### COUNTY OF HENRICO, VIRGINIA BOARD OF SUPERVISORS REGULAR MEETING March 23, 2010

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, March 23, 2010 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:

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

Angela N. Harper, Deputy County Manager for Special Services

Leon T. Johnson, Ph.D., 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

Mrs. O'Bannon called the meeting to order at 7:03 p.m.

Mrs. O'Bannon led recitation of the Pledge of Allegiance.

Rev. Sam Grozdanoz, Senior Pastor of Four Mile Creek Baptist Church, delivered the invocation.

On motion of Mr. Thornton, seconded by Mr. Donati, the Board approved the minutes of the March 9, 2010 Regular Meeting.

The vote of the Board was as follows:

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

No: None

### MANAGER'S COMMENTS

There were no comments from the Manager.

### **BOARD OF SUPERVISORS' COMMENTS**

Mrs. O'Bannon recognized the following Boy Scouts who were observing the meeting to fulfill merit band and rank requirements: Cory Arnold from Troop 751, sponsored by Greenwood United Methodist Church; Tommy Gallant and Scott Kemp from Troop 740, sponsored by Our Lady of Lourdes Catholic Church; and Gordon Gray and Trever Tedesco from Troop 799, sponsored by Trinity United Methodist Church.

Mrs. O'Bannon also recognized Adair Wallerstein, a Douglas Freeman High School student who will be shadowing Mrs. O'Bannon on April 15, 2010 during Student Government Day; and Tenoiya Carter, a student reporter from Virginia Commonwealth University.

### **RECOGNITION OF NEWS MEDIA**

Mrs.O'Bannon recognized Luz Lazo from the Richmond Times-Dispatch.

### **PRESENTATIONS**

Mrs. O'Bannon presented a proclamation recognizing April 2010 as Child Abuse Prevention Month. Accepting the proclamation was Jane D. Crawley, Director of Social Services. Joining her were Denise E. Noble, FAM Program Coordinator for Greater Richmond SCAN (Stop Child Abuse Now); and Gretchen B. Icard, Child Protective Services Supervisor for the Department of Social Services.

Mr. Glover presented a proclamation recognizing April 2010 as Keep Henrico Beautiful Month. Accepting the proclamation was Lynn Smolin-Yurchak, Chairperson of the Keep Henrico Beautiful Committee. Joining her were Christina M. Harris, Committee Vice Chairperson; Arthur D. Petrini, Director of Public Utilities; and Megan Brown, Executive Coordinator of Keep Henrico Beautiful.

Mr. Thornton presented a proclamation recognizing April 11 – 17, 2010 as Public Safety Telecommunicators Week. Accepting the proclamation was Col. Henry W. Stanley, Jr., Chief of Police. Joining him from the Division of Police were Maj. James B. Fitzgerald, Assistant Chief for Administrative Operations; Capt. C. Denny Williams, Commanding Officer for Communications and Technology; Stephen L. Weis, Emergency Communications Manager; Communications Supervisors Terry Abbott, Lee Gilbert, and Linda Hatchell; 2009 Communications Officer of the Year, Whitney Jarvis; and Communication Officers Brenda Hall, Pam Kinney, Amy Marshall, Nick Matthews, Jody Robertson, and Sheri Weldon.

### PUBLIC HEARING ITEMS

Resolution - Condemnation - Right-of-Way and Easements - North Gayton Road Extension Project - David M. Hepler, Trustee - Three Chopt District.

Jon Tracy, Director of Real Property, responded to questions from Mr. Kaechele.

Karen Hamilton, a resident of Kain Road, expressed objection to the amount of the offer that was made by the County to this property owner and to the widening of a portion of Kain Road for this project. She also stated that tree removal associated with the project will violate the Federal Migratory Bird Act. Mr. Kaechele responded that Henrico County goes the extra mile to try to avoid condemnation but that the Board has to follow this procedure to keep this project going and that the widening of Kain Road will be done safely.

On motion of Mr. Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 83-10 – see attached resolution.

Resolution - Condemnation - Right-of-Way and Easements - North Gayton Road Extension Project - David M. Hepler and Jennifer E. Hepler - Three Chopt District.

Mr. Tracy and Mr. Rapisarda responded to questions and comments from Mrs. O'Bannon regarding the condemnation process and why the Board has authorized the County to use this process in a handful of cases over the years. Mr. Tracy responded to several questions from a citizen in the audience pertaining to the appraisal that was conducted for this property and the values contained in the appraisal. He responded to a question from Mr. Kaechele relating to the level of communications between the appraiser and property owner.

Mrs. Hamilton, who spoke during the previous case, expressed concerns about the amount of money previously paid by the County to developers for property on Kain Road and stated that the County was not being fair in its offers to the Heplers and other property owners on Kain Road. Mrs. O'Bannon commented on the report of the 2007 Land Commission and the Commission's recommendation that the County should use the condemnation process more often because it is a fair way to get to fair market value. She further commented that she felt that the County previously acquired property on Kain Road from developers in an appropriate manner. Mr. Kaechele commented that the County uses professional appraisers and its object is to be fair with property owners, pay them fair market value, and hopefully avoid condemnation.

On motion of Mr. Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 84-10 – see attached resolution.

Resolution - Condemnation - Right-of-Way and Easements - North Gayton Road Extension Project - Annie B. Fair - Three Chopt District.

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

Mr. Kaechele commented that the same arguments applying to condemnation cases previously heard by the Board also applied to this case. He reiterated that the Board wants to be fair.

On motion of Mr. Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 85-10 – see attached resolution.

### **PUBLIC COMMENTS**

There were no comments from the public.

### GENERAL AGENDA

Resolution – Receipt of Operating and Capital Budget Estimates for Fiscal Year 2010-11 and Notice of Public Hearings on the Budget and Proposed Tax Rates.

Mr. Hazelett remarked that this proposed budget represents a reduction from the FY 2009-10 budget, is balanced within the existing County tax rate, does not reduce services to citizens, continues the County's long history of avoiding employee layoffs or furloughs, and eliminates 101 general government vacant positions.

Gene Walter, Director of Management and Budget, explained the resolution and public hearing notice and schedule. He and Mr. Hazelett responded to questions from the Board regarding the proposed real estate tax rate. Mr. Walter reminded the Board of the schedule for the legislative budget reviews. He and Mr. Hazelett responded to further questions from the Board concerning County positions proposed for elimination, additional positions that will be frozen, proposed fee increases for public utilities and Belmont Golf Course, and the availability of the proposed budget to the public. Mr. Rapisarda advised that although the County is not legally required to do so this year, it is advertising the tax rate public hearing as a courtesy to its citizens.

On motion of Mr. Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 86-10 – see attached resolution.

87-10 Resolution – Authorizing Use of the 400<sup>th</sup> Anniversary Logo.

At Mr. Glover's request, Mr. Hazelett explained to the public why the Board was considering this resolution.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 87-10 – see attached resolution.

88-10 Resolution – Signatory Authority – Memorandum of Understanding between Henrico County and Capital Region Airport Commission.

Karen Mier, Director of Recreation and Parks, responded to a question from Mr. Kaechele.

On motion of Mr. Donati, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 88-10 – see attached resolution.

89-10 Resolution - Award of Construction Contract - Broadly, Mayfield, and Broad Street Village Fire Flow Enhancement.

Art Petrini, Director of Public Utitlities, responded to questions from the Board.

On motion of Glover, seconded by Mr. Kaechele, and by unanimous vote, the Board approved Agenda Item No. 89-10 – see attached resolution.

There being no further business, the meeting was adjourned at 8:05 p.m.

Chairman, Board of Supervisors

Henrico County, Virginia



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

# CHILD ABUSE PREVENTION MONTH

### April 2010

WHEREAS, 5,921 children in the Commonwealth of Virginia were victims of abuse and neglect in fiscal year 2009 as documented by the Virginia Department of Social Services; and

WHEREAS, the Henrico County Department of Social Services responded to 715 reports of child abuse and neglect resulting in 146 confirmed victims in Henrico County; and

WHEREAS, child abuse and neglect is a serious community problem requiring comprehensive community solutions; and

WHEREAS, effective child abuse prevention programs rely on partnerships among social service and law enforcement agencies, schools, religious and civic organizations, medical facilities, and businesses; and

WHEREAS, many dedicated individuals throughout Henrico County work daily to break the cycle of child abuse and neglect and to find families the assistance they need; and

WHEREAS, all citizens should become more aware of how their community is adversely affected by child abuse and neglect; and

WHEREAS, raising children in safe and nurturing homes strengthens the community; and

WHEREAS, parents have the most critical influence on their children's development and need support and education from their community to help celebrate the joys and negotiate the challenges of parenting.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Supervisors of Henrico County, Virginia hereby recognizes April 2010 as Child Abuse Prevention Month and calls upon Henrico citizens to participate in appropriate programs and activities that help protect children in the local community from abuse and neglect.

Board of Supervisors

Patricia S. O'Bannon, Chairman

Barry R. Lawrence, Clerk

March 23, 2010



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

### KEEP HENRICO BEAUTIFUL MONTH

### **April 2010**

WHEREAS, littering is unlawful, unsightly, and hazardous to health; and

WHEREAS, the Keep Henrico Beautiful program and Keep Henrico Beautiful Committee of appointed volunteers were established in 1980 to develop and lead educational litter prevention activities and encourage participation of all Henrico County residents in litter prevention and recycling; and

WHEREAS, for the past 30 years, members of the Keep Henrico Beautiful Committee have dedicated their time, talent, and energy to the successful direction of anti-litter educational programs; and

WHEREAS, the Keep Henrico Beautiful Committee disseminates educational materials and sponsors programs, special events, and workshops to foster public awareness of the environment; and

WHEREAS, several thousand Henrico County residents now participate in litter prevention and recycling projects, including the "Because We Care" volunteer litter pick-up program, through their community associations, churches, scout troops, school clubs, civic groups, and businesses; and

WHEREAS, the Keep Henrico Beautiful program has received local, state, and national awards of excellence, including a 2009 National Association of Counties Achievement Award, which have enhanced the reputation of the County of Henrico; and

WHEREAS, the Keep Henrico Beautiful program has maintained a strong relationship with Henrico schools by providing classroom presentations and lesson plans on litter prevention and recycling that correlate with the Virginia Standards of Learning.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Supervisors of Henrico County, Virginia hereby recognizes April 2010 as Keep Henrico Beautiful Month, urges all County residents to show their environmental stewardship by not littering and by recycling materials, and encourages the public to celebrate our clean county by joining the efforts to Keep Henrico Beautiful.

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Patricia S. O'Bannon, Chairman

Board of Supervisors

Barry R. Lawrence, Clerk

March 23, 2010



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

### PUBLIC SAFETY TELECOMMUNICATORS WEEK

April 11 - 17, 2010

WHEREAS, the Communications Officers of the Henrico County Division of Police serve the local community by answering telephone calls for fire, police, and emergency medical services assistance and ensuring that the appropriate response is dispatched as efficiently as possible; and

WHEREAS, Communications Officers perform, with distinction, a vital duty to the citizens of Henrico County in protecting their health and safety; and

WHEREAS, Henrico citizens depend on the skill, expertise, and commitment of these professionals, who provide unselfish service on a daily basis in very stressful situations.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Supervisors of Henrico County, Virginia hereby recognizes April 11 - 17, 2010 as Public Safety Telecommunicators Week, encourages all citizens to make note of this observance, and salutes the County's Communications Officers for their exemplary professionalism, service, and performance.

Patricia S. O'Bannon, Chairman

Board of Supervisors

March 23, 2010



Agenda Item No. 83-10
Page No.

1 of 2

Agenda Title RESOLUTION — Condemnation — Right-of-Way and Easements — North Gayton Road Extension Project — David M. Hepler, Trustee — Three Chopt District

For Clerk's Use Only:	BOARD OF SUPERV	ISORS ACTION	
Date [ 4 Approved [ ] Denied [ ] Amended [ ] Deferred to	Moved by (1) Kalchell Seconded (2)	by (1) Clarice (2)	YES NO OTHER Donati, J. Glover, R. Kaechele, D. O'Bannon, P. Thornton, F.
(the "Project") to containing 5,03 Power Compan (collectively, the David M. Heple	is necessary for construction of acquire right-of-way containing 1 7 sq. ft., and a permanent easement y, a Virginia public service corpose "Right-of-Way and Easements") er, Trustee of the Mary D. Hepler x Map Parcel 736-768-5323 in the T	,146 sq. ft., permanent slope ar t containing 1,918.73 sq. ft. for ration, doing business as Dom across the property at 12311 Living Trust dated April 22,	nd drainage easements Virginia Electric and inion Virginia Power Kain Road owned by
the Code of Vir	Board of Supervisors of Henrico Coginia (the "Code") to acquire title, to and to construct the Project before the	o enter upon and take possession	n of the Right-of-Way
to §15.2-1903 of	er advertisement in the <i>Richmond Tir</i> of the Code, at which time the Board for the Project across portions of the Code.	declared its intent to enter and	
NOW, THEREF	ORE, BE IT RESOLVED that:		
` '	The Board directs the County Mana Right-of-Way and Easements over, Owner, shown as "DAVID M. H. NXL, dated December 2, 2009, sea Land Surveyor, a reduced size of v shown as parcel "022" on Sheet No. 1C(1) on the pl 2122.50701.28004.01152, reduced Exhibit "B-1", "B-2", "B-3" and "B-1", "B-1"	upon, across and through the p HEPLER, TRUSTEE" on the alled on December 4, 2009 by D which is attached and marked E los. 9, 10 and 10D, and further lans for North Gayton R size copies of which are attache -4";	roperty of the plat made by avid L. Jones, xhibit "A," or described on oad, Project
By Agency Head	108 ching py	By County Manager	. Najitat
Routing: Yellow to:	P Propuly	Certified:  A Copy Teste:  Clerk	, Board of Supervisors
Copy to:		Date:	, sould of supplitions

Agenda Item No. 83-10 Page No. 2 of 2

Agenda Title

RESOLUTION — Condemnation — Right-of-Way and Easements — North Gayton Road Extension Project — David M. Hepler, Trustee — Three Chopt District

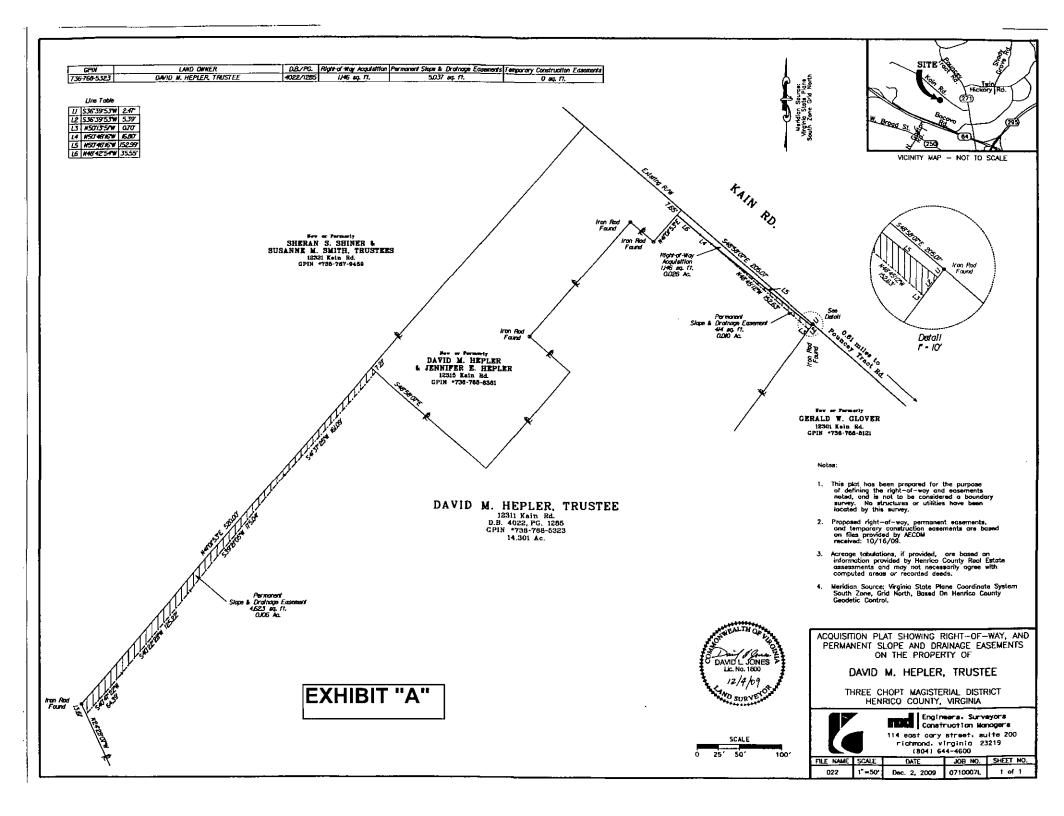
- (2) The Board deems it necessary to enter upon the property and take possession of the Right-of-Way and Easements in order to construct the Project prior to the time in which a condemnation case can be filed and heard in accordance with the Code;
- (3) The County Manager shall send by certified mail a notice dated March 24, 2010, advising the Owner that the County intends to enter upon and take the Right-of-Way and Easements prior to the conclusion of condemnation proceedings, setting forth the compensation and damages offered by the County, and informing the Owner of the 30 days within which to contest the taking;
- (4) The Board finds a necessity exists to institute condemnation proceedings pursuant to the Code to acquire the Right-of-Way and Easements for the public use of constructing, operating, and maintaining the Project and to determine the amount of compensation and damages, if any, caused by the taking, possession and acquisition of the Right-of-Way and Easements;
- (5) After the 30-day period for the Owner to contest the taking has run, the County Attorney shall file in the Clerk's Office of the Circuit Court a certificate signed by the Chairman and Clerk of the Board in accordance with the Code and shall deposit with the Clerk the amount of the bona fide offer listed below that has not been accepted by the Owner:

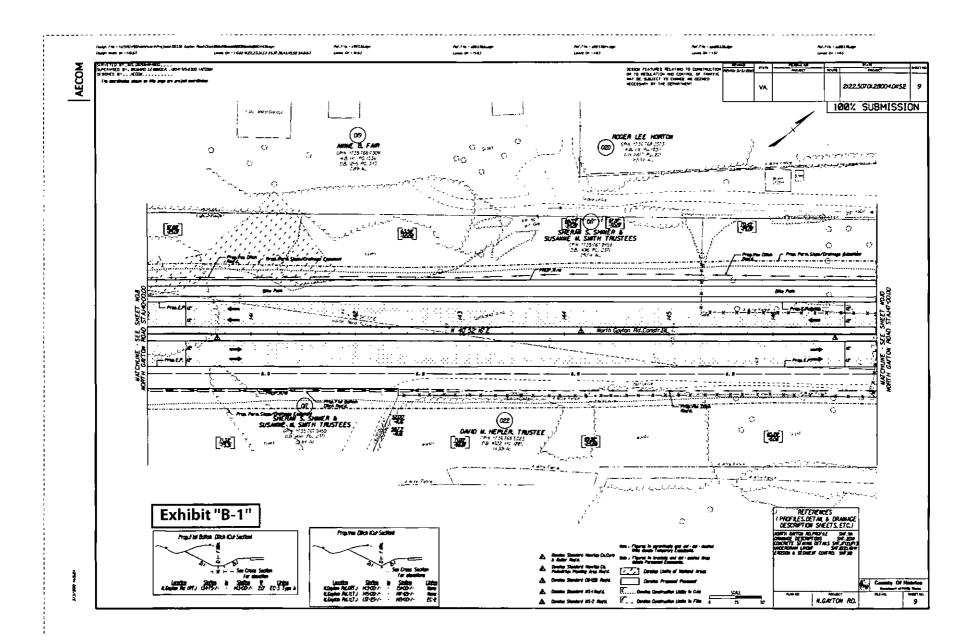
### DAVID M. HEPLER, TRUSTEE OF THE MARY D. HEPLER LIVING TRUST DATED APRIL 22, 2005, AS TO 12311 KAIN ROAD - \$9,370

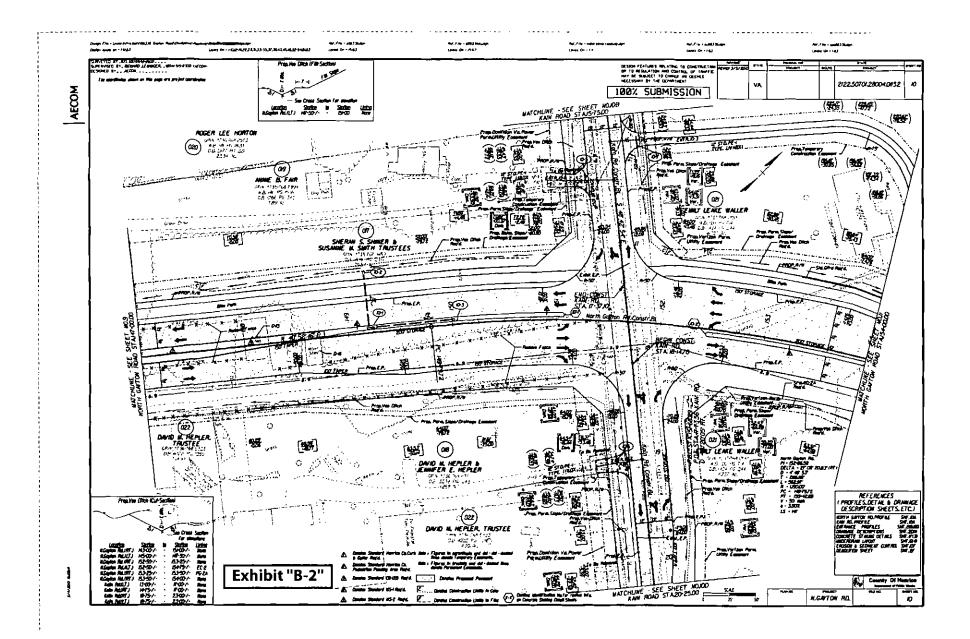
and,

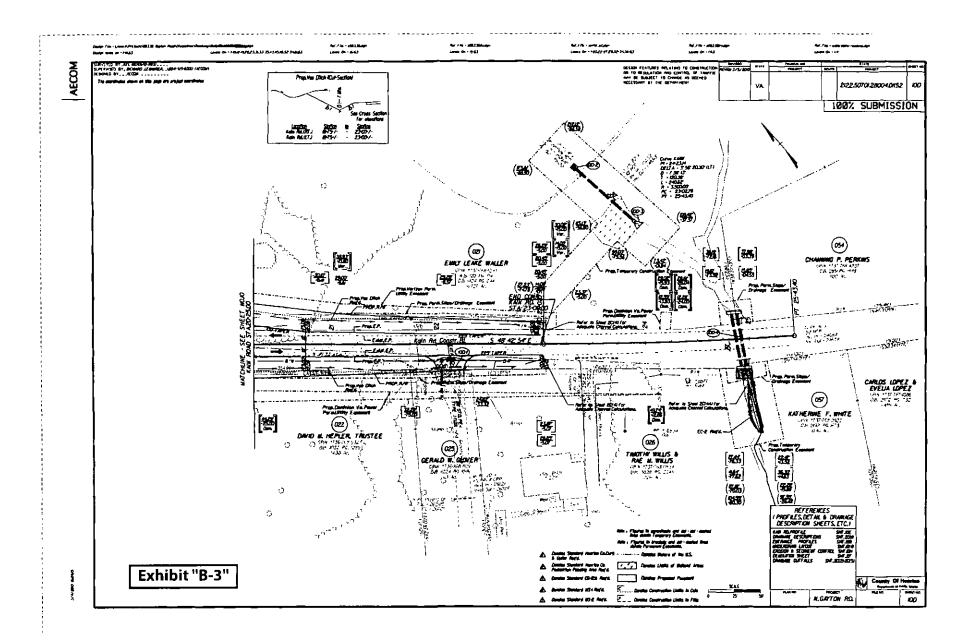
(6) The Board authorizes and directs the County Manager to continue to seek a voluntary acquisition of the Right-of-Way and Easements, to take all steps necessary to acquire the Right-of-Way and Easements, and to enter on and take immediate possession of the required Right-of-Way and Easements.

Comments: The Real Property Department has been unsuccessful in negotiating a settlement for the acquisition of the Right-of-Way and Easements. Therefore, the Directors of Public Works and Real Property recommend approval of this Board paper, and the County Manager concurs.









DESIGN FEATURES RELATING TO CONSTRUCTION
ON TO RECLASION AND CONTROL OF TRAFFIC
MAY BE SMAJECT TO CHANGE AS DECKED
MECESSANS BY THE DEPARTMENT
US 100% SUBMISSION PRELIMINARY 2122.50701.28004.01152 | ICIII RIGHT OF WAY DATA SHEET ROUTE: COUNTY/CITY:HENRICO COUNTY COUPLED BY:

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002	Edward B.Kldd & Joy W.Weinberg Trustees	3,4	ID24	0.465	20254.50	0.559	24350.04									0.26/	11376.33							
003	Gateway Bank & Trust Co.	3	1.004	0.081	3548.36	0.923	40205.88			_		1.0				0.084	3671.49							
004	The Linhart Company C/O Dominion Chevrolet	3,4	9207	0.013	583,77	9,194	43/853.84									0.081	3545.95							
005	Marsha A.Pressel & Larry T.Pressel	3,4	2.084													0.062	2706.25					0.015	694.94	
006	David S.Brown & Chris C.Brown	4	1.377	0.199	8672,00	1378	51313.68			Ţ <u>_</u>						0_361	15730.00					0.080	3486.00	
007	Sarah H.Pearson	4,5	6246	1,073	46774.84	5,73	225335 <i>8</i> 8									0.268	11677.42							
008	Gayton Road Properties, LLC	4	1547							1						0.020	888.63							
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013	Bianche N. Alvis	5,6F	5.368	0.398	17353.79	4,970	216493.20				ļ			1		0.227	9888.52		!					
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018	David M.Hapler & Jannifer E.Hepler	9.70	1259	0.062	2719.15	1/97	52141.32				I					0,117	5/37.63	0.040	1775.10			0.007	326.29	
019	Annie B.Fair	7.8.9.50	7,891	0.048	2/33 <i>B</i> 9	7.843	J454ID8	İ	ļ	l				J		0,001	46.09	0.023	1043.74	<u> </u>		0.011	5/8.59	
020	Roger Lee Horton	10,10B	2.534	0.060	265219	2,474	107767,44											0.027	1190.58			0.016	724.94	
021	Emily Leake Waller	10:10B. 100.11	16.727	1916	83462.28			3.516	153198.67	11.295	492010.20					0.571	29231.21	0.003	165D3	0.150	6544.44	0.690	30093.30	1
022	David M. Hepter, Trustee	10.10D	14.301	0.026	1146.65	14.275	621819.00									0,115	5025.65	0.044	1918.73	<u> </u>				
023	Allen G. Bowles & Mildred Ann P. Bowles	юв	4.61	0.091	400/39	4.519	196847.54					l <u></u>	l <u>"                                    </u>	J	]	0.023	1033.30	0.003	152.55	0.061	2696.62	0.002	98.11	
024	County Of Henrica	108	205.26	0.084	3660.60	205,77	8937510J2	]		ļ						0.012	545,10	0,005	255.48				]	
025	Gerald W.Glover	IOD	1,31	0.002	90.45	1,308	56976.48			<u> </u>						0.007	328.53	0.007	331.39					
026	Timothy Willis & Rae M.Willis	IOD	2.06										Ĺ			0.014	644J9	0.010	435 <i>El</i>			0.037	1639.29	
027	Louis A. Minor	11.12	2.497	0.541	27910.83		_	0.585	25490.42	1271	55371.06					0.237	/0366.90					0.169	7388.60	
028	Commorwealth Foundation I-V	11,12,13,14	2031	3.005	130930.57			14,720	641203.20	2.985	130040.65					0.899	39/97.90		<u> </u>	0,103	4529.36	0.206	8998.28	
029	Christ Church Episcopal	12,13, 14,14B	11.984	1,185	5/622.89	10.799	470404.44			1						0.495	2157210	0.008	386.64	0.152	663/.90	0.062	2730,87	
030	Hitton R.Davis Jr.	1414815	9.53	0.541	23587.40	9.989	435120.84	<u> </u>		<u> </u>	<u> </u>				l	0.322	14068.34	0.242	10579.67	!		0.DIT	766.47	l
031	Shady Grove United Methodist Church	14,140	3/5	0.256	11171.76	2.894	126060.64	i		<u> </u>				<u> </u>	L	0.119	52/3.50	0.061	2657.24	0./39	6078.98	0.050	2185.76	
032	Shady Grove United Methodist Church	14.15	2.50	0/33	5825.43	2_367	103106.52	<u> </u>		<u>l</u>						0.073	3/9/.4/			0.073	3200.46	0.004	212.63	
033	Shady Grove United Methodist Church	14D	5.469		756.43	5.452	236313. <b>D</b> O											0.006	285.//					
034	Raielgh R.Cook & Carelyn A.Cook	12.15. 14.14D.	10.25	0.049	2171.64	10.201	444355.56									0.20	526/-56			0.161	70/4.00	0.075	3266.02	
035	Barbara W.Felbush.Truslee	14D	10.06							I						0.083	3642.05			0/26	55/3.46			
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039	Shody Grove United Methodist Church	15	2.00	0,004	4556.20	1.896	8258976									0.063	2577.58			0.033	1472.55	0.003	15873	
040	Stody Grove United Methodist Church	/5	0.735	0/49	65/0.76	0.586	25526,16									0.058	2526.5/			0.038	1690.57	0342	5210.80	

Exhibit "B-4"

County Of Henrico emin IC(I) N.GAYTON RD.



Agenda Item No. 84-10Page No. 1 of 2

Agenda Title

RESOLUTION — Condemnation — Right-of-Way and Easements — North Gayton Road Extension Project — David M. Hepler and Jennifer E. Hepler — Three Chopt District

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	1
MAR 23 2010  [	Moved by (1) Kalchele Seconded by (1) Colores  (2) (2) (2)	YES NO OTHER Donati, J. Glover, R. Kaechele, D. O'Bannon, P. Thornton, F.

WHEREAS, it is necessary for construction of the North Gayton Road Extension Project (the "Project") to acquire right-of-way containing 2,719 sq. ft., permanent slope and drainage easements containing 5,145 sq. ft., a temporary construction easement containing 326 sq. ft., and a permanent easement containing 1,776.10 sq. ft. for Virginia Electric and Power Company, a Virginia public service corporation, doing business as Dominion Virginia Power (collectively, the "Right-of-Way and Easements") across the property at 12315 Kain Road owned by David M. Hepler and Jennifer E. Hepler ("Owners"), and identified as Tax Map Parcel 736-768-6361 in the Three Chopt District; and,

WHEREAS, the Board of Supervisors of Henrico County, Virginia desires to exercise authority granted by the Code of Virginia (the "Code") to acquire title, to enter upon and take possession of the Right-of-Way and Easements, and to construct the Project before the institution of condemnation proceedings; and,

WHEREAS, after advertisement in the *Richmond Times-Dispatch*, the Board held a public hearing pursuant to §15.2-1903 of the Code, at which time the Board declared its intent to enter and take the Right-of-Way and Easements for the Project across portions of the Owners' property.

NOW, THEREFORE, BE IT RESOLVED that:

(1) The Board directs the County Manager to take the necessary steps to acquire the Right-of-Way and Easements over, upon, across and through the property of the Owners, shown as "DAVID M. HEPLER & JENNIFER E. HEPLER" on a plat made by NXL, dated December 2, 2009, and sealed on March 11, 2010 by Nicholas Kougoulis, Land Surveyor, a reduced size copy of which is attached and marked Exhibit "A," or shown as parcel "018" on Sheet No. 10, and further described on Sheet No. 1C(1) of the plans for North Gayton Road, Project 2122.50701.28004.01152, reduced copies of which are attached and marked as Exhibit "B-1" and "B-2";

By Agency Head & Stary AT	By County Manager
Routing: Yellow to: Real Property	Certified: A Copy Teste:
Copy to:	Clerk, Board of Supervisors  Date:

Agenda Item No. 84-10 Page No.

2 of 2

Agenda Title

RESOLUTION — Condemnation — Right-of-Way and Easements — North Gayton Road Extension Project — David M. Hepler and Jennifer E. Hepler — Three Chopt District

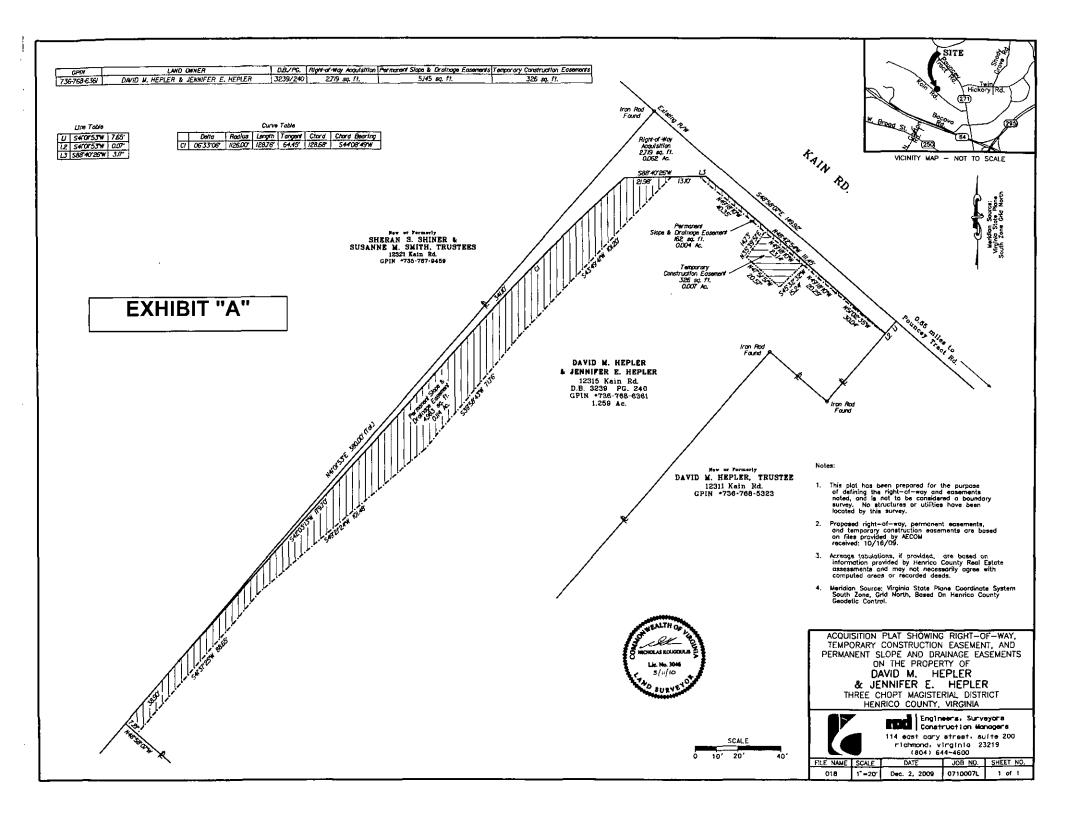
- (2) The Board deems it necessary to enter upon the property and take possession of the Right-of-Way and Easements in order to construct the Project prior to the time in which a condemnation case can be filed and heard in accordance with the Code;
- (3) The County Manager shall send by certified mail a notice dated March 24, 2010, advising the Owners that the County intends to enter upon and take the Right-of-Way and Easements prior to the conclusion of condemnation proceedings, setting forth the compensation and damages offered by the County, and informing the Owners of the 30 days within which to contest the taking;
- (4) The Board finds a necessity exists to institute condemnation proceedings pursuant to the Code to acquire the Right-of-Way and Easements for the public use of constructing, operating, and maintaining the Project and to determine the amount of compensation and damages, if any, caused by the taking, possession and acquisition of the Right-of-Way and Easements;
- (5) After the 30-day period for the Owners to contest the taking has run, the County Attorney shall file in the Clerk's Office of the Circuit Court a certificate signed by the Chairman and Clerk of the Board in accordance with the Code and shall deposit with the Clerk the amount of the bona fide offer listed below that has not been accepted by the Owners:

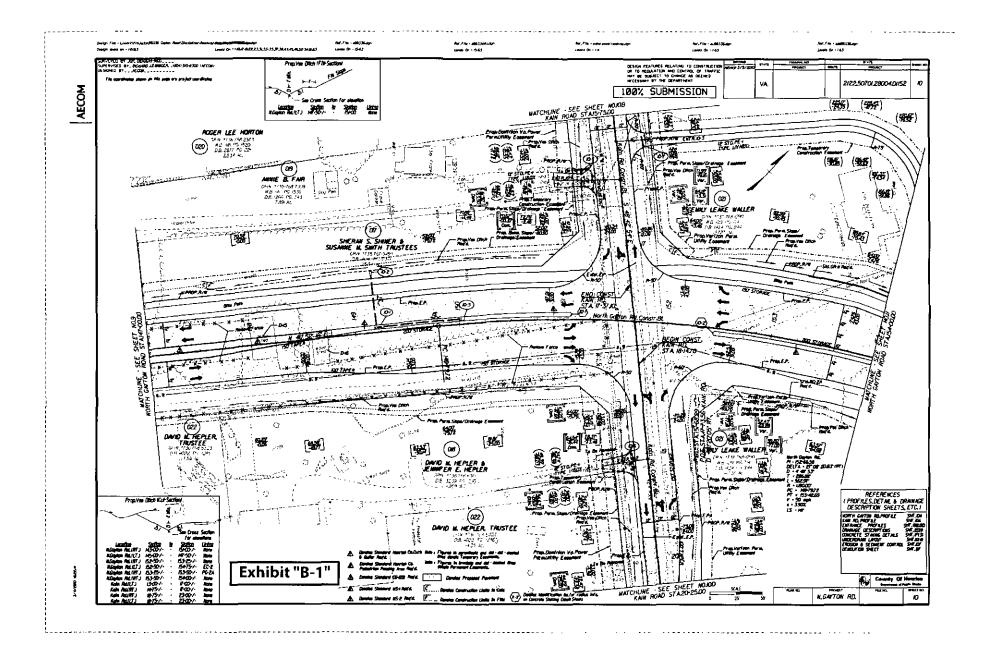
### DAVID M. HEPLER AND JENNIFER E. HEPLER AS TO 12315 KAIN ROAD - \$20,691

and,

(6) The Board authorizes and directs the County Manager to continue to seek a voluntary acquisition of the Right-of-Way and Easements, to take all steps necessary to acquire the Right-of-Way and Easements, and to enter on and take immediate possession of the required Right-of-Way and Easements.

Comments: The Real Property Department has been unsuccessful in negotiating a settlement for the acquisition of the Right-of-Way and Easements. Therefore, the Directors of Public Works and Real Property recommend approval of this Board paper, and the County Manager concurs.





SURVEYED BY NEL (804)644-4800 SUPERVISED BY INCLUDE LLIGHTER (1804) 515-8500 (40,004) DESIGNED BY LACTON

100% SUBMISSION

OSSIGN FEATURES RELATING TO CONSTRUCTION PARTY OF TRANSPORT PARTY OF TRANSPORT OF T

ROUTE: PROJECT NORTH CAYTON RD
COMMITCO AY: PPM\$ NO.:
(COMMITCO AY: DATE:
(REVISED BY: DATE:

# PRELIMINARY RIGHT OF WAY DATA SHEET

PARCEL		SHEET	<u> </u>	<del></del>				FEE F	REMAINDER	; FEE (	REMANDER	ARLA FEE	PEMANDER	FEE	REMAINDER	ľ				SEMENTS				
NO.	LANDOWNER	NO	TOTAL	FEE	TAKING	FEE R	EMAINDER	BISECTED	PROPERTIES	BISECTED	PROPERTIES	BISECTE	G PROPERTIES		D PROPERTIES	PERU SLOP	E7DRANAGE/							لــــــا
		<del>                                      </del>	<u> </u>	ļ	<del></del>			N.GAYTO	N RO (L1.)Q	N GAYTO	N RD. (R1.)€	BACO	VA DR. (LT.)C	BACOY	VA DR (RT.)C	ACCESS/SIG	HI DISTANCE		UTIL	,		TEMPO	RARY	PROFFERS
			ACRES	ACRES	SQ. FEET	ACRES	SQ. FEET	ACRES	SO FEET	ACRES	SO. FEET	ACRES	SQ FEET	ACRES	SO FEET	ACRES	SO. FEET		VA. POWER	VER		ACRES	SO. FEET	YES / NO
		ļ	<u> </u>	<b> </b>														ACRES	SQ. FEET	ACRES	SO. FEET			i
00/	Banner Realty Company of Richmond, Inc.	3	0.563	0,182	7964.44	0.381	/6596_36			<u> </u>		ļ		ļ		0.060	262391	0.094	4126.52	<u> </u>		0.161	70/9.42	<u> </u>
002	Edward B.Kldd & Jay W.Weinberg Trustees		1024		2026450	0.559	24350.04			!				·	ļ	0.261	11376.33		<u> </u>	<u> </u>	!			
003	Gateway Bank & Trust Co.	3	1004	0.081	3548.36	0.923	40205.88			<del> </del>					ļ	0.084	3671.49							
004	The Linhart Company C/O Dominion Chevrolet	3,4	9.207	0.013	583.7	9.194	431853.84							<u> </u>		180.0	3545.95						ļl	
005	Marsha A.Pressel & Larry T.Pressel	3.4	2.084											.		0.062	2706.25					0.0/5	694.94	
006	David S.Brown & Chris C.Brown	4	1,377	0.199	8672.00	1.178	51313.68							1		0.361	15730.00					0.080	3486.00	
007	Sarah H.Pearson	4.5	6.246	1,073	46774.84	5,173	2253 <b>3</b> 5 <i>8</i> 8									0.268	11677.42							
008	Gayton Road Properties.LLC	4	1547	1		<u> </u>				<u>                                     </u>			· ·		1	0.020	88863			[				
009	DELETED	<u> </u>	<del>                                     </del>	<u> </u>						1			1											
010	Boyd C. Jones	6.68.7	6.8	2,103	9/527.4/			1,707	7436525	0.749	32660.20	2,288	99590.43			2.564	11/722.00		1			0.349	15264.40	
OII	Darrell H. Bowman & Marsha Morgan	6.6F.7	3.98	0.909	39601.00					i —		2/30	92782.80	0.942	41040,00	0.788	34368.00		1		i —		1	
012	Helen Long Payne	68.60.7	42.51	2.563	111644.28					1		i		40.007	1742713.76	0.874	38071.44		·		i ——	0.340	14810.40	
013	Bianche N. Alvis	6.6F	5.368	0.398	17353,79	4.970	216493.20			i –	<u> </u>		,,, <u>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u>			0.227	9888.52		1					
0/4	Bianche N. Alvis	6F.6H	5.0	0.591	2578I.05	4,408	192026.47		i	<del>                                     </del>	<u> </u>		· · · · · · · · · · · · · · · · · · ·			0,775	7623.62		İ			0.221	9655.78	
0/5	Darrel H. Bowman & Marsha S. Morgan	5H	3.5	0.010	469.99	3.490	152024.40			1	ì	1	İ	1	İ	0.030	133412	_	<del>                                     </del>	i –				-
0/6	DELETED			i —		1	-		i	1	<del></del>	†··		1	i —		ii		1	i	i —		<u> </u>	<del>-</del>
0/7	Steran S. Silvner & Susanne M. Smith Trustees	7890	25.54	5.420	236/03/23	<del> -</del>		3.876	168838.56	16.244	707588.64	1		1	1	1,923	83783.80	0.013	576.56		i –	0.457	19932.40	
0/8	David M. Hepler & Janniter E. Hepler	9.70	1259		27/9/5	1/97	52/4/,32	52.0	100000100	1021	10.000	1		1	1	OJI7	5/37.63	0.040	1776,10		<del>                                     </del>	0.007	326.29	
0/9	Annie B.Fair	7.8.9.10	_		2/33.89	7.843	3464108			+		t				0.001	46.09	0.023	1043.74			0.011	5/8.59	i
020	Roger Lee Horton	10,108	2534		2652/9	2,474	107767.44			<del>                                     </del>	-	ţ	<del> </del>	<del> </del>	-			0.027	1190.58			0.016	724.94	<del> </del>
021	Emly Leake Waller	10.10B.	16,727	1	83462.28	2,77	101701.44	3.516	153198.67	11 295	492010.20	<del> </del>		-	ļ	0.671	2923121	0.003	165.03	0,150	6544,44	0.690	30093.30	<del> </del>
022	David W. Hepler, Trustee	10.10D.1L	14.301		1146.65	14.275	621819.00	330	13313021	11255	152,0.02,0			-		0315	5026.65	0.044	1918.73	0,2	0344,44	0250	3003330	
023	Allen G. Bowles & Mildred Ann P. Bowles	108	4.61	0.09/	400119	4519	196847.64		<u> </u>	┼──	<u> </u>	1		1	+	0.023	1033.30	0.003	152.55	0.061	2696.62	0.002	98.11	<del> </del>
023	County Of Henrico	108	205.26		3660.60	205,777	893751012		-	<del> </del>	-	<del> </del>		<del>-</del>	ļ. —	0.012	545,0	0.005	255.48	0.001	203032	0102	3077	<del> </del>
025	<u> </u>	100	1.31	0.002	90.45	1308	56976.48				<del> </del>	<del> </del>				0.007	32863	0.007	33/39				<del>  </del>	<b>—</b>
	Gerald W. Glover	IOD	2.06	ULVZ	90.45	1208	30370.70	-		·	<del>                                     </del>			- <del> </del> -			644,19	0.010	435.61	-	<del> </del>	0077	10.70.00	<del> </del>
026	Timothy Willis & Rae M.Willis			0.50	0700007			0.585	25490.42	1271	5537106	<del> </del>				0.014	10366.90	DIDIO	433.07		<del> </del>	0.037	1639.29	├
027	Louis A Minor	11,12		·	2791083					<b>↓</b>	+			<del> </del>	1	·			-			0,169	7388.60	<del> </del>
028	Commonwealth Foundation I-V	1121314			130930.67			14.720	641203.20	2.985	130040.55	ļ	ļ	<del>-</del>	ļ	0.899	39/97.90			0,03	4529.36	0.206	8998.28	<del> </del>
029	Christ Church Episcopal	-12.13; 14.14B.	11.984	-	5/622.89	10.799	470404.44	<b> </b>		ļ		<b>!</b>		<del> </del>		0.495	2/572/0	0.008	386.64	0J52	6631.90	0.062	2730.87	
030	Hilton R. Davis Jr.	14,148,15	-		23587.40	9.989	435/20.84	ļ		ļ		ļ		-	ļ	0.322	/4068_34	0.242	10579.57		ļ	0.017	755.47	ļ
031	Shady Grove United Methodist Church	14,14D	3/5	0.256	11171.76	2.894	126060.64					<u> </u>				OJI9	52/3.50	0.061	,2657.24	0.339	6078.98	0.050	2/85.76	<u> </u>
032	Shady Grove United Methodist Church	14,15	2.50		5825.43	2.367	103106.52				1	ļ		<u> </u>		0.073	3/9/.4/		l	0,073	3200.46	0.004	212.63	
033	Shady Grove United Methodist Church	14D	5,469		756.43	5.452	236313.00			J	<u> </u>	<u> </u>		.l	<u> </u>	ļ	<u>                                     </u>	0.006	285JI	<u> </u>			<u> </u>	1
034	Raieigh R.Cook & Carolyn A.Cook	12.13. 14.140	Ю.25	0.049	2/71.64	10.201	444355 <i>5</i> 6	<u> </u>	l	<u> </u>	·	1	<u> </u>	<u> </u>	l	0.120	526/.56			0.161	7014,00	0.075	3266.02	<u> </u>
035	Barbaro W.Felbush,Trustee	140	10.06													0.083	3642.05			0.126	55/3.46			
036	DELETED																							
037	DELETED	1											1											
038	DELETED	1		1	1		1	i — —		1	T .	1		-										
039	Shody Grove United Methodist Church	15	2.00	0.004	4556.20	1.896	82589.76		i	1	1	1		$\uparrow$	1	0.063	2577.58		1	0.033	1472.55	0.003	15873	í — —
040	Shady Grove United Methodist Church	15	0735	0.149	65/0.76	0.586	2552616			1	1	1	1	1	<del>                                     </del>	0.05E	2526.5/			0.038	1690.57	0,142	6210.80	
1		<del>'</del>		,		,	, <u></u>																	

EXHIBIT "B-2"

And NGAYTON RD. County Of Henrico

37,2010 09:32:28



For Clerk's Use Only:

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

Agenda Item No. 85-10 Page No.

1 of 2

Agenda Title RESOLUTION — Condemnation — Right-of-Way and Easements — North Gayton Road Extension Project — Annie B. Fair — Three Chopt District

**BOARD OF SUPERVISORS ACTION** 

Date AR 23 2019  [ ] Approved  [ ] Denied  [ ] Amended  [ ] Deferred to	Moved by (1) Kalchele Seconded (2)  REMARKS D D D	by (1) Clover 2) DEID	YES NO OTHER Donati, J. Glover, R. Knechele, D. O'Bannon, P. Thornton, F.					
(the "Project") containing 46 s containing 1,0 corporation, d Easements") ac Tax Map Parce WHEREAS, th	t is necessary for construction to acquire right-of-way containing 2, q. ft., a temporary construction easen 43.74 sq. ft. for Virginia Electric oing business as Dominion Virg ross the property at 12325 Kain Roac 1735-768-7309 in the Three Chopt D e Board of Supervisors of Henrico Co	134 sq. ft., a permanent slope and nent containing 519 sq. ft., and a and Power Company, a Virinia Power (collectively, the downed by Annie B. Fair ("Own istrict; and,	nd drainage easement a permanent easement rginia public service "Right-of-Way and ner") and identified as					
and Easements, WHEREAS, af to §15.2-1903 of and Easements	rginia (the "Code") to acquire title, to and to construct the Project before the ter advertisement in the <i>Richmond Tim</i> of the Code, at which time the Board for the Project across portions of the CFORE, BE IT RESOLVED that:	e institution of condemnation pro nes-Dispatch, the Board held a production declared its intent to enter and the	ceedings; and, ublic hearing pursuant					
(1) The Board directs the County Manager to take the necessary steps to acquire the Right-of-Way and Easements over, upon, across and through the property of the Owner, shown as "ANNIE B. FAIR" on the plat made by NXL, dated October 8, 2009, sealed on October 13, 2009 by David L. Jones, Land Surveyor, a reduced size copy of which is attached and marked Exhibit "A," or shown as parcel "019" on Sheets Nos. 7, 8, 9, and 10, and further described on Sheet No. 1C(1) of the plans for North Gayton Road, Project 2122.50701.28004.01152, reduced size copies of which are attached and marked as Exhibit "B-1", "B-2", "B-3", "B-4" and "B-5";								
By Agency Head	In Bothamy gay	By County Manager  Certified:	Y. Nyll					
Yellow to: Kend	Vroguety	A Copy Teste:Clerk	, Board of Supervisors					

Agenda Item No. 85-10 Page No.

2 of 2

Agenda TitleRESOLUTION — Condemnation — Right-of-Way and Easements — North Gayton Road Extension Project — Annie B. Fair — Three Chopt District

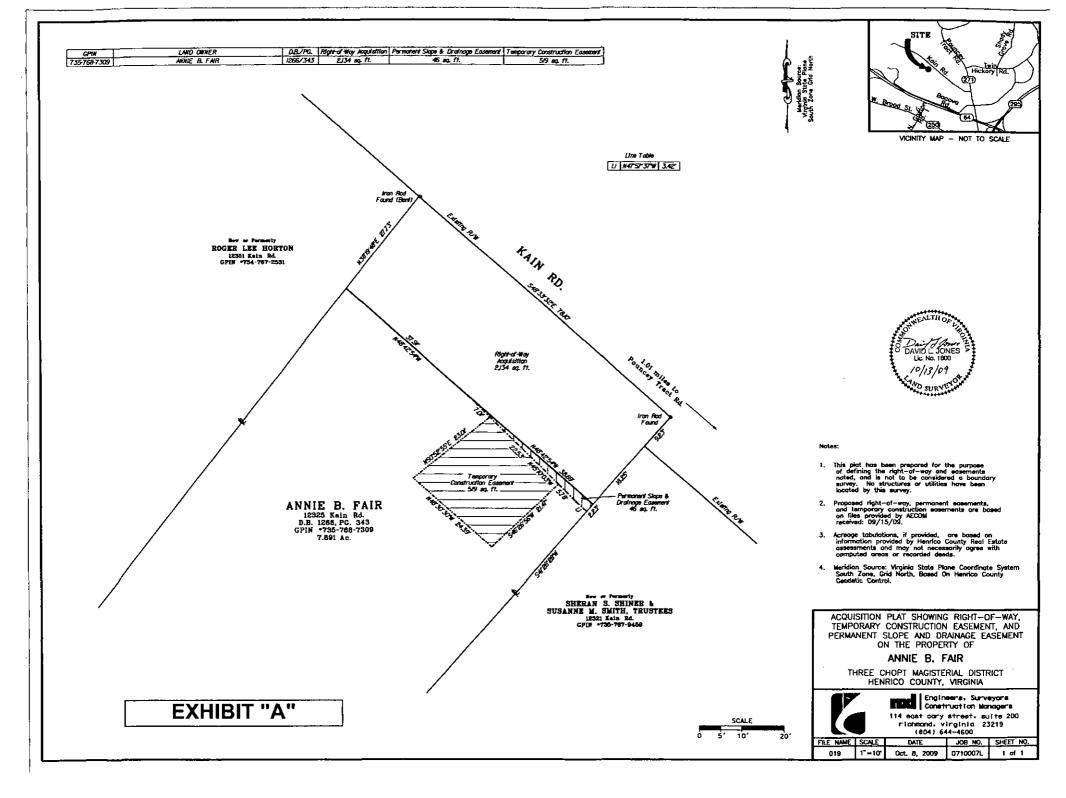
- (2) The Board deems it necessary to enter upon the property and take possession of the Right-of-Way and Easements in order to construct the Project prior to the time in which a condemnation case can be filed and heard in accordance with the Code;
- (3) The County Manager shall send by certified mail a notice dated March 24, 2010, advising the Owner that the County intends to enter upon and take the Right-of-Way and Easements prior to the conclusion of condemnation proceedings, setting forth the compensation and damages offered by the County, and informing the Owner of the 30 days within which to contest the taking;
- (4) The Board finds a necessity exists to institute condemnation proceedings pursuant to the Code to acquire the Right-of-Way and Easements for the public use of constructing, operating, and maintaining the Project and to determine the amount of compensation and damages, if any, caused by the taking, possession and acquisition of the Right-of-Way and Easements;
- After the 30-day period for the Owner to contest the taking has run, the County Attorney shall file in the Clerk's Office of the Circuit Court a certificate signed by the Chairman and Clerk of the Board in accordance with the Code and shall deposit with the Clerk the amount of the bona fide offer listed below that has not been accepted by the Owner:

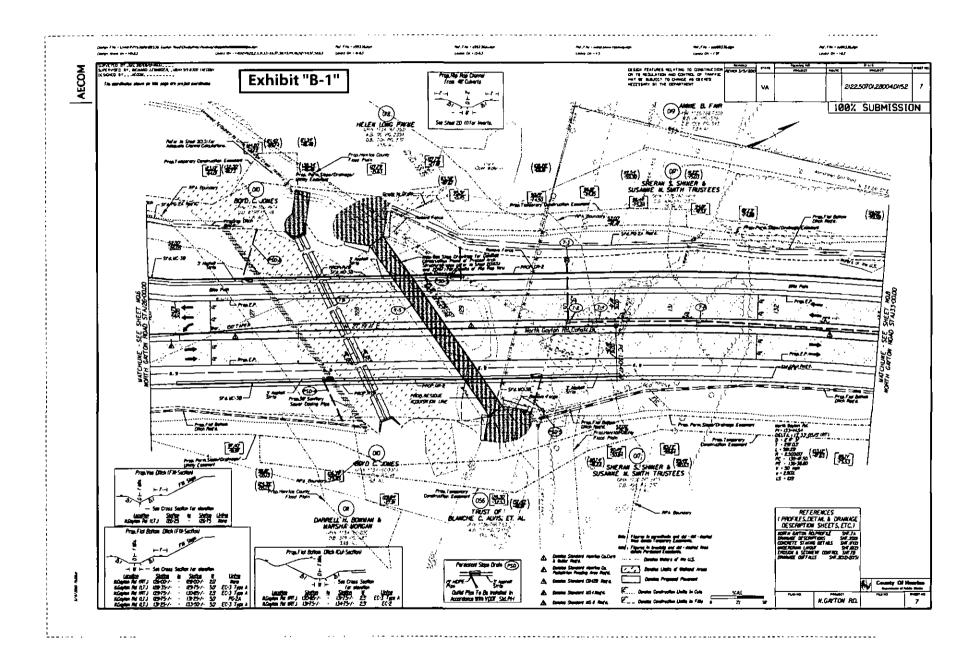
### ANNIE B. FAIR AS TO 12325 KAIN ROAD - \$4,430

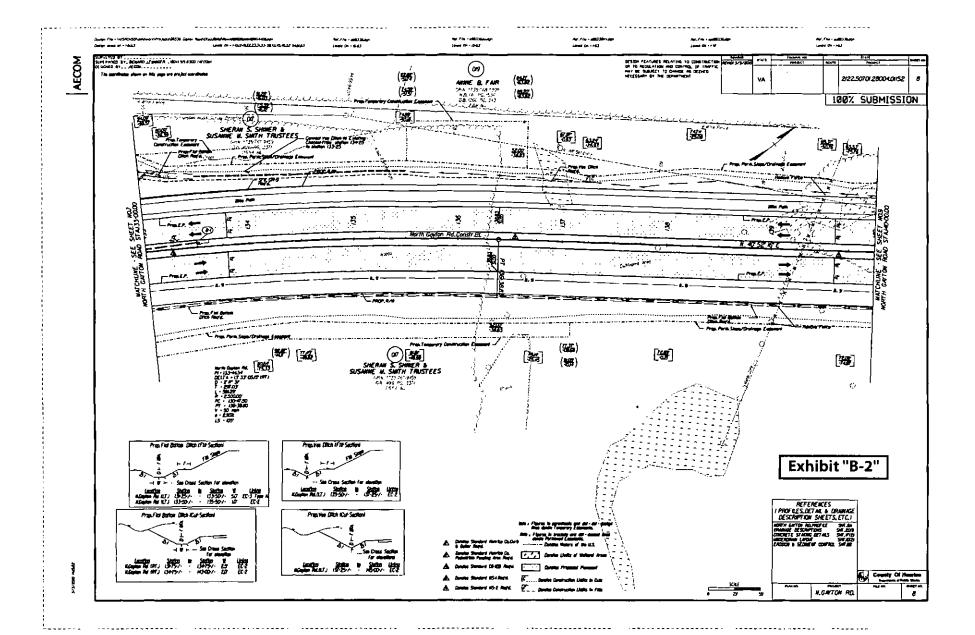
and,

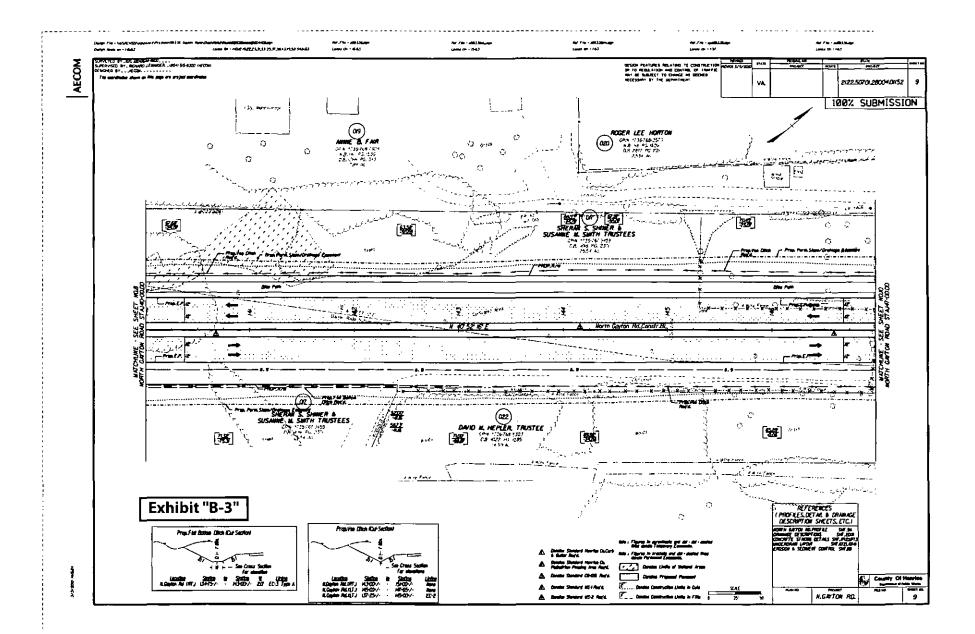
(6) The Board authorizes and directs the County Manager to continue to seek a voluntary acquisition of the Right-of-Way and Easements, to take all steps necessary to acquire the Right-of-Way and Easements, and to enter on and take immediate possession of the required Right-of-Way and Easements.

Comments: The Real Property Department has been unsuccessful in negotiating a settlement for the acquisition of the Right-of-Way and Easements. Therefore, the Directors of Public Works and Real Property recommend approval of this Board paper, and the County Manager concurs.

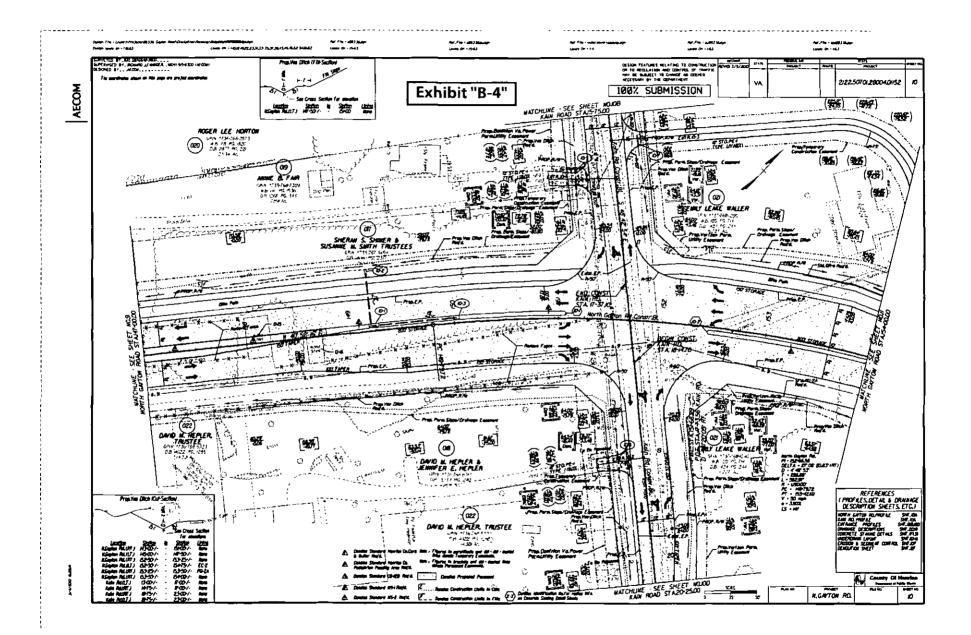








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SLEVEYED BY NXL (NOA1644-4600 SUPERVISED BY RECHARD LELWINGER LEIDH) 515-6300 (ALCOM) DESCHED BY LACCOM

100% SUBMISSION

DESIGN FRATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC HAT BE SUBJECT FO CHANGE AS DEEMED 9. 10.00 March 10.

ROUTE: PROJECT: COUNTY/CITYHERRICO COUNTY PPMS NO.
COMPREO BY: DATE:
REVISED BY: DATE:

# PRELIMINARY RIGHT OF WAY DATA SHEET

		5055	ļ					T F F F	REMAINDER	FEE	DEMANDED.	ARE A	OF WAINING O		DECITION TO									
PARCEL NO	LANDOWNER	SHEET NO.	TOTAL	FEF	TAKING		EMAINDER		REMAINDER DPROPERTIES		REMANDER PROPERTIES		PEMAINDER D PROPERTIES		REVAINDER D PROPERTIES					ASEMENTS		,		
			10,~	,		PEE M	EMANUER		ON RD. (LT.)				A DR. (LT.)Ç		A DR. (RT.)C	PERM SLOPE ACCESS/SIG	E/DRANACE/ HI_DISTANCE		UTIL	ΙΤΥ		TEMPO	RARY	PROFFER
			ACRES	ACRES	50 5557	ACRES	SO, FEET	ACRES	50 5564				50 5557		SO FEET				VA POWER	VER	IZON		Ī <u>.</u>	
			ACAE3	ACRES.	SO. FEET	ACRES	50.7221	ALRES	SO. FEET	ACRES	SO. FEET	ACRES	SO FEET	ACRES	SU FEET	ACRES	SQ. FEET	ACRES	SO. FEET	ACRES	SO. FEET	ACRES	SO FEET	YES / N
001	Banner Realty Company of Richmond, Inc.	3	0.563	0,182	7964.44	0.381	16596.36									0.060	262391	0.094	4/26.52			0,161	70/9.42	
002	Edward B.Kidd & Joy M.Weinberg Trustees	3,4	1.024	0.465	20264.60	0.559	24350.04									0.26/	11376.33		Ì				T	
003	Gateway Bank & Trust Co.	3	1,004	0.081	3548.36	0.923	40205.88					i		1		0.084	3671.49				i —		<del>                                     </del>	<u> </u>
004	The Unhart Company C/O Dominion Chevrolet	3,4	9.207	0.013	583.77	9,194	43/853.84							i		0.081	3545.95		I —		i –			<u> </u>
005	Marsha A.Pressel & Larry T.Pressel	3,4	2.084		į	[								1		0.062	2706.25		1	i		0.015	694.94	
006	David S. Brown & Chris C. Brown	4	1.377	0.199	8672,00	1378	51313.68	ĺ								0.36/	15730.00		<del>                                     </del>			0.080	3486.00	
007	Sarah H.Pearson	4,5	6.246	1073	45774.84	5.773	22533588			i –		i —		1		0.268	11677.42		_	_			<del>                                     </del>	
008	Gayton Road Properties, LLC	4	1.547											1 -		0.020	888.63						1	
009	DELETED					i —					1			$\vdash$				i						1
0/0	Boyd C. Jones	6.68.7	68	2,03	9/627.41		i —	1707	74365.25	0749	32660.20	2,288	99690.43			2.564	11/7 2 2 .00					0.349	15264,40	
OII	Darrell H. Bowman & Worsha Morgan	6,6F.7	3.98	0.909	39601.00	i —	ļ					2/30	92782.80	0.942	4IO40.D0	0.788	34368,00		<del>                                     </del>		<del></del>			<del>                                     </del>
0/2	Helen Long Payne	6B,6D,7	42.51	2.563	111644.28		İ		<del>                                     </del>					40.007	1742713.76	0.874	38071.44					0.340	14810.40	<del>                                     </del>
0/3	Bianche N. Alvis	6,6F	5.368	0.398	17353.79	4.970	216493.20							1		0.227	9888.52						<del>                                     </del>	
0/4	Blanche N. Alvis	6F.6H	5.0	0.59/	25781.05	4.408	192026.47	i		1	T		-	i		0,775	7623.62		<del> </del>	f	i —	0.221	9655.78	F
0/5	Darrel H. Bowman & Marsha 5, Morgan	6H	3.5	0.0.0	469.99	3.490	152024.40		<u> </u>	-	i		i	i -	i	0.030	133412		<del> </del>				505511 0	f
0/6	DELETED	i												<del>                                     </del>		i —	<del>-</del>						<del> </del>	ļ
017	Sheran S. Shiner & Susanne M. Smith Trustees	7,8,9,10	25.54	5.420	236/03/23	<del> </del>		3.876	168838.56	16.244	707588.64			ì	i	1923	83783.80	0.013	576.56		<del></del>	0.457	19932.40	<del>                                     </del>
018	David M. Hepler & Jennifer E. Hepler	9,10	1259	0.062	27/9/5	1197	52/4/32									0.117	5/37.63	0.040	1776,10			0.007	326.29	<b>—</b>
0/9	Annie B. Fair	7,89,0	7.89	0.048	2/33.89	7843	34641,08	•						1		0.001	46.09	0.023	1043.74			O.DII	5/8.59	1
020	Roger Lee Horton	10,108	2.534	0.060	2652./9	2.474	107767.44							_				0.027	1/90.58			0.016	724.94	<del>                                     </del>
021	Emity Leake Waller	10:10B. 100.11	16327	1916	83462.28			3.516	153198.67	11.295	492010.20	1		1	<del></del>	0.671	2923121	0.003	165.03	0.150	6544,44	0.690	30093.30	,
022	David M. Hepler, Trustee	10,100	14.301	0.026	1146.65	14.275	62/8/9.00				<del>                                     </del>	<del>                                     </del>		1	i	0.//5	5026.65	0.044	1918.73	_			1	
023	Allen G.Bowles & Wildred Ann P.Bowles	108	46/	0.09/	400139	4.519	196847.64			-				1		0.023	1033.30	0.003	152.55	0.06/	2696.62	0.002	98.11	-
024	County Of Henrico	IOB	205,261	0.084	3660.60	205,777	893751012						·	1 -		0.012	545,0	0.005	255.48					i
025	Gerald W.Glover	IOD	1.37	0.002	90.45	1.308	56976.48				-			<del>                                     </del>		0.007	32863	0.007	331.39					
026	Timothy Willis & Roe M.Willis	IOD	206	i —						-		-		-		0.014	644.19	0.010	435.6/	·		0.037	1639.29	<del> </del>
027	Louis A.Minor	11,12	2.497	0.541	279/0.83			0.585	25490.42	1271	5537/06					0.237	10366.90					0.169	7388.60	·
028	Commonwealth Foundation I-V	11/2/3/4	2071	3.005	130930.67	_		14720	64/203.20	2.985	/30040.65	_		-		0.899	39/97.90		<del>                                     </del>	0.03	4529.36	0.206	8998.28	f
029	Christ Church Episcopal	12,13. 14,148	11.984	-		10.799	470404,44							+		0.495	2157210	0,008	386.64	0/52	663/90	0.062	2730.87	ı —
030	Hilton R. Davis Jr.	14,190,	953	0.541	23587.40		43512084				f	<del></del>		$\overline{}$		0,322	14068.34	0.242	10579.67			0.017	766.47	
031	Shody Grave United Methodist Church	14,14D		0.256	11171,76		126060.64	_	<del> </del>	-				1		0.//9	52/3.50	0.06/	2657.24	0/39	6078.98	0.050	2/85.76	
032	Shody Grove United Methodist Church	14,15		0.133	5825.43	2_367	103106.52							<b> </b>	-	0.073	3191.41		1	0.073	3200.46	0.004	212.63	i
033	Shady Grave United Methodist Church	140	5.469	0.017	756.43	5.452	2363/3.00		i —									0.006	285.//					
034	Raleigh R.Cook & Carolyn A.Cook	12,13. 14,14D	_	0.049	2171.64		444355.56	$\overline{}$						1		0,120	526/56	_ =====		0.161	70/4.00	0.075	3266.02	
035	Barbara W. Felbush, Trustee	140	10.06	<del>                                     </del>	-	<del> </del>		_		<del> </del>				1		0.083	3642.05		<del>   </del>	0,126	55/3.46		-	
036	DELETED				<del>-</del>	<del>-</del>	<u> </u>				<del></del>			+-			50.225			3,20				·
037	DELETED	$\vdash$	<del> </del>				<del></del>				·			1										· -
038	DELETED	<del> </del>	<del> </del>		<del> </del>		<del></del>		<del></del>		<del></del>	-		<del> </del>	<del></del>				·				<del>                                     </del>	
039	Shady Grove United Methodist Church	15	2.00	0.104	4556.20	1896	8258976			<del></del>	<b></b>		<del> </del>	<del> </del>	<del>-</del>	0.063	2577.58		-	0.033	1472.55	0.003	15873	
040	Shady Grove United Methodist Church	15	0.735		65/076		25526/6	-	<del> </del>			<del>   </del>		1		0.058	2526.51		<del>                                     </del>	0.038	1690.57	0142	6210.80	ı———
U40	Study of the division well wall of the fit	_ر,_ا	1 02 33	0,73	03/02/6	0.500	20026/6			1	Ц					0000	2320.31			บมวช	1050/21		32,000	

Exhibit "8-5"

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3/3/2010 09:32:28

Agenda Item No. **%6-10**Page No. 1 of 2

Agenda Title RESOLUTION - Receipt of Operating and Capital Budget Estimates for Fiscal Year 2010-11 and Notice of Public Hearings on the Budget and Proposed Tax Rates

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION		
Date MAR 23 2010  Approved  Denied  Deferred to	Moved by (1) Kalchlu Seconded by (1) (2) (2) (2)	Donati, J.  Glover, R.  Kaechele, D.  O'Bannon, P.  Thornton, F.	R - - -

WHEREAS, the County Manager has assembled his estimates of the resources and expenditures anticipated to be available or required during fiscal year 2010-11, for the operating and capital budgets from requests received from all County offices, divisions, boards, and departments, including the Department of Education; and,

WHEREAS, state law requires the advertisement and holding of a public hearing and the approval of an Annual Fiscal Plan for the County, and,

WHEREAS, the Board desires to advertise proposed tax rates and levies for calendar year 2010 and hold a public hearing thereon.

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

- (1) The Board hereby receives the County Manager's estimates of resources and expenditures anticipated to be available or required during fiscal year 2010-11, for the operating and capital budgets; and,
- (2) The Board hereby directs its Clerk to advertise in the Richmond Times-Dispatch on Sunday, March 28, 2010:
  - (a) A synopsis of the operating and capital budgets and a public hearing thereon to be held on Tuesday, April 13, 2010, at 6:00 p.m., in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia; and,

By Agency Head_	1200	Don	By County Manager_	Jujo & Spell
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Copy to:			Date	Clerk, Board of Supervisors

Agenda Item No. 86-10
Page No. 2 of 2

Agenda Title RESOLUTION - Receipt of Operating and Capital Budget Estimates for Fiscal Year 2010-11 and Notice of Public Hearings on the Budget and Proposed Tax Rates

- (b) Proposed tax rates and levies for calendar year 2010 and a public hearing thereon to be held on Tuesday, April 27, 2010, at 7:00 p.m., in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia.
- (3) The Board hereby directs its Clerk to post on or before Sunday, March 28, 2010, in a prominent public location at which notices are regularly posted at both the Eastern and Western Government Centers:
  - (a) A synopsis of the operating and capital budgets and notice of a public hearing thereon to be held on Tuesday, April 13, 2010, at 6:00 p.m. in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia; and,
  - (b) A notice of a proposed tax rates and levies for calendar year 2010 and a public hearing thereon to be held on Tuesday, April 27, 2010, at 7:00 p.m. in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia.

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



Agenda Item No.  $\{7-10\}$ 

Agenda Title: RESOLUTION - Authorizing Use of the 400th Anniversary Logo

BOARD OF SUPERVISORS ACTION  Moved by (1) Seconded by (1) Control  (2) REMARKS:  (3) Amended (4) Deferred to:  BOARD OF SUPERVISORS ACTION  Moved by (1) Control  (2) Seconded by (1) Control  (3) Glover, R. Kaechele, D. O'Bannon, P. Thornton, F.	O OTHER
--	---------

WHEREAS, on December 12, 1984, the Board of County Supervisors adopted the official County seal and prohibited its use, with certain exceptions, without the prior written permission of the Board; and,

WHEREAS, part of the logo for the 400<sup>th</sup> anniversary of the County is the official County seal; and,

WHEREAS, in order to discharge its duties and functions, the 2011 Commemoration Advisory Commission (the "Commission") needs to use, and authorize the use of, the 400<sup>th</sup> anniversary logo in accordance with written guidelines adopted by the Commission.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors authorizes the Commission to use, and permit the use of the 400<sup>th</sup> anniversary logo pursuant to written guidelines adopted by the Commission.

By Agency Head anglan,	CUPER By County Manager	hijb V. Maybel
Routing: Yellow to:  Copy to:	Certified: A Copy Teste:	Clerk, Board of Supervisors
	Date:	



Proud of our progress — Excited about our future



Agenda Item No.88-10Page No. 1 of 1

Agenda Title: RESOLUTION – Signatory Authority – Memorandum of Understanding between Henrico County and Capital Region Airport Commission

For Clerk's Use Only:  Date MAR 23 2010  ( ) Approved ( ) Denied ( ) Amended ( ) Deferred to:	BOARD OF SUPERVISORS ACTION  Moved by (1) Seconded by (1) Seconded by (2) (2)  REMARKS: DROWN (2)	YES NO OTHER  Donati, J Glover, R Kaechele, D O'Bannon, P Thornton, F

WHEREAS, the Sandston Youth Association uses property owned by the Capital Region Airport Commission, consisting of six baseball fields, access roads, and parking areas (the "Facilities"), in connection with baseball practice by its teams; and

WHEREAS, Henrico County, through its Division of Recreation and Parks, is willing to maintain the Facilities, including annual field grading, seasonal mowing of fields, and seasonal custodial care, and provide portable lavatory facilities, dumpsters, and trash cans at the Facilities during the period that the Association uses the Facilities; and

WHEREAS, the County desires to enter into a memorandum of understanding with the Commission pursuant to which the Commission will grant the County access to the Facilities and the County will agree to maintain them.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County authorizes and directs the County Manager to enter into a memorandum of understanding between the County and the Commission in the form attached to this resolution and as approved by the County Attorney.

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

By Agency Head _	Haren X.m	By County Manager_	Jugs X. Haydel	=
Routing: Yellow to:		_ Certified:		
Copy to:	<u></u>	A Copy Teste:	Clerk, Board of Supervisors	
		Date:		

# MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF HENRICO, VIRGINIA AND THE CAPITAL REGION AIRPORT COMMISSION

### I. PARTIES TO THE AGREEMENT

This Memorandum of Understanding ("MOU") is between the County of Henrico, Virginia (the "County") and the Capital Region Airport Commission (the "Commission").

#### II. PURPOSE

To allow the County access to certain property owned by the Commission consisting of six baseball fields, access roads and parking areas (the "Facilities") for the purpose of maintaining the physical environment of the Facilities for use by the Sandston Youth Association.

#### III. RESPONSIBILITIES OF THE COUNTY

- A. During the term of this Agreement, the County agrees to be responsible for the performance and cost of all necessary and prudent maintenance of the Facilities as deemed necessary by the County, provided the Facilities are being utilized by the Sandston Youth Association. The County will also provide portable lavatory facilities, dumpsters, and trash cans.
- B. The normal general maintenance schedule for the Facilities will be:

Mowing Weekly/mid-March-November, weather permitting Custodial Trash pick-up weekly or based on usage during

baseball season;

Routine Grading Baseball fields annually

#### IV. RESPONSIBILITIES OF THE COMMISSION

The Commission agrees to allow the County access to the Facilities for the purpose of maintaining the physical environment of the property as set out in section III.

### V. TERMS OF AGREEMENT

- A. APPLICABLE LAWS AND COURTS: This MOU shall be governed by the laws of the Commonwealth of Virginia and any litigation with respect thereto shall be brought in the courts of the County of Henrico.
- **B.** TERMINATION AND MODIFICATION: The County or the Commission may terminate this MOU upon thirty (30) days written notice to the other. The County or the Commission may agree in writing to modify the terms of the MOU.
- C. RENEWAL: This MOU shall be effective February 15, 2010 (or when executed) and shall continue for a period of five (5) years until February 15, 2015 unless terminated by one or both parties.
- **D. ANNUAL APPROPRIATIONS:** This MOU is subject to annual appropriations by the County of Henrico, Board of Supervisors. This MOU shall be terminated if the County of Henrico, Board of Supervisors does not appropriate funds for this MOU or if existing funds are exhausted.
- **E. THIRD PARTY BENEFICIARY:** This MOU shall not confer any benefit or right upon any person other than the County and the Commission, and no third party shall be entitled to enforce any obligation of this MOU.

In witness of this agreement the duly authorized representatives of the parties affix their signatures below.

County of Henrico, Virginia	Capital Region Airport Commission		
Virgil R. Hazelett, P.E. County Manager	Jon E. Mathiasen Commissioner		
Date:	Date:		



Agenda Item No. 89-10

Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Construction Contract — Broadly, Mayfield, and Broad Street Village Fire Flow Enhancement Project

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WHEREAS, 11 bids were opened on March 4, 2010 in response to Bid Request No. 10-8767-1CE for the Broadly, Mayfield, and Broad Street Village Fire Flow Enhancement Project, located in the Brookland District; and,

WHEREAS, the project will provide approximately 7,900 linear feet of 6-inch, 8-inch, and 12-inch diameter water mains and approximately 4,400 linear feet of 1-inch diameter water services for 95 customers to improve the County's fire protection system; and,

WHEREAS, the bids were as follows:

<u>Bidders</u>	Bid Amounts
RR Snipes Construction Company	\$739,406.60
Southern Construction Utilities, Inc.	\$890,346.50
Lyttle Utilities, Inc.	\$1,037,897.00
Piedmont Construction Company	\$1,078,115.00
Possie B. Chenault, Inc.	\$1,088,630.00
Fielder's Choice Enterprises, Inc.	\$1,088,965.00
Classic City Mechanical, Inc.	\$1,251,870.00
Perkinson Construction LLC	\$1,282,264.00
Toano Contractors, Inc.	\$1,367,571.00
Central Contracting Company, Inc.	\$1,387,001.40
G. L. Howard, Inc.	\$1,399,460.00

By Agency Head	author	Q <del>?</del> n.	By County Manager	Light V. Stegett
Routing: Yellow to: Copy to:			Certified: A Copy Teste: _	Clerk, Board of Supervisors
			Date:	

Agenda Item No. 89-10

Page No. 2 of 2

Agenda Title: RESOLUTION — Award of Construction Contract — Broadly, Mayfield, and Broad Street Village Fire Flow Enhancement Project

WHEREAS, after review and evaluation of all bids received, it was determined that RR Snipes Construction Company is the lowest responsive and responsible bidder with a bid of \$739,406.60.

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

- 1. The contract is awarded to RR Snipes Construction Company, the lowest responsive and responsible bidder, in the amount of \$739,406.60.
- 2. The County Manager and Clerk are authorized to execute the contract in a form approved by the County Attorney.
- 3. The County Manager, or the Director of General Services as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

Comment:

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