO-WIT:

The foregoing instrument was acknowledged before me this 10th day of December, 2009, by David A. Kaechele and Barry R. Lawrence, Chairman and Clerk, respectively, of the Board of Supervisors of Henrico County, Virginia.

My commission expires: 10 / 31 / 2011
Registration Number: 708 7379

Veta C. Herbaugh
Notary Public





COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 318-09
Page No.
1 of 1

Agenda Title:

RESOLUTION — Request for Letter of Necessity — Charles City Road. Project #00984.
Varina District

For Clerk's Use Only: Date DEC 8 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, in a 2000 bond referendum, Henrico citizens voted to fund the Charles City Road Widening project with General Obligation Bonds; and,

WHEREAS, this project will widen 1.5 lane miles of Charles City Road between Laburnum Avenue and a point approximately 500 feet east of Monahan Road from an existing two-lane to a four-lane, divided roadway with raised median, left and right turn lanes, curb and gutters, and storm drainage system, and traffic signals and railroad crossing signals will be installed; and,

WHEREAS, the portion of Charles City Road between Lisle Road and Lewis Road is being constructed separately as Phase I in order to permit efficient construction of the connection of I-895 with Charles City Road at Airport Drive in the summer of 2010; and,

WHEREAS, under state law, the County Engineer must examine the road and report to the Board of Supervisors upon the expediency of the proposed improvement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County that: (1) the County Engineer is directed to examine the widening of Charles City Road between Lisle Road and Lewis Road and to report to the Board upon the expediency of this project, and (2) the County Engineer is directed to prepare a Letter of Necessity in accordance with Section 33.1-231 of the Code of Virginia, 1950, as amended, and to file it with the Clerk of the Board.

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

By Agency Head

By County Manager

Routing:

Yellow to: _____

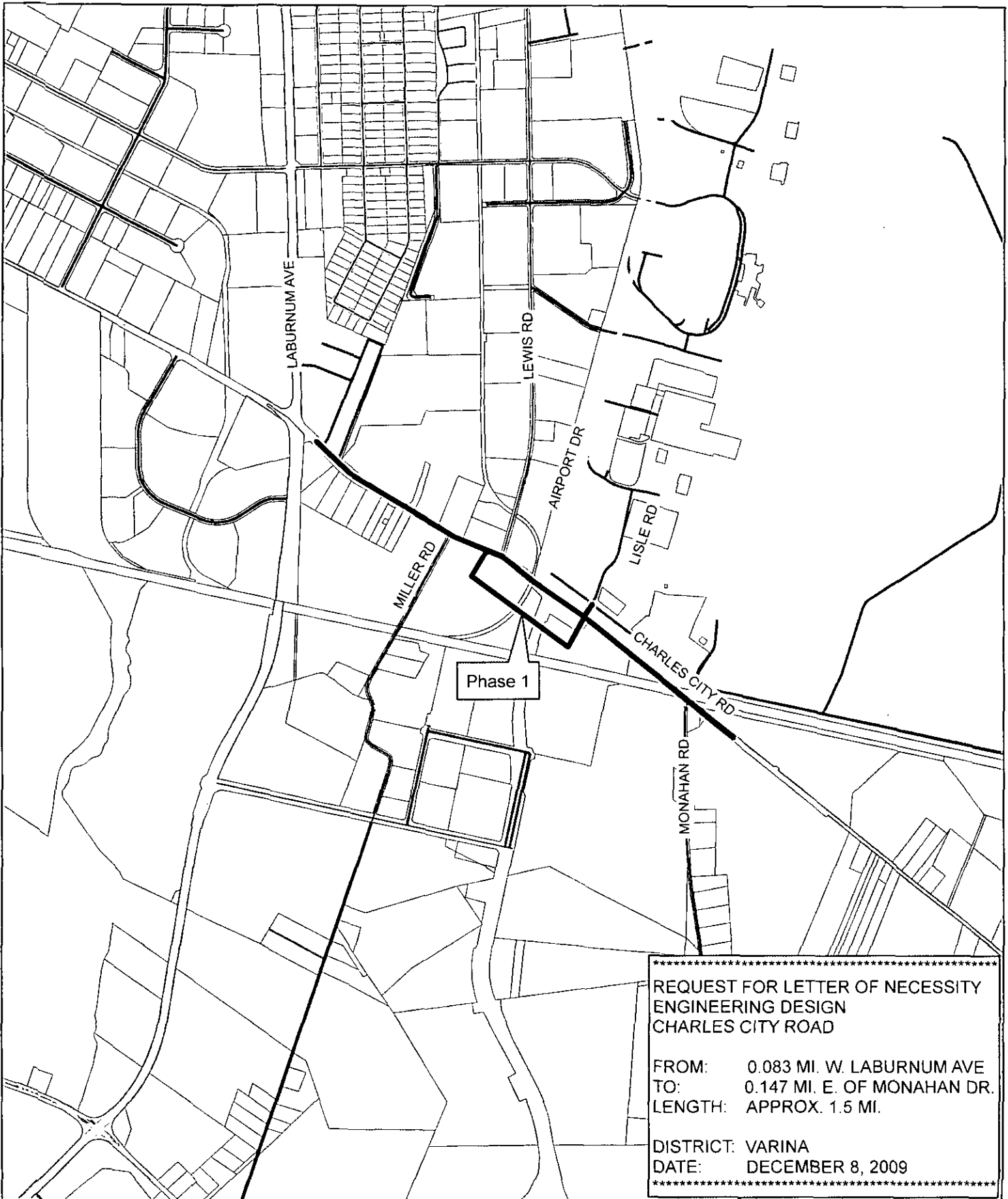
Copy to: _____

Certified:

A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

CHARLES CITY ROAD



REQUEST FOR LETTER OF NECESSITY
ENGINEERING DESIGN
CHARLES CITY ROAD

FROM: 0.083 MI. W. LABURNUM AVE
TO: 0.147 MI. E. OF MONAHAN DR.
LENGTH: APPROX. 1.5 MI.

DISTRICT: VARINA
DATE: DECEMBER 8, 2009



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 319-09

Page No. 1 of 1

Agenda Title: RESOLUTION - ACCEPTANCE OF ROADS

For Clerk's Use Only: DEC 8 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>Donati</u> Seconded by (1) <u>O'Bannon</u> (2) _____ (2) _____ REMARKS: APPROVED		YES NO OTHER Donati, J. <input checked="" type="checkbox"/> _____ Glover, R. <input checked="" type="checkbox"/> _____ Kaechele, D. <input checked="" type="checkbox"/> _____ O'Bannon, P. <input checked="" type="checkbox"/> _____ Thornton, F. <input checked="" type="checkbox"/> _____
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BE IT RESOLVED by the Board of Supervisors of the County of Henrico that the following named and described sections of roads are accepted into the County road system for maintenance.

Wellington Woods, Section C - Varina District

Hawkshead Road from 0.13 Mi. S. of Cranemore Road to 0.18 Mi. S. of Cranemore Road	0.05 Mi.
Wellington Ridge Road from Hawkshead Road to 0.36 Mi. W. of Hawkshead Road	0.36 Mi.
Wellington Woods Road from Wellington Ridge Road to 0.22 Mi. S. of Wellington Ridge Road	0.22 Mi.
Total Miles	0.63 Mi.

By Agency Head [Signature]

By County Manager [Signature]

Routing:

Yellow to: _____

Copy to: _____

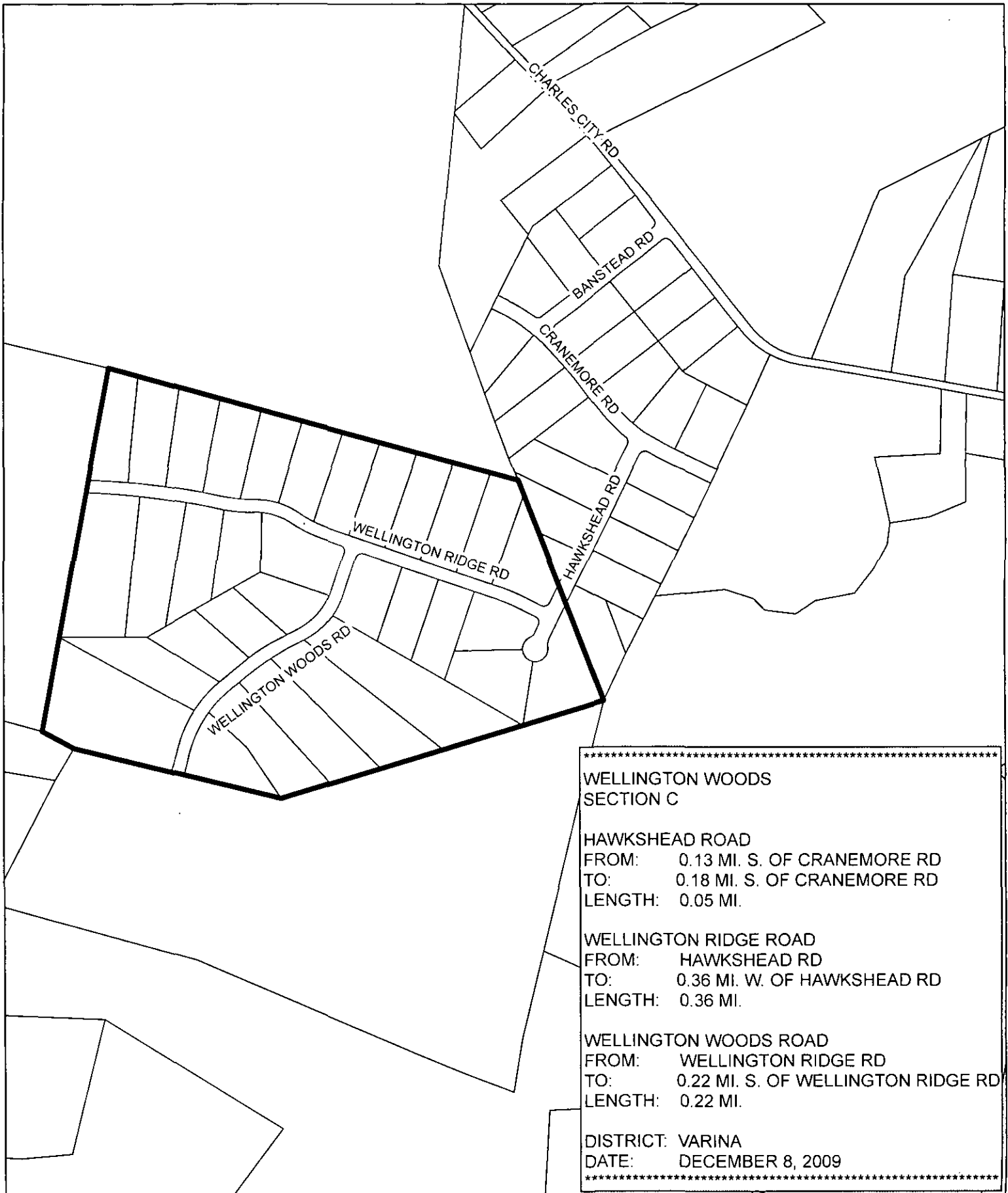
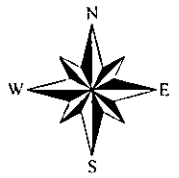
Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

WELLINGTON WOODS SECTION C



WELLINGTON WOODS
SECTION C

HAWKSHEAD ROAD

FROM: 0.13 MI. S. OF CRANEMORE RD
TO: 0.18 MI. S. OF CRANEMORE RD
LENGTH: 0.05 MI.

WELLINGTON RIDGE ROAD

FROM: HAWKSHEAD RD
TO: 0.36 MI. W. OF HAWKSHEAD RD
LENGTH: 0.36 MI.

WELLINGTON WOODS ROAD

FROM: WELLINGTON RIDGE RD
TO: 0.22 MI. S. OF WELLINGTON RIDGE RD
LENGTH: 0.22 MI.

DISTRICT: VARINA

DATE: DECEMBER 8, 2009
