

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
February 25, 2014**

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, February 25, 2014, at 7:00 p.m. in the Board Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia.

Members of the Board Present:

Patricia S. O'Bannon, Chairman, Tuckahoe District
Frank J. Thornton, Vice Chairman, Fairfield District
Richard W. Glover, Brookland District
Tyrone E. Nelson, Varina District

Member of the Board Absent:

David A. Kaechele, Three Chopt District

Other Officials Present:

John A. Vithoukias, County Manager
Joseph P. Rapisarda, Jr., County Attorney
Michael L. Wade, Sherriff
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board
Joseph P. Casey, Deputy County Manager for Administration
Jane D. Crawley, Deputy County Manager for Community Services
Timothy A. Foster, Deputy County Manager for Community Operations
Randall R. Silber, Deputy County Manager for Community Development

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

Mrs. O'Bannon led recitation of the Pledge of Allegiance and a moment of silent prayer.

On motion of Mr. Thornton, seconded by Mr. Nelson, the Board approved the minutes of the February 11, 2014, Regular and Special Meetings.

The vote of the Board was as follows:

Yes: O'Bannon, Thornton, Glover, Nelson

Absent: Kaechele

MANAGER'S COMMENTS

Mr. Vithoukas recognized the efforts of Management and Budget Division Director Brandon Hinton and Finance Director Gene Walter in preparing the County's *Financial Trends Monitoring System* document, which has been published for 28 consecutive years. This document looks back eleven years at 28 different indicators and projects any anomalies that have occurred. It is the first step the County takes in compiling its annual financial plan.

Over the years the County has submitted voting changes to the United States Department of Justice for preclearance as required by the federal Voting Rights Act. These changes included matters such as changes to precincts, polling places, and magisterial districts, and referenda such as the meals tax. Between December 1998 and April 2013, 48 submissions were made to the Justice Department. Last year, the United States Supreme Court struck down as unconstitutional Section 4 of the Voting Rights Act, thus relieving covered jurisdictions from the obligation to submit voting changes to the Justice Department. Mr. Vithoukas extended the County's heartfelt appreciation to the following citizen volunteers who assisted the County in this process by reviewing the submission documents and making themselves available for questions by Justice Department personnel reviewing the submissions: Planning Commissioner Chris Archer; former School Board members Howard Rogers, Hugh Palmer, and Lloyd Jackson; former County employees Annette Bonaparte, George Salinas, and Mike Jackson; and local attorney Michael HuYoung. Mrs. O'Bannon and Mr. Thornton presented certificates of recognition to these individuals and Mr. Rapisarda added his personal thanks.

The County was recertified as a Certified Crime Prevention Community (CCPC) on December 12, 2013, by the Criminal Justice Services Board of the Virginia Department of Criminal Justice Services (DCJS). This is the County's third recertification since its initial submission in 2003. More than 22 individuals from seven agencies began work in January 2011 to prepare the necessary documents for submission. The agencies represented in this effort include the Division of Police, the Victim/Witness Assistance Program of the Commonwealth's Attorney Office, the Prevention Unit of Henrico Area Mental Health and Developmental Services, the Community Maintenance Section of the Department of Community Revitalization, the Department of Social Services, the Juvenile Probation Office of the Juvenile and Domestic Relations Court Service Unit, and Henrico County Public Schools. The County is one of only 12 localities within the Commonwealth certified as a Crime Prevention Community. The goal of CCPC is to publicly recognize and certify localities that have implemented a defined set of strategies as part of a comprehensive community safety and crime prevention effort. To obtain certification and recertification, a locality must meet 12 core community safety elements and strategies augmented by a minimum of seven approved optional elements. Police Chief Douglas A. Middleton was assigned responsibility for the completion of this countywide initiative and Crime Prevention Specialist Kimberly Vann served as project coordinator for the Division of Police. Mr. Vithoukas commended Chief Middleton, Ms. Vann, and the following team members for their hard work during the past three years in ensuring that the County's application for recertification was once again successful: Captain John Coover from the Division of Police's Community Services Section; Paul Johnson, Community Maintenance Manager for the Department of Community Revitalization; Shawn Rozier, Assistant Director of Social Services; Dr. Patricia Hill,

Prevention Manager for Henrico Area Mental Health and Developmental Services; Christine Bailor, Safety and Security Coordinator for Henrico County Public Schools; and Billie Tebbens, Crime Prevention Specialist for the Division of Police. Richard Arrington, Crime Prevention Programs Manager for DCJS's Division of Law Enforcement, commented on the significance of this achievement from the perspective of the Virginia Criminal Justices Services Board and presented the certificate of recertification to the County on behalf of the Commonwealth's Secretary of Public Safety and DCJS Director. Mr. Vithoulkas also recognized Commonwealth's Attorney Shannon Taylor's participation in the County's recertification efforts.

BOARD OF SUPERVISORS' COMMENTS

Mr. Nelson noted his participation earlier in the day with Mr. Thornton and Mr. Vithoulkas in the unveiling of the courses for the Union Cycliste Internationale (UCI) 2015 Road World Championships that will be held in the Richmond region. He expressed excitement that one of the prime track routes will be in eastern Henrico and pointed out the County is making a contribution to these races and will be a significant part of this September 2015 event, which will draw tourists and cyclists from all over the world.

Mrs. O'Bannon announced Mr. Kaechele was unable to attend this meeting of the Board due to logistical challenges stemming from an out-of-town commitment. She passed along Mr. Kaechele's best wishes to the Board and the public and noted he looks forward to being present for the next Board meeting on March 11.

Mrs. O'Bannon mentioned the Board of Supervisors will hear annual budget presentations from each County department during the week of March 17 - 21, at which time the Board will analyze the County budget, line by line. She also remarked that she and Mr. Kaechele recently attended an eye-opening seminar concerning the schedules used by the three major rating agencies in developing credit ratings for counties and metropolitan areas. Mrs. O'Bannon voiced appreciation to Mr. Walter and Mr. Hinton for the work they do in keeping the County fiscally balanced and on track.

Mrs. O'Bannon recognized Collin Carder from Boy Scout Troop 720, sponsored by Mount Vernon Baptist Church, who was observing the meeting to fulfill a requirement for the Citizenship in the Community Merit Badge.

RECOGNITION OF NEWS MEDIA

Mrs. O'Bannon recognized Ted Strong from the *Richmond Times-Dispatch*.

PRESENTATION

Mr. Glover presented a proclamation recognizing March 2014 as Multiple Myeloma Awareness Month. Accepting the proclamation was Mindy Fast, a Brookland District resident and member of the Greater Richmond Multiple Myeloma Support Group. Joining her was Jay

Brown, also a Brookland District resident and member of the Greater Richmond Multiple Myeloma Support Group.

PUBLIC HEARINGS ITEMS

58-14 Resolution – Amendments to the FY 2013-14 Annual Fiscal Plan: February, 2014.

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

Mrs. O'Bannon noted it was called to her attention the title for this item was correctly listed on the Board paper but incorrectly listed on the agenda, which referred to the FY 2012-13 rather than FY 2013-14 Annual Fiscal Plan.

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

59-14 Ordinance - To Amend and Reordain Chapter 20 of the Code of the County of Henrico by Adding a New Article XII Consisting of Sections 20-841 through 20-855 to Levy a Four Percent Meals Tax.

Mr. Vithoukas briefly recapped the referendum process for the proposed meals tax. In acknowledgment of a letter the Board received from School Board Chair Lisa Marshall, Mr. Vithoukas suggested the Board consider a substitute ordinance adding language to make clear that the school capital projects to which some of the revenues from the meals tax will be dedicated are approved on a project-by-project basis in the capital budget by the Board of Supervisors.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved the substitution of resolution 59A-14 for 59-14.

Mr. Walter narrated a slide presentation providing an overview of the meals tax. During his presentation, Mr. Walter noted the referendum question approved by the voters; anticipated sources of revenue from the meals tax, which will be dedicated to Henrico County Public Schools for operating and capital needs; a timeline of the County's community outreach efforts in regards to the meals tax proposal; a timeline of future actions by the County if the meals tax is adopted; and additional facts pertaining to collection and remittal of the meals tax. In response to a question from Mrs. O'Bannon, Mr. Walter confirmed the process the Board must follow in adopting the meals tax subsequent to voter approval in the referendum.

Mr. Vithoukias and Mr. Rapisarda offered clarification regarding the substitute ordinance. In response to questions and comments from Mr. Glover, Mr. Rapisarda and Mr. Vithoukias confirmed that the detailed letter and attached schedules from the School Board Chair outlining why the meals tax was requested by the school system will be filed with the minutes of this meeting. Mr. Walter clarified for Mr. Glover how the Board of Supervisors each year will follow and approve the school capital projects to which the meals tax revenues will be dedicated. Mr. Glover commented on the importance of including the School Board Chair's letter and attachments in the public record.

Eric Terry, President of the Virginia Hospitality and Travel Association, addressed the Board during the public hearing. He expressed concerns pertaining to the costs restaurants will incur in implementing the meals tax and the difficulties and challenges they will face in interpreting the ordinance. Mr. Terry also encouraged the Board in the future to revisit the meals tax and its impact on the restaurant and hotel industry as property tax revenues increase. In response to a comment by Mr. Terry, Mr. Walter clarified that doughnuts will not be subject to the County's meals tax. He also elaborated on County staff's meals tax outreach efforts and the training sessions that will be offered to local restaurants if the ordinance is approved. Mr. Walter recognized two members of his staff in the audience who will be heavily involved in the collection of the tax, Revenue Division Director Ed Trice and Revenue Division staff member Susan Layne.

Mrs. O'Bannon read a prepared statement from Mr. Kaechele in support of the meals tax ordinance. In response to questions from Mr. Nelson, Mr. Vithoukias outlined how the capital projects identified in the attachment to the School Board Chair's letter will be made public for review by County citizens.

On motion of Mr. Nelson, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 59A-14 – see attached substitute ordinance.

60-14

Resolution - Signatory Authority - Quitclaim of Two Parcels - Relocated Gaskins Road - Tuckahoe District.

Jon Tracy, Director of Real Property, responded to a question from Mrs. O'Bannon.

No one from the public spoke in opposition of this item.

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

PUBLIC COMMENTS

William Spencer, a resident of the Three Chopt District, offered personal anecdotes and thanked the Board for funding the recent renovations to the Highland Springs Community Center. He suggested the County have rules and regulations governing the use of that facility by young people. Mr. Spencer also paid compliments to the County's juvenile courts and Board of Supervisors and thanked the County's Director of Recreation and Parks for sending him a photograph of the community center after the renovations were completed this past fall.

GENERAL AGENDA

61-14 Resolution - Declaration of a Local Emergency.

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

62-14 Resolution – End of Declared Local Emergency.

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

63-14 Resolution - Amendment to Construction Services Agreement - Fire Station No. 9 - Tuckahoe District.

John Neal, Director of General Services, responded to a question from Mrs. O'Bannon.

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

64-14 Resolution - Award of Construction Contract - Braxton Avenue Sewer Extension - Brookland District.

Art Petrini, Director of Public Utilities, responded to a question from Mr. Glover.

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

65-14 Resolution - Award of Construction Contract - Roof Repair/Replacement - Water Reclamation Facility and Strawberry Hill Sewage Pumping Station - Varina and Fairfield Districts.

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

66-14 Resolution - Award of Contract - Engineering Design Services - Lakeside Avenue Bridge Replacement - Fairfield District.

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

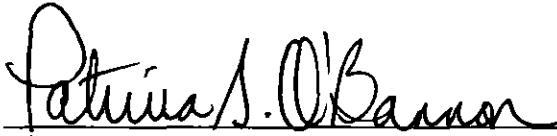
Steve Yob, Director of Public Works, and Mr. Vithoukas responded to questions from Mrs. O'Bannon concerning this item. Mr. Glover asked that County staff in the future refer to road maintenance funds as lane mile money as opposed to a funding increase by the Virginia General Assembly.

67-14 Resolution - Acceptance of Roads - Three Chopt District.

Mr. Yob responded to a question from Mr. Nelson.

On motion of Mr. Nelson, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item - see attached resolution.

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


Chairman, Board of Supervisors
Henrico County, Virginia

Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

MULTIPLE MYELOMA AWARENESS MONTH

March 2014

WHEREAS, multiple myeloma (myeloma), the second most common blood cancer worldwide, is a cancer of plasma cells in the bone marrow and is called "multiple" because the cancer can occur at multiple sites; and

WHEREAS, myeloma currently affects more than 100,000 people in the United States; and

WHEREAS, each year an estimated 20,000 new cases of myeloma are diagnosed and approximately 10,000 persons lose their battle with this disease; and

WHEREAS, myeloma was once considered a disease of the elderly but is now being found in increasing numbers of people under the age of 65; and

WHEREAS, because myeloma is a rare disease, there can be a lack of awareness among clinicians and the general public that can lead to delayed diagnosis and treatment; and

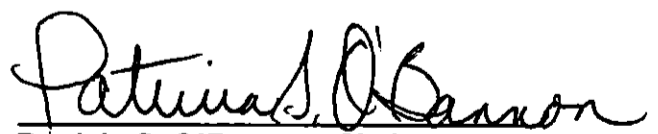
WHEREAS, continued investment and innovation is critical to achieving early diagnosis, implementing effective and safe treatments, and helping myeloma patients live longer; and


WHEREAS, although there have been important advances in the last decade, there is still no cure for myeloma; and

WHEREAS, the County of Henrico is committed to increasing public awareness of this disease.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Supervisors of Henrico County, Virginia, hereby recognizes March 2014 as Multiple Myeloma Awareness Month and encourages the participation of Henrico citizens in voluntary activities to support myeloma education and research.




Patricia S. O'Bannon, Chairman
Board of Supervisors


Barry R. Lawrence, Clerk
February 25, 2014

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Title **RESOLUTION - Amendments to the FY 2013-14 Annual Fiscal Plan: February, 2014**

<p>For Clerk's Use Only:</p> <p>Date <u>FEB 25 2014</u></p> <p><input checked="" type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Amended</p> <p><input type="checkbox"/> Deferred to _____</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Thornton</u> Seconded by (1) <u>Clover</u></p> <p>(2) _____ (2) _____</p> <p style="font-size: 2em; font-weight: bold; opacity: 0.5;">REMARKS: APPROVED</p>	<p style="text-align: right;">YES NO OTHER</p> <p>Glover, R. <input checked="" type="checkbox"/> ___</p> <p>Kncchelic, D. ___ <u>absent</u></p> <p>Nelson, T. <input checked="" type="checkbox"/> ___</p> <p>O'Bannon, P. <input checked="" type="checkbox"/> ___</p> <p>Thornton, F. <input checked="" type="checkbox"/> ___</p>
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WHEREAS, the Board of Supervisors held an advertised public hearing on February 25, 2014, to consider proposed amendments to the Annual Fiscal Plan for fiscal year 2013-14; and,

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

NOW, THEREFORE, BE IT RESOLVED by the Board that the Annual Fiscal Plan for fiscal year 2013-14 is amended and that such funds are appropriated for expenditure in the amounts and for the purposes indicated.

OPERATING FUNDS

FUND 0101 - GENERAL FUND - General Operating Fund

Department - 22 - Social Services

22011 - Joint Administration

1301 00000 - Administration

\$ 11,753

The Commonwealth of Virginia, Department of Social Services, will reimburse the County of Henrico, an additional \$2,915 of State (24.5%) and \$7,016 of Federal (60%) funds. The required 15.5% County match (\$1,822) will come from the fund balance in the General Fund, and is included in this \$11,753 amount. These acquisitions will allow staff members will receive replacement monitors for their personal computers.

<p>By Agency Head <u><i>[Signature]</i></u></p> <p>Routing: Yellow to: _____</p> <p>Copy to: _____</p>	<p>By County Manager <u><i>[Signature]</i></u></p> <p>Certified: _____</p> <p>A Copy Teste: _____</p> <p style="text-align: center;">Clerk, Board of Supervisors</p> <p>Date: _____</p>
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**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

22301	- VIEW Program		
1302 00000	- <u>Purchase of Services</u>		531,037
	<p>The Commonwealth of Virginia, Department of Social Services, will reimburse the County of Henrico, an additional \$183,208 of State (34.5%) and \$265,519 of Federal (50%) funds for the Virginia Initiative for Employment not Welfare (VIEW) Program in fiscal year 2013-14. The required 15.5% County match (\$82,310) will come from the fund balance in the General Fund, and is included in this \$531,037 amount. The total appropriation for this program in fiscal year 2013-14 will be \$1,750,335 after this addition.</p>		
22503	- Adoption Subsidy		
1302 00000	- <u>Purchase of Services</u>		200,000
	<p>To increase the County allocation to the estimated level of need for state and federally mandated Title IV-E Adoption Program expenditures. This program is funded with \$100,000 of State and \$100,000 of Federal funds. The total appropriation for this program in fiscal year 2013-14 will be \$977,816 after this addition. No County matching funds are required.</p>		
22604	- Auxiliary Grants Aged		
1302 00000	- <u>Purchase of Services</u>		51,000
	<p>The Commonwealth of Virginia, Department of Social Services, has awarded the County of Henrico, an additional \$40,800, in State funding for fiscal year 2013-14, to fund State and Federal mandated auxiliary grant expenditures for the aged. The County's required 20% match, \$10,200, will come from the fund balance in the General Fund and is included in the \$51,000 total.</p>		
	Total Social Services	\$	793,790
	Total GENERAL FUND	\$	793,790
FUND 1102	- SPECIAL REVENUE FUND - State and Federal Grants - County		
Department 12	- Police		
12800	- Grants		
1825 00000	- <u>Dog Food Donations</u>	\$	665
	<p>To appropriate private citizen donations to purchase dog food for the Animal Shelter.</p>		
0000 00033	- <u>Police - DMV Animal Friendly Plates</u>		7,057
	<p>The Commonwealth of Virginia, Department of Motor Vehicles (DMV) has awarded the County of Henrico \$7,057 from the Dog and Cat Sterilization Fund as a result of the sale of State Animal Friendly license plates in Henrico County during fiscal year 2013-14. Funds will be used to support sterilization programs for dogs and cats through CARE (Cat Adoption and Rescue Efforts).</p>		

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

0000 00000	- <u>Secret Service Donation</u>	5,000
	To appropriate a donation received from the Secret Service to be used towards training for the Criminal Investigation - Technology Crimes Unit.	
	Total Police	\$ 12,722

Department 13 - Fire	- Grants	
13800		
0000 05134	- <u>Radiological Preparedness and Response Program</u>	\$ 700
	To appropriate funding received for the Radiological Preparedness and Response Program administered through the Virginia Department of Emergency Management on behalf of Dominion Virginia Power. This funding will be used to purchase and install amateur radio equipment for a fire station that serves as an area command center. No local match is required.	

0000 06856	- <u>2014 Rescue Squad Assistance Fund</u>	40,500
	To appropriate funding received from the Virginia Office of Emergency Medical Services (OEMS) through the Rescue Squad Assistance Fund. These funds will be used for hydraulic patient transport stretchers. This grant requires a 50% local in-kind match, which would be satisfied by the Division of Fire's existing operating budget.	
	Total Fire	\$ 41,200
	Total Fund 1102 - Special Revenue Fund-State/Fed Grants-County	\$ 53,922

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

Department 05 - Commonwealth's Attorney	- Commonwealth's Attorney	
05001		
0000 00000	- <u>Forfeitures - Commonwealth's Attorney - State</u>	\$ 64,880
	Law enforcement special funds which have been received by the County of Henrico, and heretofore not appropriated for expenditure, are to be used by the Commonwealth's Attorney for law enforcement projects as determined and approved by the County Manager or his designee.	

FUND 1116 - SPECIAL REVENUE FUND - Forfeitures Police Treasury Federal

Department 12 - Police	- Asset Forfeiture	
12850		
0000 06867	- <u>AG - AFF Equipment</u>	\$ 553,811
	To appropriate law enforcement special funds to be utilized for the purchase of basic trauma kits, digital cameras, protective ballistic gear, SWAT M-4 rifle scope upgrades, surveillance equipment, and other officer safety equipment. These federal funds are pass-through from the Virginia Office of the Attorney General (from the Abbott Laboratories Settlement of October 2012 which was a federal medical fraud case).	

**COUNTY OF HENRICO, VIRGINIA
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0000 06868	- <u>AG - AFF CIT Training</u>	330,000
	To appropriate law enforcement special funds to be utilized for Crisis Intervention Team training purposes. These federal funds are pass-through from the Virginia Office of the Attorney General (from the Abbott Laboratories Settlement of October 2012 which was a federal medical fraud case).	
	Total Fund 1116 Special Revenue Fund - Forfeitures Police	\$ 883,811
	Total SPECIAL REVENUE FUND	\$ 1,002,613
	Total OPERATING FUNDS	\$ 1,796,403

CAPITAL FUNDS

FUND 2101 - CAPITAL PROJECTS FUND

Department 31 - Public Utilities

31201 - Accounting

1002 06702	- <u>Recycle Center at Shane Road</u>	\$ 450,000
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To appropriate additional funding of \$450,000 for design and construction of the recycling center at the intersection of Quioccasin and Shane Roads. A total of \$850,000 has been appropriated to date for this project and the total appropriation for this project will be \$1,300,000 after this addition. Funding for this project is to be provided via an interfund transfer from the Solid Waste fund balance in the Special Revenue Fund to the Capital Projects Fund.

FUND 2111 - Capital Initiatives Fund

Department 50 - Education

50331 - Construction and Maintenance

0000 00000	- <u>Henrico High School Drum Line Equipment</u>	\$ 5,190
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This amendment will appropriate funding of \$5,190 for drum line equipment for Henrico High School. Funds are to come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund.

	Total CAPITAL PROJECTS FUND	\$ 455,190
	Total Amendments/Appropriations	\$ 2,251,593

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



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

Agenda Item No. **59A-14**
Page No. 1 of 1

Agenda Title: ORDINANCE - To Amend and Reordain Chapter 20 of the Code of the County of Henrico by Adding a New Article XII Consisting of Sections 20-841 through 20-855 to Levy a Four Percent Meals Tax.

For Clerk's Use Only: Date: SEP 25 2014 <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	<p align="center"><i>1) substitute paper</i> BOARD OF SUPERVISORS ACTION <i>2) approved paper</i></p> <p>Moved by (1) <u><i>Clover</i></u> Seconded by (1) <u><i>Thornton</i></u> (2) <u><i>Nelson</i></u> (2) <u><i>Clover</i></u></p> <p>REMARKS: APPROVED</p>	<table border="0"> <tr> <td></td> <td align="center">YES</td> <td align="center">NO</td> <td align="center">OTHER</td> </tr> <tr> <td>Glover, R.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><i>absent</i></td> </tr> <tr> <td>Nelson, T.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>		YES	NO	OTHER	Glover, R.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input type="checkbox"/>	<input type="checkbox"/>	<i>absent</i>	Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

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

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

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

Routing: Yellow to: _____
 Copy to: _____
 Certified: _____
 A Copy Teste: _____ Clerk, Board of Supervisors
 Date: _____

**STATEMENT IN SUPPORT OF MEALS TAX ORDINANCE
DAVID A. KAEICHELE, SUPERVISOR
THREE CHOPT DISTRICT
TUESDAY, FEBRUARY 25, 2014**

The passage of the meals tax referendum by the County's electorate was a major highlight of 2013 and represented a monumental step for this county. The referendum enjoyed significant countywide support from our citizens, from our business community, and from the volunteer organizations that support our outstanding public school system. Local government has a responsibility to provide the services that our citizens need and enjoy. These include education, public safety, libraries, parks, and social services, among others. They all are important. Although we as taxpayers may not always like having to pay for these services, we don't want to have to get along without them either. Adoption of the meals tax will help us stabilize our county's budget while we hold the line on our real estate, personal property, and business license taxes. This revenue source is already used by a large number of the Commonwealth's cities, counties, and towns. It is also one way non-residents can contribute to the County services that benefit our entire region. I am very proud of the fact that our real estate tax rate has not increased a single time since I was first elected to the Board in 1979 and has been lowered six times during the past 35 years. This Board has continued to be resolute in maintaining our 87-cent real estate tax rate despite the unprecedented budgetary challenges we have faced since the great recession. For these reasons, I believe it is appropriate that the Board honor the results of the citizen referendum and act favorably on the ordinance that is before us. I wish to go on record in support of the ordinance.

BLACKLINE

ORDINANCE - To Amend and Reordain Chapter 20 of the Code of the County of Henrico by Adding a New Article XII Consisting of Sections 20-841 through 20-855 to Levy a Four Percent Meals Tax.

AN ORDINANCE to amend and reordain Chapter 20 of the Code of the County of Henrico by adding a new Article XII consisting of Sections 20-841 through 20-855 to levy a four percent meals tax.

WHEREAS, on November 5, 2013, a majority of voters approved in a referendum the authority of the Board of Supervisors of Henrico County (the "Board") to levy a meals tax not exceeding four percent; and,

WHEREAS, the ballot question for the referendum provided that revenues generated by the meals tax would be used for the operational needs and capital projects of the Henrico County Public Schools; and,

WHEREAS, in order to diversify the sources of revenue of the County and to fund the operational needs and capital projects of the Henrico County Public Schools, the Board wishes to adopt this ordinance providing for a meals tax in the amount of four percent.

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

1. That Sections 20-822 through 20-840 of the Code of the County of Henrico be reserved.

2. That Article XII be added to Chapter 20 of the Code of the County of Henrico by adding Sections 20-841 through 20-855.

ARTICLE XII. FOOD AND BEVERAGE TAX*

***State Law reference: Authority to adopt, Code of Virginia, § 58.1-3833.**

§ 20-841. Definitions.

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

Beverage: the term "beverage" means alcoholic beverages as defined in Code of Virginia, § 4.1-100 and nonalcoholic beverages served as part of a meal.

Grocery items: the term "grocery items" means any food and foodstuffs, green groceries, including whole fruits and vegetables, beverages and household goods usually prepackaged or measured into quantities for household use from containers made for retail grocery or baking sales and usually not suitable for immediate consumption by the purchaser. Grocery items, sometimes called staples, include, by way of illustration and not limitation, sugar, flour, spices, dry pasta, loaves of bread, whole chickens, ground coffee, coffee beans, loose or bagged tea, cooking oils, and canned and jarred goods.

Meals: the term "meals" means any prepared food and beverage sold for human consumption, whether designated as breakfast, lunch, dinner, supper or by some other name, and without regard to the manner, time, and place of service or consumption, except that the following do not constitute meals: (1) grocery items, (2) snack foods alone, (3) beverages alone, and (4) any combination consisting entirely of snack foods, beverages, or grocery items.

Restaurant: the term "restaurant" means any one of the following:

(1) Any place where food is prepared for service to the public on or off the premises, or any place where food is served. Examples of such places include but are not limited to lunchrooms, short order places, cafeterias, coffee shops, cafes, taverns, delicatessens, dining accommodations of public or private clubs, kitchen facilities of hospitals and nursing homes, dining accommodations of public and private schools and colleges, and kitchen areas of local correctional facilities subject to standards adopted under Code of Virginia, § 53.1-68. Excluded from the definition are places manufacturing packaged or canned foods which are distributed to grocery stores or other similar food retailers for sale to the public.

(2) Any place or operation which prepares or stores meals for distribution to persons of the same business operation or of a related business operation for service to the public. Examples of such places or operations include but are not limited to operations preparing or storing food for catering services, push cart operations, hotdog stands, and other mobile points of service. Such mobile points of service are also deemed to be restaurants unless the point of service and of consumption is in a private residence.

Snack foods; the term "snack foods" means any candy, chewing gum, peanuts and other nuts, popcorn, cookies, crackers, donuts, muffins, bagels, and fried or baked goods of a similar nature, potato chips, ice cream or frozen yogurt, single-serving cakes and pies, and other items of essentially the same nature consumed for essentially the same purpose.

§ 20-842. Levy of tax; amount.

For the purpose of funding the operational needs and capital projects of the Henrico County Public Schools, there is hereby imposed and levied by the county a tax on food and beverages sold as meals by restaurants and on prepared foods ready for human consumption at a delicatessen counter sold by grocery stores and convenience stores. The rate of the tax shall be four percent of the sales price. In the computation of this tax, any fraction of one-half cent (\$.005) or more shall be treated as one cent (\$.01).

§ 20-843. Exemptions.

The following transactions shall not be subject to the tax under this article:

- (1) Food and beverages sold through vending machines;
- (2) Food and beverages sold by boardinghouses that do not accommodate transients;
- (3) Food and beverages sold by cafeterias operated by industrial plants for employees only;
- (4) Food and beverages sold by restaurants to their employees as part of their compensation when no charge is made to the employee;
- (5) Food and beverages sold by volunteer fire departments and rescue squads; nonprofit churches or other religious bodies; educational, charitable, fraternal, or benevolent organizations, on an occasional basis, not exceeding three times per calendar year as a fundraising activity, the gross proceeds of which are to be used by such church, religious body or organization exclusively for nonprofit educational, charitable, benevolent, or religious purposes;
- (6) Food and beverages sold by churches that serve meals for their members as a regular part of their religious observances;
- (7) Food and beverages sold by public or private elementary or secondary schools, colleges, and universities to their students or employees;

(8) Food and beverages sold by hospitals, medical clinics, convalescent homes, nursing homes, or other extended care facilities to patients or residents thereof;

(9) Food and beverages sold by day care centers;

(10) Food and beverages sold by homes for the aged, infirm, handicapped, battered women, narcotic addicts, or alcoholics;

(11) Food and beverages sold by age-restricted apartment complexes or residences with restaurants, not open to the public, where meals are served and fees are charged for such food and beverages and are included in rental fees;

(12) Food and beverages when used or consumed and paid for by the Commonwealth of Virginia, any political subdivision of the Commonwealth of Virginia, or the United States;

(13) Food and beverages provided by a public or private nonprofit charitable organization or establishment to elderly, infirm, blind, handicapped, or needy persons in their homes, or at central locations;

(14) Food and beverages provided by private establishments that contract with the appropriate agency of the Commonwealth of Virginia to offer food, food products, or beverages for immediate consumption at concession prices to elderly, infirm, blind, handicapped, or needy persons in their homes or at central locations;

(15) That portion of the amount paid by the purchaser as a discretionary gratuity in addition to the sales price;

(16) That portion of the amount paid by the purchaser as a mandatory gratuity or service charge added by the restaurant in addition to the sales price, but only to the extent that such mandatory gratuity or service charge does not exceed twenty percent of the sales price;

(17) Alcoholic beverages sold in factory sealed containers and purchased for off-premises consumption; and

(18) Food purchased for human consumption as "food" is defined in the Food Stamp Act of 1977, 7 U.S.C. § 2012, as amended, and federal regulations adopted pursuant to the Act, except for the following items; sandwiches, salad bar items sold from a salad bar, prepackaged single-serving salads consisting primarily of an assortment of vegetables, and nonfactory sealed beverages.

§ 20-844. Certificate of registration.

(a) Every person responsible for the collection of the tax levied under this article shall file an application for a certificate of registration with the director of finance. The application shall be on a form prescribed by the director of finance to provide information for the assessment and collection of this tax and for the enforcement of the provisions of this article.

(b) Upon approval of the application by the director of finance a certificate of registration authorizing the collection of this meals tax shall be issued to the applicant.

(c) Each person with a certificate of registration pursuant to this section shall notify the director of finance of any changes to the information provided on their application for the certificate within thirty (30) days of the change.

§ 20-845. Payment and collection of tax.

Every seller of food and beverages with respect to which a tax is levied under this article shall collect the amount of tax imposed under this article from the purchaser on whom the same is levied at the time payment for such food and beverages becomes due and payable, whether payment is made in cash, by check, by electronic funds transfer, or on credit by means of a credit card or otherwise. The amount of tax owed by the purchaser shall be added to the cost of the food and beverages by the seller who shall pay the taxes collected to the county as provided in this article. Taxes collected by the seller shall be held in trust by the seller until remitted to the county. The wrongful and fraudulent use of such collections other than remittance of the same as provided by law shall constitute embezzlement pursuant to Code of Virginia, § 18.2-111.

§ 20-846. Commission to seller for collection of tax.

For the purpose of defraying some of the costs incurred by the seller in collecting the tax imposed by this article, every seller who files and pays the tax levied under this article in a timely manner shall be allowed three percent of the amount of the tax due and accounted for in the form of a deduction on his return.

§ 20-847. Reports and remittances generally.

(a) Every seller of food and beverages with respect to which a tax is levied under this article shall make out a report, upon such forms and setting forth such information as the director of finance may prescribe and require, and shall sign and deliver such report to the director of finance with a remittance of such tax. Such reports and remittance shall be made on or before the 20th day of each month, covering the amount of tax collected during the preceding month.

(b) Notwithstanding the foregoing provisions of this section, the director of finance may allow any person collecting the tax to elect to make reports and remittances on a quarterly basis when the person has established for a period of one year that his monthly remittances average less than \$100.00 per month or on a seasonal basis for persons operating in the county only periodically during the year. Persons electing to make reports and remittances on a quarterly basis shall make them on or before the 20th day of the month following the close of the quarter. Persons electing to make reports on a seasonal basis shall make reports and remittances on or before the 20th day of the month following each month during which they operated, covering the amount of tax collected during the preceding month.

§ 20-848. Preservation of records.

It shall be the duty of any seller of food and beverages liable for collection and remittance of the taxes imposed by this article to keep and preserve for a period of five years records showing gross sales of all food and beverages, the amount charged to the purchaser for each such purchase, the date of the purchase, the taxes collected on the purchase, and the amount of tax required to be collected under this article. The director of finance shall have the power to examine such records at reasonable times and without unreasonable interference with the business of the seller for the purpose of administering and enforcing the provisions of this article and to make copies of all or any parts of the records.

§ 20-849. Duty of seller when going out of business.

Whenever any person required to collect or pay to the county a tax under this article shall cease to operate or otherwise dispose of a business required to collect or pay to the county a tax under this article, any tax payable under this article shall become immediately due and payable, and such person shall immediately make a report and pay the tax due.

§ 20-850. Enforcement; duty of director of finance; powers of business section manager.

(a) The director of finance shall promulgate rules and regulations for the interpretation, administration and enforcement of this article. It shall also be the duty of the director of finance to ascertain the name of every seller liable for the collection of the tax imposed by this article who fails, refuses or neglects to collect such tax or to make the reports and remittances required by this article. The director of finance shall have all of the enforcement powers authorized under Code of Virginia, title 58.1, chapter 31, article 1 (Code of Virginia, § 58.1-3100 et seq.) for purposes of this article.

(b) Police powers are conferred upon the business section manager, appointed pursuant to Sec. 20-353 of Article XI of the Code, and business inspectors while engaged in performing their duties as such under the provisions of this article, and they shall exercise all the powers and authority of police officers granted to them in performing those duties. The business section manager and business inspectors may have a summons issued for any person charging him with a violation of the provisions of this article and may serve a copy of such summons upon such person in the manner provided by law. He shall return the original to the general district court with the manner and time of service stated on the summons.

§ 20-851. Penalty for failure to file report or pay tax; interest on unpaid tax.

(a) If any person shall fail or refuse to file with the director of finance the report required under this article within the time specified in this article, there shall be assessed a penalty in the amount of ten percent of the tax assessable on such report. Such penalty shall be assessed on the day following the day on which the report was due. Any such penalty, when assessed, shall become a part of the tax. The imposition of such penalty shall not be deemed a defense to any criminal prosecution for failing to make any report required in this article.

(b) If any person shall fail or refuse to remit to the director of finance the tax required to be collected and paid under this article within the time specified in this article, there shall be assessed a penalty in the amount of ten percent of the tax past due. Such penalty shall be assessed on the day following the day on which the tax was due. Any such penalty, when assessed, shall become a part of the tax.

(c) In addition, there shall be assessed interest at the rate of ten percent per year on the amount of tax past due, which interest shall commence on the day following the day on which the tax was due and continue until paid.

§ 20-852. Procedure upon failure to file return or pay tax.

If any person shall fail or refuse to collect the tax imposed under this article or to make within the time provided in this article the reports and remittance required in this article, the director of finance shall make an estimate of the amount of taxes due the county by such person upon the best information available and shall proceed to determine and assess against such person such tax and penalty and interest as provided for in this article. The director of finance shall notify such person by registered mail, sent to his last known address, of the amount of such tax and interest and penalty, and the total amount thereof shall be payable within ten days from the date of such notice.

§ 20-853. Bond or letter of credit.

The director of finance shall require any seller with a record of late filing of the tax returns or of late remittance of the taxes required by this article to post annually a bond in a form acceptable to the director of finance and payable to the county to insure the seller's faithful performance of the requirements of this article. The bond shall be in an amount which is three times the taxes collected or which should have been collected by the seller during the preceding month, but in no case shall be less than \$1,000. An irrevocable letter of credit from a local bank approved by the director of finance with an expiration date not earlier than one year from the date of issuance in the amount specified in this section and payable to the county may be accepted in lieu of the bond.

§ 20-854. Criminal penalties.

Any person required to collect, account for, and pay over the tax levied in this article who willfully fails to collect or truthfully account for and pay over such tax, and any such officer or person who willfully evades or attempts to evade any such tax or the payment thereof, shall be guilty of a class 1 misdemeanor. Any person who willfully violates any other provision of this article shall be guilty of a class 3 misdemeanor.

§ 20-855. Severability.

The sections, paragraphs, sentences, clauses and phrases of this article are severable, and if any phrase, clause, sentence, paragraph or section of this article shall be declared unconstitutional or invalid by the valid judgment or decree of a court of competent jurisdiction, the remaining phrases, clauses, sentences, paragraphs and sections of this article shall remain valid.

3. That all revenues generated by the meals tax shall be dedicated to the operational needs of the Henrico County Public Schools, and to the capital projects of the Henrico County Public Schools that are approved on a project-by-project basis in the capital budget by the Board of Supervisors.

4. That this ordinance shall be in full force and effect beginning on June 1, 2014, except that Henrico Code Sec. 20-844 titled "Certificate of registration" shall be in full force and effect immediately upon passage of this ordinance so that the Director of Finance may receive applications prior to June 1, 2014 and issue certificates of registration with an effective date of June 1, 2014.



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

Agenda Item No. 60-14
Page No. 1 of 1

Agenda Title: **RESOLUTION — Signatory Authority — Quitclaim of Two Parcels — Relocated Gaskins Road — Tuckahoe District**

For Clerk's Use Only: Date: <u>FEB 25 2014</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Thornton</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS: APPROVED	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</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>Kucshel, D.</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><u>absent</u></td> </tr> <tr> <td>Nelson, T.</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>O'Banmm, 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> </table>		YES	NO	OTHER	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kucshel, D.	<input type="checkbox"/>	<input type="checkbox"/>	<u>absent</u>	Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Banmm, 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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WHEREAS, Jerry I. Hirsch and Terry J. Hirsch, owners, have requested that the County release any interest it may have in two unimproved remnant parcels of right-of-way adjacent to their property and relocated Gaskins Road in the Tuckahoe District; and,

WHEREAS, the County has no need for the parcels to be quitclaimed; and,

WHEREAS, this resolution was advertised and a public hearing was held on February 25, 2014 pursuant to Section 15.2-1813 of the Code of Virginia.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the Chairman is authorized to execute a deed, in a form approved by the County Attorney, quitclaiming any interest the County may have in the portions of land shaded and labeled Parcel "A" and Parcel "B" on the attached Exhibit A, subject to the reservation of permanent utility easements on the parcels.

Comments: This request has been routed through the Departments of Public Works, Public Utilities, and Planning without objection. The Directors of Public Works and Real Property recommend approval of this Board paper, and the County Manager concurs.

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

Routing:
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Copy to: _____

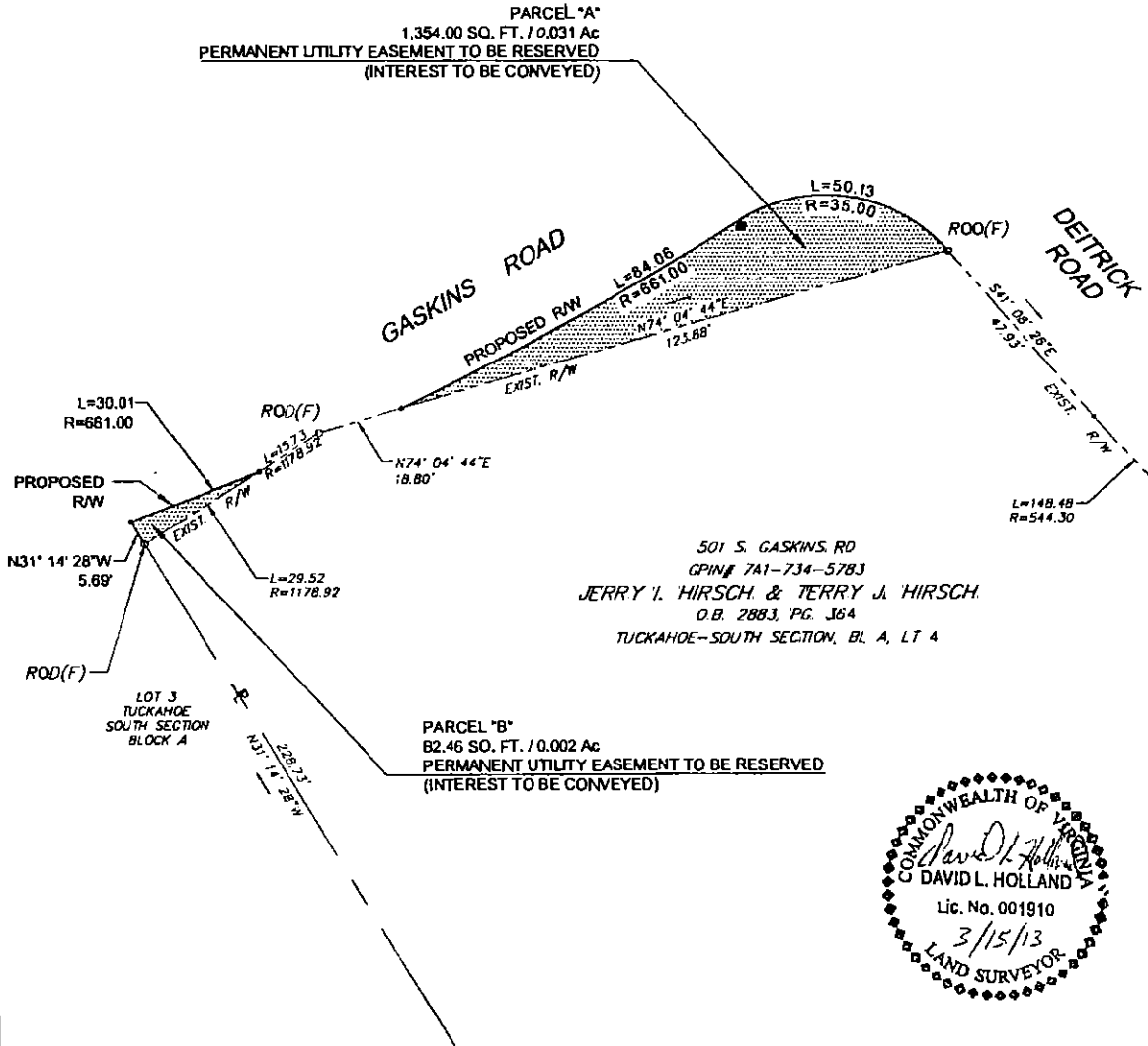
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Clerk, Board of Supervisors

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EXHIBIT "A"

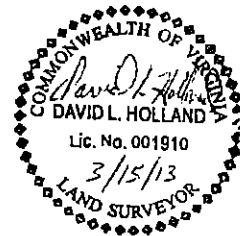
TOTAL AREA = 1,436.46 SQ. FT. / 0.033 Ac

PHILLIP H. BROOKS & KENNETH L. BARTON
 PLAT BY
 FEBRUARY 15, 1998
 P.B. 26, PG. 157



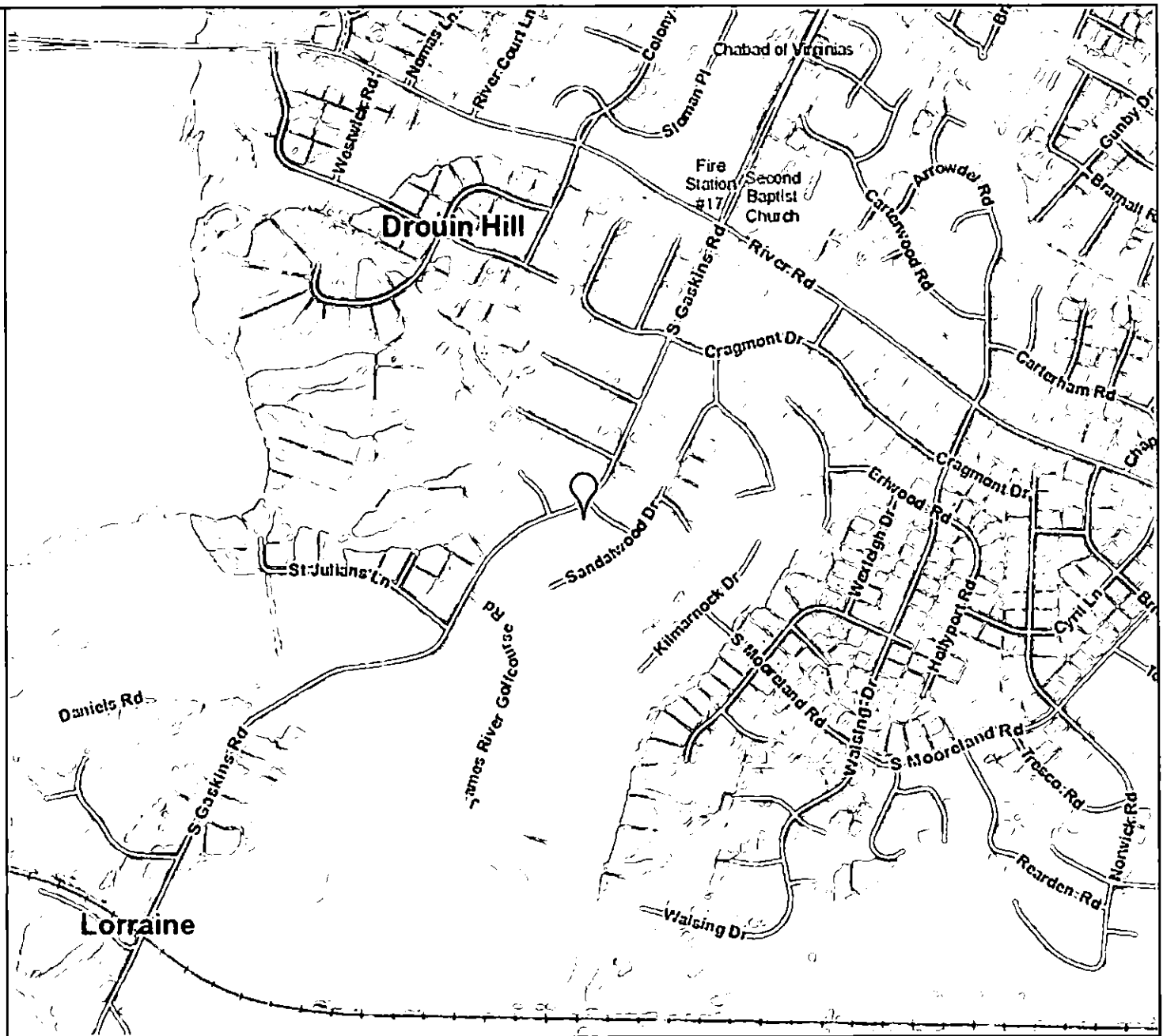
TOTAL AREA OF INTEREST TO BE CONVEYED 1,436.46 Sq. Ft. / 0.033 Ac.

SCALE
 1" = 25'



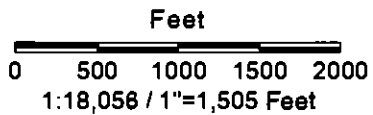
	COUNTY OF HENRICO DEPARTMENT OF PUBLIC WORKS		TITLE: CONVEYANCE OF INTEREST AND RESERVATION OF PERMANENT UTILITY EASEMENTS	
			DISTRICT: Tuckahoe DATE: March 15, 2013 SCALE: 1" = 25'	
RECOMMENDED FOR R/W APPROVAL		APPROVED FOR R/W		
3/15/13		3/27/13		
DATE	COUNTY SURVEYOR	DATE	DIRECTOR, REAL PROPERTY	

Legend



Title: Vicinity Map- 501 S. Gaskins RD

Date: 2/11/2014



DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Henrico is not responsible for its accuracy or how current it may be.



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

Agenda Item No. *Cel-14*

Page No. 1 of 1

Agenda Title: **RESOLUTION—Declaration of a Local Emergency**

For Clerk's Use Only: Date: FEB 25 2014 <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Clover</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS <div style="font-size: 48px; opacity: 0.5;">APPROVED</div>	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>YES</th> <th>NO</th> <th>OTHER</th> </tr> </thead> <tbody> <tr> <td>Glover, R.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><u>absent</u></td> </tr> <tr> <td>Nelson, T.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </tbody> </table>		YES	NO	OTHER	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input type="checkbox"/>	<input type="checkbox"/>	<u>absent</u>	Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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WHEREAS, in anticipation of the effects of impacts from a snow event, which had the potential to impact Henrico County which at that time threatened the property and the health, safety, and welfare of persons in Henrico County, the County Manager, in his capacity as Director of Emergency Management issued a declaration of local emergency on February 12, 2014; and,

WHEREAS, the local emergency was declared to ensure that County agencies could enlist the necessary resources to respond quickly and effectively to these conditions; and,

WHEREAS, consistent with the requirements of Virginia Code §44-146.21(a), the Board of Supervisors desires to consent to the declaration of local emergency by the County's Director of Emergency Management.

NOW THEREFORE , BE IT RESOLVED that:

- (1) The Board of Supervisors hereby consents to the declaration of local emergency by the County Manager in his capacity as Director of Emergency Management of Henrico County, a copy of which is attached to and made a part of this resolution as Exhibit "A";
- (2) During this local emergency the powers, functions, and duties of the County's Director of Emergency Management and emergency services organizations shall be those prescribed by the laws of the Commonwealth of Virginia and by the ordinances, resolutions, and approved plans of the County; and
- (3) any action taken by County agencies or personnel pursuant to the declaration of local emergency and this resolution shall be to mitigate the effects of the declared local emergency.

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

By Agency Head *Anthony E. McDaniel* By County Manager *[Signature]*

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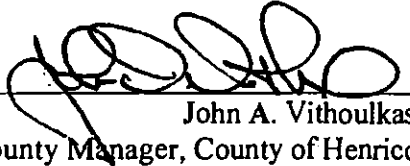
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Clerk, Board of Supervisors

Date: _____

EXHIBIT "A"
DECLARATION OF LOCAL EMERGENCY

I, the undersigned, as the County Manager Director of Emergency Management for Henrico County, Virginia, in response to the effects of the snow event which began February 12, 2014, which may threaten the property and the health, safety, and welfare of persons in Henrico County and in order to ensure that County agencies can enlist the necessary resources to respond quickly and effectively to these conditions, hereby declare, pursuant to Virginia Code §44-146.21(a), the existence of a Local Emergency in Henrico County.

In accordance with this Declaration, all appropriate County agencies are hereby vested with, and authorized to carry out, all powers, duties, and functions prescribed by state and local law, rules, regulations and plans as may be necessary to adequately and appropriately respond to said Local Emergency.



John A. Vithoukas.
County Manager, County of Henrico

2/12/14 - 9:00 p.m.
Date and Time



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 62-14

Page No. 1 of 1

Agenda Title: **RESOLUTION—End of Declared Local Emergency**

<p>For Clerk's Use Only:</p> <p>Date: FEB 25 2014</p> <p><input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Nelson</u> Seconded by (1) <u>Glover</u> (2) _____ (2) _____</p> <p>REMARKS:</p> <h1>APPROVED</h1>	<table border="0"> <thead> <tr> <th></th> <th>YES</th> <th>NO</th> <th>OTHER</th> </tr> </thead> <tbody> <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 type="checkbox"/></td> <td><input type="checkbox"/></td> <td>absent</td> </tr> <tr> <td>Nelson, T.</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	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input type="checkbox"/>	<input type="checkbox"/>	absent	Nelson, T.	<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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WHEREAS, in response to the expected impact of the snow event which began February 12, 2014 in his capacity as Director of Emergency Management, the County Manager issued a declaration of local emergency on February 12, 2014 at 9:00 pm; and,

WHEREAS, consistent with the requirements of Virginia Code §44-146.21(a), on February 25, 2014, the Board of Supervisors approved a resolution that consented to the declaration of local emergency by the County's Director of Emergency Management; and,

WHEREAS, Virginia Code §44-146.21(a) requires the Board of Supervisors to take appropriate action to end the declared emergency when in the Board's judgment all emergency actions have been taken.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby declares that the local emergency declared on February 12, 2014 has ended.

Comments: The Fire Chief recommends approval of this Board Paper, the County Manager concurs.

By Agency Head Anthony E. McMillan By County Manager [Signature]

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A Copy To: _____
Clerk, Board of Supervisors

Date: _____



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

Agenda Item No. 63-14
Page No. 1 of 1

Agenda Title: RESOLUTION — Amendment to Construction Services Agreement — Fire Station No. 9 — Tuckahoe District

For Clerk's Use Only: Date: <u>FEB 25 2014</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Thornton</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS: <div style="font-size: 2em; font-weight: bold; text-align: center;">APPROVED</div>	YES NO OTHER Glover, R. _____ ✓ _____ Kaechele, D. _____ _____ <u>absent</u> Nelson, T. _____ ✓ _____ O'Bannon, P. _____ ✓ _____ Thornton, F. _____ ✓ _____
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WHEREAS, on February 28, 2012, the Board awarded a contract to Daniel & Co., Inc. to replace Fire Station No. 9 for \$3,269,000; and,

WHREAS, the contract has been modified by various change orders to add \$478,978 (14.65%) to the original contract amount; and,

WHEREAS, another change order is necessary to provide additional erosion and sediment controls, concrete work, suitable backfill, and other minor work as well as to compensate Daniel & Co., Inc. for weather delays and utility company delays; and,

WHEREAS, the Department of General Services has negotiated the additional change order for \$48,360, which increases the contract 16.1% above the original amount.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the County Manager is authorized to execute a change order to the contract in a form approved by the County Attorney that increases the contract amount to \$3,796,338.

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

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

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Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 6444
 Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Construction Contract — Braxton Avenue Sewer Extension — Brookland District

<p>For Clerk's Use Only:</p> <p>Date: <u>FEB 25 2014</u></p> <p><input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Clover</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____</p> <p>REMARKS: APPROVED</p>	<p align="center">YES NO OTHER</p> <p>Glover, R. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>Kaechele, D. <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <u>absent</u></p> <p>Nelson, T. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>O'Bannon, P. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>Thornton, F. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>
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WHEREAS, four bids were received on January 7, 2014 in response to Invitation for Bid No. 13-9468-9VK and Addenda Nos. 1 and 2 for the Braxton Avenue Sewer Extension project in the Brookland District; and,

WHEREAS, the project includes replacement of approximately 635 feet of 8-inch diameter sewer piping with 16-inch diameter piping, replacement of approximately 695 feet of 8-inch diameter sewer piping with 12-inch diameter piping, and adding approximately 990 feet of 12-inch diameter sewer and associated manholes and sewer service connections along Braxton Avenue; and,

WHEREAS, the bids were as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
Piedmont Construction Company, Inc.	\$ 508,950
G. L. Howard, Inc.	\$ 620,950
Henry S. Branscome, LLC	\$ 780,748
Perkinson Construction, LLC	\$ 796,663

WHEREAS, after a review and evaluation of all bids received, it was determined that Piedmont Construction Company, Inc. is the lowest responsive and responsible bidder with a bid of \$508,950.

By Agency Head Arthur O. Petriani By County Manager [Signature]

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Clerk, Board of Supervisors
 Date: _____

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

Agenda Item No. 64-14

Page No. 2 of 2

Agenda Title: **RESOLUTION** — Award of Construction Contract — **Braxton Avenue Sewer Extension**
— **Brookland District**

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

1. The contract is awarded to Piedmont Construction Company, Inc., the lowest responsive and responsible bidder, in the amount of \$508,950 pursuant to Invitation for Bid No. 13-9468-9VK, Addenda Nos.1 and 2, and the bid submitted by Piedmont Construction Company, inc.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

Comment: Funding to support the contract will be provided by the Water and Sewer Enterprise Fund. The Director of Public Utilities and the Purchasing Director recommend approval of this resolution, and the County Manager concurs.



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

Agenda Item No. 05-14
Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Construction Contract — Roof Repair and Replacement — Water Reclamation Facility and Strawberry Hill Sewage Pumping Station — Varina and Fairfield Districts

For Clerk's Use Only: Date: <u>FEB 25 2014</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Thornton</u> Seconded by (1) <u>Nelson</u> REMARKS: APPROVED ⁽²⁾	YES NO OTHER Glover, R. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Kacchela, D. <input type="checkbox"/> <input type="checkbox"/> <u>absent</u> Nelson, T. <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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WHEREAS, six bids were received on December 17, 2013 in response to IFB No. 13-9514-11CE and Addenda Nos. 1 and 2 for the Roof Repair/ Replacement Water Reclamation Facility and Strawberry Hill Sewage Pumping Station (SPS) project; and,

WHEREAS, the project includes replacement of the roof at Strawberry Hill SPS and replacement of the roofs on the administration and maintenance buildings and replacement of Panel 1 and refurbishment of Panel 2 on the disinfection building at the Water Reclamation Facility; and,

WHEREAS, the bids were as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
N.W. Martin & Bros., Inc.	\$567,079
Whitley/Service Roofing & Sheet Metal Company	\$720,465
Reliance Roofing & Waterproofing, Inc.	\$721,630
Old Dominion Roofing & Construction, Inc.	\$733,842
Roofing Solutions, Inc.	\$779,670
Roof Systems of VA, Inc.	\$837,700

WHEREAS, after a review and evaluation of all bids received, it was determined that N.W. Martin & Bros., Inc. is the lowest responsive and responsible bidder with a bid of \$567,079.

By Agency Head Arthur O. Petreng By County Manager [Signature]

Routing:
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 Date: _____

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

Agenda Item No. 05-14

Page No. 2 of 2

Agenda Title: RESOLUTION— Award of Construction Contract — Roof Repair and Replacement — Water Reclamation Facility and Strawberry Hill Sewage Pumping Station — Varina and Fairfield Districts

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

1. The contract is awarded to N.W. Martin & Bros., Inc., the lowest responsive and responsible bidder, in the amount of \$567,079 pursuant to IFB No. 13-9514-11CE, Addenda Nos.1 and 2, and the bid submitted by N.W. Martin & Bros., Inc.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

Comment: Funding to support the contract will be provided by the Water and Sewer Enterprise Fund. The Director of Public Utilities and the Purchasing Director recommend approval of this Board paper, and the County Manager concurs.



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

Agenda Item No. 600-14
Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Contract — Engineering Design Services — Lakeside Avenue Bridge Replacement — Fairfield District

For Clerk's Use Only: Date: <u>1 FEB 25 2014</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Thornton</u> Seconded by (1) <u>Celover</u> (2) _____ (2) _____ REMARKS: APPROVED	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <tr> <td>Glover, R.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><u>absent</u></td> </tr> <tr> <td>Nelson, T.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>		YES	NO	OTHER	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input type="checkbox"/>	<input type="checkbox"/>	<u>absent</u>	Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
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Nelson, T.	<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 County received three proposals on October 4, 2013 in response to RFP #13-9469-9CS to provide engineering services to design the replacement of the Lakeside Avenue Bridge; and,

WHEREAS, the Selection Committee (Messrs. David Gunn, Brian Moore, Rob Tieman, and Jamie Massey, Ms. Margaret-Anne Hilliard, and Mrs. Cecelia Stowe) reviewed the proposals and interviewed the following firms:

- Johnson, Mirmiran & Thompson, Inc. (d/b/a JMT)
- Rummei, Klepper & Kahl, LLP (d/b/a RKK)
- AECOM Technical Services, Inc; and,

WHEREAS, based upon review of the proposals, the Selection Committee selected JMT to provide the engineering services and negotiated a contract for the lump sum of \$1,191,044.93.

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

1. A contract to provide engineering services to design the replacement of the Lakeside Avenue Bridge in the amount of \$1,191,044.93 is hereby awarded to JMT in accordance with RFP #13-9469-9CS; the JMT proposal dated October 4, 2013; and the JMT Scope of Services dated January 15, 2014.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.

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

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

Agenda Item No. **CC-14**
Page no. 2 of 2

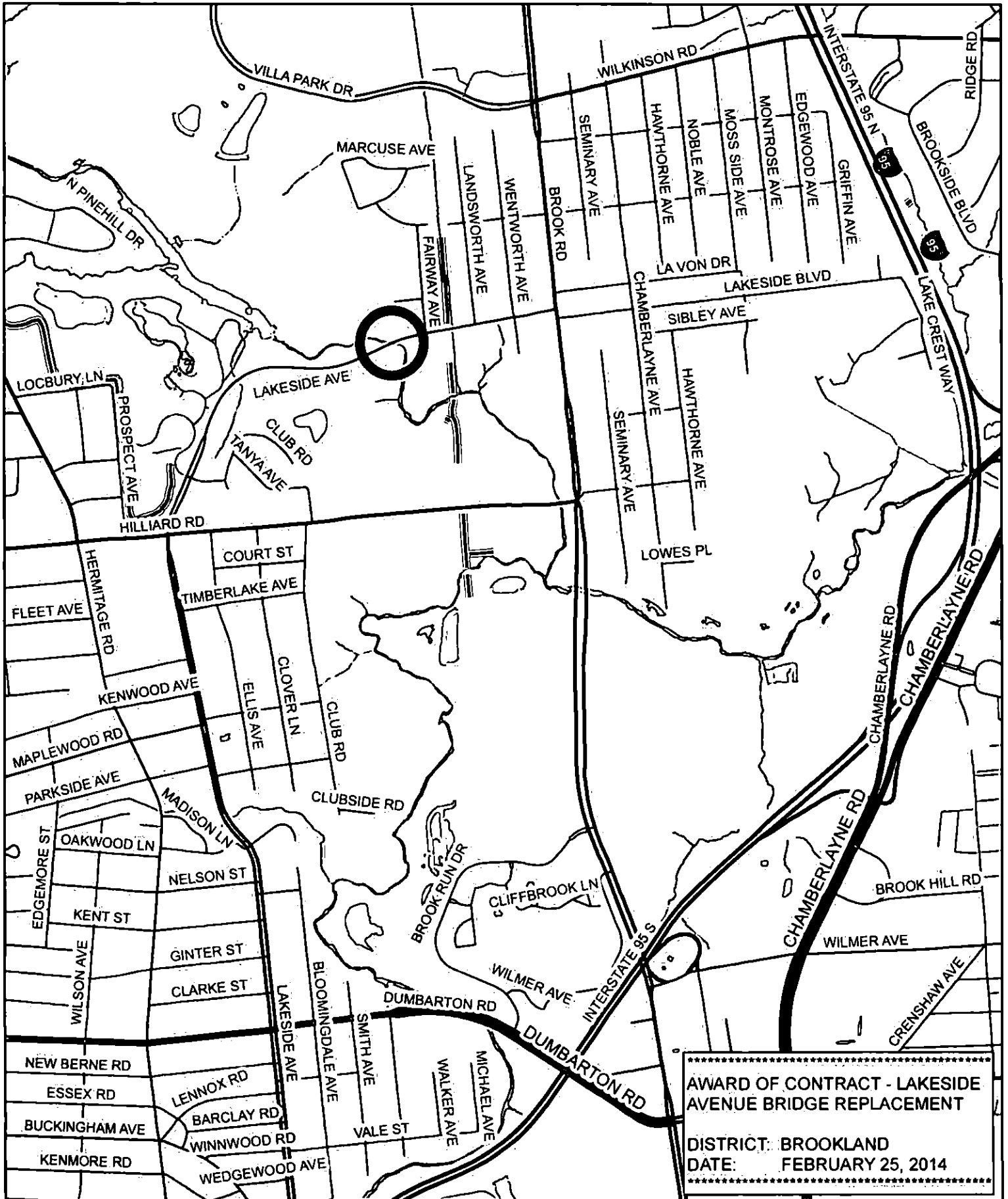
Agenda Title: **RESOLUTION — Award of Contract — Engineering Design Services — Lakeside Avenue Bridge Replacement — Fairfield District**

3. The County Manager, or the Purchasing Director as his designee, is authorized to execute all change orders within the scope of the budget not to exceed 15% of the original contract amount.

Comments: This project will be funded through Department of Public Works road maintenance funds. The Purchasing Director and the Director of Public Works recommend approval of this Board paper, and the County Manager concurs.



LAKESIDE AVENUE BRIDGE REPLACEMENT





COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. *67-14*
Page No. 1 of 1

Agenda Title: Resolution – Acceptance of Roads – Three Chopt District

For Clerk's Use Only: Date: FEB 28 2014 <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	BOARD OF SUPERVISORS ACTION	YES NO OTHER
	Moved by (1) <u>Nelson</u> (2) _____ Seconded by (1) _____ (2) _____ REMARKS: APPROVED	Glover, R. <input checked="" type="checkbox"/> _____ Kaechele, D. _____ <u>albert</u> Nelson, T. <input checked="" type="checkbox"/> _____ O'Bannon, P. <input checked="" type="checkbox"/> _____ Thornton, F. <input checked="" type="checkbox"/> _____

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

Bentley, Section 1 – Three Chopt District

Austin Healey Drive from Pouncey Tract Road to 0.16 Mi. W. of Pouncey Tract Road	0.16 Mi.
Austin Healey Place from Austin Healey Drive to 0.09 Mi. S. of Austin Healey Drive	0.09 Mi.
Austin Healey Court from Austin Healey Drive to 0.04 Mi. N. of Austin Healey Drive	0.04 Mi.
Belair Place from Porsche Drive to 0.12 Mi. S. of Porsche Drive	0.12 Mi.
Porsche Drive from 0.08 Mi. W. of Belair Place to 0.08 Mi. N. of Belair Place	<u>0.16 Mi.</u>
Total Miles	0.57 Mi.

By Agency Head

By County Manager

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Clerk, Board of Supervisors

Date: _____



BENTLEY SECTION 1

