

COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
REGULAR MEETING  
April 13, 2010

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, April 13, 2010 at 6:00 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  
Carlos V. Talley, Chief Deputy  
Tanya B. Harding, Deputy Clerk to the Board of Supervisors/Administrative Assistant  
George T. Drumwright, Deputy County Manager for Community 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 6:05 p.m.

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

Rev. C. Diane Mosby, Pastor, Anointed New Life Baptist Church, delivered the invocation.

**PUBLIC HEARING**

90-10            Resolution – Adoption of Operating and Capital Annual Fiscal Plans For Fiscal Year 2010-11 and Allocation of Car Tax Relief for Tax Year 2010.

Mr. Hazelett presented the FY 2010-11 proposed annual fiscal plan and noted that copies of the budget document and *Budget in Brief* packet were available for citizens in the audience. He characterized this budget as the most difficult he had prepared during his 18 years as County Manager and cited three goals that were used in creating the budget – no tax rate increase, no reduction in service levels, and the avoidance of layoffs. Mr. Hazelett pointed to significant revenue

challenges and efficiencies that had to be realized to achieve a balanced budget. He stated that the proposed budget would continue to meet all fixed costs while maintaining current service levels, fund the operating costs of new facilities in FY 2010-11, fully meet the operating funding request of the Henrico County School Board, meet the County's FY 2010-11 debt service obligations, and look forward to FY 2011-12 and beyond as well as fund certain new facilities costs. Mr. Hazelett reviewed the proposed operating budget, including the general fund and department highlights, and also reviewed the FY 2010 through FY 2014-15 capital improvement program and FY 2010-11 proposed capital budget. He concluded his presentation by referring to the long and exhaustive effort on this budget and the fantastic job of staff in preparing it. Mrs. O'Bannon noted that the Board had previously spent an entire week going over the proposed budget line by line.

During the public hearing on this item, the following speakers thanked the Board for continuing to provide funding for their agencies - Jason Young, Executive Director of the Community Futures Foundation that operates the Mill House; Melissa Phillips, a member of the Board of Directors for FeedMore, the umbrella organization for Meals on Wheels and the Central Virginia Foodbank; Felix Sarfo-Kantanka, Jr., a member of the Board of Directors for Senior Connections; and Carol Holmquist, Executive Director of The Read Center. Mr. Young and Ms. Holmquist responded to questions from the Board.

Kathy D. Liamidis and Waneta J. Grignol, representatives of Parents for Community Based Services, thanked the Board for continuing to fund supported employment services for Henrico special education students leaving school.

Scott Mistr, a representative of the Varina District New School Task Force, requested that the proposed eastern area high school be included for funding in the County's next bond referendum. Deanna Parker, a parent of two elementary-aged students in the Varina District, also expressed support for a new eastern area high school and asked the Board to consider using Virginia Public School Authority bonds as an alternative for funding construction of the school.

Karol Akers, a resident of the Tuckahoe District, questioned how the County can reduce its budget without reducing the level or quality of the services it provides to its citizens. She asked the Board to eliminate funding for items that it is not legally required to provide such as donations to charitable organizations. Mr. Thornton commented on and expressed concern regarding Ms. Akers' comments.

William Spencer, a resident of the Three Chopt District, offered prayers for the Board and favorably commented on the County and its school system.

Frances Nicole Gardner, a student at Varina High School, asked about the status of renovations planned for her school and voiced concerns regarding the condition of the school's facilities and use of trailers for classrooms. Mr. Hazelett

responded to her question and comments.

Deborah Moore Gardner, a parent of students in the Varina District, reiterated remarks made by other speakers in support of a new eastern area high school.

On motion of Mr. Glover, seconded by Mr. Donati, and by unanimous vote, the Board deferred this item to the April 27, 2010 meeting - see attached resolution.

The Board recessed at 7:32 p.m. and reconvened at 7:43 p.m.

On motion of Mr. Thornton, seconded by Mr. Donati, the Board approved the minutes of the March 23, 2010 Regular and Special Meetings.

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 noted that a significant number of her constituents have written the United Census Bureau expressing concern that the census forms they received incorrectly listed their address as Richmond rather Henrico, Virginia. She asked Mr. Hazelett to comment on this issue and he assured the public that every address in Henrico County will be properly counted by census tract.

### **RECOGNITION OF NEWS MEDIA**

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

### **PRESENTATIONS**

Mr. Kaechele presented a proclamation recognizing April 11 – 17, 2010 as Library Week. Accepting the proclamation was Gregory M. Clay, Chair of and Three Chopt District Representative for the Library Advisory Board. Joining him from the Advisory Board were Gloria Logan Wilkerson, Vice Chair, Friends Coordinating Representative, and Brookland District Representative; Harmohinder P. Singh-Sandhu, Recording Secretary and Fairfield District Representative; Anne D. Sterling, Tuckahoe District Representative; and Gail A. Atkins, Varina District Representative. Also participating was Gerald M. McKenna, Director of Libraries.

Mr. Thornton presented a proclamation recognizing April 18 – 24, 2010 as Administrative Professionals Week. Accepting the proclamation was Cynthia Robinson, Corresponding Secretary of the Old Dominion Chapter of the International Association of Administrative Professionals, Chairman of the Chapter's Administrative Professionals Week Committee, and Secretary with the County's Department of Public Works. Joining her were Katherine (Kay) McOsker, Chapter Immediate Past-President, Chapter Recording Secretary, and Secretary for the Water Treatment Facility Division of the County's Department of Public Utilities; Sally Ferrell, Chapter President-Elect and Executive Assistant for Morning Star Baptist Church; Betty Blodgett, a member of the Chapter's Administrative Professionals Week Committee and Administrative Assistant with Capital One; and Nell Sylte, a member of the Chapter's Administrative Professionals Week Committee and Administrative Assistant with Capital One.

Mrs. O'Bannon presented a proclamation recognizing April 18 - 24, 2010 as Victims' Rights Week. Accepting the proclamation was Shelly Shuman-Johnson, Director of the Victim-Witness Program for the Commonwealth's Attorney's Office. Joining her from the County's Victim/Witness Services staff were Dione Barrett and Chrissy Smith, Victim/Witness Advocates; and Susan Haynes, Program Assistant.

Mr. Donati presented a proclamation recognizing April 18 - 24, 2010 as Volunteer week. Accepting the proclamation was David G. Ambrogi, Volunteer Coordinator for the Department of Human Resources. Joining him were George H. Cauble, Jr., Director of Human Resources; and Katherine B. Roach, Assistant Director of Human Resources.

#### **PUBLIC HEARINGS - REZONING CASE AND PROVISIONAL USE PERMIT**

92-10 C-31C-09 Varina	White Oak Crossing Acquisition, LLC: Request to conditionally rezone from A-1 Agricultural District, R-5 General Residence District and M-1 Light Industrial District to R-5C General Residence District (Conditional) and M-1C Light Industrial District (Conditional), Parcels 811-719-8863, 812-719-1130, 811-718-1589 and part of Parcel 813-720-9405, containing approximately 30.9 acres, located at the northwest intersection of S. Laburnum Avenue and Interstate 64, south of the Southern Railway right-of-way.
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No one from the public spoke in opposition to a deferral.

On motion of Mr. Donati, seconded by Mr. Kaechele, the Board deferred this item to May 11, 2010.

The vote of the Board was as follows:

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

No: None

91-10 West End Farmers' Market: Request to amend Conditions 1, 3, and 5  
P-3-10 approved with Provisional Use Permit P-4-09, on Parcels 732-751-4078,  
Tuckahoe -0561 and 731-751-8088 located at the southwest intersection of Ridgefield  
Parkway and Gayton Road.

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

Mrs. O'Bannon commented favorably on the case.

On motion of Mr. Thornton, seconded by Mr. Kaechele, the Board followed the recommendation of the Planning Commission and approved this item subject to the following conditions:

1. The farmers' market shall not operate outside of the following parameters:
  - a) Market season – beginning the last Saturday in April, and ending the 2<sup>nd</sup> Saturday in December;
  - b) Market days – maximum of two days per week, only on Wednesdays and Saturdays;
  - c) Hours of operation –
    - Regular season (beginning of market season thru 2<sup>nd</sup> Wednesday in September)
      - Wednesdays (3:00 pm – 7:00 pm)
      - Saturdays (8:00 am – 12:00 noon);
    - Mid season (after 2<sup>nd</sup> Wednesday in September thru last Wednesday in October)
      - Wednesdays (3:00 pm – 6:00 pm)
      - Saturdays (8:00 am – 12:00 noon);
    - Late season (after last Wednesday in October thru end of market season)
      - Wednesdays (market closed, except for holiday market)
      - Saturdays (8:00 am – 12:00 noon, except for holiday market);
    - Two holiday markets (4<sup>th</sup> Wednesday of November and 1<sup>st</sup> Saturday of December, or 2<sup>nd</sup> Saturday of December in case of rainout)
      - Wednesday and Saturday (10:00 am – 4:00 pm).

2. The farmers' market shall be no greater than 13,600 square feet in size and shall be located on the site as shown in Exhibit A (see case file). All market-related services shall take place only within this market boundary.
3. Market operations shall abide by all rules and regulations set forth in Exhibit C, entitled "West End Farmers Market Rules & Regulations" and dated February 22, 2010 (see case file).
4. The applicant shall designate a Market Manager to be in charge of the farmers' market operations, including vendor selection and implementation of the conditions of this permit. The Market Manager shall be responsible for ensuring market compliance with all applicable local, state and federal regulations.
5. Other than temporary stands for vendors or the Market Manager, no structures or tents shall be erected on the property. All tents shall be solid in color, and neither text nor logo displays shall be permitted on any tent or similar temporary structure. No later than one hour after the closing of each market, any stands shall be removed from the site and the subject parcels shall be completely cleared of all market-related items and debris.
6. No sales or outside storage shall be permitted except in designated vendor spaces during market hours.
7. Vehicles shall not be permitted on the grass area of the parcel identified as GPIN 732-751-4078 for any reason.
8. Trash receptacles shall be provided and properly serviced to control litter generated by this use.
9. Generators, portable toilets, outside live music performances, or use of public address systems (including megaphones) shall not be permitted on the site.
10. On-site food preparation and distribution of prepared meals shall not be permitted.
11. The sale or consumption of alcohol shall be prohibited.
12. The operation of the farmers' market shall not cause loitering, criminal assaults, public nuisance, or unsafe conditions for the adjacent area.
13. Except for one temporary banner or board sign for market identification (no greater than 25 square feet in size), any other signage or attention-getting devices related to the market shall be

prohibited. Temporary individual vendor signage shall be permitted, but it shall not be attached to vendor tents, shall only be placed to face the interior of the market sales area, and must be removed at the close of each market.

14. Prior to each season, the Market Manager shall submit any necessary Plan of Development (POD) revisions to the Department of Planning for approval. The POD shall delineate the vendor sales areas, specific landscaping information for the proposed perimeter hedge, and details of any temporary tent structures, pedestrian walkways, drive aisles, and parking areas for the site. The perimeter of the vendor area shall be clearly defined by a barrier to discourage unauthorized access into the vendor area and to provide safe and orderly pedestrian access to and from the market.
15. This Provisional Use Permit shall expire on December 31, 2012. The Director of Planning shall review the operation of the farmers' market at the end of each market season to ensure compliance with the conditions imposed with this Provisional Use Permit. If the Director finds, based upon his review, that the permit holder has failed to comply with any of the conditions or that the operation of the outdoor farmers' market is having a deleterious effect on the surrounding area, then the Director shall initiate a show cause hearing on revocation of the permit pursuant to the provisions of Section 24-122.1(b) of the County Code.

The vote of the Board was as follows:

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

No: None

#### **PUBLIC HEARING - OTHER ITEMS**

93-10 Resolution - POD-10-10 – Approval of a Plan of Development for Dumbarton Elementary School Addition.

Leslie News, Principal Planner for Development Review and Design, responded to questions from the Board.

No one from the public spoke in opposition to this proposed plan of development (POD).

Mr. Glover thanked staff from the Planning Department and school system for addressing a long overdue need at Dumbarton Elementary School.

On motion of Mr. Glover, seconded by Mr. Kaechele, and by unanimous vote, the Board approved this item – see attached resolution.

94-10

Resolution - Condemnation - Right-of-Way and Easements - North Gayton Road Extension Project - Emily Leake Waller - Three Chopt District.

Andy Condlin of Williams Mullen, representing Emily Leake Waller, addressed the Board during the public hearing. He expressed concerns about the responsiveness of the private parties representing the County in this public-private partnership, used slides to depict the uniqueness of Ms. Leake Waller's property and the impact of the project on her property, and stated the case that the appraisal amounts offered to the various property owners in the area have been inconsistent. Mr. Condlin presented for the record a copy of his March 18, 2010 letter to Ken Flint of AECOM detailing Ms. Leake Waller's concerns with the appraisal of her property. He said that he and Ms. Leake Waller felt that a vote to condemn her property was premature so they were requesting a deferral. Should the Board move forward with this resolution, however, Mr. Condlin hoped that the County would become more involved in the process and look very seriously at these issues.

Mr. Kaechele acknowledged the impact and concerns of this taking of property but pointed out the necessity of keeping the project moving forward and on track. He expressed the Board's sorrow for any shortcomings or inconsistencies that may have occurred and also expressed the Board's desire to be fair. Mr. Hazelett assured the Board and Mr. Condlin that the County would continue to be fully involved in the condemnation from the time the Board indicated it wished to proceed and would attempt to resolve this matter with Ms. Leake Waller to her satisfaction if possible before going to court. There was further discussion by Mr. Condlin, Mr. Kaechele, and Mr. Hazelett. Mr. Tracy noted that staff would be meeting with Mr. Condlin soon to address concerns stated in Mr. Condlin's letter to AECOM. He and Mr. Rapisarda responded to questions and comments from the Board pertaining to how the proposed condemnation of Ms. Leake Waller's property would impact her participation in the County's land use taxation program. There was also discussion by Mr. Tracy and the Board regarding offers made on adjoining properties. Mr. Hazelett commented on the difficulty of the process but assured the Board that staff would make every effort to provide information to Ms. Leake Waller and treat her and other property owners fairly. He responded to another question from the Board concerning the timeframe of the condemnation process.

On motion of Mr. Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board approved this item – see attached resolution.

95-10

Resolution - Condemnation – Easements - North Gayton Road Extension Project - Timothy Willis and Rae M. Willis - Three Chopt District.



Jon Tracy, Director of Real Property, noted that Rae M. Willis is employed by the County's Real Property Department. He further noted that his staff was working towards a settlement with Mr. and Mrs. Willis. Mr. Rapisarda confirmed that a settlement agreement with these property owners would need to come before the Board for approval as a requirement of the State and Local Government Conflicts of Interest Act because Ms. Willis is a County employee.

There was brief discussion by Mr. Kaechele and Mr. Hazelett regarding the settlement process.

Tim Willis addressed the Board during the public hearing. He commented that the settlement involving his property was not yet complete because the private firm responsible for the acquisition of right-of-way for this public-private partnership project (AECOM) was not thorough and had not answered all of his questions. Mr. Hazelett responded to questions and concerns from the Board regarding AECOM's role in property acquisition for this project and the manner in which property owners have been treated by that contractor. Mr. Hazelett assured the Board that the County will hold meetings with the contractor and reach an understanding of the County's expectations.

On motion of Mr. Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board approved this item – see attached resolution.

96-10                      Ordinance – Vacation of Lot Lines and Unimproved Portion of Alley – Sunset Heights - Varina District.

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

On motion of Mr. Donati, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached ordinance.

### **PUBLIC COMMENTS**

Artie Waller, a resident of the Varina District, requested the County's assistance in locating the owner of an adjoining parcel of property so that the owner can be contacted about removing pine trees that could potentially damage her property. She responded to several questions from Mrs. O'Bannon. There was discussion by Mrs. O'Bannon, Mr. Donati, and Mr. Hazelett pertaining to how the County can assist Ms. Waller in this civil matter between two private property owners. Mr. Hazelett advised Ms. Waller that the County would try to obtain more information on the adjoining property and then get back in touch with her.

## GENERAL AGENDA

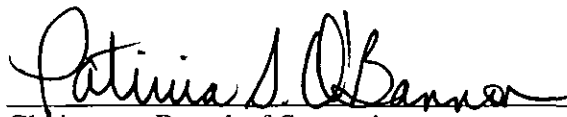
- 97-10            Resolution – Authorization to Apply for and Accept Continuation Grants for Victim/Witness Assistance Program in Commonwealth’s Attorney’s Office.
- On motion of Mr. Donati, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.
- 98-10            Resolution – Endorsing the Rail Preservation Fund Application of Buckingham Branch Railroad Company.
- On motion of Mr. Thornton, seconded by Mr. Kaechele, and by unanimous vote, the Board approved this item – see attached resolution.
- 99-10            Resolution – Authorization to Accept Grant Funding from the United States Department of Transportation Hazardous Materials Emergency Preparedness FY2010 Program through the Virginia Department of Emergency Management.
- On motion of Mr. Glover, seconded by Mr. Kaechele, and by unanimous vote, the Board approved this item – see attached resolution.
- 100-10           Resolution – Authorization to Accept Grant Funding from the U.S. Department of Homeland Security’s Central Virginia Urban Area Security Initiative, through the Virginia Department of Emergency Management.
- On motion of Mr. Glover, seconded by Mr. Donati, and by unanimous vote, the Board approved this item – see attached resolution.
- 101-10           Resolution – Award of Contract for Architectural and Engineering Services – Fire Station #13.
- On motion of Mr. Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board approved this item – see attached resolution.
- 102-10           Resolution – Authorization to Accept 2009 State Homeland Security Program Grant – Division of Police.
- On motion of Mr. Glover, seconded by Mr. Donati, and by unanimous vote, the Board approved this item – see attached resolution.
- 103-10           Resolution - Award of Construction Contract - Cheswick Park Sanitary Sewer Rehabilitation.
- Art Petrini, Director of Public Utilities, responded to questions from Mr. Kaechele.

On motion of Mr. Kaechele, seconded by Mr. Donati, and by unanimous vote, the Board approved this item – see attached resolution.

104-10            Introduction of Ordinance - To Amend and Reordain Subsection (a) of Sections 23-313 and 23-314 Titled “Water service and volume charges” and “Sewer service charges and rates,” Respectively, of the Code of the County of Henrico, All to Increase County Utility Charges.

On motion of Mr. Glover, seconded by Mr. Donati, and by unanimous vote, the Board approved this item – see attached introduction of ordinance.

There being no further business, the meeting was adjourned at 9:21 p.m.

A handwritten signature in black ink, reading "Patricia S. O'Bannon". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Chairman, Board of Supervisors  
Henrico County, Virginia

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

Page No. 1 of 7  
Agenda Item No. 90-10

Agenda Title: **RESOLUTION - Adoption of Operating and Capital Annual Fiscal Plans for Fiscal Year 2010-11 and Allocation of Car Tax Relief for Tax Year 2010.**

For Clerk's Use Only:	<b>BOARD OF SUPERVISORS ACTION</b>	<table style="width: 100%; border-collapse: collapse;"> <tr> <th></th> <th style="text-align: center;">YES</th> <th style="text-align: center;">NO</th> <th style="text-align: center;">OTHER</th> </tr> <tr> <td>Donati, J.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Glover, R.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Kachele, D.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </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"/>	Kachele, 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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<p><u>APR 13 2010</u></p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Amended</p> <p><input checked="" type="checkbox"/> Deferred to <u>4/27/10</u></p>	<p>Moved by (1) <u>Glover</u> Seconded by (1) <u>Donati</u></p> <p>(2) _____ (2) _____</p> <p>REMARKS: _____</p> <p>_____</p> <p>_____</p>																									

**WHEREAS**, the Board of Supervisors of the County of Henrico, Virginia, having held an advertised public hearing at 6:00 p.m., on April 13, 2010, to consider the proposed Operating and Capital Annual Fiscal Plans for fiscal year 2010-11; and,

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

**NOW, THEREFORE, BE IT RESOLVED** that the proposed Operating and Capital Annual Fiscal Plans for fiscal year 2010-11, are hereby approved for informative and planning purposes only.

**OPERATING ANNUAL FISCAL PLAN**  
**ESTIMATED OPERATING RESOURCES**

<u>01- GENERAL FUND:</u>	<u>Manager Proposed</u>	<u>Board Approved</u>
51/01 - General Property Taxes	\$ 389,000,000	\$ 389,000,000
02 - Other Local Taxes	114,015,000	114,015,000
03 - Permits, Fees, & Licenses	3,239,200	3,239,200
04 - Fines & Forfeitures	2,315,000	2,315,000
05 - Use of Money & Property	9,734,400	9,734,400
06 - Charges for Services	3,554,200	3,554,200
07 - Miscellaneous	2,872,800	2,872,800
08 - Recovered Costs	4,043,700	4,043,700
Total from Local Sources	\$ 528,774,300	\$ 528,774,300

By Agency Head \_\_\_\_\_

By County Manager \_\_\_\_\_

Routing:

Yellow to: \_\_\_\_\_

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Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_

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

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Agenda Item No. 40-10

**Agenda Title: RESOLUTION - Adoption of Operating and Capital Annual Fiscal Plans for  
Fiscal Year 2010-11 and Allocation of Car Tax Relief for Tax Year 2010.**

52/02 - Non-Categorical Aid	17,608,500	17,608,500
03 - Shared Expenses	13,768,800	13,768,800
04 - Categorical Aid	243,959,700	243,959,700
Total from State	\$ 275,337,000	\$ 275,337,000
53/03 - Categorical Aid - Total Federal	10,860,200	10,860,200
<b>GENERAL FUND REVENUE</b>	\$ 814,971,500	\$ 814,971,500
60/01 - Operating Transfers	(94,027,520)	(94,027,520)
62/01 - From (To) Fund Balance	20,113,587	20,113,587
<b>GENERAL FUND RESOURCES</b>	\$ 741,057,567	\$ 741,057,567

**11 - SPECIAL REVENUE FUND:**

51/03 - Permits, Fees, & Licenses	1,002,577	1,002,577
04 - Fines & Forfeitures	184,717	184,717
05 - Use of Money & Property	165,574	165,574
06 - Charges for Services	28,280,795	28,280,795
07 - Miscellaneous	1,722,306	1,722,306
08 - Recovered Costs	513,600	513,600
Total from Local Sources	\$ 31,869,569	\$ 31,869,569
52/02 - Non-Categorical Aid	44,973	44,973
04 - Categorical Aid	22,050,804	22,050,804
Total from State	\$ 22,095,777	\$ 22,095,777
53/03 - Categorical Aid - Total Federal	\$ 43,190,978	\$ 43,190,978
<b>SPECIAL REVENUE FUND REVENUE</b>	\$ 97,156,324	\$ 97,156,324
60/01 - Operating Transfers	23,361,772	23,361,772
62/01 - From (To) Fund Balance	(1,184,549)	(1,184,549)
<b>SPECIAL REVENUE FUND RESOURCES</b>	\$ 119,333,547	\$ 119,333,547

**51 - WATER AND SEWER ENTERPRISE FUND:**

51/04 - Fines & Forfeitures	131,300	131,300
06 - Charges for Services	90,368,476	90,368,476
07 - Miscellaneous	3,647,390	3,647,390
<b>W&amp;S ENTERPRISE FUND REVENUE</b>	\$ 94,147,166	\$ 94,147,166
60/01 - Operating Transfers	772,219	772,219
62/01 - From (To) Retained Earnings	(23,149,939)	(23,149,939)
<b>W&amp;S ENTERPRISE FUND RESOURCES</b>	\$ 71,769,446	\$ 71,769,446

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

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Agenda Item No. 90-10

Agenda Title: **RESOLUTION - Adoption of Operating and Capital Annual Fiscal Plans for  
Fiscal Year 2010-11 and Allocation of Car Tax Relief for Tax Year 2010.**

**52 - BELMONT GOLF COURSE ENTERPRISE FUND:**

51/06 - Charges for Services	1,226,585	1,226,585
<b>BELMONT ENTERPRISE FUND REVENUE</b>	<b>\$ 1,226,585</b>	<b>\$ 1,226,585</b>
62/01 - From (To) Retained Earnings	0	0
<b>BELMONT ENTERPRISE FUND RESOURCES</b>	<b>\$ 1,226,585</b>	<b>\$ 1,226,585</b>

**61 - CENTRAL AUTO MAINTENANCE (C.A.M.) FUND:**

51/05 - Use of Money & Property	210,000	210,000
07 - Miscellaneous	37,500	37,500
08 - Recovered Cost	20,254,772	20,254,772
<b>C.A.M. FUND REVENUE</b>	<b>\$ 20,502,272</b>	<b>\$ 20,502,272</b>
62/01 - From (To) Fund Balance	0	0
<b>C.A.M. FUND RESOURCES</b>	<b>\$ 20,502,272</b>	<b>\$ 20,502,272</b>

**62 - TECHNOLOGY REPLACEMENT FUND:**

51/07 - Non-Revenue Receipts - Total Revenue	2,095,692	2,095,692
<b>TECHNOLOGY REPLACEMENT FUND REVENUE</b>	<b>\$ 2,095,692</b>	<b>\$ 2,095,692</b>
62/01 - From (To) Retained Earnings	939,316	939,316
<b>TECH. REPLACE. FUND RESOURCES</b>	<b>\$ 3,035,008</b>	<b>\$ 3,035,008</b>

**63 - RISK MANAGEMENT FUND:**

51/08 - Recovered Costs - Total Revenue	620,577	620,577
60/01 - Operating Transfers	4,364,026	4,364,026
<b>RISK MANAGEMENT FUND RESOURCES</b>	<b>\$ 4,984,603</b>	<b>\$ 4,984,603</b>

**64 - HEALTHCARE FUND:**

51/05 - Interest on Investment	150,000	150,000
51/08 - Recovered Costs	82,005,906	82,005,906
<b>HEALTHCARE FUND REVENUE</b>	<b>\$ 82,155,906</b>	<b>\$ 82,155,906</b>
62/01 - From (To) Fund Balance	3,000,000	3,000,000
<b>HEALTHCARE FUND RESOURCES</b>	<b>\$ 85,155,906</b>	<b>\$ 85,155,906</b>

**71 - DEBT SERVICE FUND:**

60/01 - Operating Transfers - TOTAL RESOURCES	49,832,472	49,832,472
62/01 - From (To) Fund Balance	2,000,000	2,000,000
<b>DEBT SERVICE FUND RESOURCES</b>	<b>\$ 51,832,472</b>	<b>\$ 51,832,472</b>

**82 - JAMES RIVER JUVENILE DETENTION CENTER AGENCY FUND:**

51/10 - Shared Expenses - Local	403,312	403,312
52/03 - Shared Expenses - State	1,412,270	1,412,270
<b>JRJDC AGENCY FUND REVENUE</b>	<b>\$ 1,815,582</b>	<b>\$ 1,815,582</b>
60/01 - Operating Transfers	3,281,789	3,281,789
62/01 - From (To) Fund Balance	429,169	429,169
<b>JRJDC AGENCY FUND RESOURCES</b>	<b>\$ 5,526,540</b>	<b>\$ 5,526,540</b>

**83 - OTHER POST EMPLOYMENT (OPEB) BENEFITS:(GASB-45)**

60/01 - Operating Transfers	3,000,000	3,000,000
<b>OPEB RESOURCES</b>	<b>\$ 3,000,000</b>	<b>\$ 3,000,000</b>

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

Page No. 4 of 7  
Agenda Item No. 90-10

Agenda Title: **RESOLUTION - Adoption of Operating and Capital Annual Fiscal Plans for  
Fiscal Year 2010-11 and Allocation of Car Tax Relief for Tax Year 2010.**

**90 - ADJUSTMENT FOR INTERFUND TRANSACTIONS:**

60/01 - Operating Transfers - TOTAL RESOURCES	\$ (84,250,164)	\$ (84,250,164)
TOTAL OPERATING RESOURCES	<u>\$ 1,023,173,782</u>	<u>\$ 1,023,173,782</u>
Including: REVENUE TOTAL	\$ 1,114,691,604	\$ 1,114,691,604
OPERATING TRANSFERS	(93,665,406)	(93,665,406)
FUND BALANCE/RETAINED EARNINGS	<u>2,147,584</u>	<u>2,147,584</u>
	<u>\$ 1,023,173,782</u>	<u>\$ 1,023,173,782</u>

\* Indicates a change

TOTAL CHANGES IN ESTIMATED RESOURCES	<u>\$ 0</u>
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**ESTIMATED OPERATING REQUIREMENTS**

<u>Department</u>	<u>Manager Proposed</u>	<u>Board Approved</u>
<b><u>01- GENERAL FUND:</u></b>		
01 - Board of Supervisors	\$ 1,096,518	\$ 1,096,518
02 - Library	15,634,256	15,634,256
03 - Sheriff	33,515,801	33,515,801
04 - Circuit Court	2,920,449	2,920,449
05 - Commonwealth's Attorney	4,555,170	4,555,170
06 - General District Court	218,202	218,202
07 - Juvenile/Domestic Relations Court	2,392,054	2,392,054
08 - Electoral Board	1,396,097	1,396,097
09 - County Manager	3,778,174	3,778,174
10 - County Attorney	2,006,181	2,006,181
11 - Human Resources	5,852,921	5,852,921
12 - Police	65,303,661	65,303,661
13 - Fire	49,316,053	49,316,053
14 - Finance	12,280,200	12,280,200
16 - General Services	16,478,146	16,478,146
17 - Internal Audit	376,385	376,385
19 - Information Technology	12,079,730	12,079,730
21 - Agriculture & Home Extension	350,106	350,106
22 - Social Services	18,464,062	18,464,062
23 - Recreation & Parks	16,700,684	16,700,684
24 - Public Health	1,645,730	1,645,730
28 - Public Works	35,855,526	35,855,526
29 - Real Property	572,006	572,006
30 - Economic Development	12,472,202	12,472,202
32 - Non-Departmental	12,528,007	12,528,007
33 - Building Inspections	4,330,403	4,330,403
34 - Planning	4,072,703	4,072,703
35 - Permit Centers	880,910	880,910
38 - Community Revitalization	1,576,211	1,576,211
50 - Education	402,409,019	402,409,019
TOTAL GENERAL FUND	<u>\$ 741,057,567</u>	<u>\$ 741,057,567</u>

**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
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Page No. 5 of 7  
Agenda Item No. 40-10

Agenda Title: **RESOLUTION - Adoption of Operating and Capital Annual Fiscal Plans for  
Fiscal Year 2010-11 and Allocation of Car Tax Relief for Tax Year 2010.**

**11 - SPECIAL REVENUE FUND:**

05 - Commonwealth's Attorney	854,593	854,593
07 - Juvenile/Domestic Relations Court	982,819	982,819
12 - Police	1,422,483	1,422,483
22 - Social Services	8,969,465	8,969,465
26 - Mental Health/Developmental Services	32,014,819	32,014,819
27 - CATC	4,471,854	4,471,854
28 - Public Works	897,000	897,000
31 - Public Utilities - Solid Waste	12,166,612	12,166,612
- Street Lights	72,500	72,500
32 - Non-Departmental	100,201	100,201
36 - Community Corrections Program	1,732,867	1,732,867
50 - Education - Cafeterias	18,253,816	18,253,816
- Grants	37,394,518	37,394,518
<b>TOTAL SPECIAL REVENUE FUND</b>	<b>\$ 119,333,547</b>	<b>\$ 119,333,547</b>

**51 - WATER AND SEWER ENTERPRISE FUND:**

31 - Public Utilities - Operations	56,985,943	56,985,943
- Debt Service	14,783,503	14,783,503
<b>TOTAL W&amp;S ENTERPRISE FUND</b>	<b>\$ 71,769,446</b>	<b>\$ 71,769,446</b>

**52 - BELMONT GOLF COURSE ENTERPRISE FUND:**

23 - Recreation & Parks - TOTAL FUND	\$ 1,226,585	\$ 1,226,585
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**61 - CENTRAL AUTO MAINTENANCE FUND:**

20 - Central Auto. Maint. - TOTAL FUND	\$ 20,502,272	\$ 20,502,272
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**62 - TECHNOLOGY REPLACEMENT FUND:**

37 - Technology Replacement - TOTAL FUND	\$ 3,035,008	\$ 3,035,008
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**63 - RISK MANAGEMENT FUND:**

16 - Risk Management - TOTAL FUND	\$ 4,984,603	\$ 4,984,603
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**64 - HEALTHCARE FUND:**

42 - Healthcare - TOTAL FUND	\$ 85,155,906	\$ 85,155,906
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**71 - DEBT SERVICE FUND:**

18 - General	15,309,698	15,309,698
50 - Education	36,522,774	36,522,774
<b>TOTAL DEBT SERVICE FUND</b>	<b>\$ 51,832,472</b>	<b>\$ 51,832,472</b>

**82 - JAMES RIVER JUVENILE DETENTION CENTER AGENCY FUND:**

40 - JRJDC - Operations	4,851,230	4,851,230
- Debt Service	675,310	675,310
<b>TOTAL JRJDC AGENCY FUND</b>	<b>\$ 5,526,540</b>	<b>\$ 5,526,540</b>

**83 - AGENCY FUND:**

11 - OPEB - GASB 45 - TOTAL FUND	\$ 3,000,000	\$ 3,000,000
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**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
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Page No. 6 of 7  
Agenda Item No. 90-10

Agenda Title: **RESOLUTION - Adoption of Operating and Capital Annual Fiscal Plans for  
Fiscal Year 2010-11 and Allocation of Car Tax Relief for Tax Year 2010.**

**90 – ADJUSTMENT FOR INTERFUND TRANSACTIONS:**

60 - Interdepartmental Billings - CAM	(20,502,272)	(20,502,272)
- Technology Replacement	(3,035,008)	(3,035,008)
- Healthcare	(60,712,884)	(60,712,884)
<b>TOTAL ADJUSTMENTS</b>	<b>\$ (84,250,164)</b>	<b>\$ (84,250,164)</b>
<b>TOTAL OPERATING REQUIREMENTS</b>	<b>\$ 1,023,173,782</b>	<b>\$ 1,023,173,782</b>

\* Indicates a change

**TOTAL CHANGE IN ESTIMATED OPERATING REQUIREMENTS** **\$ 0**

**CAPITAL ANNUAL FISCAL PLAN  
ESTIMATED CAPITAL RESOURCES**

<u>Source</u>	<u>Manager Proposed</u>	<u>Board Approved</u>
<b>21 - CAPITAL PROJECTS FUND:</b>		
Motor Vehicle License Revenue	\$ 850,000	\$ 850,000
G.O. Bonds - General	11,800,000	11,800,000
G.O. Bonds - Education	65,656,903	65,656,903
Fund Balance - Designated Capital Reserve	3,565,242	3,565,242
Fund Balance - General Fund	5,000,000	5,000,000
<b>TOTAL CAPITAL PROJECTS FUND</b>	<b>\$ 86,872,145</b>	<b>\$ 86,872,145</b>
<b>51 - WATER AND SEWER ENTERPRISE FUND:</b>		
Water & Sewer Fees/Charges	36,629,912	36,629,912
<b>TOTAL WATER AND SEWER ENTERPRISE FUND</b>	<b>36,629,912</b>	<b>36,629,912</b>
<b>TOTAL CAPITAL RESOURCES</b>	<b>\$ 123,502,057</b>	<b>\$ 123,502,057</b>

\* Indicates a change

**TOTAL CHANGE IN ESTIMATED CAPITAL RESOURCES** **\$ 0**

**ESTIMATED CAPITAL REQUIREMENTS**

<u>Department</u>	<u>Manager Proposed</u>	<u>Board Approved</u>
<b>21 - CAPITAL PROJECTS FUND:</b>		
2 - Library	\$ 1,700,000	\$ 1,700,000
13 - Fire	4,100,000	4,100,000
16 - General Services	4,180,242	4,180,242
19 - Information Technology	650,000	650,000
23 - Recreation & Parks	935,000	935,000
28 - Public Works	7,150,000	7,150,000
50 - Education	68,156,903	68,156,903
<b>TOTAL CAPITAL PROJECTS FUND</b>	<b>\$ 86,872,145</b>	<b>\$ 86,872,145</b>
<b>51 - WATER AND SEWER ENTERPRISE FUND:</b>		
31 - Public Utilities - Water	5,737,890	5,737,890
- Sewer	30,892,022	30,892,022
<b>TOTAL WATER &amp; SEWER ENTERPRISE FUND</b>	<b>\$ 36,629,912</b>	<b>\$ 36,629,912</b>
<b>TOTAL CAPITAL REQUIREMENTS</b>	<b>\$ 123,502,057</b>	<b>\$ 123,502,057</b>

\* Indicates a change

**TOTAL CHANGE IN ESTIMATED CAPITAL REQUIREMENTS** **\$ 0**

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

Page No. 7 of 7  
Agenda Item No. 90-10

Agenda Title:     **RESOLUTION - Adoption of Operating and Capital Annual Fiscal Plans for Fiscal Year 2010-11 and Allocation of Car Tax Relief for Tax Year 2010.**

**BE IT FURTHER RESOLVED** that the funds included in the Operating and Capital Annual Fiscal Plans for any County department, office, or agency may be used as participating funds in any Federal or State aid program for like purpose upon appropriation by the Board of Supervisors; and,

**BE IT FURTHER RESOLVED** that the Board declines to receive any salary increase for 2011 and the salary schedule attached hereto for Boards and Commissions and Unscheduled Salaries effective at the beginning of the 2010-11 fiscal year, hereby is approved; and,

**BE IT FURTHER RESOLVED** that the approved Operating Annual Fiscal Plan for fiscal year 2010-11 includes a decrease in the personnel complement of 72.5 positions for general government and a decrease of 45.0 positions for schools; and,

**BE IT FURTHER RESOLVED** that in order to implement changes to the Personal Property Tax Relief Act of 1998 (the "PPTRA") made by legislation adopted by the Virginia General Assembly:

1. Any qualifying vehicle, as defined in the PPTRA, situated within the County commencing January 1, 2010, shall receive personal property tax relief in the following manner:
  - a. Qualifying vehicles valued at \$1,000 or less shall receive 100% tax relief;
  - b. Qualifying vehicles valued at between \$1,001 to \$20,000 shall receive 65% tax relief;
  - c. Qualifying vehicles valued at \$20,001 or more shall receive 65% tax relief on the first \$20,000 of value only; and
  - d. All other vehicles which do not meet the definition of "qualifying vehicles" will not receive any form of tax relief under the PPTRA.
2. The amount of tax relief shall be a specific dollar amount offset against the total personal property taxes that would otherwise be due on a qualifying vehicle but for the PPTRA. The specific dollar amount of relief shall be shown on the tax bill for each qualifying vehicle, together with a general description of the criteria upon which relief has been allocated.

**COMMENTS:**     This Board Paper should be considered on April 13, 2010, but should be deferred until Tuesday April 27, 2010, to comply with Virginia Code Section 15.2-2506, which states that "The hearing shall be held at least seven days prior to the approval of the budget...." The Director of Finance recommends approval of this Board Paper and the County Manager concurs.

**SCHEDULE OF COMPENSATION:**  
***Members of County Boards and Commissions, et al.***  
**County of Henrico, Virginia**  
**Proposed for Fiscal Year 2010-11**

Board of Supervisors.....	\$48,671.36 per annum <sup>(1)</sup>
Board of Zoning Appeals.....	\$6,600.00 per annum
Electoral Board - General Election.....	\$4,011.50 per annum <sup>(2)</sup>
Secretary, Electoral Board - General Election.....	\$8,023.00 per annum <sup>(2)</sup>
Election Officials.....	\$150.00 base pay per workday <sup>(3)</sup>
Assistant Chief Election Officials.....	\$180.00 base pay per workday <sup>(3)</sup>
Chief Election Officials.....	\$200.00 base pay per workday <sup>(3)</sup>
Planning Commission.....	\$17,000.00 per annum
Richmond Regional Planning Commission.....	\$3,000.00 per annum
Capital Region Airport Commission.....	\$3,000.00 per annum
Board of Real Estate Review & Equalization.....	\$225.00 per month
School Board.....	\$18,000.00 per annum <sup>(4)</sup>
Social Services Board.....	\$3,000.00 per annum
Volunteer Firefighters.....	\$2.00 per call
Economic Development Authority.....	\$200.00 per meeting
Parks and Recreation Advisory Commission.....	\$75.00 per meeting

- 
- (1) The maximum salary for 2008 through 2011 was set prior to July 1, 2007, in accordance with Va. Code § 15.2-1414.2. An allowance was made for an increase equal to 2.372% of the prevailing per-annum rate in each of those calendar years. The Board has declined, however, to receive any increase in salary for 2011. As in prior years, the Vice Chairman will receive an additional sum in the amount of 10% of the per-annum rate (for a total of \$53,538.50) and the Chairman will receive an additional sum in the amount of 15% of the per-annum rate (for a total of \$55,972.06).
- (2) Rate and effective date is set by the General Assembly.
- (3) Rate approved by the Henrico County Board of Supervisors on October 14, 2008.
- (4) Rate is set by the School Board by resolution in accordance with Va. Code § 22.1-32 (A).

***Schedule of Unclassified Salaries***  
**County of Henrico, Virginia**  
**Proposed for Fiscal Year 2010-11**

<u>COST CENTER</u>	<u>NAME AND OFFICE OR JOB TITLE</u>	<u>SALARY</u>
04001	Yvonne G. Smith Clerk of Circuit Court .....	\$136,146.00 <sup>(5)</sup>
08001	Mark J. Coakley General Registrar .....	\$ 84,476.00 <sup>(5) (6)</sup>
03006	Michael L. Wade Sheriff.....	\$138,298.00 <sup>(5) (7)</sup>

- 
- (5) Annual rate and effective date is set by the General Assembly. Rates reflected were effective 7/1/2009, and remain unchanged. (The 2009 General Assembly did not provide for salary increases in FY10 for constitutional officers and their Compensation Board-funded permanent staff positions, to include across-the-board and performance-based increases. The 2010 General Assembly also did not provide for salary increases in FY11.)
- (6) The General Registrar receives annual compensation fixed by the General Assembly, paid by the governing body of the County and reimbursed annually as provided in the State's general appropriations act, and pursuant to Va. Code § 24.2-111.
- (7) The current Sheriff (Michael L. Wade) meets the criteria specified in the Virginia Budget Code Section 67.10 #2c, Paragraph K.2.a, and receives the additional specified percentage to the approved base amount. Effective 12/1/2007, Sheriff Wade earns the \$126,531 base plus 9.3% for the Sheriff's Career Development Plan and accreditation for an annual total of \$138,298. Also see footnote 5 above.

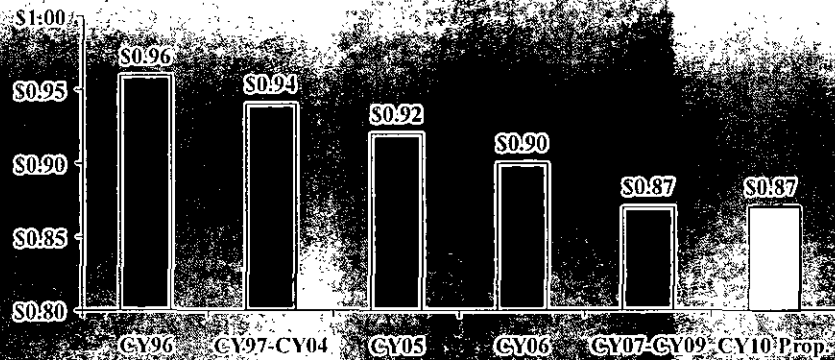


## FY2010-11 Proposed Budget

- There have been three prevailing goals throughout this budget creation process:
  - 1) No tax rate increase.
  - 2) No reduction in service levels.
  - 3) Avoid layoffs.
- I am proud to tell you that this budget meets all three of these criteria.
- This was quite a difficult feat when you consider General Fund revenues are declining in FY2010-11.



## Real Estate Tax Rate: County of Henrico



## FY2010-11 Proposed Budget

### There were significant revenue challenges:

- Decline in the County's total Real Estate Value
  - o 1<sup>st</sup> decline in the countywide value of real estate since 1942.
  - o Total value of Real Estate declined \$2.8 billion.
- Significant decreases in State Revenues
  - o State Aid for Education decreased by \$27.3 million or 12.1%
  - o State Aid for General Government Agencies decreased by \$3.7 million or 7.2%



## FY2010-11 Local General Fund Revenues

	FY2009-10 Adopted	FY2010-11 Estimated	Dollar Change	% Change
<b>Local Revenues</b>				
General Property Taxes	\$409,500,000	\$389,000,000	(\$20,500,000)	(5.0%)
Other Local Taxes	144,615,000	144,015,000	(600,000)	(0.5%)
Other Local Revenues	<u>25,237,800</u>	<u>25,759,300</u>	<u>521,500</u>	<u>2.1%</u>
Total Local Revenues	\$549,352,800	\$528,774,300	(\$20,578,500)	(3.7%)
<b>State/Federal Revenues</b>				
State—Education	\$226,476,000	\$199,434,000	(\$27,345,000)	(12.1%)
State—Public Works	28,745,000	28,745,000	0	0.0%
State—General Gov't	<u>51,139,500</u>	<u>47,461,000</u>	<u>(3,678,500)</u>	<u>(7.2%)</u>
Total State Revenues	306,360,500	275,337,000	(31,023,500)	(10.1%)
Total Federal Revenues	<u>10,935,200</u>	<u>10,860,200</u>	<u>(75,000)</u>	<u>(0.7%)</u>
Total General Fund	\$866,648,500	\$814,971,500	(\$51,677,000)	(6.0%)
Less Transfers	(94,448,930)	(73,913,933)	20,534,998	(21.7%)
Total Resources	\$772,199,570	\$741,057,567	(\$31,142,002)	(4.0%)



## FY2010-11 Proposed Budget

- To achieve a balanced budget, efficiencies had to be realized:
  - Across-the-board reductions as well as department specific reductions to targeted line items
    - Telecommunications, technology replacement, gasoline and diesel, and utilities.
    - Travel and tuition (for the exception of Countywide programs in HR) were removed from Department budgets.
    - Outside agency funding reduced 10.0 percent.
    - Eliminated 101 vacant positions.



## FY2010-11 Proposed Budget

- Securing Efficiencies
  - In calendar year 2009, four individual bond refundings to realize significant reductions in the County's debt service requirements.
  - Concerted efforts by Information Technology have realized approximately \$1.0 million in telecommunications costs annually.
  - Computer equipment will be replaced on a four or five year schedule opposed to a three year schedule.
  - Since FY2008-09, 54 vehicles scheduled for replacement have been downsized.



## FY2010-11 Proposed Budget

This budget continues:

- To meet all fixed costs while maintaining current service levels.
- To fund the operating costs of new facilities in FY2010-11.
- To fully meet the operating funding request of the Henrico County School Board.
- To provide Real Estate Tax Relief to our senior citizens.
- To meet our FY2010-11 Debt Service obligations.
- To look forward to FY2011-12 and beyond.





## FY2010-11 Proposed Budget

### New Facilities Costs

- 2 New School Resource Officers for Holman Middle and Glen Allen High Schools.
- 10 new positions and operating costs for the anticipated opening of the Eastern Area Recreation Center.
- Operating costs associated with the renovations and addition at Glen Allen Library.
- Operating costs associated with the rebuild of Fire Station #8 and renovation and expansion of Fire Station #12.



## FY2010-11 Proposed Budget

Fund	FY2009-10 Approved	FY2010-11 Proposed	Percent Change
General Fund - Education	\$424,250,000	\$402,409,019	(5.1%)
General Fund - General Government	347,949,570	338,648,543	(2.7%)
Special Revenue Fund	116,690,603	119,333,547	2.3%
Enterprise Funds	74,738,455	72,996,037	(2.3%)
Internal Service Funds	25,610,472	29,427,625	14.9%
Debt Service Fund	57,782,472	51,832,472	(10.3%)
Agency Fund	11,593,129	8,526,540	(26.5%)
Total, Proposed Budget	\$1,058,614,701	\$1,023,173,732	(3.3%)

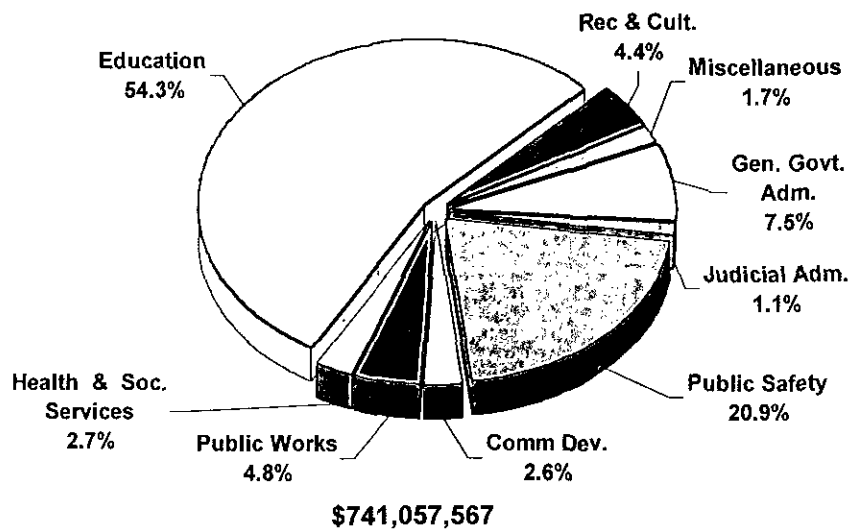


## FY2010-11 Proposed Budget General Fund

	FY2009-10 Adopted	FY2010-11 Proposed	Pct. Change
General Government Admin.	\$ 59,366,920	\$ 55,916,358	(5.8%)
Judicial Administration	8,311,621	7,975,999	(4.0%)
Public Safety	157,800,222	154,575,794	(2.0%)
Public Works	35,935,899	35,855,526	(0.2%)
Health & Social Services	20,439,876	20,109,792	(1.6%)
Education	424,250,000	402,409,019	(5.1%)
Recreation, Parks, & Culture	33,169,410	32,334,940	(2.5%)
Community Development	20,668,681	19,352,132	(6.4%)
Miscellaneous	12,256,941	12,528,007	2.2%
<b>Total General Fund</b>	<b>\$772,199,570</b>	<b>\$741,057,567</b>	<b>(4.0%)</b>

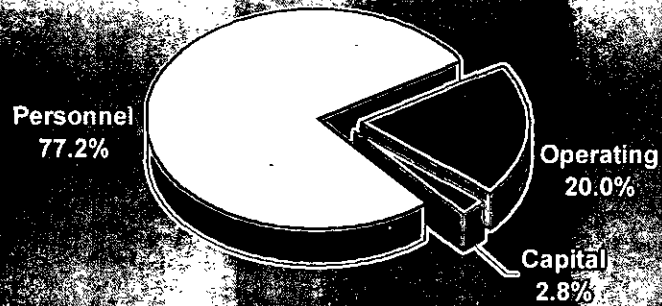


## FY2010-11 Proposed Budget General Fund





## FY2010-11 Proposed Budget General Fund

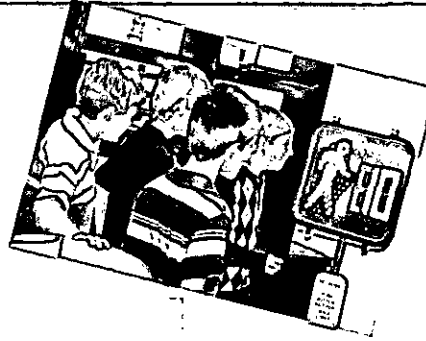
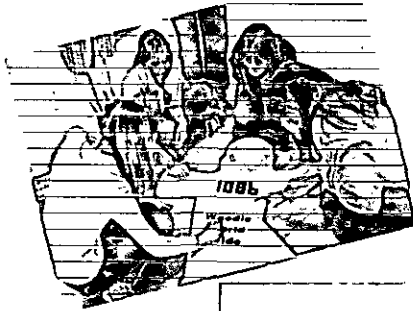


## FY2010-11 Proposed Budget

### Department Highlights



## Education



## FY2010-11 Proposed Budget

### Education

	2009-10 Adopted	2010-11 Proposed	Percent Increase/ Decrease
General Fund	\$424,250,000	\$402,409,019	(5.1)%
Special Revenue	54,130,040	55,648,334	2.8%
Debt Service	40,054,789	36,522,774	(8.8)%
Total:	\$518,434,829	\$494,580,127	(4.6)%



## FY 2010-11 Proposed Budget

- Public Safety – Police
  - Creative initiatives to reduce and prevent crime
  - Retaining accreditations and certifications from state and national organizations.
  - The vehicle replacement program remains at 108 vehicles per year at a cost of \$2,574,800.



## FY 2010-11 Proposed Budget

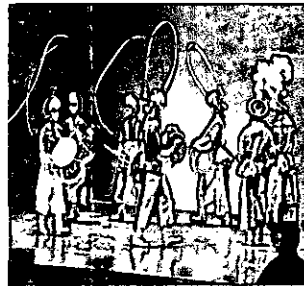
- Public Safety – Fire
  - Continues to focus on expanding the quality of existing programs, as well as provide a consistently high level of service to the County's citizens.
  - All equipment replacement funding remain intact including
    - Apparatus Replacement Plan = \$1,500,000
    - Self-Contained Breathing Apparatus Program = \$330,000
    - EMS Equipment Enhancement Program = \$96,000





## FY2010-11 Proposed Budget

- Recreation
  - Personnel and Operating costs for the Eastern Henrico Recreation Center.
  - Facility Rehabilitation and Equipment Replacement programs remain intact.
- Library
  - Continue to provide internet access to job seekers.
  - Reopening of Glen Allen Library



## FY2010-11 Proposed Budget

- Water and Sewer Enterprise Fund Highlights
  - 5.0% proposed rate increase for FY2010-11 to support capital infrastructure improvement and replacement.
  - Re-Validation of two AAA bond ratings.
- Belmont Golf Course
  - \$1.00 increase in green fees



## FY2010-11 Proposed Budget - Summary



## FY2010-11 Proposed Budget

- Budget is balanced with no tax rate increase, no reductions in service levels, and no layoffs.
- Tough decisions to balance, including:
  - Elimination of 101 vacant positions.
  - Extending the replacement cycle of computer equipment.
  - Reducing funding to outside agencies.
  - Eliminate travel and tuition funding within departmental budgets.
- This budget also realizes a number of efficiencies and associated cost savings, notably in the areas of energy and fuel costs, telecommunications, debt service costs through bond refundings, as well as targeted savings within specific departmental line items.



## FY2010-11 Proposed Budget

- We will continue to seek efficiencies to better the County's services in this revenue environment.
- While there are real concerns with fixed costs and revenues, we will continue to strive to provide the service levels our citizens have come to expect.



## FY2010-11 Proposed Budget

FY2010-11 through FY2014-15  
Capital Improvement Program  
and  
FY2010-11 Proposed Capital  
Budget





FY2010-11 through FY2014-15

**Capital Improvement Program**

<u>Department</u>	<u>Five Year Requested</u>
Customer Relationship Mgmt	\$ 6,226,150
Education	627,450,759
Fire	86,923,964
General Services	386,973,918
Human Resources	123,688
Information Technology	1,950,000
Mental Health	905,327
Public Library	91,155,333



FY2010-11 through FY2014-15

**Capital Improvement Program**

<u>Department</u>	<u>Five Year Requested</u>
Public Works - Drainage	64,240,334
Public Works - GIS	1,500,000
Public Works - Roadway	35,164,615
Recreation	262,054,881
Registrar	1,018,950
Sheriff	47,043,362
Total Capital Projects Fund	\$1,612,731,281



## ~~FY2010-11 through FY2014-15~~ Capital Improvement Program

<u>Department</u>	<u>Five Year Requested</u>
Public Utilities	\$ 502,207,542
Belmont Golf Course	7,154,499
Total Enterprise Funds	\$ 509,362,041
Total Five Year CIP Requests	\$2,122,093,322



## ~~FY 2010-11~~ Proposed Capital Budget

<u>Department</u>	<u>Proposed</u>
Education	\$68,156,903
Fire	4,100,000
General Services	4,180,242
Information Technology	650,000
Public Library	1,700,000

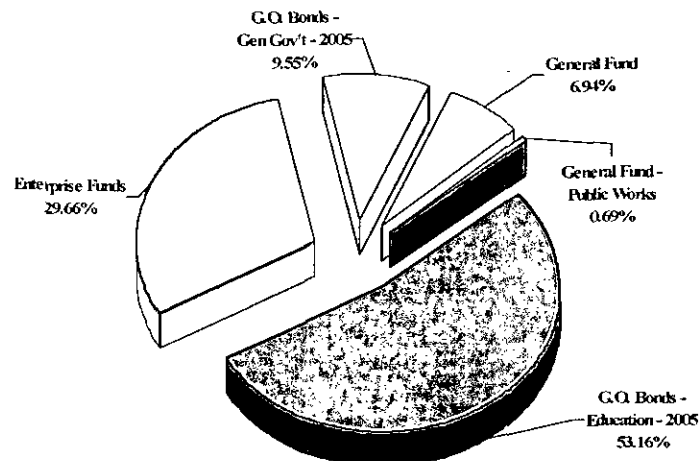


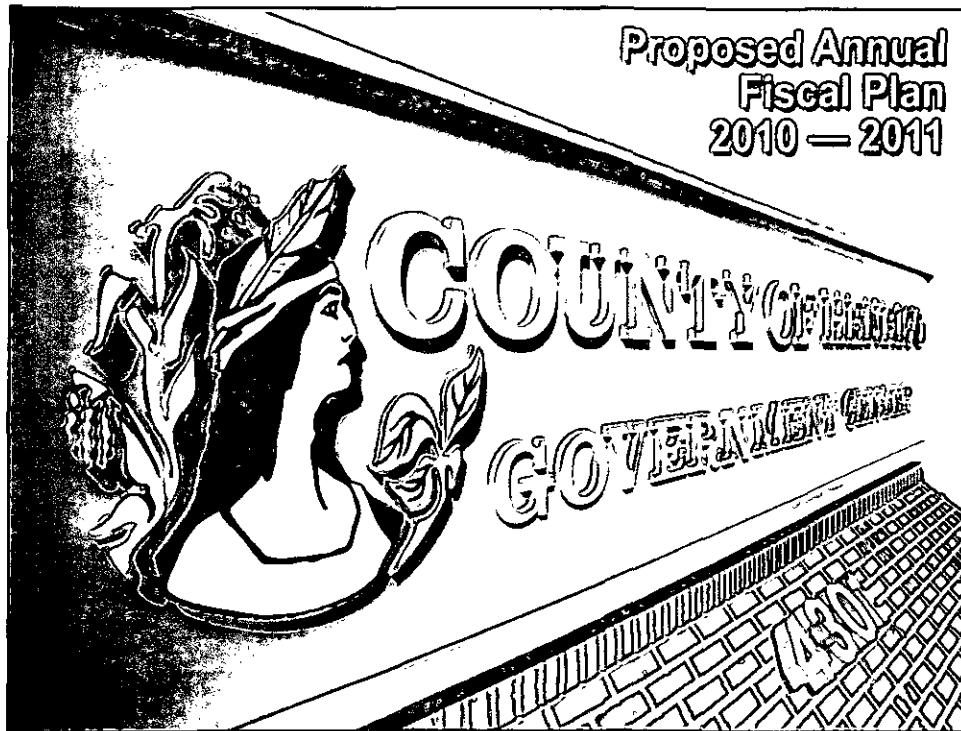
## FY 2010-11 Proposed Capital Budget

<u>Department</u>	<u>Proposed</u>
Public Works - GIS	\$ 300,000
Public Works - Roadway	6,850,000
Recreation	935,000
Public Utilities - Water/Sewer	<u>36,629,912</u>
Total	\$123,502,057



## FY 2010-11 Proposed Capital Budget





## FY2010-11 Proposed Capital Budget

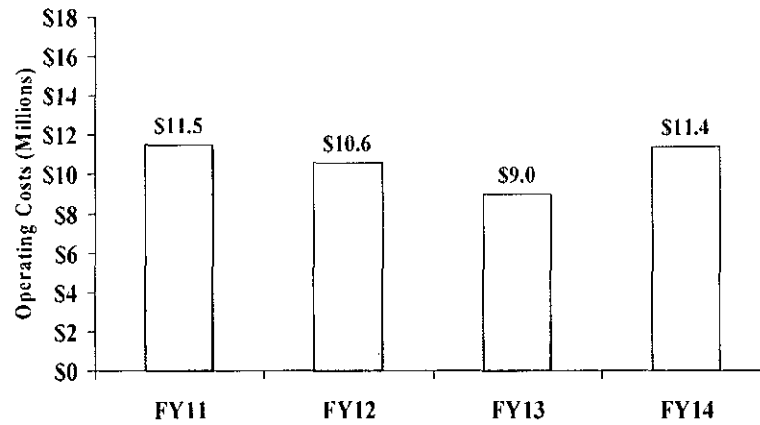
- In the current economic climate, the balance between available resources and competing priorities, has become extremely difficult.
- The proposed FY2010-11 capital budget assumes the issuance of \$77.5 million in General Obligation Bonds that were originally scheduled for FY2009-10.
- Debt service costs have been reduced by nearly \$6.0 million in FY2010-11 from bond refundings.
- Debt service costs from new issuance will impact FY2011-12 budget.



## New Incremental Operating Costs

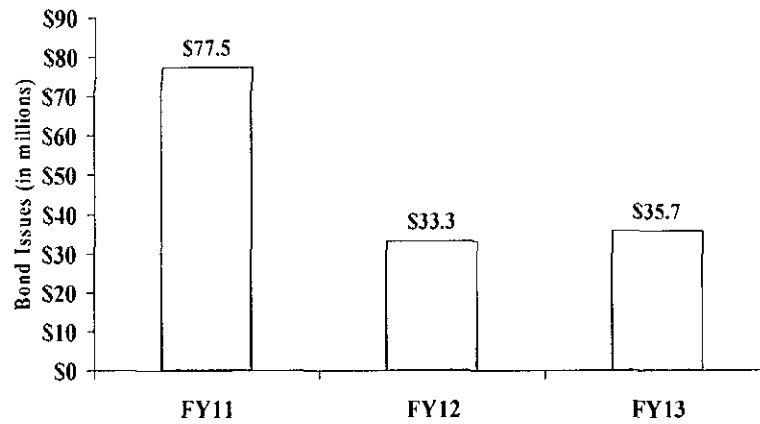
FY2010=11 through FY2013=14

Millions



## Remaining G.O. Bonds

FY2010=11 through FY2011=12





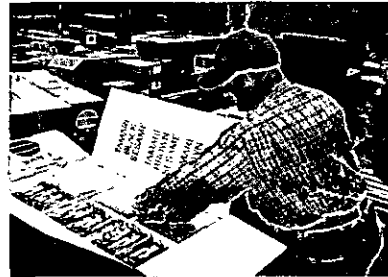
## FY2010-11 Proposed Budget

- General Fund Operating Budget
  - Total Reduction of 4.0%.
  - All service levels are maintained.
- Non-Departmental/Outside Agency Funding
  - Reduced most County contributions to outside agencies by 10.0%.
  - Tax Relief for the Elderly and Permanently Disabled continued at current levels.



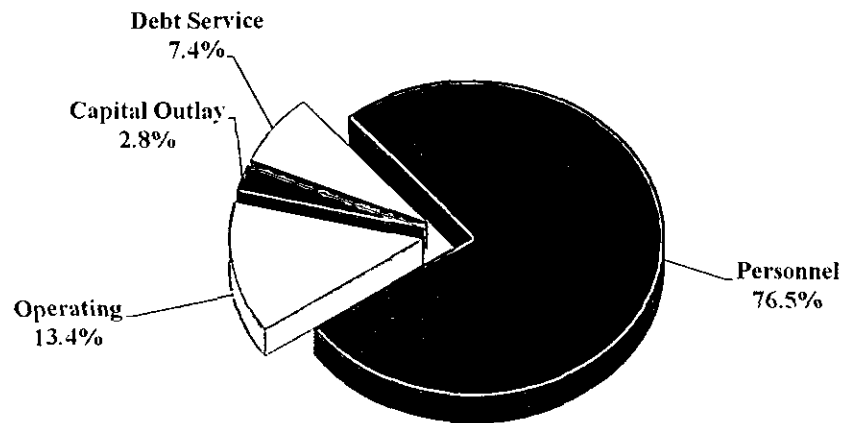
## FY2010-11 Proposed Budget

- Mental Health
  - Increase of \$226,376 for 24 individuals in need of Day Support Services. This continues the goal of providing these services to all eligible individuals without a waiting list.





# FY2010-11 Proposed Budget Education (All Funds)



# Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

## **LIBRARY WEEK**

***April 11 – 17, 2010***

**WHEREAS**, libraries of all types - public, school, academic, and specialized - enhance the quality of life of our communities; and

**WHEREAS**, libraries bring our citizens a wealth of knowledge, both in person and online, and facilitate the exchange and discussion of ideas and information in a changing world; and

**WHEREAS**, libraries are part of the American Dream and are places for opportunity, education, self-help, and lifelong learning, including career and job search support in a challenging economy; and

**WHEREAS**, librarians are trained professionals who assist people of all ages and backgrounds find and interpret the information they need to live, learn, and work in the 21st century; and

**WHEREAS**, patrons of Henrico County's public libraries made 1,865,000 customer visits and borrowed more than 3,584,000 items in Fiscal Year 2009, reflecting the nationwide trend of increased library use; and

**WHEREAS**, libraries, librarians, library workers, and library supporters throughout Henrico County, the Commonwealth of Virginia, and the United States will be celebrating National Library Week this year with the theme *Communities thrive @ your library*.

**NOW, THEREFORE, BE IT PROCLAIMED** that the Board of Supervisors of Henrico County, Virginia hereby recognizes April 11 - 17, 2010 as Library Week and encourages Henrico citizens to participate in its observance, take advantage of the wonderful library resources available, thank their librarians and library workers for making books and information accessible to all who walk through the library's doors, and acknowledge that communities can connect and thrive at the library.



*Patricia S. O'Bannon*

Patricia S. O'Bannon, Chairman  
Board of Supervisors

*Barry R. Lawrence*

Barry R. Lawrence, Clerk  
April 13, 2010



# Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

## ADMINISTRATIVE PROFESSIONALS WEEK

*April 18 – 24, 2010*

**WHEREAS**, administrative professionals play an essential role in coordinating the office operations of business, government, educational institutions, and other organizations; and

**WHEREAS**, the work of administrative professionals today requires advanced knowledge of and expertise in communications, computer software, office technology, project management, organization, customer service, and other vital office management responsibilities; and

**WHEREAS**, Administrative Professionals Week is observed annually in workplaces around the world to recognize the important contributions of administrative support staff and is sponsored by the International Association of Administrative Professionals; and

**WHEREAS**, the theme of Administrative Professionals Week 2010 is "Power of Commitment," reflecting how today's administrative professionals are advancing their careers and the profession as a whole through improving and expanding their skills.

**NOW, THEREFORE, BE IT PROCLAIMED**, that the Board of Supervisors of Henrico County, Virginia hereby recognizes April 18 - 24, 2010 as Administrative Professionals Week and Wednesday, April 21, 2010 as Administrative Professionals Day, salutes the valuable contributions of administrative professionals in the workplace, and encourages employers to support continued training and development for administrative staff in acknowledgement that a well-trained workforce is essential for success in today's business world.



Patricia S. O'Bannon, Chairman  
Board of Supervisors

Barry R. Lawrence, Clerk  
April 13, 2010

# Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

## CRIME VICTIMS' RIGHTS WEEK

*April 18 – 24, 2010*

**WHEREAS**, more than 25 million Americans are victims of crime each year, including over 6 million individuals who are victims of violent crime; and

**WHEREAS**, a just society acknowledges crime's impact on individuals, families, and communities by ensuring that rights, resources, and services are available to help rebuild lives; and

**WHEREAS**, victims' rights are a critical component of the promise of "justice for all," the foundation for our system of justice in America; and

**WHEREAS**, although our nation has steadily expanded rights, protections, and services for victims of crime, too many victims are still not able to realize the hope and promise of these gains; and

**WHEREAS**, there remain many challenges to ensuring that services are available for underserved segments of our population, which include crime victims with disabilities, victims with mental illness, victims who are teenagers, victims who are elderly, victims in rural areas, and victims in communities of color; and

**WHEREAS**, observing victims' rights and treating victims with dignity and respect serves the public interest by engaging victims in the justice system, inspiring respect for public authorities, and promoting confidence in public safety; and

**WHEREAS**, the County of Henrico recognizes that we make our homes, neighborhoods, and communities safer and stronger by serving victims of crimes and ensuring justice for all; and

**WHEREAS**, our County must strive to protect, expand, and observe Crime Victim's Rights so that there truly is justice for victims and justice for all; and

**WHEREAS**, the Henrico County Victim/Witness Assistance Program is joining forces with victim service programs, criminal justice officials, and concerned citizens throughout Henrico, the Commonwealth of Virginia, and the United States to observe National Crime Victims' Rights Week.

**NOW, THEREFORE, BE IT PROCLAIMED**, that the Board of Supervisors of Henrico County, Virginia recognizes April 18 – April 24, 2010 as Crime Victims' Rights Week and reaffirms the County's commitment to respect and enforce victim's rights and address their needs during 2010 Crime Victim's Rights Week and throughout the year.



*Patricia S. O'Bannon*  
Patricia S. O'Bannon, Chairman  
Board of Supervisors

*Barry R. Lawrence*  
Barry R. Lawrence, Clerk  
April 13, 2010

# Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

## ***VOLUNTEER WEEK***

***April 18 – 24, 2010***

**WHEREAS**, the County of Henrico has an active and viable Volunteer Services Program; and

**WHEREAS**, the Board of Supervisors is continually attempting to improve and expand County services to citizens at the least possible cost; and


**WHEREAS**, an average of 1,126 volunteers per month contributed 212,839 hours during 2009, thereby providing many additional benefits to Henrico citizens and enriching the lives of our residents; and

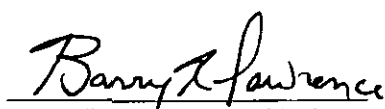
**WHEREAS**, the value of these volunteer efforts is estimated to be greater than \$4.4 million dollars; and

**WHEREAS**, the giving of oneself in service to another empowers the giver and the recipient and creates an opportunity to better oneself.

**NOW, THEREFORE, BE IT PROCLAIMED**, that the Board of Supervisors of the County of Henrico, Virginia hereby recognizes the week of April 18 – 24, 2010 as Volunteer Week and salutes and thanks each and every volunteer for the services they have so generously and willingly given to the County.



  
Patricia S. O'Bannon, Chairman  
Board of Supervisors

  
Barry R. Lawrence, Clerk  
April 13, 2010



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 93-10  
Page No. 1 of 3

Agenda Title: RESOLUTION — POD-10-10 — Approval of a Plan of Development for Dumbarton Elementary School Addition

For Clerk's Use Only: Date: <b>APR 13 2010</b>  ( ) Approved ( ) Denied ( ) Amended ( ) Deferred to:	BOARD OF SUPERVISORS ACTION		YES	NO	OTHER
	Moved by (1) <u>Glone</u>	Seconded by (1) <u>Kaechele</u>			
	(2)	(2)			
REMARKS:	<b>APPROVED</b>				
			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, Sections 24-11(b) and 24-106 of the Henrico County Code require the submission of applications for plans of development for public facilities to the Board of Supervisors; and,

WHEREAS, an application has been submitted for approval of POD-10-10 Dumbarton Elementary School Addition, a plan of development to construct a one-story, 11,875 square foot building addition for six additional classrooms, revisions to an existing bus loop, and related site improvements to an existing school; and,

WHEREAS, The 18.65 acre site is located along the western line of Hungary Spring Road, north of its intersection with Millstream Parkway on parcel 766-757-9364, is zoned R-2A, Single-Family Residential, and is located in the Brookland District; and,

WHEREAS, the County Administration, including Henrico County Public Schools, the Department of Planning, the Department of Public Works, the Department of Public Utilities, the Division of Fire, the Division of Police, and the Office of Building Construction and Inspections has reviewed the application and recommends approval subject to the staff recommendations and the staff plan dated April 13, 2010; and,

WHEREAS, on April 13, 2010, the Board of Supervisors held a public hearing to receive comments on the application for approval.

NOW, THEREFORE, BE IT RESOLVED that the Henrico County Board of Supervisors hereby approves the application, subject to the following conditions:

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

Routing:  
Yellow to: \_\_\_\_\_

Certified:  
A Copy Teste: \_\_\_\_\_  
Clerk, Board of Supervisors

Copy to: \_\_\_\_\_

Date: \_\_\_\_\_



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

Agenda Item No. 93-10

Page No. 1 of 3

**Agenda Title: RESOLUTION — POD-10-10 — Approval of a Plan of Development for Dumbarton Elementary School Addition**

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

WHEREAS, Sections 24-11(b) and 24-106 of the Henrico County Code require the submission of applications for plans of development for public facilities to the Board of Supervisors; and,

WHEREAS, an application has been submitted for approval of POD-10-10 Dumbarton Elementary School Addition, a plan of development to construct a one-story, 11,875 square foot building addition for six additional classrooms, revisions to an existing bus loop, and related site improvements to an existing school; and,

WHEREAS, the 18.65 acre site is located along the western line of Hungary Spring Road, north of its intersection with Millstream Parkway on parcel 766-757-9364, is zoned R-2A, Single-Family Residential, and is located in the Brookland District; and,

WHEREAS, the County Administration, including Henrico County Public Schools, the Department of Planning, the Department of Public Works, the Department of Public Utilities, the Division of Fire, the Division of Police, and the Office of Building Construction and Inspections has reviewed the application and recommends approval subject to the staff recommendations and the staff plan dated April 13, 2010; and,

WHEREAS, on April 13, 2010, the Board of Supervisors held a public hearing to receive comments on the application for approval.

NOW, THEREFORE, BE IT RESOLVED that the Henrico County Board of Supervisors hereby approves the application, subject to the following conditions:

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. 93-10

Page No. 2 of 3

**Agenda Title: RESOLUTION — POD-10-10 — Approval of a Plan of Development for  
Dumbarton Elementary School Addition**

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1. The Director of Public Utilities shall approve the construction plans for public water and sewer prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least 24 hours prior to the start of any County water or sewer construction.
2. The parking lot shall be subject to the requirements of Section 24-98 of the Henrico County Code.
3. The parking spaces shall be marked on the pavement surface with four-inch wide white painted traffic lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall be yellow.
4. Sufficient, effective usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
5. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
6. The plan of development shall be revised as annotated on the staff plan dated April 13, 2010, which shall be as much a part of this approval as if its details were fully described herein. Eight (8) sets of revised plans, including the detailed drainage, erosion control and utility plans shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning that all comments have been addressed, twenty-one (21) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures.
7. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
8. Two copies of an Erosion and Sediment Control Agreement shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
10. All ground cover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season.
11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams and fixture specifications and mounting height details shall be submitted for Department of Planning review and approval.
12. All exterior lighting shall be designed and arranged to direct the light and glare away from nearby residential property and streets.
13. The site including the parking areas shall be kept clean of litter and debris on a daily basis. Trash container units/litter receptacles and recycling containers shall be maintained with scheduled regular pickups and shall be screened properly on all four sides. The gate(s) shall remain closed except when the receptacle(s) are being filled or serviced and shall be repaired or replaced as necessary. Details shall be included with the final site plan or required landscape plan review and approval.
14. Required fire lanes shall be marked and maintained in accordance with the Virginia Statewide Fire Prevention Code.

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

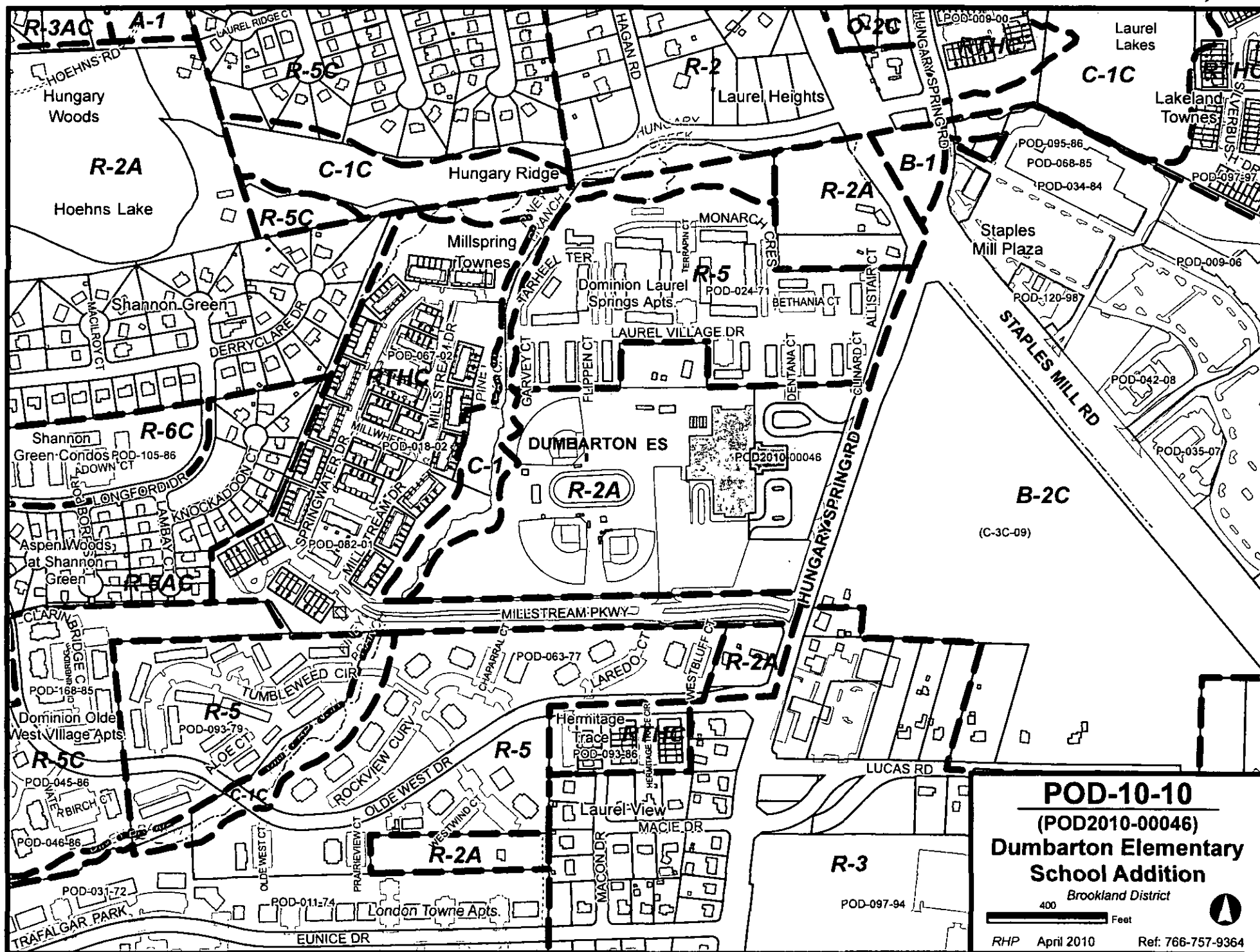
Agenda Item No. 93-10

Page No. 3 of 3

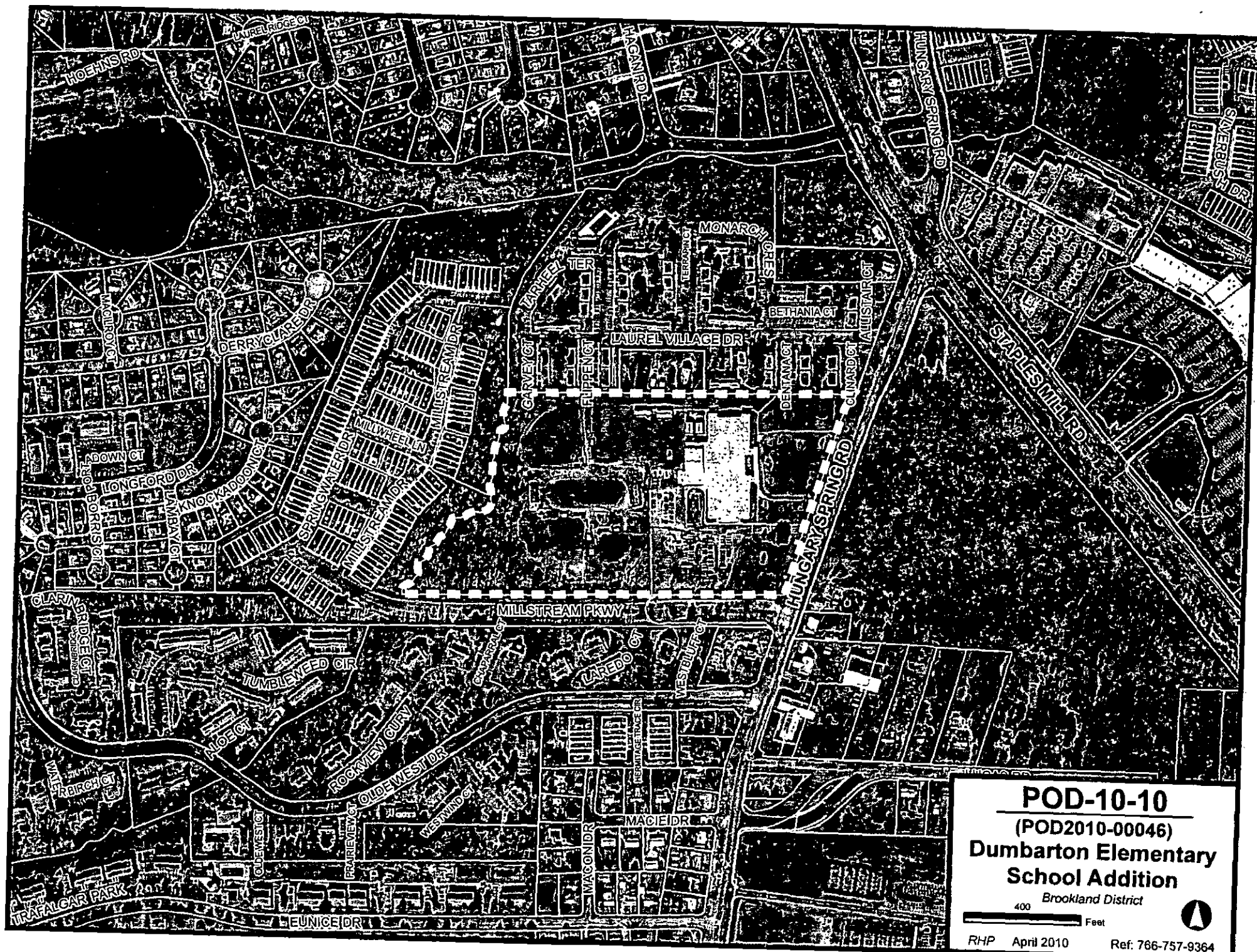
**Agenda Title: RESOLUTION — POD-10-10 — Approval of a Plan of Development for  
Dumbarton Elementary School Addition**

15. Traffic control signs shall be provided as indicated on the Planning staff plan. All signs shall be fabricated as shown in The National Manual on Uniform Traffic Control Devices for Streets and Highways and The Virginia Supplement to The Manual on Uniform Traffic Control Devices for Streets and Highways.
16. The assigned property number shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 501-4284. The Planning Department must assign all property addresses.
17. The contractor shall have a set of plans approved by the Director of Public Works, Director of Public Utilities and the County Manager available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County inspectors.
18. The property shall be developed generally as shown on the plan filed with the case and no major changes or additions to the layout shall be made without the approval of the Board of Supervisors.
19. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the engineer or land surveyor who prepared the POD plan shall furnish a statement to the effect that all construction, including water and sewer is in conformance with the regulations and requirements of the POD.
20. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
21. Insurance Service Offices (ISO) calculations should be included on the final construction plans for approval by the Department of Public Utilities prior to issuance of a building permit.
22. Any necessary offsite drainage easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans by the Department of Public Works.
23. Deviations from County standards for pavement, curb, or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
24. Vehicles shall be parked only in approved and constructed parking spaces.
25. The construction shall be properly coordinated to ensure that safe access, circulation and adequate parking is provided for the facility. A plan to indicate the phasing of improvements and the handling of traffic (construction and employees) shall be submitted to the Department of Planning prior to the issuance of a building permit.
26. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
27. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.

COMMENTS: The Director of Planning has reviewed the plans submitted by Timmons Group and SHW Group and recommends approval, and the County Manager concurs.









COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 94-10

Page No. 1 of 2

Agenda Title

RESOLUTION — Condemnation — Right-of-Way and Easements — North Gayton Road Extension Project — Emily Leake Waller — Three Chopt District

For Clerk's Use Only:

APR 13 2010

Date

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to

BOARD OF SUPERVISORS ACTION

Moved by (1) Kaechele Seconded by (1) Almer  
(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, it is necessary for construction of the North Gayton Road Extension Project (the "Project") to acquire right-of-way containing 83,463 sq. ft., permanent slope and drainage easements containing 29,271 sq. ft., temporary construction easements containing 30,093 sq. ft., a permanent easement containing 165.03 sq. ft. for Virginia Electric and Power Company, a Virginia public service corporation, doing business as Dominion Virginia Power, and a permanent easement containing 6,544.44 sq. ft. for Verizon Virginia Inc., a Virginia corporation (collectively, the "Right-of-Way and Easements") across the property at 12324 Kain Road owned by Emily Leake Waller (the "Owner") and identified as Tax Map Parcel 737-768-1290 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 Owner's 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, under, upon, across and through the property of the Owner, shown as "EMILY LEAKE WALLER" on a plat made by NXL, dated December 2, 2009, sealed on December 4, 2009 by David L. Jones, Land Surveyor, a reduced size copy of which is attached and marked Exhibit "A", and shown as parcel "021" on Sheet Nos. 10, 10B, 10D, and 11, and further described on Sheet No. 1C(1) of the plans for North Gayton Road, Project 2122.50701.28004.01152,

By Agency Head

*[Signature]*

By County Manager

*[Signature]*

Routing:

Yellow to: Real Property

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_

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

Agenda Item No. **94-10**  
Page No. **2 of 2**

**Agenda Title    RESOLUTION — Condemnation — Right-of-Way and Easements — North Gayton Road Extension Project — Emily Leake Waller — Three Chopt District**

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reduced size copies of which are attached and marked Exhibit "B-1", "B-2", "B-3", "B-4" and "B-5," and as also shown on four plats, one by Virginia Electric and Power Company, dated November 18, 2009, a copy of which is attached and marked Exhibit "C", and three by Verizon Virginia Inc., copies of which are attached and marked Exhibit "D-1", "D-2" and "D-3";

- (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 April 14, 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:

**EMILY LEAKE WALLER  
AS TO 12324 KAIN ROAD - \$307,600**

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.

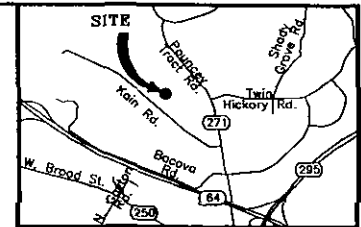
GPIN	LAND OWNER	D.B./PG.	Right-of-Way Acquisition	Permanent Slope & Drainage Easements	Temporary Construction Easements
737-768-1293	EMILY LEAKE WALLER	H24/244	83.463 sq. ft.	29.271 sq. ft.	30.093 sq. ft.

Now or Formerly  
**ALLEN C. BOWLES & MILDRED ANN P. BOWLES**  
 12304 Kain Rd.  
 GPIN #738-769-4930

Now or Formerly  
**CAROLYN H. LEAKE**  
 4792 Pouncey Tract Rd.  
 GPIN #737-768-0243

Now or Formerly  
**LOUIS A. MINOR**  
 4764 Pouncey Tract Rd.  
 GPIN #737-768-4318

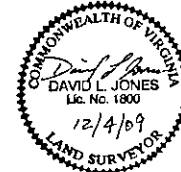
**EMILY LEAKE WALLER**  
 12324 Kain Rd.  
 W.B. 120 PG. 714  
 D.B. 1424 PG. 244  
 GPIN #737-768-1290  
 16.727 Ac.



Curve Table					
Delta	Radius	Length	Tangent	Chord	Chord Bearing
C1 07°45'59"	1254.00'	169.98'	85.12'	169.85'	N56°00'30"E
C2 13°08'39"	1138.00'	261.07'	131.11'	260.49'	S62°24'17"W

Line Table	
L1	N55°00'25"W 15.89'
L2	S32°40'53"W 22.16'
L3	N32°49'11"E 20.95'
L4	N32°49'11"E 0.29'
L5	S54°31'37"E 0.07'
L6	S54°31'37"E 13.57'
L7	S54°31'37"E 16.45'
L8	S89°34'37"E 3.05'
L9	S89°34'37"E 19.00'
L10	S89°34'37"E 13.94'
L11	S07°35'59"W 19.85'
L12	S07°35'59"W 19.87'
L13	S07°35'59"W 1.71'
L14	S41°06'59"W 6.37'
L15	S51°29'19"E 21.41'
L16	S51°29'19"E 2.40'
L17	S49°50'54"E 27.64'
L18	S49°50'54"E 34.04'
L19	N75°29'38"E 25.22'
L20	N67°11'46"E 45.11'
L21	S52°33'28"W 9.32'
L22	S45°37'12"E 26.71'
L23	S46°56'08"E 30.24'
L24	S41°06'59"W 2.97'
L25	S41°06'59"W 2.87'
L26	N34°59'15"E 22.14'
L27	S55°00'25"E 14.98'
L28	N72°04'37"E 35.11'
L29	S67°00'07"E 21.08'
L30	S83°13'15"W 22.49'
L31	S22°02'23"E 18.67'
L32	N45°50'39"E 0.06'
L33	S29°33'28"W 32.37'

**EXHIBIT "A"**

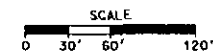


ACQUISITION PLAT SHOWING RIGHT-OF-WAY, TEMPORARY CONSTRUCTION EASEMENTS, AND PERMANENT SLOPE AND DRAINAGE EASEMENTS ON THE PROPERTY OF  
**EMILY LEAKE WALLER**  
 THREE CHOPT MAGISTERIAL DISTRICT  
 HENRICO COUNTY, VIRGINIA

FILE NAME	SCALE	DATE	JOB NO.	SHEET NO.
021	1"=60'	Dec. 2, 2009	0710007L	1 of 1

Notes:

- This plat has been prepared for the purpose of defining the right-of-way and easements noted, and is not to be considered a boundary survey. No structures or utilities have been located by this survey.
- Proposed right-of-way, permanent easements, and temporary construction easements are based on files provided by AECOM received: 10/16/09.
- Acres tabulations, if provided, are based on information provided by Henrico County Real Estate assessments and may not necessarily agree with computed areas or recorded deeds.
- Meridian Source: Virginia State Plane Coordinate System South Zone, Grid North, Based On Henrico County Geodetic Control.



PRELIMINARY  
RIGHT OF WAY DATA SHEET

DESIGN FEATURES RELATING TO CONSTRUCTION  
OR TO REGULATION AND CONTROL OF TRAFFIC  
MAY BE SUBJECT TO CHANGE AS DEEMED  
NECESSARY BY THE DEPARTMENT

ROUTE:	PROJECT: NORTH GAYLON RD.
COUNTY/CITY: HENRICO COUNTY	PPMS NO.:
COMPILED BY:	DATE:
REVISED BY:	DATE:

PARCEL NO.	LANDOWNER	SHEET NO.	AREA														EASEMENTS										REVISED BY:	DATE:
			TOTAL		FEE TAKING		FEE REMANDER		FEE REMANDER BISECTED PROPERTIES N GAYTON RD. (LT.)		FEE REMANDER BISECTED PROPERTIES N GAYTON RD. (RT.)		FEE REMANDER BISECTED PROPERTIES BACOVA DR. (LT.)		FEE REMANDER BISECTED PROPERTIES BACOVA DR. (RT.)		PERM. SLOPE/DRAINAGE/ACCESS/SIGHT DISTANCE		UTILITY				TEMPORARY		PROFFERS			
			ACRES	SO. FEET	ACRES	SO. FEET	ACRES	SO. FEET	ACRES	SO. FEET	ACRES	SO. FEET	ACRES	SO. FEET	ACRES	SO. FEET	ACRES	SO. FEET	DOWN TOWN VA POWER	VERIZON	ACRES	SO. FEET	YES / NO					
001	Banner Realty Company of Richmond, Inc.	3	0.563	0.82	7964.44	0.381	16596.36									0.060	2623.91	0.094	4126.52			0.061	7019.42					
002	Edward B. Kidd & Jay M. Weinberg Trustees	3.4	1.024	0.465	2026.460	0.559	24350.04									0.261	11376.33											
003	Gateway Bank & Trust Co.	3	1.004	0.081	3548.36	0.923	40205.88									0.084	3671.49											
004	The Linhart Company C/O Dominion Chevrolet	3.4	9.207	0.013	563.17	9.194	431853.84									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	1.178	51313.68									0.361	15730.00					0.080	3486.00					
007	Sarah H. Pearson	4.5	6.246	1.073	46774.84	5.173	225335.88									0.268	11677.42											
008	Gayton Road Properties, LLC	4	1.547													0.020	888.63											
009	DELETED																											
010	Boyd C. Jones	6.68.7	6.8	2.403	91627.41			1.707	74365.25	0.749	32660.20	2.288	99690.43			2.564	111722.00					0.349	15264.40					
011	Darrell H. Bowman & Marsha Morgan	6.6F.7	3.98	0.909	39601.00							2.130	92782.80			0.942	41040.00	0.788	34368.00									
012	Helen Long Payne	68.60.7	42.51	2.563	11644.28										40.007	1742713.76	0.874	38071.44			0.340	14810.40						
013	Blanche N. Avis	6.6F	5.368	0.598	17353.79	4.970	216493.20									0.227	9888.52											
014	Blanche N. Avis	6F.6H	5.0	0.591	25781.05	4.408	192026.47									0.75	7623.52					0.221	9655.78					
015	Darrell H. Bowman & Marsha S. Morgan	6H	3.5	0.010	469.99	3.490	152024.40									0.030	1334.12											
016	DELETED																											
017	Sheran S. Shiner & Susanne W. Smith Trustees	7.8.9.10	25.54	5.420	236103.23			3.876	168838.56	16.244	707588.64					1.923	83783.80	0.013	576.56			0.457	19932.40					
018	David M. Hepler & Jennifer E. Hepler	9.10	1.259	0.062	2719.5	1.97	52141.32									0.17	5137.63	0.040	1776.10			0.007	326.29					
019	Annie B. Fair	7.8.9.10	7.891	0.048	2133.89	7.843	34641.08									0.001	46.09	0.023	10437.4			0.011	518.59					
020	Roger Lee Horton	10.10B	2.534	0.060	2652.19	2.474	107167.44										0.027	1190.68					0.016	724.94				
021	Emily Locke Walter	10.10B, 10D.11	16.727	1.916	83462.28			3.516	153198.67	11.295	492010.20					0.671	29231.21	0.003	165.03	0.150	6544.44	0.690	30093.30					
022	David M. Hepler, Trustee	10.10D	14.301	0.026	1146.65	14.275	621819.00									0.115	5026.65	0.044	19187.3									
023	Allen G. Bowles & Mildred Ann P. Bowles	10B	4.61	0.091	4001.9	4.519	196847.64									0.023	1033.30	0.003	152.55	0.061	2696.62	0.002	98.11					
024	County Of Henrico	10B	205.261	0.084	3660.60	205.177	8937510.12									0.012	545.40	0.005	255.48									
025	Gerald W. Glover	10D	1.31	0.002	90.45	1.308	56976.48									0.007	328.63	0.007	331.39									
026	Timothy Willis & Roe M. Willis	10D	2.06													0.014	644.19	0.010	435.61			0.037	1631.29					
027	Louis A. Wilner	11.12	2.497	0.641	27910.83			0.585	25490.42	1.271	55371.06					0.237	10366.90					0.169	7388.60					
028	Commonwealth Foundation IV	11.2.13.14	20.71	3.005	130930.67			14720	641203.20	2.985	130040.65					0.899	3997.90			0.013	4529.36	0.206	8998.28					
029	Christ Church Episcopal	12.13, 14.14B	11.984	1.185	51622.89	10.799	470404.44									0.495	21572.40	0.008	386.64	0.152	6631.90	0.062	2730.87					
030	Hilton R. Davis Jr.	14.14B.15	9.53	0.541	23587.40	9.989	435120.84									0.322	14068.34	0.242	10579.67			0.017	766.47					
031	Shady Grove United Methodist Church	14.14D	3.15	0.256	11171.76	2.894	126060.64									0.119	5213.50	0.061	2657.24	0.139	6078.98	0.050	2185.76					
032	Shady Grove United Methodist Church	14.15	2.50	0.133	5825.43	2.367	103106.52									0.073	3191.41			0.073	3200.46	0.004	212.63					
033	Shady Grove United Methodist Church	14D	5.469	0.017	756.43	5.452	236313.00											0.006	285.11									
034	Raleigh R. Cook & Carolyn A. Cook	12.13, 14.14D	10.25	0.049	2171.64	10.201	444355.56									0.120	5261.56			0.161	7014.00	0.075	3256.02					
035	Barbara W. Feibush, Trustee	14D	10.06													0.083	3642.05			0.126	5513.46							
036	DELETED																											
037	DELETED																											
038	DELETED																											
039	Shady Grove United Methodist Church	15	2.00	0.104	4556.20	1.896	82589.76									0.063	2577.58			0.033	1472.55	0.003	158.73					
040	Shady Grove United Methodist Church	15	0.735	0.149	6510.76	0.586	25526.16									0.058	2526.51			0.038	1690.57	0.142	6210.80					

**EXHIBIT "B-5"**

		County Of Huerfano Department of Public Safety	
PL 001	PL 002	PL 003	SHEET NO
	N. GAYTON RD.		10(11)

# EXHIBIT "C"

021

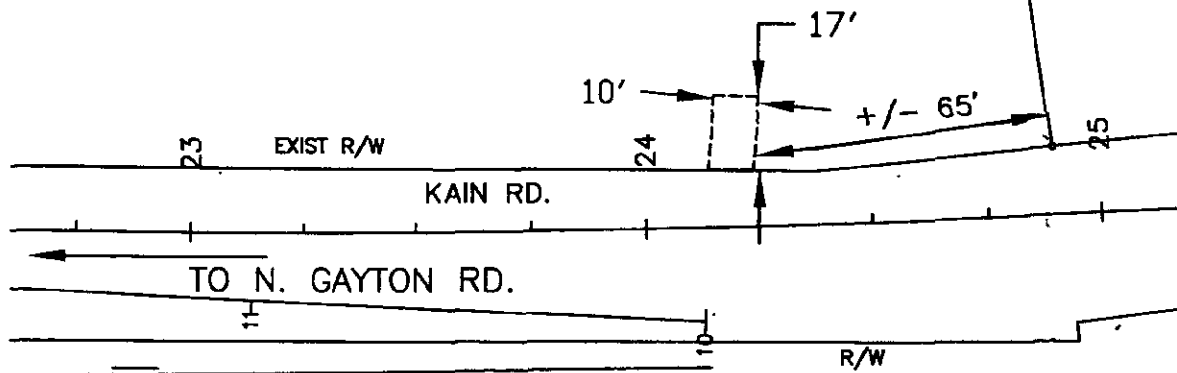
EMILY LEAKE WALLER

GPIN #737-768-1290

W.B. 120 PG. 714

D.B. 1424 PG. 244

16.727 Ac.



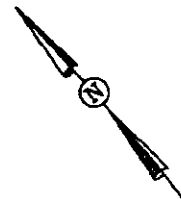
026

TIMOTHY WILLIS &  
RAE M. WILLIS

GPIN #737-768-0534

D.B. 3028 PG. 2048

2.06 Ac.



## Legend

- Location of Boundary Lines of Right-of-Way
- Indicates Property Line is Right-of-Way Boundary

## Plat to Accompany Right-of-Way Agreement

VIRGINIA ELECTRIC AND POWER COMPANY

doing business as

**Dominion Virginia Power** OH/UG

District

RICHMOND

District-Township-Borough

THREE CHOPT

County-City

HENRICO

State

VA

Office

CENTRAL REGION

Plat Number

00090261

Estimate Number

7185063

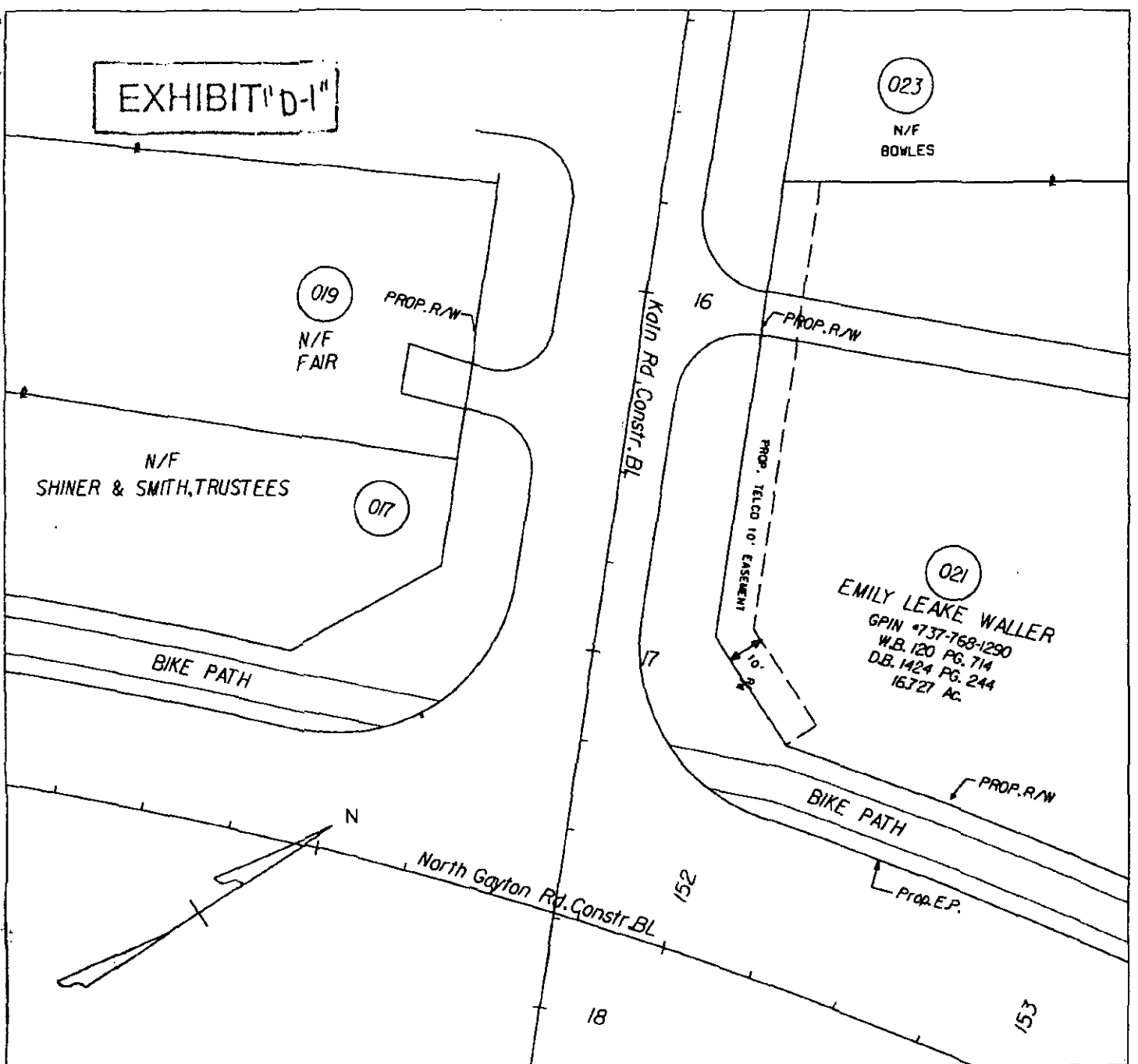
Grid Number

G2108

Date: 11/18/2009

By: COSGROVE

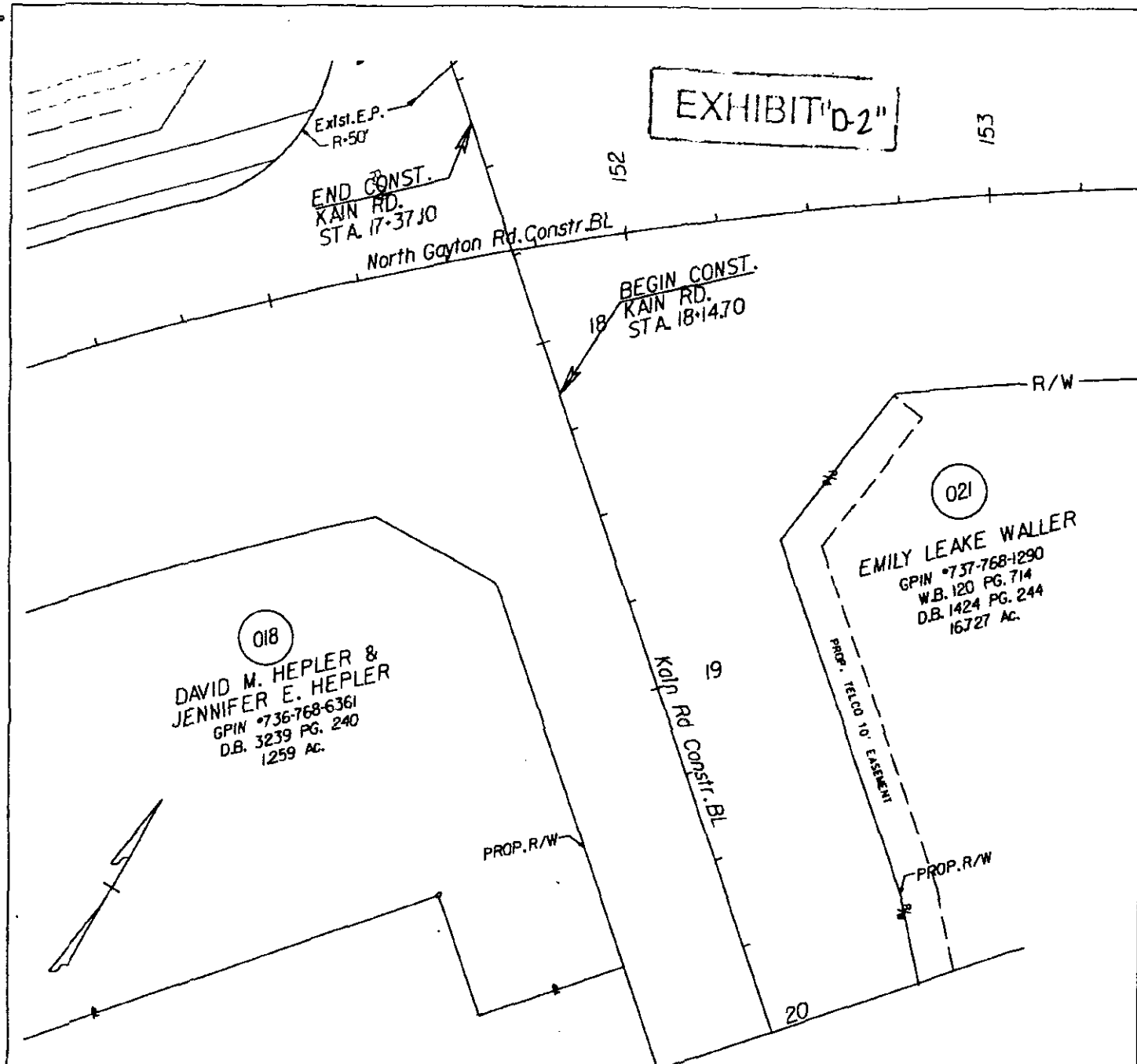
EXHIBIT "D-1"



SITE PLAN REFERENCE:

12324 KAIN ROAD, GLEN ALLEN, VA. 23059

<b>VERIZON VIRGINIA INC.</b> <b>EASEMENT</b>		<b>GRANTOR/OWNER:</b> EMILY LEAKE WALLER		<b>COUNTY:</b> HENRICO <b>MAGISTERIAL DIST.:</b> THREE CHOPT											
--- DENOTES R AND/OR R/W --- LIMITS OF RIGHT-OF-WAY		<b>ADDRESS:</b> 12324 KAIN ROAD GLEN ALLEN, VA. 23059		<b>TAX MAP NO.:</b> 737-768-1290											
<b>E.A.:</b> KEN GILBERT		<b>CONTACT TEL. NO.:</b>		<b>PROPERTY ID #:</b>											
<b>PHONE NO.:</b> 772-5963		<b>GRANTOR:</b>		<b>DEED BOOK:</b> 1424 <b>PAGE:</b> 244											
<b>CENTRAL OFFICE:</b> GAYTON <b>VZ ROW NUMBER:</b> 267327 <b>COVER SHEET NUMBER:</b>		<b>GRANTOR:</b>		<table border="1"> <tr> <td>GRSM</td> <td>SH</td> <td>E-W</td> <td>N-S</td> <td>PG 4</td> </tr> <tr> <td></td> <td>1700</td> <td>4</td> <td>K</td> <td>OF 6</td> </tr> </table>		GRSM	SH	E-W	N-S	PG 4		1700	4	K	OF 6
GRSM	SH	E-W	N-S	PG 4											
	1700	4	K	OF 6											
<b>PLAT BOOK:</b>		<b>ROUTE:</b>		<b>WORK ORDER #:</b> 4A18546											



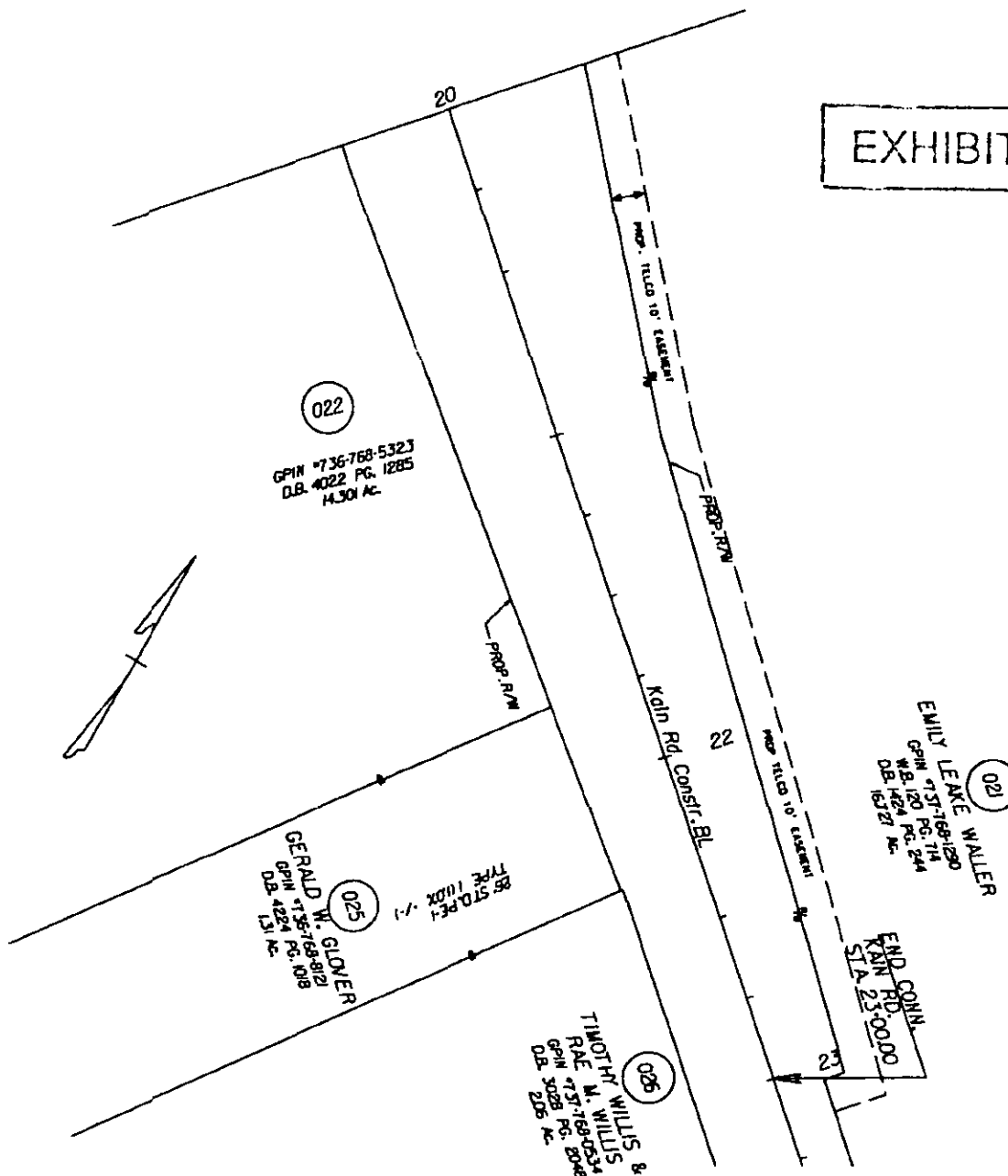
**SITE PLAN REFERENCE:**

12324 KAIN ROAD, GLEN ALLEN, VA. 23059

VERIZON VIRGINIA INC. EASEMENT	GRANTOR/OWNER. EMILY LEAKE WALLER	COUNTY: HENRICO MAGISTERIAL DIST.: THREE CHOPT
---R--- DENOTES R AND/OR R/W ---- LIMITS OF RIGHT-OF-WAY	ADDRESS: 12324 KAIN ROAD GLEN ALLEN, VA. 23059	TAX MAP NO.: 737-768-1290
E.A.: KEN GILBERT	CONTACT TEL. NO.:	PROPERTY ID *:
PHONE NO.: 772-5963	GRANTOR:	DEED BOOK: 1424 PAGE: 244
CENTRAL OFFICE: GAYTON VZ ROW NUMBER: 267327 COVER SHEET NUMBER:	GRANTOR:	GRSM
		SH 1700 E-W 4 N-S K PG 5 OF 6
		PLAT BOOK: ROUTE: 4A18546 WORK ORDER *:



# EXHIBIT "D-3"



## SITE PLAN REFERENCE:

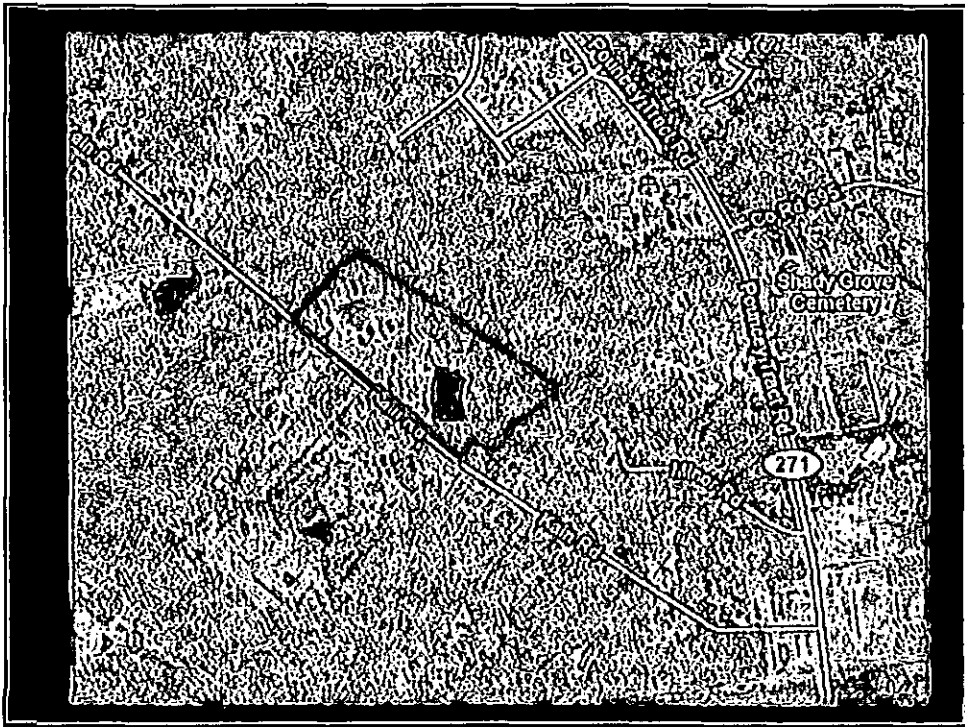
12324 KAIN ROAD, GLEN ALLEN, VA. 23059

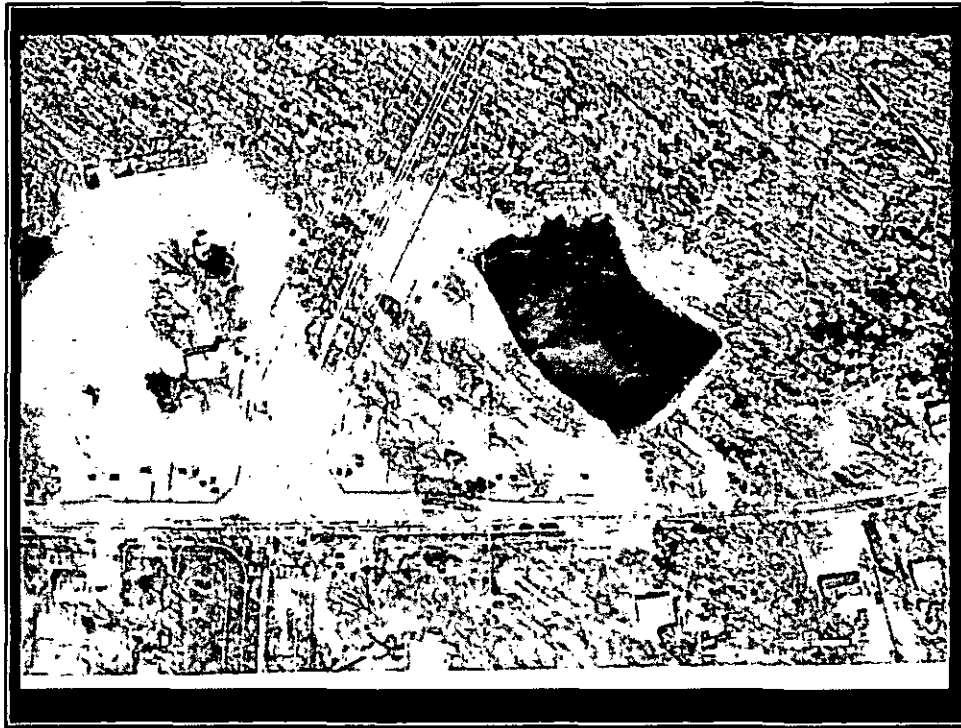
VERIZON VIRGINIA INC. EASEMENT		GRANTOR/OWNER. EMILY LEAKE WALLER		COUNTY: HENRICO MAGISTERIAL DIST.: THREE CHOPT				
---R--- DENOTES R AND/OR R/W ---- LIMITS OF RIGHT-OF-WAY		ADDRESS: 12324 KAIN ROAD GLEN ALLEN, VA. 23059		TAX MAP NO.: 737-768-1290 PROPERTY ID #:				
E.A.: KEN GILBERT PHONE NO.: 772-5963		CONTACT TEL. NO.:		DEED BOOK: 1424 PAGE: 244				
		GRANTOR:		GRSM	SH 1700	E-W 4	N-S K	PG 6 OF 6
CENTRAL OFFICE: GAYTON VZ ROW NUMBER: 267327 COVER SHEET NUMBER:		GRANTOR:		PLAT BOOK: ROUTE: WORK ORDER #: 4A18546				



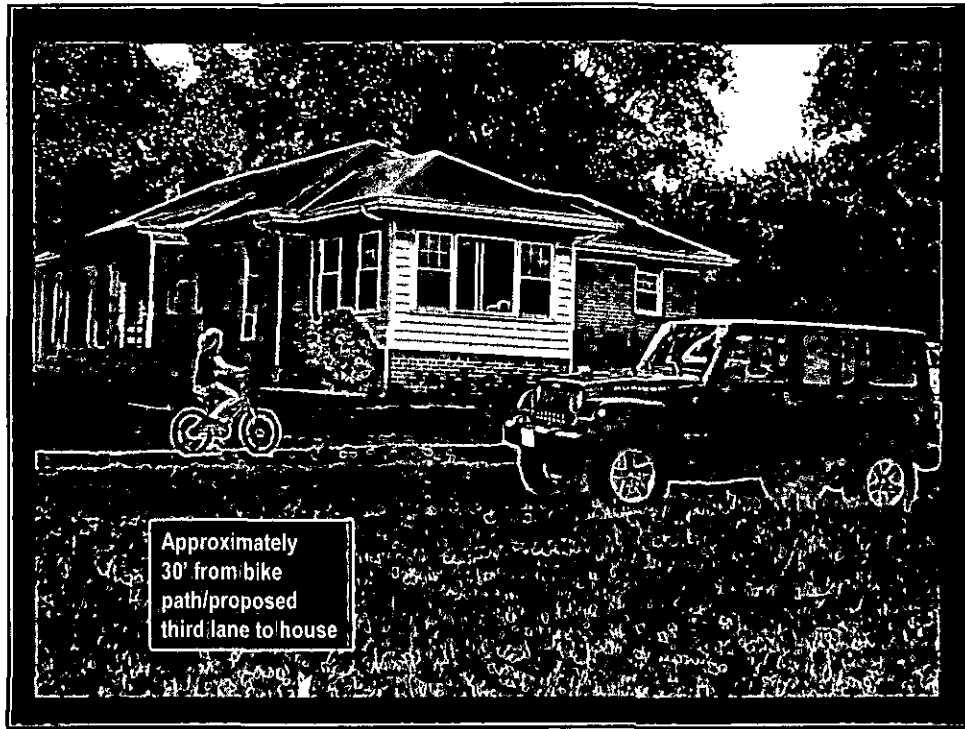




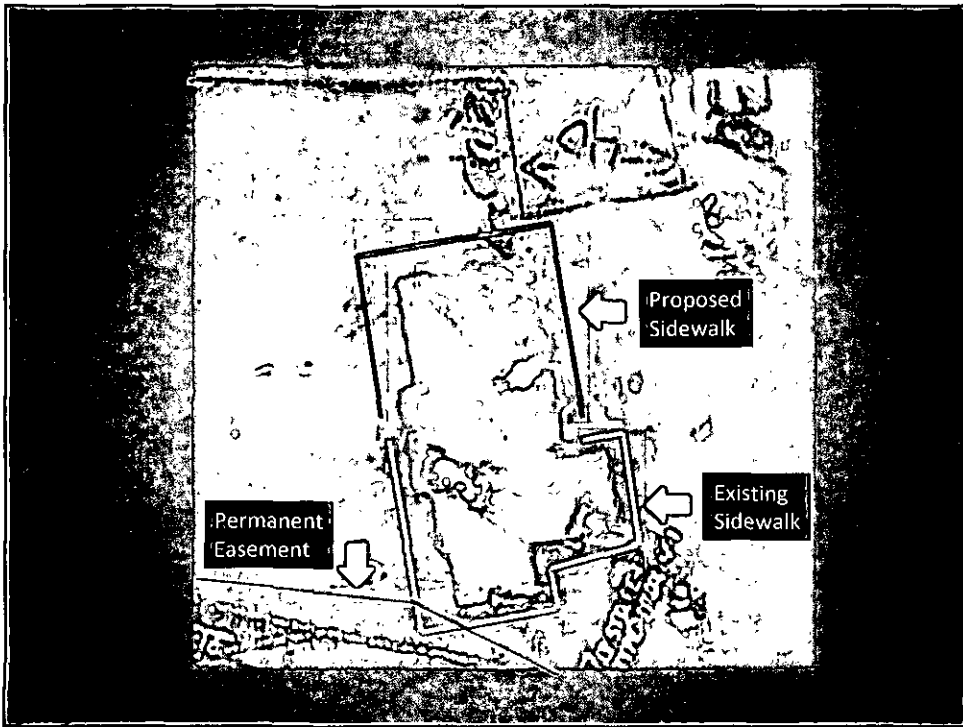
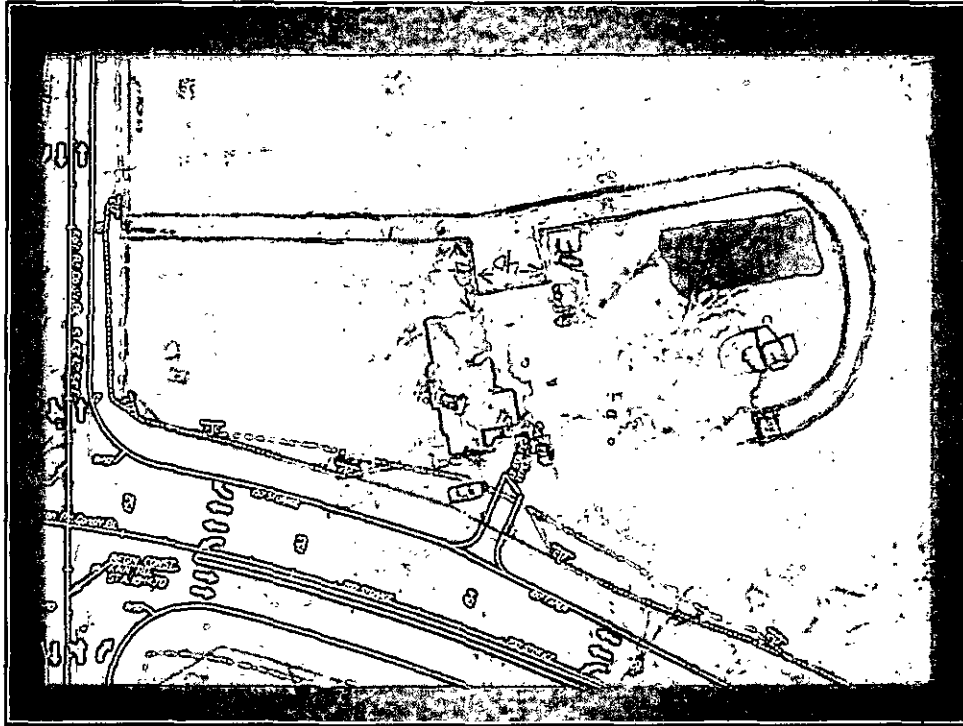












# Inconsistent Appraisal Amounts

Address	per acre amount	Sales Comparison
12324 Kain Rd	\$50,000	Land Sale 1 - Bentley Subdivision 5086-5090 Pouncey Tract Rd - \$74,053 per acre (May 2005)
		Land Sale 2 - Henley Subdivision 5600 Pouncey Tract Rd - \$51,500 per acre (June 2004)
		Land Sale 3 - Kain Rd - \$30,075 per acre (March 2002)
		Land Sale 4 - Pouncey Tract Rd - \$36,985 per acre (July 2006)
12252 Kain Rd	\$98,000	Land Sale 1 - 12621 Kain Rd - \$61,917 per acre (April 2006)
		Land Sale 2 - 4501 Sadler Rd - \$57,900 per acre (August 2006)
		Land Sale 3 - Kain Rd - \$103,196 per acre (March 2006)
		Land Sale 4 - 3332 Wood Brook Rd - \$68,519 per acre (April 2006)
12321 Kain Rd	\$65,000	Land Sale 1 - Bentley Subdivision 5086-5090 Pouncey Tract Rd - \$74,058 per acre (no date given)
		Land Sale 2 - Henley Subdivision 5600 Pouncey Tract Rd - \$51,500 per acre (no date given)
		Land Sale 3 - Pouncey Tract Rd at Wyndham - \$130,238 per acre (no date given)
		Land Sale 4 - Holman Ridge Rd - \$129,531 per acre (no date given)







WILLIAMS MULLEN

Direct Dial: 804.783.6457  
acondlin@williamsmullen.com

March 18, 2010

**VIA EMAIL** Kendall.Flint@aecom.com

Kendall Flint, Director, Right of Way/Utilities  
AECOM  
4840 Cox Road  
Glen Allen, VA 23060

Re: Emily Waller Property - North Gayton Road Extension

Dear Ken:

As I believe you are aware, I represent Ms. Waller and am assisting her in this phase of the potential condemnation of her property located on Kain Road. We have seen the offer presented to Ms. Waller, including the appraisal provided in your package to her (the "Offer"). We have a number of questions and comments regarding the Offer presented to Ms. Waller, which I have outlined below. Ms. Waller is in no way looking for anything other than what she believes is due her as a result of the damages to be caused to her property because of the North Gayton Road extension (the "Project"). It should come as no surprise that really any amount of payment will not adequately compensate her for her loss. Further, we are not necessarily in the best position to provide answers to many of the questions, yet Ms. Waller is put in the position of having to find many of the answers that have not otherwise been provided to her. We honestly have done as much as we can, but are giving the best estimate as is available to us to determine the damages resulting from the Project. I would categorize our issues into two categories: those items for which we disagree with the Offer or resulting conclusion provided; and second, those items that we do not believe were addressed by the Offer.

I realize AECOM is under pressure to continue the acquisition of property in support of the Project, but this is Ms. Waller's home for she and her daughter. This is where Ms. Waller grew up. Beyond the emotional issues related to losing part of your home, this is a particularly impactful project. The proposed road and permanent easement are splitting her property, coming within 6.23 feet of her home, there is a pond that will be drained with no guarantee of being returned to its prior state or re-stocked, a loss of much of her best farm land, and, as described by the appraisal, an almost entire loss of the actual value of her house located on the property. I would say that no homeowner in this entire area is impacted as much by this Project than Ms.

*A Professional Corporation*

NORTH CAROLINA • VIRGINIA • WASHINGTON, D.C. • LONDON

Two James Center 1021 East Cary Street (23219) P.O. Box 1320 Richmond, VA 23218-1320 Tel: 804.643.1991 Fax: 804.783.6507  
www.williamsmullen.com



WILLIAMS MULLEN

Kendall Flint, Director, Right of Way/Utilities

March 18, 2010

Page 2

Waller. Gathering the right information is very important to her and I think it is only reasonable to ask that AECOM and the County wait to take further action until all of the questions below are answered and you respond to our position on the various issues below.

Finally, there is a real frustration by Ms. Waller that anyone with authority to negotiate for AECOM or the County has yet to contact Ms. Waller. I know you and Ms. Waller discussed dealing with her directly. It can still be done that way, but I would appreciate any further communications with Ms. Waller be presented to me as well. I need to be kept up to date so that I can advise Ms. Waller of the best steps to take for the benefit of her property during this phase of the process.

Please find below our comments on the Package:

Driveway:

- The location of the new driveway for Ms. Waller has moved from N. Gayton Road to Kain Road. This is appreciated, but the new alignment destroys much of the rear yard and takes out a shed and one of three shade trees in the rear yard. It simply is unacceptable.
- I understand you should have received by now a new proposed layout for the driveway. This new alignment is designed to retain as much of the backyard as possible, as it is the last remaining usable area around the house after the road comes through. It also connects with the back of the existing parking area so Ms. Waller can continue to have use of her garage/shed. This new location will also protect the existing drainfield on the property. Please confirm your acceptance of this new alignment for the driveway.
- Another issue with respect to the driveway is the use of the driveway during construction. We would like to make sure that upon completion of the driveway, the temporary construction easement, with respect to the driveway, shall expire, subject to repair and correction obligations. For the safety of Ms. Waller and her daughter, they don't want contractors to be able to use the driveway as part of the two year temporary easement period.

Sidewalk:

- Upon relocation of the driveway and parking areas, the sidewalks on Ms. Waller's property will also need to be relocated to access the new drive and parking area



WILLIAMS MULLEN

Kendall Flint, Director, Right of Way/Utilities  
March 18, 2010  
Page 3

- The existing sidewalk interferes with the permanent slope and drainage easement. In addition, given the house's proximity to North Gayton Road on the eastern side will inhibit pedestrian traffic, the existing sidewalks will be rendered useless to Ms. Waller.
- We have obtained a price to demolish the existing sidewalk and construct sidewalks from the new drive and parking area to the entrances of the home.
- The price we received for such work was \$6,662.00. This should be paid directly to Ms. Waller so she can control the location of the sidewalks and the quality of construction.

Fences:

- Due to the loss of privacy for Ms. Waller and for the safety of her daughter and guests, we would like to have an opaque wooden privacy fence installed on the property line facing North Gayton Road upon completion of the road. The price for such a fence is \$5,471.17. This should be payable directly to Ms. Waller so she can control the location of the fence and its quality of construction.
- Further, a three board fence should be provided around the perimeter of the eastern part of the property, along Gayton and Kain Roads and back along the open fields to the wooded areas to the rear, with a gate along Kain Road in front of the existing entrance. This will help delineate Ms. Waller's remainder property located east of Gayton Road from the public right-of-way as well as provide a modest amount of security. We have estimated the cost for such a fence and gate to be \$9,000.00. This amount should also be payable directly to Ms. Waller so she can arrange for the construction of this fence and its exact location.

Tax Allowance:

- Ms. Waller's property is currently in the County's Land Use program. We met with Ms. Wanda Wells of the County to discuss the impact of the Project on Ms. Waller's ability to remain in Land Use.
- Upon the taking proposed by the Offer, Ms. Waller will no longer be able to qualify for Land Use as there is not enough remaining usable acreage to qualify. Further, it is simply not feasible for Ms. Waller to apply for an Open Use designation.



WILLIAMS MULLEN

Kendall Flint, Director, Right of Way/Utilities

March 18, 2010

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- Ms. Wells confirmed that roll back taxes will not be due upon the take, but if Ms. Waller sells her property within the next five years, she will be subject to the roll back taxes for each of the five years prior to the take, with one year being credited for every year she remains as owner of the property. By way of example, if she remains on the property for one year prior to sale, she owes 4 years of roll back taxes. If she remains on the property for two years, she owes 3 years of roll back taxes. Clearly, Ms. Waller has no idea if she will remain on the property and for how long. Prior to the take she at least had an opportunity to have the purchaser continue in Land Use and avoid roll back taxes. With the take, that option is now not even available to her. We believe it is fair to reserve the right to collect any roll back taxes due should Ms. Waller sell the property within the next five years.
- Ms. Waller previously qualified for Land Use and therefore her ad valorem real property taxes were substantially lower. By being removed from Land Use her taxes will obviously increase. But for the Project, these taxes would not be incurred. The tax rate has not yet been set for this year and clearly has not been set for future years. There is no reason to believe Ms. Waller will move anytime soon and quite frankly, prior to the Project, had planned on living in her home indefinitely. Using historic figures and assessments, a reasonable ad valorem tax on the property was approximately \$9,000, but reduced to \$2,000 - \$2,500 per year through the Land Use program. This resulted in a savings of \$6,500 - \$7,000 per year. Upon the take, Ms. Waller will now owe this additional \$6,500 - \$7,000 each year. But for the project, Ms Waller would not owe this additional amount. I propose to use the lower number of \$6,500 over 10 years resulting in a payment of \$65,000 to quantify the additional tax burden the Project will cause to Ms. Waller.

Access to remaining Eastern portion of property:

- What was once a beautiful property with easy access to a huge open area, woods and a pond, will now be completely changed by the Project. Gayton Road, a 4 -6 lane road, will now split Ms. Waller's property. The views from her kitchen window to this beautiful area will now be destroyed. She can now expect to enjoy the view of cars travelling by. Beyond the damage to the pond, described below, Ms. Waller will no longer have even a reasonable access to the remainder of her property, including the pond. Her home will now be located at what seems to be a major intersection with up to 6 lanes of traffic just a few feet off of her house. What was once a simple and bucolic walk is now a major endeavor that can only safely be done in a car. Why was there no compensation provided to address this loss?



WILLIAMS MULLEN

Kendall Flint, Director, Right of Way/Utilities  
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- We expect there to be compensation for this loss of access by Ms. Waller to the remainder of her property, on the eastern side of the road, as well as the impact of splitting the property into two. Please have the appraisal revised to include an appraisal of this resulting damage.
- Any access will now have to come from Kain Road in the area across from 12291 Kain Road. There is currently an entrance at this location and she would like it to remain the same. There is already an asphalt base/parking area that Ms. Waller has installed close to the entrance area stated above. Please provide written assurance that any necessary construction and improvements made as part of the Project will not interrupt this access to this portion of the property and this access and parking area will otherwise remain the same.

Pond:

- It is my understanding that the pond on Ms. Waller's property will be drained, certain structural elements and construction will occur, and then the pond will be left. There is no plan to re-fill the pond or to re-stock it. There has been no assessment made to determine the impact on the long term viability of the pond, whether it will even re-fill naturally, and certainly no accommodation made for the fish and other aquatic life in the pond. It will simply be drained and left.
- We are undertaking a baseline water study and assessment of the supported wildlife. To be quite frank, these studies should have been done by the County or AECOM as part of the Project. These studies can not be assured of completion prior to April 30, 2010. **IN NO WAY SHOULD ANY WORK BE DONE ON THE POND UNTIL AFTER THIS STUDY IS COMPLETED.**
- The cost of this study will be approximately \$1,500. This amount should be reimbursed to Ms. Waller.
- There should also be compensation for loss of the use of the pond during the period it is drained and is waiting to be re-filled. A reasonable amount should be \$5,000 per month, based on a pro-rata basis for the time period for which Ms. Waller will not have reasonable use of the pond.
- Ms. Waller presented at the County meeting in July of 2009 various questions about the pond. She specifically asked if this pond would be turned into a stormwater basin or otherwise be designed to handle the additional run off coming from this new Gayton Road. Her questions have never been answered other than someone telling her they didn't think it would be a stormwater basin. Clearly





WILLIAMS MULLEN

Kendall Flint, Director, Right of Way/Utilities

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there will be some impact on the pond from the vehicles and the road. Has any assessment been done to determine this impact on the pond? Can documentation be provided we can send to a qualified engineer to determine if the pond will be used as a stormwater basin or otherwise be impacted by the road?

- Any construction has an impact on water quality. Has anyone looked at sediment and erosion control methods during construction of the Project to protect the pond?
- I understand you were going to get Ms. Waller information with respect to limiting erosion on the eastern portion of the property. Please copy me on any such information.
- We are hereby putting you on notice and reserving our right to bring consequential damages for the impact the planned construction will have on the pond and the wildlife it supports.

Compensation for Take:

- We have closely reviewed the appraisal, comparable sales in the area, and appraisals for other properties in the area, both for this Project and for prior sales and projects.
- The offer of \$50,000 per acre is inadequate. Why is the property right across Kain Rd from Ms. Waller assessed at \$15,000 more an acre than Ms. Waller's property? Looking at surrounding comparable sales and appraisals supporting such sales, even with an adjustment for current economic conditions, the amount of \$50,000 per acre is unsupportable. Sales in the entire area have been depressed with the knowledge of this Project. You should not now be able to take advantage of an artificial factor in the pricing you or the County created.
- Ms. Waller deems a reasonable amount, based on the above analysis, to be \$95,000 per acre. Accordingly, the area to be taken together with the temporary easements (including the additional area for the revised driveway) would result in a payment due of \$255,703.00.
- Ms. Waller will agree, subject to the above, that the impact of the project on her house itself has been reasonably ascertained by the appraisal. What was once a home with a \$210,000 value will now be reduced by \$173,000 to \$37,000. This amount should be paid as well.



WILLIAMS MULLEN

Kendall Flint, Director, Right of Way/Utilities  
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Page 7

This Project will obviously have a monumental impact on Ms. Waller's enjoyment of her property. She seems to be bearing a significant portion of the burden in determining even the most basic information and assessment of damages to her. No one has explained to her or me the reason why there has been no offer to take the entirety of her property. The appraisal admits the house will be valued at almost nothing. There will be a loss of the ability to use the resulting two pieces together. Someone should look at that potential and explain to us why it has not been addressed. We have done the best we could to provide you as complete a draft counter-offer as possible. The above information and the counter-offer is subject to review by Ms. Waller and of course we reserve the right to give final approval to any final amount. Further, we reserve the right to bring such consequential damages as may result from the Project that are not otherwise addressed in this offer.

Please call should you have any questions. Again, I ask that AECOM and the County wait to take further action on the Project as it applies to Ms. Waller's property until all of the questions above are answered and you respond to our position on the various issues set forth above. I look forward to hearing from you.

Sincerely,



Andrew M. Condlin

AMC/smw

cc: Ms. Emily Waller  
The Honorable David A. Kacchele  
Mr. Virgil Hazelett  
Mr. Jon B. Tracy  
Mr. Timothy A. Foster



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 95-10

Page No.

1 of 2

Agenda Title RESOLUTION — Condemnation — Easements — North Gayton Road Extension  
Project — Timothy Willis and Rae M. Willis — Three Chopt District

For Clerk's Use Only:  <b>APR 13 2010</b>  Date _____ <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to	<b>BOARD OF SUPERVISORS ACTION</b>  Moved by (1) <u>Kaechele</u> Seconded by (1) <u>Clover</u> (2) _____ (2) _____  <b>REMARKS</b> <b>APPROVED</b>	<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"/>																							
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Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

WHEREAS, it is necessary for construction of the North Gayton Road Extension Project (the "Project") to acquire permanent slope and drainage easements containing 636 sq. ft., a temporary construction easement containing 1,636 sq. ft., and a permanent electric utility easement containing 435.61 sq. ft. for Virginia Electric and Power Company, a Virginia public service corporation, doing business as Dominion Virginia Power (collectively, the "Easements") across the property at 12291 Kain Road owned by Timothy Willis and Rae M. Willis (the "Owners") and identified as Tax Map Parcel 737-768-0534 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 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 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 Easements over, under, upon, across and through the property of the Owners, shown as "TIMOTHY WILLIS & RAE M. WILLIS" on a plat by NXL, dated October 13, 2009, sealed on October 20, 2009 by David L. Jones, Land Surveyor, a reduced size copy of which is attached and marked Exhibit "A," and as also shown as parcel "026" on Sheet No. 10D 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" and "B-2," and as also shown on a plat by Virginia Electric and Power Company, dated November 18, 2009, a copy of which is attached and marked Exhibit "C";

By Agency Head [Signature]

By County Manager [Signature]

Routing:

Yellow to: Real Property

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_

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

Agenda Item No. 95-10  
Page No. 2 of 2

**Agenda Title    RESOLUTION — Condemnation — Easements — North Gayton Road Extension Project — Timothy Willis and Rae M. Willis — Three Chopt District**

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- (2)    The Board deems it necessary to enter upon the property and take possession of the 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 April 14, 2010, advising the Owners that the County intends to enter upon and take the 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 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 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:

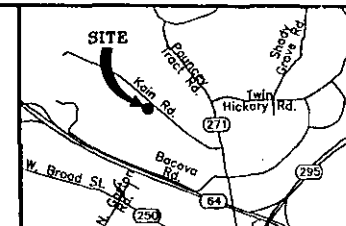
**TIMOTHY WILLIS AND RAE M. WILLIS  
AS TO 12291 KAIN ROAD - \$2,445**

and,

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

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

GPIN	LAND OWNER	D.B./PG.	Right-of-Way Acquisition	Permanent Slope & Drainage Easements	Temporary Construction Easements
737-768-0534	TIMOTHY WILLIS & RAE M. WILLIS	3028/2048	0 sq. ft.	636 sq. ft. +/-	1636 sq. ft. +/-



VICINITY MAP - NOT TO SCALE

Urs Table

U1	S41°10'06"W	4.99'
U2	N36°06'43"E	6.58'
U3	S67°46'49"W	10.50'
U4	N60°00'00"W	18.35'
U5	N33°12'06"E	14.88'
U6	S48°58'01"E	17.46'
U7	S48°58'01"E	6.35'

Meridian Source:  
Virginia State Plane  
South Zone Grid North

See or Formerly  
**GERALD W. GLOVER**  
12301 Kain Rd.  
GPIN #736-768-8121

Permanent Slope &  
Drainage Easement  
413 sq. ft.

**TIMOTHY WILLIS &  
RAE M. WILLIS**  
12281 Kain Rd.  
D.B. 3028, PG. 2048  
GPIN #737-768-0534  
2.06 Ac.

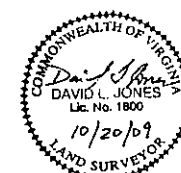
Temporary  
Construction Easement  
1636 sq. ft. +/-

See or Formerly  
**KATHERINE F. WHITE**  
12271 Kain Rd.  
GPIN #737-768-2023

EXHIBIT "A"

Notes:

1. This plat has been prepared for the purpose of defining the right-of-way and easements noted, and is not to be considered a boundary survey. No structures or utilities have been located by this survey.
2. Proposed right-of-way, permanent easements, and temporary construction easements are based on files provided by AECOM received: 09/15/09.
3. Acreage tabulations, if provided, are based on information provided by Henrico County Real Estate assessments and may not necessarily agree with computed areas or recorded deeds.
4. Meridian Source: Virginia State Plane Coordinate System South Zone, Grid North, Based On Henrico County Geodetic Control.



SCALE  
0 15' 30' 60'

ACQUISITION PLAT SHOWING PERMANENT SLOPE AND DRAINAGE EASEMENTS, AND TEMPORARY CONSTRUCTION EASEMENT ON THE PROPERTY OF

**TIMOTHY WILLIS &  
RAE M. WILLIS**  
THREE CHOPT MAGISTERIAL DISTRICT  
HENRICO COUNTY, VIRGINIA



**nd** | Engineers, Surveyors  
Construction Managers  
114 east cary street, suite 200  
richmond, virginia 23219  
(804) 644-4600

FILE NAME	SCALE	DATE	JOB NO.	SHEET NO.
026	1"=30'	Oct. 13, 2009	07100071	1 of 1

Design File: \US201504\enr\enr\project\09136 Gayton Road\Right of Way\Roadway\Access\09140401.r2.dgn  
 Design Name: 09140401

SURVEYED BY JAL 12/15/14 4:40PM  
 SUPERVISED BY RICHARD LUNGERER 12/15/14 5:10:00PM (AECOM)  
 DESIGNED BY AECOM

PRELIMINARY  
 RIGHT OF WAY DATA SHEET

100% SUBMISSION

DESIGN FEATURES RELATING TO CONSTRUCTION  
 OR TO REGULATION AND CONTROL OF TRAFFIC  
 MAY BE SUBJECT TO CHANGE AS DEEMED  
 NECESSARY BY THE DEPARTMENT

DATE APR 30/2015	FILE 14	REVISION FILED	DATE APR 30/2015	FILE 14
PROJECT: NORTH GAYTON RD. 2/22.5070128004.01152			PROJECT: NORTH GAYTON RD. PPWS NO.: DATE: REVISED BY:	

PARCEL NO	LANDOWNER	SHEET NO.	AREA														EASEMENTS										PROFFERS
			TOTAL		FEE TAKING		FEE REMANDER		FEE REMANDER BISECTED PROPERTIES N.GAYTON RD. (LT. 1/2)		FEE REMANDER BISECTED PROPERTIES N.GAYTON RD. (RT. 1/2)		FEE REMANDER BISECTED PROPERTIES BACOVA DR. (LT. 1/2)		FEE REMANDER BISECTED PROPERTIES BACOVA DR. (RT. 1/2)		PERU SLOPE/DRAINAGE/ACCESS/SIGHT DISTANCE		UTILITY				TEMPORARY				
			ACRES	SQ. FEET	ACRES	SQ. FEET	ACRES	SQ. FEET	ACRES	SQ. FEET	ACRES	SQ. FEET	ACRES	SQ. FEET	ACRES	SQ. FEET	ACRES	SQ. FEET	ACRES	SQ. FEET	ACRES	SQ. FEET	ACRES	SQ. FEET	ACRES	SQ. FEET	
001	Banner Realty Company of Richmond, Inc.	3	0.563	0.182	7964.44	0.381	16596.36									0.060	2623.91	0.094	4126.52					0.015	7019.42		
002	Edward B. Kidd & Joy M. Weinberg Trustees	3.4	1.024	0.465	20264.60	0.559	24350.04									0.261	11376.33										
003	Gateway Bank & Trust Co.	3	1.004	0.081	3548.36	0.923	40205.88									0.084	3671.49										
004	The Unhart Company C/O Dominion Chevrolet	3.4	9.207	0.013	583.17	9.194	431853.84									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	1.178	51313.68									0.361	15730.00						0.080	3486.00			
007	Sarah H. Pearson	4.5	6.246	1.073	46774.84	5.173	225335.88									0.268	11677.42										
008	Gayton Road Properties, LLC	4	1.547													0.020	888.63										
009	DELETED																										
010	Boyd C. Jones	6.6B.7	6.8	2.103	91627.41			1707	74365.25	0.749	32660.20	2.288	99690.43			2.564	11722.00						0.349	15264.40			
011	Darrell H. Bowman & Marsha Morgan	6.6F.7	3.98	0.909	39601.00							2.130	92782.80	0.942	41040.00	0.788	34368.00										
012	Helen Long Payne	6B.6D.7	42.51	2.563	116444.28									40.007	1742713.76	0.874	38071.44						0.340	14810.40			
013	Blanche N. Avis	6.6F	5.368	0.398	17353.79	4.970	216493.20									0.227	9888.52										
014	Blanche N. Avis	6F.6H	5.0	0.591	25781.05	4.408	192026.47									0.175	7623.62						0.221	9655.78			
015	Darrel H. Bowman & Marsha S. Morgan	6H	3.5	0.010	469.99	3.490	152024.40									0.030	1334.12										
016	DELETED																										
017	Sheran S. Shiner & Susanne M. Smith Trustees	7.8.9.10	25.54	5.420	236103.23			3.876	168838.56	16.244	707588.64					1.923	83783.80	0.013	576.56				0.457	19932.40			
018	David M. Hepler & Jennifer E. Hepler	9.10	1.259	0.062	2719.15	1.197	52141.32									0.117	5137.63	0.040	1776.00				0.007	326.29			
019	Annis B. Fair	7.8.9.10	7.891	0.048	2133.89	7.843	34641.08									0.001	46.09	0.023	10437.4				0.011	518.59			
020	Roger Lee Harlan	10.10B	2.534	0.060	2652.19	2.474	107167.44										0.027	1190.68					0.016	724.94			
021	Emily Leake Waller	10.10B 10.10C	16.727	1.916	83462.28			3.516	153198.67	11.295	492010.20					0.671	29231.21	0.003	165.03	0.150	6544.44	0.690	30093.30				
022	David M. Hepler, Trustee	10.10D	14.301	0.026	1146.65	14.275	621819.00									0.115	5026.65	0.044	1918.73								
023	Allen G. Bowles & Mildred Ann P. Bowles	10B	4.61	0.091	4001.9	4.519	196847.64									0.023	1033.30	0.003	152.55	0.061	2696.62	0.002	98.11				
024	County Of Henrico	10B	205.261	0.084	3660.60	205.177	8937510.12									0.012	545.00	0.005	255.48								
025	Gerald W. Glover	10D	1.31	0.002	90.45	1.308	56976.48									0.007	328.63	0.007	331.39								
026	Timothy Willis & Rae M. Willis	10D	2.06													0.014	644.19	0.010	435.61				0.037	1639.29			
027	Louis A. Minor	11.12	2.497	0.641	27910.83			0.585	25490.42	1.271	55371.06					0.237	10366.90						0.169	7388.60			
028	Commonwealth Foundation IV	11.2.13.14	20.71	3.005	130930.67			14.720	641203.20	2.985	130040.65					0.899	39197.90			0.103	4529.36	0.206	8998.28				
029	Christ Church Episcopal	12.13 14.14B	11.984	1.185	51622.89	10.799	470404.44									0.495	21572.00	0.008	386.64	0.152	6631.90	0.062	2730.87				
030	Hilton R. Davis Jr.	14.14B.15	9.53	0.541	23587.40	9.989	435120.84									0.322	14068.34	0.242	10579.67				0.017	766.47			
031	Shady Grove United Methodist Church	14.14D	3.15	0.256	1117.76	2.894	126060.64									0.119	5213.50	0.061	2657.24	0.139	6078.98	0.050	2185.76				
032	Shady Grove United Methodist Church	14.15	2.50	0.133	5825.43	2.367	103106.52									0.073	3191.41			0.073	3200.46	0.004	212.63				
033	Shady Grove United Methodist Church	14D	5.469	0.007	756.43	5.462	236313.00										0.006	285.11									
034	Raleigh R. Cook & Carolyn A. Cook	12.13 14.14D	10.25	0.049	2171.64	10.201	444355.56									0.120	5261.56			0.161	7014.00	0.075	3266.02				
035	Barbara W. Feibush, Trustee	14D	10.06													0.083	3642.05			0.126	5513.46						
036	DELETED																										
037	DELETED																										
038	DELETED																										
039	Shady Grove United Methodist Church	15	2.00	0.104	4556.20	1.896	82589.76									0.063	2577.58			0.033	1472.55	0.003	1587.3				
040	Shady Grove United Methodist Church	15	0.735	0.149	6510.76	0.586	25526.16									0.058	2526.51			0.038	1690.57	0.142	6210.80				

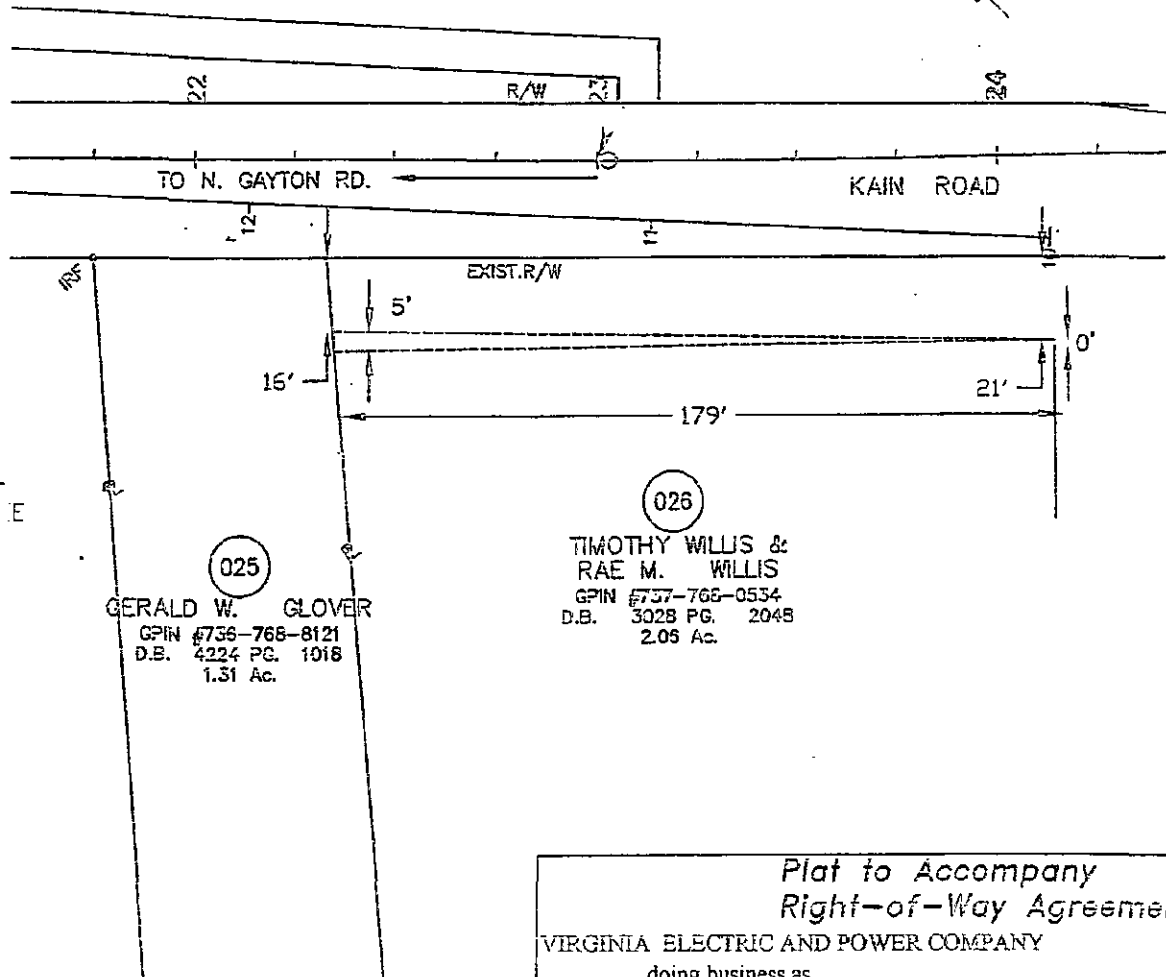
EXHIBIT "B-2"

County Of Henrico  
 Department of Public Works  
 DATE: 11/11/2014  
 FILE: 14  
 NAME: N. GAYTON RD.  
 SHEET: 14/11

# EXHIBIT "C"

EMILY LEAKE WALLER

GPIN #737-765-1293  
W.B. 120 PG. 714  
D.B. 1424 PG. 244  
16.727 Ac.



GERALD W. GLOVER  
GPIN #736-766-8121  
D.B. 4224 PG. 1018  
1.31 Ac.

TIMOTHY WILLIS &  
RAE M. WILLIS  
GPIN #737-766-0534  
D.B. 3028 PG. 2048  
2.05 Ac.

## Legend

- Location of Boundary Lines of Right-of-Way
- Indicates Property Line is Right-of-Way Boundary

## Plat to Accompany Right-of-Way Agreement

VIRGINIA ELECTRIC AND POWER COMPANY

doing business as

**Dominion Virginia Power** OH/UG

District

RICHMOND

District-Township-Borough

THREE CHOPT

County-City

HENRICO

State

VA

Office

CENTRAL REGION

Plat Number

00090260

Estimate Number

7185063

Grid Number

G2108

Date: 11/18/2009

By: COSGROVE



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 96-10  
Page No. 1 of 2

Agenda Title

ORDINANCE - Vacation of Lot Lines and Unimproved Portion of Alley –  
Sunset Heights – Varina District

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	
Date: <b>APR 13 2010</b>	Moved by (1) <u>Donati</u> Seconded by (1) <u>Whorton</u>	YES NO OTHER
<input checked="" type="checkbox"/> Approved	(2) _____ (2) _____	Donati, J. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Denied	REMARKS: <b>APPROVED</b>	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"/>
		Whorton, F. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

WHEREAS, Sunset Heights, LLC, a Virginia limited liability company, owner of Lots 45 and 46, and Winthrop, LLC, a Virginia limited liability company, owner of Lots 89, 90, and 91, have requested that the Board of Supervisors of the County of Henrico, Virginia vacate the lot lines separating Lots 45 & 46, 89 & 90, and 90 & 91, and the unimproved portion of the alley lying between Lots 45 and 46 and a portion of Lot 89 through a portion of Lot 91, as shown shaded on the attached copy of the subdivision plat of Sunset Heights, marked as Exhibit "A," which plat is recorded in the Clerk's Office of the Circuit Court of the County of Henrico, Virginia ("Clerk's Office") in Plat Book 18, page 92; and,

WHEREAS, this Ordinance was advertised pursuant to Section 15.2-2204 of the Code of Virginia, 1950, as amended, ("Va. Code") and a public hearing was held on April 13, 2010 by the Board; and,

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

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

(1) the lot lines separating Lots 45 & 46, 89 & 90, and 90 & 91, and the unimproved portion of the alley as shown shaded on Exhibit "A" are vacated in accordance with the provisions of Va. Code § 15.2-2272(2);

By Agency Head

*[Signature]*

By County Manager

*[Signature]*

Routing:

Yellow to:

Real Property

Copy to:

Certified:

A Copy Tests:

Clerk, Board of Supervisors

Date:



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

Agenda Item No. 90-10

Page No.

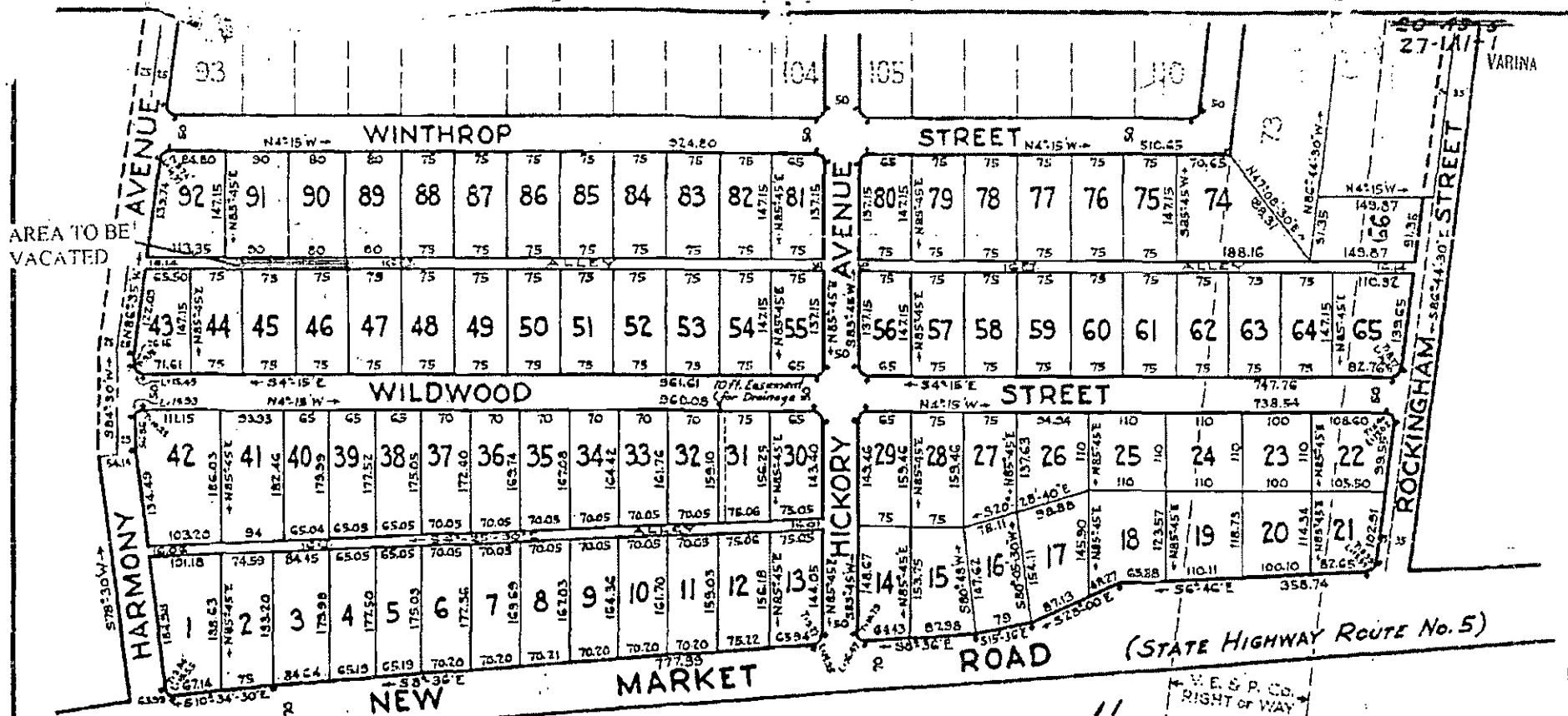
2 of 2

**Agenda Title     ORDINANCE - Vacation of Lot Lines and Unimproved Portion of Alley –  
Sunset Heights – Varina District**

---

- (2)     this Ordinance shall become effective 30 days after passage as provided by law;
- (3)     the Clerk of the Circuit Court of the County of Henrico, Virginia (the "Clerk") is authorized, upon receipt of payment therefor, to record a certified copy of this Ordinance in the Clerk's Office after the expiration of 30 days from its passage, provided no appeal has been taken to the Circuit Court of the County of Henrico, Virginia, pursuant to law;
- (4)     the Clerk is further authorized to index the same on the grantor and grantee sides of the general index to deeds in the name of Sunset Heights, LLC, a Virginia limited liability company and Winthrop, LLC, a Virginia limited liability company; and,
- (5)     pursuant to Va. Code § 15.2-2276 the Clerk shall note this vacation as prescribed.

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



# NOTE:-

Stones shown thus:

All rounded corners at Streets intersecting Hickory Avenue (with exception of New Market Road) have a Radius 10 ft.; Tangent Distance 10 ft. and length of 15.71 ft. All other rounded corners have a Radius of 10 ft. with Tangent Distance and length shown at corner. North line of Rockhill Avenue is along South line of 200 ft. Right of Way of V. E. & P. Co's. Power Line.

To the best of my knowledge and belief all of the requirements as set forth in the ordinance for approving plats of subdivision for recordation in Henrico County, have been complied with.

*William M. Lewis*

Sheet 1 of 2 Sheets

APPROVED

OCT 13 1944  
By *James H. Smith*  
COUNTY CLERK

Oct. 9 - 1944

## Map of **SUNSET HEIGHTS** SITUATED ON THE WEST SIDE OF NEW MARKET ROAD (ROUTE 5) ABOUT TWO MILES EAST OF RICHMOND IN HENRICO COUNTY-VIRGINIA

SCALE: 1"=100'

SEPT. 11, 1944

William M. Lewis  
Certified Surveyor  
Richmond, Virginia

EXHIBIT "A"

206

P.B. 18 PAGE 92



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 97-10  
Page No.

Agenda Title

RESOLUTION - Authorization to Apply for and Accept Continuation Grants  
for Victim/Witness Assistance Program in Commonwealth's Attorney's Office

For Clerk's Use Only:

Date **APR 18 2010**

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to

BOARD OF SUPERVISORS ACTION

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

REMARKS: **APPROVED**

YES NO OTHER

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

WHEREAS, the Henrico County Victim/Witness Assistance Program provides support, counseling, service referral, and information regarding the criminal justice system to citizens of Henrico County who are crime victims or witnesses to crimes;

WHEREAS, the Office of the Commonwealth's Attorney desires to pursue continuation grants for the continuation of the Victim/Witness Assistance Program currently operating in Henrico County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County authorizes the County Manager to apply for and accept continuation grants from the Virginia Department of Criminal Justice Services totaling \$355,974 for fiscal year 2011 and currently estimated at \$355,974 for fiscal year 2012 for continuation of the Victim/Witness Assistance Program in Henrico County.

Comments: The total County support of this grant in fiscal year 2011 will be \$321,459, which includes a 100% county-funded position.

By Agency Head Wally

By County Manager David L. Hays

Routing:

Yellow to: \_\_\_\_\_

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Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 98-10  
Page No.

Agenda Title      **RESOLUTION - Endorsing the Rail Preservation Fund Application of  
Buckingham Branch Railroad Company**

<p>For Clerk's Use Only:</p> <p><b>APR 13 2010</b></p> <p>Date</p> <p><input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to</p>	<p style="text-align: center;"><b>BOARD OF SUPERVISORS ACTION</b></p> <p>Moved by (1) <u>Thornton</u> Seconded by (1) <u>Kaechele</u> (2) _____ (2) _____</p> <p>REMARKS: <b>APPROVED</b></p>	<table><thead><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr></thead><tbody><tr><td>Donati, J.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Glover, R.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Kaechele, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></tbody></table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	YES	NO	OTHER																							
Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
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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**, Buckingham Branch Railroad Company ("Buckingham Branch Railroad") desires to file an application with the Virginia Department of Rail and Public Transportation for funding assistance to upgrade railroad approaches and install crossing surfaces on Dill Road in Henrico County and Stumpy Road in Hanover County; and

**WHEREAS**, Buckingham Branch Railroad has estimated that the cost of these projects will total \$67,302.25; and

**WHEREAS**, the Virginia General Assembly, through enactment of the Rail Preservation Program, provides funding for certain railway improvements and procurements in the Commonwealth of Virginia; and

**WHEREAS**, Buckingham Branch Railroad is an important element of Henrico County's transportation system; and

**WHEREAS**, the Buckingham Branch Railroad is instrumental in the economic development of the area, offers an alternate means for the transportation of commodities, and relieves the highway systems by transporting freight; and

By Agency Head \_\_\_\_\_

By County Manager *[Signature]*

Routing:

Yellow to: \_\_\_\_\_

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Certified:

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Clerk, Board of Supervisors

Date: \_\_\_\_\_

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

Agenda Item No. 98-10

Page No. 2

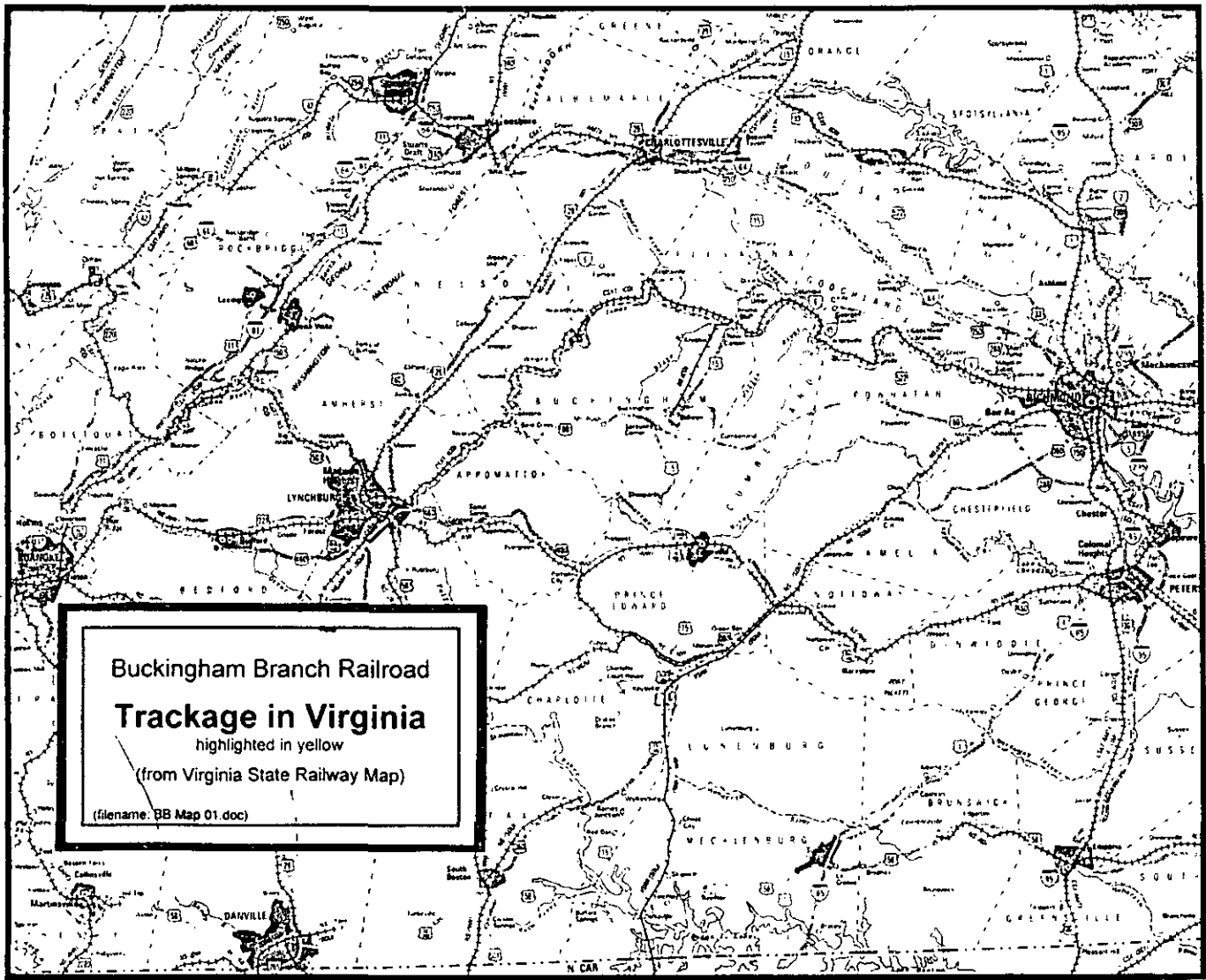
**Agenda Title: RESOLUTION** – Endorsing the Rail Preservation Fund Application of Buckingham Branch Railroad Company

---

**WHEREAS**, the County of Henrico supports the aforementioned projects and the retention of this rail service; and

**WHEREAS**, the Commonwealth Transportation Board has established procedures for allocation and distribution of the funds provided.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of Henrico County, Virginia hereby requests the Virginia Department of Rail and Public Transportation to give priority consideration to the projects proposed by Buckingham Branch Railroad.



Buckingham Branch Railroad

## Trackage in Virginia

highlighted in yellow

(from Virginia State Railway Map)

(filename: BB Map 01.doc)

**Lawrence, Barry**

---

**From:** Claude Morris [claude.morris@buckinghambranch.com]  
**Sent:** Thursday, March 18, 2010 10:59 AM  
**To:** Lawrence, Barry  
**Subject:** Buckingham Branch Resolution  
**Attachments:** Henrico Resolution0001.pdf

Mr. Lawrence,

Attached is the letter and sample resolution that is required for our application for Rail Preservation funds to upgrade the crossing surface on Dill road in Henrico and Stumpy Road in Hanover. I have already received the resolution from Hanover. The letter says that I need this by April 1, but I will be okay as long as I can get a copy of the approved resolution by April 15. Please call if you have any questions.

Please verify receipt of this email.

Thanks,

Claude

Claude Morris  
Project Specialist  
Buckingham Branch Railroad Company  
Office: (434) 983-3300  
Cell: (434) 607-7828  
Fax: (434) 983-3270

4/5/2010



**BUCKINGHAM BRANCH RAILROAD COMPANY**

P.O. Box 336 – 1043 Main Street – Dillwyn, VA 23936  
434-983-330

February 10, 2009

Henrico County  
Office of the County Manager  
P.O. Box 90775  
Henrico, VA 23273-0775

Dear County Manager,

Buckingham Branch Railroad sincerely appreciates the past support of the Henrico County Board of Supervisors. Buckingham Branch Railroad would like to ask the County of Henrico for a resolution supporting Buckingham Branch's request for funds from the Virginia Department of Rail and Public Transportation Rail Preservation Fund. Buckingham Branch Railroad will provide the local matching funds if these grants are approved. Should the locality have the funds and desire to be involved, Buckingham Branch will welcome local participation.

Buckingham Branch Railroad purchased and began to operate seventeen miles of track in Buckingham County in 1989. Since that time, we have leased 200 miles of track from CSX and commenced operating the Richmond and Alleghany Division on December 20, 2004. This operating lease was for track from Clifton Forge, Virginia to Richmond, Virginia, including 9.9 miles known as the Orange Branch.

We expanded our operations this year by leasing fifty-six additional miles of track from the Norfolk Southern Railroad. The Virginia Southern Division of Buckingham Branch Railroad runs from Burkeville, Virginia through Keysville to Clarksville, Virginia. We now supply rail service to numerous counties, towns and cities in the Commonwealth. Our expansion has also allowed us to provide additional jobs for families in Virginia.

One of our FY11 applications this year is requesting funding for upgrading two road crossings located in Hanover and Henrico counties. The request for assistance is to upgrade railroad approaches and install concrete crossing surfaces on Dill Road in Henrico and Stumpy Road in Hanover. VDOT has tentatively approved funding for the concrete panel surfaces and cross ties for these two crossings. Buckingham Branch is applying through the Rail Preservation Program to obtain assistance for the labor, improvement of the track approaches to the crossings and new rail across the crossings. We are requesting a total of \$67,302.25 for this project.

If you have additional questions or comments, please feel free to contact me at our Dillwyn office.

A sample resolution is included and should be sent to Claude Morris at the address shown in the letterhead. The Virginia Department of Rail requires me to submit this resolution with our application before the end of April, 2010.

Thank you for your assistance.

Sincerely,

Claude Morris  
Project Specialist

***SAFETY=SECURITY=SERVICE***



**RESOLUTION ENDORSING THE  
RAIL PRESERVATION APPLICATION OF  
BUCKINGHAM BRANCH RAILROAD COMPANY**

WHEREAS, the Buckingham Branch Railroad desires to file an application with the Virginia Department of Rail and Public Transportation for funding assistance for the projects; and

WHEREAS, Buckingham Branch Railroad has identified projects that are estimated to cost **\$67,302.25** and

WHEREAS, the General Assembly, through enactment of the Rail Preservation Program, provides for funding for certain improvements and procurement of railways in the Commonwealth of Virginia; and

WHEREAS, the Buckingham Branch Railroad is an important element of **Henrico County's** transportation system; and

WHEREAS, the Buckingham Branch Railroad is instrumental in the economic development of the area, and provides relief to the highway system by transporting freight, and provides an alternate means of transportation of commodities; and

WHEREAS, **Henrico County** supports the project and the retention of the rail service; and

WHEREAS, the Commonwealth Transportation Board has established procedures for all allocation and distribution of the funds provided.

NOW, THEREFORE, BE IT RESOLVED, that **Henrico County** does hereby request the Virginia Department of Rail and Public Transportation to give priority consideration to the projects proposed by the Buckingham Branch Railroad.

Date Adopted: \_\_\_\_\_ 2010

Signed: \_\_\_\_\_

Title: \_\_\_\_\_



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 99-10

Page No. 1

Agenda Title: **RESOLUTION** – Authorization to Accept Grant Funding from the U. S. Department of Transportation Hazardous Materials Emergency Preparedness FY2010 Program through the Virginia Department of Emergency Management

For Clerk's Use Only:

**APR 13 2010**

Date:

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS

**APPROVED**

YES NO OTHER

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

**WHEREAS**, the Division of Fire, with the support of the County of Henrico Local Emergency Planning Committee, wishes to accept a grant from the United States Department of Transportation Hazardous Materials Emergency Preparedness (HMEP) FY2010 program through the Virginia Department of Emergency Management; and

**WHEREAS**, this funding will be used by the Division's Office of Emergency Management to produce two tabletop exercises testing the County's response and recovery capability to a hazardous materials event.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Henrico County authorizes the County Manager to apply for and accept grant funding totaling \$5,000, which includes a 20% local match that can be satisfied by the value of in-kind contributions, from the U.S. Department of Transportation through the Virginia Department of Emergency Management.

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

By Agency Head

Edwin H. Smith

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. 100-10

Page No. 1

Agenda Title: **RESOLUTION** – Authorization to Accept Grant Funding from the U. S. Department of Homeland Security's Central Virginia Urban Area Security Initiative, through the Virginia Department of Emergency Management

For Clerk's Use Only:

Date **APR 13 2010**

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

BOARD OF SUPERVISORS ACTION

Moved by (1) Cilone Seconded by (1) Donati  
(2) \_\_\_\_\_ (2) \_\_\_\_\_

REMARKS:

**APPROVED**

YES NO OTHER

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

**WHEREAS**, the Central Virginia Urban Area Security Initiative ("CVUASI"), established in 2007, includes 20 localities in the Richmond Metropolitan Statistical Area as determined by the U. S. Department of Homeland Security; and,

**WHEREAS**, the CVUASI was awarded \$2,589,949.00 by the U. S. Department of Homeland Security, which is managed by the Virginia Department of Emergency Management ("VDEM"), to complete various emergency management and homeland security projects across the 20 participating localities for Fiscal Year 2009; and,

**WHEREAS**, the Division of Fire wishes to accept \$149,950.00 in grant funding from VDEM to purchase equipment to detect, respond to, and recover from chemical, biological, radiological, nuclear, or explosive incidents.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Henrico County authorizes the County Manager to accept grant funding totaling \$149,950.00, which does not require any local match, from the CVUASI allocation from the Department of Homeland Security through the Virginia Department of Emergency Management.

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

By Agency Head

*John H. Smith*

By County Manager

*David P. Kaechele*

Routing:

Yellow to: \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_

# County of Henrico

## Division of Fire

### Richmond UASI Grant Proposal

December 11, 2009



*Submitted By:*  
*Battalion Chief Special Operations W. Mike Cox*  
*Captain S. Langford*

## ***Haz Mat CBRNE***

The Henrico County Division of Fire Hazardous Incident Team exists to deliver the Commonwealth of Virginia with enhanced, state-of-the-art technical response capabilities for Chemical, Biological, Radiological, Nuclear, or Explosive (CBRNE) events. The Hazardous Incident Team provides regional hazardous materials response to 29 localities in Central Virginia ranging from the North Carolina border north to Caroline County. The team provides services through the Virginia Department of Emergency Management's Technological Hazards Division.

The Henrico Hazardous Incident Team seeks equipment to enhance the provision of these services to the Richmond Urban Area during any Chemical, Biological, Radiological, Nuclear, or Explosive (CBRNE) event, and to quickly determine if a CBRNE incident has occurred.

Enhanced equipment and training are specifically identified to enhance responder safety during search and response operations, and greatly increase the Richmond Urban Area's CBRNE capability. This effort will provide compatibility with State and NRF protocols and ensure an appropriate level of equipment to safely mitigate the CBRNE hazard.

The equipment sought in this proposal is identified by the Virginia Department of Emergency Management for CBRNE response. The equipment acquisition also allows the region to achieve the Central Virginia Urban Area's stated program objective: "Acquire all necessary equipment for emergency responders to respond to and mitigate a CBRNE/Haz Mat event".

### **The total program funding request is: \$149,950.00**

The following equipment is listed by assessed need:

**AEL Number:** 04AP-06-CBRN

**Title:** Software, CBRNE/Commercial Chemical/Hazard

**Description:** CBRNE/commercial chemical/hazard software and response system that enables the tracking, identification, and/or querying of information relating to CBRNE sources.

#### **1. Hazmat ID Library up grade (\$60,000)**

**AEL Number:** 07CD-01-DPPI

**Title:** Detector, Photo-Ionization (PID), Point, Volatile Organic Chemical (VOC)

**Description:** Photo-ionization detector (PID) for point detection of volatile organic chemicals (VOC).

**DIQCode:** [D]

#### **2. Portable handheld VOC monitor PPBRAE 3000 (\$22,500) (3)(VDEM)**

#### **3. Drager 2000 Gas Meter Measurement System 2 (\$1000) replacement VDEM**

**AEL Number:** 04AP-03-GISS

**Title:** System, Geospatial Information (GIS)

**Description:** Geospatial/Geographical Information Systems (GIS), including application software as well as integrated hardware for implementation. GIS systems support the acquisition, integration and dissemination of geospatial data and imagery. GIS systems provide or support multiple CBRNE terrorism prevention and response functions, including (but not limited to):

**4. Area Rae soft ware upgrade for map and geographic information approximate cost (\$5000)**

**AEL Number:** 11RE-00-RFCB

**Title:** References, CBRNE

**Description:** Publications and other materials that provide educational or operational information useful in the planning and execution of response to CBRNE incidents.

Research material and library upgrade (\$3200) (VDEM)

**AEL Number:** 19MH-00-BULK

**Title:** Equipment, Bulk Material Handling

**Description:** Equipment for movement of bulk material, including pallets, pallet lifting and movement devices such as portable forklifts, dollies, rigging, cargo netting, and loading ramps.

- 5. Transfer Pumps both petroleum and acid (\$2500) replacement VDEM**
- 6. DOT 406 Transfer Appliance, attachments and tubing (\$3500) replacement VDEM**
- 7. DOT 406 6 Dome Clamps (\$2000) (VDEM)**
- 8. Pipe and patch Kits (\$1000) VDEM**
- 9. Gaskets (SO2) Sulfa Dioxide for Chlorine A,B,C kits (\$7000) replacement VDEM**
- 10. Hand Siphon Pump /Tubing (\$1250) replacement**
- 11. Extinguisher Class D, Halontron 1 (\$2500) (VDEM)**

**AEL Number:** 07ED-01-SNIF

**Title:** Air-Sampler, Explosive Detecting, Handheld

**Description:** Handheld air-sampling explosive detectors.

**DIQCode:** [D,I]

- 12. Handheld monitor to determine biological agents (\$35,000)**

**AEL Number:** 03OE-02-TILA

**Title:** Optics, Thermal Imaging and/or Light Amplification

**Description:** Thermal imaging and/or light amplification optics, including night vision equipment and Forward Looking Infrared (FLIR) for search operations involving trapped or lost victims or tactical operations.

- 13. Night Vision Goggles ATN PUS7-3 (\$3500) (VDEM)**



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 101-10

Page No. 1 of 1

Agenda Title: Resolution – Award of Contract for Architectural and Engineering Services – Fire Station #13

For Clerk's Use Only:

APR 13 2010

Date:

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Kaechele

Seconded by (1) Glover

(2)

(2)

REMARKS

APPROVED

YES NO OTHER

Donati, J.

☒

Glover, R.

☒

Kaechele, D.

☒

O'Bannon, P.

☒

Thornton, F.

☒

**WHEREAS**, 10 proposals were received on January 29, 2010 in response to RFP #09-8756-12CS to provide architectural and engineering services for the renovation and expansion of Fire Station #13; and

**WHEREAS**, based upon review and evaluation of the written proposals, the Selection Committee (consisting of Deputy Fire Chief Richard McClure, Mr. Michael Verdú, Mr. Edward Bass, Mr. Richard Morse, Mr. Rob Johnston, Mr. John Kida and Ms. Yvonne Daniel) interviewed the following offerors:

**Moseley Architects, P.C.**  
Bignell Watkins Hasser Architects, P.C.  
SMBW Architects, P.C.

**WHEREAS**, the Selection Committee subsequently negotiated a contract with **Moseley Architects, P.C.**, the first-ranked offeror, in the amount of **\$321,398**.

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

1. A contract to provide architectural and engineering services for the renovation and expansion of Fire Station #13 is awarded to **Moseley Architects, P.C** in the amount of **\$321,398** in accordance with RFP #09-8756-12CS, the **Moseley Architects, P.C.** January 29, 2010 proposal and the **Moseley Architects, P.C.** March 31, 2010 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

*[Signature]*

By County Manager

*[Signature]*

Routing:

Yellow to: \_\_\_\_\_

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Clerk, Board of Supervisors

Date: \_\_\_\_\_



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 102-10

Page No. 1 of

Agenda Title: RESOLUTION – Authorization to Accept 2009 State Homeland Security Program Grant –  
Division of Police

For Clerk's Use Only:

Date: **APR 13 2010**

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Alone 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"/>
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"/>

WHEREAS, the State Homeland Security Program ("SHSP"), funded by the U.S. Department of Homeland Security through the Virginia Department of Emergency Management, is available to assist state and local law enforcement agencies in preventing and responding to potential acts of terrorism; and,

WHEREAS, the Virginia Department of Criminal Justice Services ("DCJS") has been designated as the administering agency for SHSP grants; and,

WHEREAS, DCJS has notified the County that it has been awarded \$40,000 in federal grant funds under the SHSP for the purchase of Chemical, Biological, Radiological, Nuclear, and Explosive Personal Protection Equipment for use in detecting, deterring, disrupting, and preventing acts of terrorism; and,

WHEREAS, acceptance of this grant requires no local matching funds.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County authorizes the County Manager to accept the SHSP grant and sign all documentation necessary to accept the grant.

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

By Agency Head

By County Manager

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Clerk, Board of Supervisors

Date: \_\_\_\_\_





COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 103-10

Page No. 1 of 2

Agenda Title: **RESOLUTION — Award of Construction Contract — Cheswick Park Sanitary Sewer Rehabilitation**

For Clerk's Use Only:

**APR 13 2010**

Date: \_\_\_\_\_

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to: \_\_\_\_\_

BOARD OF SUPERVISORS ACTION

Moved by (1) Kaechle Seconded by (1) Donati  
(2) \_\_\_\_\_ (2) \_\_\_\_\_

REMARKS:

**APPROVED**

YES NO OTHER

Donati, J. ✓ \_\_\_\_\_  
Glover, R. ✓ \_\_\_\_\_  
Kaechle, D. ✓ \_\_\_\_\_  
O'Bannon, P. ✓ \_\_\_\_\_  
Thornton, F. ✓ \_\_\_\_\_

**WHEREAS**, two bids were received on March 10, 2010 in response to Bid Request No. 10-8781-2CE and Addendum No. 1 for the Cheswick Park Sanitary Sewer Rehabilitation project, located in the Three Chopt District; and,

**WHEREAS**, the project consists of rehabilitating approximately 4,325 linear feet of 8 to 18 inch diameter sanitary sewers and manholes within Cheswick Park; and,

**WHEREAS**, the bids were as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
Insituform Technologies, Inc.	\$359,984.00
AM-Liner East, Inc.	\$584,000.00

**WHEREAS**, after a review and evaluation of all bids received, the Department of Public Utilities determined that Insituform Technologies, Inc. is the lowest responsive and responsible bidder with a bid of \$359,984.00.

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

1. The contract is awarded to Insituform Technologies, Inc., the lowest responsive and responsible bidder, in the amount of \$359,984.00.
2. The County Manager and Clerk are authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Director of General Services as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

By Agency Head [Signature] PLK

By County Manager [Signature]

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Clerk, Board of Supervisors

Date: \_\_\_\_\_

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

Agenda Item No. 103-10

Page No. 2

**Agenda Title: RESOLUTION – Award of Construction Contract - Cheswick Park Sanitary Sewer  
Rehabilitation**

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Comment: Funding to support the contract is available within the project budget. The Directors of Public Utilities and General Services recommend approval of this Board Paper, and the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 10410

Page No. 1 of 1

Agenda Title: INTRODUCTION OF ORDINANCE — To Amend and Reordain Subsection (a) of Sections 23-313 and 23-314 Titled “Water service and volume charges” and “Sewer service charges and rates,” Respectively, of the Code of the County of Henrico, All to Increase County Utility Charges

For Clerk's Use Only:

Date: APR 19 2010

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

BOARD OF SUPERVISORS ACTION

Moved by (1) Cilone Seconded by (1) Donati  
(2) \_\_\_\_\_ (2) \_\_\_\_\_

REMARKS

**APPROVED**

YES NO OTHER

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

The Clerk is authorized to advertise in the Richmond Times-Dispatch on April 20 and April 27, 2010, the following ordinance for a public hearing to be held on May 11, 2010 at 7:00 p.m. in the Board Room.

“AN ORDINANCE — To Amend and Reordain Subsection (a) of Sections 23-313 and 23-314 Titled “Water service and volume charges” and “Sewer service charges and rates,” Respectively, of the Code of the County of Henrico, All to Increase County Utility Charges.”

The advertisement of the ordinance shall contain all of the information specified and required by Section 15.2-107 of the Code of Virginia.

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

By Agency Head

Ralph E. Clay

By County Manager

David R. Kapp

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Clerk, Board of Supervisors

Date: \_\_\_\_\_

## BLACKLINE

**AN ORDINANCE** — To Amend and Reordain Subsection (a) of Sections 23-313 and 23-314 Titled “Water service and volume charges” and “Sewer service charges and rates,” Respectively, of the Code of the County of Henrico, All to Increase County Utility Charges.

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

1. That Subsection (a) of Section 23-313 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 23-313. Water service and volume charges.**

- (a) *Amount of charges.* The charges for water service shall consist of a service charge and a volume charge, as follows:

- (1) *Service charge.* All users billed bimonthly shall pay the following charge. Users billed monthly shall pay one-half of this charge.

- a. Connected Users:

<i>Meter Size (Inches)</i>	<i>Bimonthly</i>	
5/8 or 3/4	<del>\$ 9.80</del>	<u>\$10.30</u>
1	<del>23.10</del>	<u>24.30</u>
1-1/2	<del>42.50</del>	<u>44.60</u>
2	<del>65.30</del>	<u>68.60</u>
3	<del>107.70</del>	<u>113.10</u>
4	<del>173.00</del>	<u>181.70</u>
6	<del>341.40</del>	<u>358.50</u>
8	<del>654.40</del>	<u>687.10</u>
10	<del>654.40</del>	<u>687.10</u>

- b. Single-family residential users with fire sprinkler system, five-eighths-inch, three-fourths-inch or one-inch meter: ~~\$9.80~~ \$10.30

- c. Not connected, single-family and multi-family residential users, per single-family residential unit: ~~\$9.80~~ \$10.30

- (2) *Volume charge.* In addition to the service charges, the following volume

charges shall apply to all water delivered:

<i>Consumption Block</i>		<i>Volume Charge</i>	
<i>Hundred Cubic Feet</i>		<i>Per Hundred Cubic Feet</i>	
<i>Monthly</i>	<i>Bimonthly</i>		
First 5,000	10,000	<del>\$ 2.25</del>	<b>\$ 2.36</b>
Next 35,000	70,000	<del>—1.53</del>	<b><u>1.61</u></b>
Over 40,000	80,000	<del>1.10</del>	<b><u>1.16</u></b>

For single-family residential customers using six CCF or less bimonthly, the volume charge shall be ~~\$1.40~~ **\$1.47** per CCF.

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2. That Subsection (a) of Section 23-314 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 23-314. Sewer service charges and rates.**

- (a) *Amount of charges.* The charges for sewer service shall consist of a service charge, and a volume charge, as follows:
- (1) *Service charge.* All users billed bimonthly for water service shall pay the following charge for each water meter or sewage meter which serves the premises to which sewer service is available. Users billed monthly shall pay one-half of this charge.

a. Connected users:

<i>Meter Size</i> <i>(Inches)</i>	<i>Bimonthly</i>	
5/8 or 3/4	<del>\$19.70</del>	<b><u>\$ 20.70</u></b>
1	<del>—32.70</del>	<b><u>34.30</u></b>
1-1/2	<del>—47.90</del>	<b><u>50.30</u></b>
2	<del>—69.10</del>	<b><u>72.60</u></b>
3	<del>—116.90</del>	<b><u>122.80</u></b>
4	<del>—184.90</del>	<b><u>194.20</u></b>
6	<del>—368.20</del>	<b><u>386.60</u></b>
8	<del>—630.30</del>	<b><u>661.80</u></b>
10	<del>—630.30</del>	<b><u>661.80</u></b>

- b. Single-family residential users with fire sprinkler system, five-eighths-inch, three-fourths-inch or one-inch meter: ~~\$19.70~~ **\$20.70**

c. Not connected, single-family and multi-family residential users per single-family residential unit: ~~\$19.70~~ **\$20.70**

d. Connected and not metered single-family and multi-family residential users per single-family residential unit: ~~\$51.85~~ **\$54.45**

(2) *Volume charge.*

a. In addition to the service charges, the following volume charges shall apply to all water delivered:

<i>Consumption Block</i>		<i>Volume Charge</i>	
<i>Hundred Cubic Feet</i>		<i>Per Hundred Cubic Feet</i>	
<i>Monthly</i>	<i>Bimonthly</i>		
First 5,000	10,000	<del>\$ 2.38</del>	<b><u>\$ 2.50</u></b>
Next 35,000	70,000	<del>1.70</del>	<b><u>1.79</u></b>
Over 40,000	80,000	<del>1.53</del>	<b><u>1.61</u></b>

b. For single-family residential customers using six CCF or less bimonthly, the volume charge shall be ~~\$1.46~~ **\$1.53** per CCF.

c. For residential units, other than multi-family, bimonthly sewer volume charges shall be based on the lesser of actual usage or usage determined from the first meter reading cycle of the calendar year. For the purpose of this subsection, if the first reading is estimated as provided in section 23-205 or if the user joins the system after the first reading cycle, or an allowance is made for an underground leak during the first billing cycle, billing shall not exceed charges for 20 CCF.

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3. That this ordinance shall be in full force and effect from and after July 1, 2010, as provided by law and the following provisions:

Charges set forth in Sections 23-313 and 23-314 shall be pro-rated to apply the old and new charges to that proportion of water supplied and/or sewage collected prior to and after the effective date of the new rates. Calculation of such pro-rated charges shall be computed based on average daily use of service supplied.