

**HENRICO COUNTY
NOTICE OF SPECIAL MEETING
BOARD OF SUPERVISORS**

Please take notice that a special meeting of the Board of Supervisors will be held on **Tuesday, April 27, 2010 at 5:15 p.m.** in the County Manager's Conference Room located on the third floor of the Administration Building at the Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

The matter to be reviewed by the Board at this time is:

5:15 – 6:00 p.m.

Closed Meeting For Discussion and Consideration of the Acquisition of Real Property in the Three Chopt District for Public Purposes Relating to the North Gayton Road Extension Project, Pursuant to Section 2.2-3711(A)(3) of the Code of Virginia, 1950, as Amended.

6:00 – 6:45 p.m.

Dinner



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
April 22, 2010

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
April 27, 2010
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION – Chaplain Rick Jenkins

APPROVAL OF MINUTES – April 13, 2010 Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PRESENTATIONS

Proclamation – Law Enforcement Officers Week – May 9 – 15, 2010.

Proclamation – Drug Court Month – May 2010.

PUBLIC HEARING ITEMS

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| 105-10 | Resolution – Real Estate Tax Levies, 2010. |
| 106-10 | Resolution – Personal Property, Aircraft, Manufactured Homes, Qualifying Vehicles Owned or Leased by Members of a Volunteer Rescue Squad or Volunteer Fire Department, Disabled Veterans' Vehicles, Motor Vehicles Specially Equipped to Provide Transportation for Physically Handicapped Individuals, Machinery and Tools, and Machinery and Tools for Semiconductor Manufacturers Tax Levies, 2010. |
| 107-10 | Resolution – Purchase and Leaseback of Property – 8600-8604 Staples Mill Road – Brookland District. |
| 108-10 | Resolution - Condemnation - Right-of-Way and Easements - North Gayton Road Extension Project - Laura M. Nuckols - Three Chopt District. |
| 109-10 | Resolution - Condemnation - Right-of-Way and Easements - North Gayton Road Extension Project - Grady Davis and Esther P. Davis - Three Chopt District. |
| 110-10 | Resolution - Condemnation - Right-of-Way and Easements - North Gayton Road Extension Project - Russell J. Harris, Jr. and Sarena R. Harris - Three Chopt District. |
| 111-10 | Resolution - Condemnation - Right-of-Way and Easements - North Gayton Road Extension Project - Clarence M. Anderson and Sheila M. Anderson - Three Chopt District. |

- 112-10 Resolution - Condemnation - Right-of-Way and Easements - North Gayton Road Extension Project - David R. Turner and Christine K. Turner - Three Chopt District.
- 113-10 Resolution - Condemnation - Easements - North Gayton Road Extension Project - Katherine F. White - Three Chopt District.
- 114-10 Resolution - Condemnation - Easement - North Gayton Road Extension Project - Raheem Surani - Three Chopt District.

PUBLIC COMMENTS

GENERAL AGENDA

- 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. **(Deferred from the April 13, 2010 meeting).**
- 115-10 Resolution – Award of Construction Contract – Belmont Recreation Center Patio Replacement Project.
- 116-10 Resolution – Signatory Authority – First Amendment to Lease – 9898 Mayland Drive - General Registrar – Three Chopt District.
- 117-10 Resolution - Award of Construction Contract - Central Gardens Sanitary Sewer Replacement.
- 118-10 Resolution - Acceptance of Road.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
April 27, 2010**

INVOCATION – Chaplain Rick Jenkins

PRESENTATIONS

PROCLAMATION – Law Enforcement Officers Week – May 9 – 15, 2010.

The professional law enforcement officers of Henrico County serve our citizens daily, protecting lives and property while upholding County ordinances and Virginia laws. By the nature of their duties, these professionals endure grave danger, and on occasion, loss of their own lives. This proclamation recognizes May 9 – 15, 2010 as Law Enforcement Officers Week and Wednesday, May 12, 2010 as Law Enforcement Officers Day, encourages Henrico citizens to take note of these special dates, and salutes the County's law enforcement officers for their steadfast commitment to the County's public safety efforts and for their ongoing contributions to the quality of life of this community.

PROCLAMATION – Drug Court Month – May 2010.

The National Association of Drug Court Professionals is sponsoring National Drug Court Month during May 2010. The Henrico County Adult Drug Court has served this community since 2003 as a collaborative effort of the 14th Judicial Circuit Court, the Commonwealth's Attorney's Office, the Sheriff's Office, Henrico Area Mental Health and Developmental Services, the Division of Police, the Community Corrections Program, and the Probation and Parole District #32 Office of the Virginia Department of Corrections. Seventy-six participants in the Henrico County Adult Drug Court have successfully completed all requirements and graduated from the program since 2004. This proclamation recognizes May 2010 as Drug Court Month; calls this year's theme, *All Rise: Putting Drug Court Within Reach of Every Person in Need*, to the attention of Henrico citizens; salutes the practitioners and participants who make drug courts work; and acknowledges the significant contribution that drug courts continue to make in reducing substance abuse and crime.

PUBLIC HEARING ITEMS

RESOLUTION – Real Estate Tax Levies, 2010.

An advertised public hearing will be held on April 27, 2010, prior to the setting of the real estate tax rate. This public hearing was advertised on March 28, 2010.

Upon the approval of the Annual Fiscal Plan, this paper may be approved, amended, or a substitute paper approved. The proposed real estate tax levy is \$0.87 per \$100 of assessed valuation and represents no change from the prior year, 2009.

The proposed real estate tax levies for the Sanitary Districts are as follows: The proposed levy for Sanitary District #2 is \$0.003 per \$100 of assessed valuation, and represents no change from the prior year, 2009. The proposed levy for Sanitary District #3 is \$0.010 per \$100 of assessed valuation, and represents no change from the prior year, 2009. The proposed levy for Sanitary District #3.1 is \$0.031 per \$100 of assessed valuation, and represents no change from the prior year, 2009. The proposed levy for Sanitary District #12 is \$0.010 per \$100 of assessed valuation, and represents no change from the prior year, 2009. The proposed levy for Sanitary District #23 is \$0.010 per \$100 of assessed valuation, and represents no change from the prior year, 2009.

RESOLUTION – Personal Property, Aircraft, Manufactured Homes, Qualifying Vehicles Owned or Leased by Members of a Volunteer Rescue Squad or Volunteer Fire Department, Disabled Veterans’ Vehicles, Motor Vehicles Specially Equipped to Provide Transportation for Physically Handicapped Individuals, Machinery and Tools, and Machinery and Tools for Semiconductor Manufacturers Tax Levies, 2010.

Upon approval of the Annual Fiscal Plan, this paper may be approved, amended, or a substitute paper approved. The proposed personal property tax levy is \$3.50 per \$100 of assessed valuation and represents no change from the prior year, 2009. The proposed aircraft tax levy is \$1.60 per \$100 of assessed valuation, and represents no change from the prior year, 2009. The proposed manufactured homes tax levy is \$0.87 per \$100 of assessed valuation, the same as that applicable to real property, and represents no change from the prior year, 2009. The proposed tax levy on qualifying vehicles owned or leased by members of a volunteer rescue squad or volunteer fire department is \$1.00 per \$100 of assessed valuation, and represents no change from the prior year, 2009. The proposed tax levy on disabled veterans’ vehicles is \$0.01 per \$100 of assessed valuation, and represents no change from the prior year, 2009. The proposed tax levy on motor vehicles specially equipped to provide transportation for physically handicapped individuals is \$0.01 per \$100 of assessed valuation, and represents no change from the prior year, 2009. The proposed machinery and tools tax levy is \$1.00 per \$100 of assessed valuation, and represents no change from the prior year, 2009. The proposed tax levy for machinery and tools used in semiconductor manufacturing is \$0.40 per \$100 of assessed valuation, and represents no change from the prior year, 2009. The proposed tax levy on tangible personal property of public service corporations and other persons with property assessed pursuant to Chapter 26 of Title 58.1 of the Code of Virginia (except aircraft, automobiles, and trucks), is \$0.87 per \$100 of assessed valuation, the same as that applicable to real property, and represents no change from the prior year, 2009.

In addition, four classifications of personal property: (a) property used in a research and development business; (b) certain generating equipment purchased after December 31, 1974, for the purpose of changing the energy source of a manufacturing plant to achieve more efficient use of any energy source; (c) certain property used in manufacturing, testing, or operating satellites, and (d) certain motor vehicles, trailers, and semitrailers used to transport property for hire by motor carrier engaged in interstate commerce, are to be taxed at the same rate, \$1.00 per \$100 of assessed valuation as that applicable to the machinery and tools classification, and represents no change from the prior year, 2009.

No change is proposed in the sanitary districts' tax levy in Sanitary Districts #2, #3, #3.1, #12, and #23 from the prior year, 2009 for street lighting. Such proposed tax levies are \$0.001 for all sanitary districts per \$100 of assessed valuation, except for property taxed at the rate applicable to real property, in which case the levies are as assessed on real property.

RESOLUTION – Signatory Authority – Purchase and Leaseback of Property – 8600-8604 Staples Mill Road - Brookland District

Approval of this resolution will authorize and direct the County Manager to execute an agreement for the: (1) purchase of 1.983 acres, more or less, with improvements, at 8600-8604 Staples Mill Road (the “Property”) from Staples Mill Equities, LLC, a Virginia limited liability company (“Staples Mill Equities”), by the County and (2) lease of the Property back to Staples Mill Equities for a period of six years at a rate of \$1 per year. The lease will commence on the date that the County takes title to the property. The resolution also authorizes and directs the County Manager to accept the deed to the Property. The Director of Real Property recommends approval of this paper.

RESOLUTION - Condemnation - Right-of-Way and Easements - North Gayton Road Extension Project - Laura M. Nuckols - Three Chopt District.

This Board paper authorizes condemnation proceedings for property owned by Laura M. Nuckols for the construction of the North Gayton Road Extension Project.

The County needs to acquire right-of-way containing 4,063 sq. ft., a permanent slope and drainage easement containing 1,951 sq. ft., a temporary construction easement containing 667 sq. ft., and a permanent easement for Verizon Virginia Inc., containing 1,711.20 sq. ft. across the property at 4901 Shady Grove Road, identified as Tax Map Parcel 741-769-1461. Based on an independent appraisal, a bona fide offer of \$14,365 was made to and rejected by the owner.

This Board paper directs the County Manager to take the necessary steps to acquire the right-of-way and easements with the right to enter the property upon the filing of a certificate of take and the deposit of \$14,365 in the Clerk's Office of the Henrico County Circuit Court.

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

RESOLUTION - Condemnation - Right-of-Way and Easements - North Gayton Road Extension Project - Grady Davis and Esther P. Davis - Three Chopt District.

This Board paper authorizes condemnation proceedings for property owned by Grady Davis and Esther P. Davis for the construction of the North Gayton Road Extension Project.

The County needs to acquire right-of-way containing 2,447 sq. ft., a permanent slope and drainage easement containing 1,005 sq. ft., a temporary construction easement containing 127 sq. ft., and a permanent easement for Virginia Electric and Power Company, a Virginia public service

corporation, doing business as Dominion Virginia Power, containing 2,889.63 sq. ft. across the property at 4918 Shady Grove Road, identified as Tax Map Parcel 741-770-0218. Based on an independent appraisal, a bona fide offer of \$7,983 was made to and rejected by the owner.

This Board paper directs the County Manager to take the necessary steps to acquire the right-of-way and easements with the right to enter the property upon the filing of a certificate of take and the deposit of \$7,983 in the Clerk's Office of the Henrico County Circuit Court.

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

RESOLUTION - Condemnation - Right-of-Way and Easements - North Gayton Road Extension Project - Russell J. Harris, Jr. and Sarena R. Harris - Three Chopt District.

This Board paper authorizes condemnation proceedings for property owned by Russell J. Harris, Jr. and Sarena R. Harris for the construction of the North Gayton Road Extension Project.

The County needs to acquire right-of-way containing 965 sq. ft., a permanent slope and drainage easement containing 542 sq. ft., a temporary construction easement containing 350 sq. ft., and a permanent easement for Virginia Electric and Power Company, a Virginia public service corporation, doing business as Dominion Virginia Power, containing 862.71 sq. ft. across the property at 4948 Shady Grove Road, identified as Tax Map Parcel 741-770-2373. Based on an independent appraisal, a bona fide offer of \$2,459 was made to and rejected by the owner.

This Board paper directs the County Manager to take the necessary steps to acquire the right-of-way and easements with the right to enter the property upon the filing of a certificate of take and the deposit of \$2,459 in the Clerk's Office of the Henrico County Circuit Court.

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

RESOLUTION - Condemnation - Right-of-Way and Easements - North Gayton Road Extension Project - Clarence M. Anderson and Sheila M. Anderson - Three Chopt District.

This Board paper authorizes condemnation proceedings for property owned by Clarence M. Anderson and Sheila M. Anderson for the construction of the North Gayton Road Extension Project.

The County needs to acquire right-of-way containing 2,337 sq. ft., a permanent slope and drainage easement containing 1,079 sq. ft., a temporary construction easement containing 134 sq. ft., and a permanent easement for Virginia Electric and Power Company, a Virginia public service corporation, doing business as Dominion Virginia Power, containing 2,507.74 sq. ft. across the property at 4934 Shady Grove Road, identified as Tax Map Parcel 741-770-1920. Based on an independent appraisal, a bona fide offer of \$7,348 was made to and rejected by the owner.

This Board paper directs the County Manager to take the necessary steps to acquire the right-of-way and easements with the right to enter the property upon the filing of a certificate of take and the deposit of \$7,348 in the Clerk's Office of the Henrico County Circuit Court.

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

RESOLUTION - Condemnation - Right-of-Way and Easements - North Gayton Road Extension Project - David R. Turner and Christine K. Turner - Three Chopt District.

This Board paper authorizes condemnation proceedings for property owned by David R. Turner and Christine K. Turner for the construction of the North Gayton Road Extension Project.

The County needs to acquire right-of-way containing 1,262 sq. ft., a permanent slope and drainage easement containing 403 sq. ft., a temporary construction easement containing 200 sq. ft., and a permanent easement for Verizon Virginia Inc., containing 501.37 sq. ft. across the property at 4921 Shady Grove Road, identified as Tax Map Parcel 741-769-1920. Based on an independent appraisal, a bona fide offer of \$3,360 was made to and rejected by the owner.

This Board paper directs the County Manager to take the necessary steps to acquire the right-of-way and easements with the right to enter the property upon the filing of a certificate of take and the deposit of \$3,360 in the Clerk's Office of the Henrico County Circuit Court.

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

RESOLUTION - Condemnation - Easements - North Gayton Road Extension Project - Katherine F. White - Three Chopt District.

This Board paper authorizes condemnation proceedings for property owned by Katherine F. White for the construction of the North Gayton Road Extension Project.

The County needs to acquire permanent slope and drainage easements containing 290 sq. ft., and a temporary construction easement containing 1,450 sq. ft., across the property at 12271 Kain Road, identified as Tax Map Parcel 737-768-2023. Based on an independent appraisal, a bona fide offer of \$2,199 was made to and rejected by the owner.

This Board paper directs the County Manager to take the necessary steps to acquire the permanent slope and drainage easements and temporary construction easement with the right to enter the property upon the filing of a certificate of take and the deposit of \$2,199 in the Clerk's Office of the Henrico County Circuit Court.

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

RESOLUTION - Condemnation - Easement - North Gayton Road Extension Project - Raheem Surani - Three Chopt District.

This Board paper authorizes condemnation proceedings for property owned by Raheem Surani for the construction of the North Gayton Road Extension Project.

The County needs to acquire a permanent easement containing 326.39 sq. ft. for Verizon Virginia Inc., across the property at 4810 Pouncey Tract Road, identified as Tax Map Parcel 739-768-0890. Based on an independent appraisal, a bona fide offer of \$100 was made to and rejected by the owner.

This Board paper directs the County Manager to take the necessary steps to acquire the easement with the right to enter the property upon the filing of a certificate of take and the deposit of \$100 in the Clerk's Office of the Henrico County Circuit Court.

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

PUBLIC COMMENTS

GENERAL AGENDA

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

On Tuesday, April 13, 2010, this paper was considered, but was deferred (at least seven days, according to law) before being approved. At a scheduled meeting on Tuesday, April 27, 2010, at 7:00 p.m. the proposed Operating and Capital Annual Fiscal Plans may be approved, amended, substituted for, or deferred until a later date, but, at least with regard to the schools' budget, should be approved by May 1, 2010. This paper will also allocate car tax relief for tax year 2010.

RESOLUTION – Award of Construction Contract – Belmont Recreation Center Patio Replacement Project.

This resolution awards a contract to **Gulf Seaboard General Contractors, Inc.** in the amount of **\$188,600** for the construction of the Belmont Recreation Center Patio Replacement project. The project consists of removing the existing concrete two-level terraces located directly behind the Belmont Recreation Center and replacing them with a single-level, ADA compliant terrace of approximately 2,950 Square Feet. The core construction project will involve site work, construction of brick retaining walls, and assorted concrete and masonry work. Supporting project elements will also include electrical work/lighting, decorative fencing, landscaping, irrigation, and construction of a pergola/arbor. Work is anticipated to begin early May 2010 and be completed by late August 2010.

Add Alternate #1 provides all labor and materials to construct the 375 square foot pergola/arbor.

Add Alternate #2 provides all labor and materials to install landscaping adjacent to the rear building patio areas.

Seven bids were received on April 6 and opened on April 7 in response to Bid Request No. 10-8790-2KS and Addendum No.1 for the Belmont Recreation Center Patio Replacement project.

<u>Bidder</u>	<u>Base Bid</u>	<u>Add</u>		<u>Total Bid</u>
		<u>Alternate #1</u>	<u>Alternate #2</u>	
Gulf Seaboard General Contractors, Inc.	\$168,600	\$15,600	\$4,400	\$188,600
Brooks & Co. General Contractors, Inc.	\$167,700	\$15,700	\$5,300	\$188,700
RMT Construction & Development Group, LLC	\$165,500	\$16,807	\$6,761	\$189,068
Ace Concrete Co. II Inc.	\$157,051	\$27,041	\$6,325	\$190,417
Norman Company, Inc.	\$168,543	\$22,127	\$7,037	\$197,707
Canterbury Enterprises, LLC	\$171,570	\$39,000	\$10,800	\$221,370
Keith Barber Construction, Inc.	\$206,977	\$21,230	\$9,500	\$237,707

It was determined that Gulf Seaboard General Contractor, Inc. is the lowest responsive and responsible bidder.

Funding to support the contract is available within the project budget.

RESOLUTION – Signatory Authority – First Amendment to Lease – 9898 Mayland Drive - General Registrar – Three Chopt District.

Approval of this action will authorize the County Manager to execute a First Amendment to Lease, in a form approved by the County Attorney, for 10,000 sq. ft. of office/warehouse space located at 9898 Mayland Drive for the Office of General Registrar for the purpose of extending the original lease, dated February 28, 2005, for a term of five (5) years. The landlord is Banks Gaskins, L.P., a Virginia limited partnership. The rent for the first and second years will be \$5,916.67 per month with a 3% per annum increase beginning the third year of lease term. The General Registrar and Director of Real Property recommend approval of this action.

RESOLUTION - Award of Construction Contract - Central Gardens Sanitary Sewer Replacement.

This resolution awards the contract to Godsey & Son, Inc. in the amount of \$432,000.00 to replace approximately 2,390 linear feet of 8-inch diameter concrete sewer main, 11 manholes, and 48 residential sewer connections located in the Fairfield District.

The purpose of the project is to replace deteriorated concrete sewer piping installed in 1956 along Apollo Road, Cleary Road and Hechler Street. Work will begin in June 2010 and will be completed by November 2010. Funding to support the contract is available within the Water and Sewer Enterprise Fund.

Twenty bids were received on February 18, 2010 in response to Bid Request No.10-8762-1CE, and Addendum No.1 for the Central Gardens Sanitary Sewer Replacement Project.

<u>Bidders</u>	<u>Bid Amounts</u>
Simons Contracting Co., Inc.	\$279,800.00
Godsey & Son, Inc.	\$432,000.00
Southern Construction Utilities, Inc.	\$444,400.00
Johnson & Glazier Construction Co.	\$449,990.00
Metheny Contracting, Inc.	\$475,620.00
RR Snipes Construction Co.	\$509,451.00
Central Contracting Co., Inc.	\$515,215.00
Enviroscape, Inc.	\$517,000.00
G. L. Howard, Inc.	\$589,414.00
Toano Contractors, Inc.	\$594,291.00
Lyttle Utilities, Inc.	\$595,027.00
Henry S. Branscome, LLC	\$601,573.21
Perkinson Construction, LLC	\$603,753.43
Castle Equipment Corporation	\$607,371.85
George Nice & Sons, Inc.	\$616,910.13
C. T. Purcell, Inc.	\$621,100.00
Possie B. Chenault, Inc.	\$629,427.00
Key Constructors, Inc.	\$668,353.00
J. Sanders Construction Co.	\$951,000.00
Walter C. Via Enterprises, Inc.	\$1,039,940.00

Simons Contracting Co. Inc. did not meet the experience criteria to perform the work and has been determined to be non-responsive.

The Directors of Public Utilities and of General Services recommend the Board award the contract to Godsey & Son, Inc., the lowest responsive and responsible bidder, in the amount of \$432,000.00 and authorize the County Manager, or the Director of General Services as his designee, to execute change orders not to exceed 15% of the original contract amount, and the County Manager concurs.

RESOLUTION - Acceptance of Road.

This Board paper would accept the following named and described section of road into the County road system for maintenance.

- 1) 0.08 miles of Laurel Woods, Section A. Three Chopt District.

The Director of Public Works and the County Manager recommend approval of this Board paper.