

**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
REGULAR MEETING  
April 25, 2023**

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, April 25, 2023, 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:**

Frank J. Thornton, Chairman, Fairfield District  
Tyrone E. Nelson, Vice-Chairman, Varina District  
Patricia S. O'Bannon, Tuckahoe District  
Daniel J. Schmitt, Brookland District

**Member of the Board Absent:**

Thomas M. Branin, Three Chopt District

**Other Officials Present:**

John A. Vithoulkas, County Manager  
Andrew R. Newby, County Attorney  
Tanya N. Brackett, CMC, Assistant to the County Manager/Clerk to the Board  
Michael Y. Feinmel, Deputy County Manager for Public Safety  
W. Brandon Hinton, Deputy County Manager for Administration  
Monica Smith-Callahan, Deputy County Manager for Community Affairs  
Cari M. Tretina, Assistant to the County Manager/Chief of Staff  
Steven J. Yob, Deputy County Manager for Community Operations  
Benjamin A. Sheppard, Director of Public Relations

Jeanetta Lee, Chaplain for the Henrico County Police Division, delivered the invocation.

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, the Board approved the minutes of the April 11, 2023, Regular and Special Meetings.

The vote of the Board was as follows:

Yes: Thornton, Nelson, O'Bannon, Schmitt

No: None

Absent: Branin

**MANAGER'S COMMENTS**

Mr. Vithoulkas recognized the Department of Public Works for the Henrico County Linear Referencing System project that has been selected to receive a Special Achievement in GIS (SAG) Award at the 2023 Esri User Conference. This award is given to users around the

world to recognize outstanding work with GIS technology. In receiving this award, Henrico County stood out from more than 100,000 other public- and private-sector users.

This project was managed by Jason Collins, the Henrico County Department of Public Works GIS Manager. In his role, he manages the geospatial business data for eight divisions including Administration, Road Maintenance, Traffic, Transportation Planning, Design and Engineering, Construction, Environmental, and Real Property and over 280 staff. Mr. Collins thanked the Manager and the Board for recognizing the award and noted he was very proud of the award.

Mr. Vithoulkas next recognized National Volunteer Week, April 17-21. Henrico County hosted various volunteer opportunities for County employees to support community engagement efforts. This year's theme was "Celebrate Service - an opportunity to shine a light on the people and causes that inspire us to serve."

Dozens of employees sported green "Henrico Volunteer" t-shirts while mowing grass and uncovering headstones at Woodland Cemetery; filling bags and sorting pantry shelves at the Henrico Community Food Bank; and sorting and stuffing goody bags for SOAR365's annual wine-tasting and silent auction fundraiser. Employees also hosted a school supply drive for Henrico County Public Schools students.

Community support and interest are essential in providing quality services for County residents. As volunteers, County employees chose to give their time and talents to a worthwhile cause.

For his final comment Mr. Vithoulkas recognized Jackson Baynard, Chief for the Division of Fire, to take a moment to thank all of Henrico County and all of the supporting agencies that made it possible for us to honor Firefighter Steve Whitson on the day of his memorial service and funeral last Wednesday. In total, it took 4,383-person hours to accomplish this most appropriate and monumental task.

The Honor Guard spent over 1,000 hours providing the well-deserved honors to Firefighter Whitson. The Incident Management team spent 2,126 hours planning and supporting the funeral and the backfill of Henrico County Fire.

Mr. Vithoulkas identified and publicly thanked the many agencies that supported our Incident Management team and provided Fire and EMS with backfill support and Honor Guard support. Our Mutual Aid partners responded to 74 calls for service during the time they spent in the County, which allowed more than 200 members of the Division of Fire to attend the services and pay their respects to Firefighter Whitson and his family. Again, we offer our heartfelt appreciation to the following partners:

- Central Virginia All Hazards Incident Management Team
- Chesterfield Fire & EMS
- Chesterfield Police Department
- City of Fredericksburg Fire Department
- City of Harrisonburg Fire Department
- City of Newport News Fire Department
- City of Richmond Fire & Emergency Services
- City of Richmond Police Department
- City of Suffolk Fire & Rescue

- City of Virginia Beach Fire Department
- Culpeper County Sheriff's office
- Fairfax County Fire and Rescue Department
- Fairmount Christian Church
- Forest Lawn Cemetery
- Forest View volunteer rescue squad
- Goochland Fire-Rescue
- Hanover Fire & EMS
- Hanover County Sheriff's office
- Henrico County Emergency Communications Center
- Henrico County Emergency Management and Workplace Safety
- Henrico County Division of Police
- Henrico County Public Relations
- Henrico County Sheriff's Office
- Henrico Fire Wives Group
- Henrico Professional Firefighters Association Local 1568
- Henrico Firefighters Charitable Foundation
- Henrico Firefighters Foundation
- HCA Healthcare
- International Association of Firefighters
- James City County Fire Department
- Manchester Volunteer Rescue Squad
- Metro Richmond Flying Squad
- Metro Richmond Police Emerald Society (Pipes and Drums), which consists of:
  - o Chesterfield Police
  - o Fairfax Fire
  - o Henrico Fire
  - o Henrico Police
  - o Newport News Police
  - o Richmond Fire
  - o Richmond Police
  - o Norfolk Fire
  - o Virginia State Police
- Mission BBQ
- New Kent Fire-Rescue
- Norfolk Fire-Rescue
- Old Dominion Firefighters Emerald Society
- Pipes & Drums – Virginia State Police
- Powhatan Fire & Rescue
- Richmond Ambulance Authority
- Riverwood Events and Catering
- Spotsylvania Fire, Rescue and Emergency Management
- Tuckahoe Volunteer Rescue
- Lakeside Volunteer Rescue
- Virginia Professional Firefighters Association
- Veterans of Foreign War- Post 6364
- Virginia State Police
- Woody's Funeral Home

Firefighter Whitson served our County for 33 years – 16 years with the Sheriff's Office and the past 17 years with the Division of Fire. As a community and as a public safety agency, we remain forever grateful for his service and the example he gave us to follow.

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

Mrs. O'Bannon announced Mr. Branin was under the weather and was not present for the meeting this evening. She wished him a speedy recovery.

### **RECOGNITION OF NEWS MEDIA**

Mr. Thornton recognized Lyndon German with VPM.

### **PRESENTATIONS**

Mrs. O'Bannon presented a proclamation recognizing April 23 -29, 2023, as Crime Victims' Rights Week. Accepting the proclamation was Shelly Shuman-Johnson, Victim/Witness Protection Director. Joining her were the following staff members: Taryn Giroux, Renee Duffy, Nicole Mayton, Erica Clark, Kate Bennett, Ashley Crews, Susan Haynes, Brittany Krebs, and Mariah Chamberlain.

Mr. Nelson presented a proclamation recognizing April 23 – 29, 2023, as National Library Week. Accepting the proclamation was Jackson C. Knox, Chair and Brookland District Representative. Joining him were the following members of the Library Advisory Board: Gloria K. Barber, Chair and Fairfield District Representative; Gail A. Atkins, Vice Chair and Varina District Representative; and Tammy R. Johnson Beard, Tuckahoe District Representative. Also joining them was Barbara Weedman, Director of Libraries.

Mr. Nelson and Monica Smith-Callahan made a special presentation to Ms. Weedman and shared a video featuring her recognition on the Drew Barrymore show for her design of the baby working station.

Mr. Schmitt presented a proclamation recognizing May 2023, as Older Americans Month. Accepting the proclamation was Amy Strite, Executive Director of Senior Connections.

### **PUBLIC HEARING ITEMS**

120-23                      Resolution - Real Estate Tax Levies, 2023.

*The following individuals spoke on this item:*

David Cummings, a resident of the Three Chopt District and the President of the Sears Homeowners Association, voiced concerns about his assessments that had increased by 20%. He noted he has spoken to the Finance Department about his concerns and to his Board member. He suggested the Board consider lowering the tax rate, particularly for older individuals who are living on social security or limited income.

Bruce Richardson, a resident of the Fairfield District, requested the time allotted to apply for the REAP be extended to the end of June.

Mrs. Minor explained April 1 is an important deadline for REAP because of the need to process the applications before billing. However, she noted in limited circumstances Finance staff could accommodate tardy applications from qualified, first-time applicants.

Mr. Vithoulkas clarified there is no other locality that provides the services Henrico does at a tax rate as low as the County's. He also explained the County is lowering the vehicle tax rate.

Mr. Schmitt provided examples of the increasing costs faced by the County for the services it provides, just like individuals are experiencing inflation. He assured residents the County is not wasting the funds it receives or sitting on a windfall. The County is using the funds to provide quality schools and public safety to our residents and to our community.

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

121-23                    Resolution - Personal Property and Machinery and Tools Tax Levies, 2023.

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

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

122-23                    Ordinance - To Return Surplus Real Estate Tax Revenues to Taxpayers.

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

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached ordinance.

123-23                    Resolution - Signatory Authority - Lease of County Property - 10791 Old Washington Highway - Brookland District.

A resident asked whether the lease was advertised to others, whether it was only available to County employees, and how the County acquired the property originally. Staff explained that the properties are leased to County employees as trusted caretakers to keep and maintain the properties. Staff further explained that this property was originally acquired as a buffer to the Cultural Arts Center.

Bruce Richardson, a resident of the Fairfield District, asked if there was a vetting process for County employees to rent these properties. Mr. Richardson noted that it is a great incentive for the employees and applauded the County for this effort.

On motion of Mr. Schmitt, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

124-23            Ordinance - Vacation of Portion of Drainage and Utility Easement - 9808 Old Milbrooke Way - Springfield Manor Subdivision - Brookland District.  
No one from the public spoke in opposition to this item.

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

125-23            Resolution - Condemnation - Easements - Ridge Road Sidewalk Project - 444 N. Ridge Road - Tuckahoe District.

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

On motion of Mrs. O'Bannon, seconded by Mr. Schmitt, and by unanimous vote, the Board approved this item – see attached resolution.

126-23            Resolution - Signatory Authority - Termination and Release of Covenants Bridleton Landing, Section A - Varina District.

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

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

127-23            Resolution - Signatory Authority - Agreement with Richmond Metropolitan Habitat for Humanity and Conveyance of Real Property - 5200 and 5405 Moncure Avenue - Varina District.

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

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

128-23            Ordinance - To Amend and Reordain Section 23-359 Titled "Water connection fees," Section 23-360 Titled "Sewer connection fees," Section 23-361 Titled "Water service and volume charges," and Section 23-362 Titled "Sewer service charges and rates" of the Code of the County of Henrico to Change Utility Fees and Charges and Make Credits Available for the County's ARPA Infill Project.

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

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached ordinance.

### **PUBLIC COMMENTS**

Bruce Richardson, a resident of the Fairfield District, invited the community to a Housing Homebuyer Education Class on Saturday, May 6 at the Fairfield Area Library from 9:45 a.m. - 4:15 p.m.

Travis Taylor, a resident of the Varina District, voiced concerns about the noise ordinance and the numerous times he has called the Police on his neighbor who has no respect regarding the noise ordinance. He requested the Board help with his neighbor.

Olga Huxoll, a resident of the Tuckahoe District, thanked the Board for the new noise ordinance and requested the Board consider amending the ordinance to include noise from churches in residential areas.

Ron Hedlund, a non-resident, and activist for the First and Second Amendment rights, raised concerns about an incident at Glover Park and wanted answers regarding a FOIA request he issued to the County on parking signs that were placed at the park.

### **GENERAL AGENDA**

104-23            Resolution – Approval of Operating and Capital Annual Fiscal Plans for FY 2023-24 and Allocation of Car Tax Relief for Tax Year 2023.

On motion of Mrs. O'Bannon, seconded by Mr. Schmitt, and by unanimous vote, the Board approved this item – see attached resolution.

129-23            Resolution - Signatory Authority - Memorandum of Understanding - Capital Trees - Reforestation Program.

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

130-23            Resolution - Signatory Authority - Sublease - 2263 Dabney Road - Brookland District.

On motion of Mr. Schmitt, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

131-23            Resolution - Signatory Authority - Agreement with Maggie Walker Community Land Trust and Conveyance of Real Property - 10235 Greenwood Road - Fairfield District.

On motion of Mrs. O'Bannon, seconded by Mr. Schmitt, and by unanimous vote, the Board approved this item – see attached resolution.

132-23            Resolution - Hotel Connection Fee Holiday - Use of the Shovel Ready Henrico Fund and County Utility Credits to Offset Utility Connection Fees for New and Rehabilitated Hotels.

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

133-23            Resolution - Award of Contract - Annual Contract to Apply Slurry Seal - Countywide.

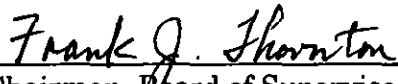
On motion of Mrs. O'Bannon, seconded by Mr. Schmitt, and by

unanimous vote, the Board approved this item – see attached resolution.

134-23      Resolution - Signatory Authority - Agreement with the Central Virginia  
Transportation Authority for Regionally Funded Projects - Fall Line  
Trail - Fairfield District.

On motion of Mr. Schmitt, seconded by Mrs. O'Bannon, and by  
unanimous vote, the Board approved this item – see attached resolution.

There being no further business, the meeting was adjourned at 9:06 p.m.

  
\_\_\_\_\_  
Chairman, Board of Supervisors  
Henrico County, Virginia



# Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

## CRIME VICTIMS' RIGHTS WEEK

April 23 - 29, 2023

**WHEREAS**, the term "victim" is more than just a label and has legal standing and protection that go along with it; and

**WHEREAS**, laws passed here in Virginia and at the federal level guarantee victims the right to meaningfully participate and use their voice in the criminal justice process; and

**WHEREAS**, victim service providers, advocates, law enforcement officers, attorneys, and other allied professionals can help survivors find their justice by enforcing these rights; and

**WHEREAS**, the right to provide an impact statement ensures that victims' voices are considered in court during the sentencing and, when applicable, restitution processes; and

**WHEREAS**, including and elevating the voices of survivors makes certain they are heard and seen and creates a path to forging and sustaining community trust; and

**WHEREAS**, survivors' lived experiences can serve as a catalyst for implementing innovative programs, shifting existing programs in new directions, and changing policies or practices that prevent survivors from accessing services or pursuing justice; and

**WHEREAS**, National Crime Victims' Rights Week provides an opportunity to recommit to hearing crime survivors in every space where decisions are made; and

**WHEREAS**, the County of Henrico, Virginia, is hereby dedicated to amplifying the voices of survivors and creating an environment where survivors have the confidence that they will be heard, believed, and supported.

**NOW, THEREFORE, BE IT PROCLAIMED** that the Board of Supervisors of Henrico County, Virginia, hereby recognizes April 23 - 29, 2023, as Crime Victims' Rights Week; reaffirms the County's commitment to creating a victim service and criminal justice response that assists all victims of crime during Crime Victims' Rights Week and throughout the year; and expresses sincere gratitude and appreciation for those community members, victim service providers, and criminal justice professionals who are committed to improving our response to all victims of crime so that they may find relevant assistance, support, justice, and peace.



*Frank J. Thornton*  
Frank J. Thornton, Chairman  
Board of Supervisors

# Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

## NATIONAL LIBRARY WEEK

*April 23 - 29, 2023*

**WHEREAS**, libraries provide the opportunity for everyone to pursue their passions, read, and engage in lifelong learning, allowing them to live their best life; and

**WHEREAS**, libraries have long served as trusted institutions for all members of our community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity, or socio-economic status; and

**WHEREAS**, libraries strive to develop and maintain programs and collections that are as diverse as the populations they serve and ensure equity of access for all; and

**WHEREAS**, libraries adapt to the ever-changing needs of their communities, continually expanding their collections, services, and partnerships; and

**WHEREAS**, libraries play a critical role in the economic vitality of communities by providing internet and technology access, literacy skills, and support for job seekers, small businesses, and entrepreneurs; and

**WHEREAS**, libraries are accessible and inclusive places that promote a sense of local connection, advancing understanding, civic engagement, and shared community goals; and

**WHEREAS**, libraries are cornerstones of democracy, promoting the free exchange of information and ideas for all; and

**WHEREAS**, libraries, librarians, and library workers are joining supporters and advocates across the nation to celebrate National Library Week with the theme of "There's More to the Story."

**NOW, THEREFORE, BE IT PROCLAIMED** by the Board of Supervisors of Henrico County, Virginia that the week of April 23 - 29, 2023, will be celebrated in the County as National Library Week and all residents are encouraged to visit their library in person or online to enjoy the amazing resources the County's libraries offer.



*Frank J. Thornton*

# Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

## OLDER AMERICANS MONTH

*May 2023*

**WHEREAS**, Henrico County includes more than 71,000 residents who are age 55 and over; and

**WHEREAS**, these residents enrich our communities through their diverse life experiences that have enabled them to “connect, create, and contribute;” and

**WHEREAS**, the United States Administration for Community Living and Virginia Department for Aging and Rehabilitative Services observe Older Americans Month in May as a time to celebrate the contributions of older residents and the many ways they “connect, create, and contribute” in our communities; and

**WHEREAS**, the 2023 theme for Older Americans Month is “Aging Unbound” which offers an opportunity to discuss how communities can combat stereotypes; and

**WHEREAS**, communities’ benefit when people of all ages, abilities, and backgrounds are welcomed, included, and supported; and

**WHEREAS**, Henrico County, Senior Connections, and local agencies are committed to strengthening our communities by connecting with and supporting older residents, caregivers, and families and by acknowledging their many valuable contributions; and

**WHEREAS**, Senior Connections joins with Henrico County’s Advocate for the Aging, Department of Social Services, and Division of Recreation and Parks to ensure that residents have supportive and protective services at every age to allow them to enjoy the best possible quality of life; and

**WHEREAS**, Henrico recognizes our need to create a community that provides the services and supports older Americans need to thrive and live independently for as long as possible; and

**WHEREAS**, Henrico can work to build an even better community for our older residents by:

- Planning programs that encourage independence;
- Ensuring activities are responsive to individual needs and preferences; and
- Increasing access to services that support aging in place.

**NOW, THEREFORE, BE IT PROCLAIMED** that the Board of Supervisors of Henrico County, Virginia, hereby recognizes May 2023 as Older Americans Month and encourages Henrico residents to recognize the contributions of our older residents, help to create an inclusive society, and join efforts to support older Americans’ choices about how they age in their communities.



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COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 120-23  
Page No. 1 of 2

Agenda Title RESOLUTION – Real Estate Tax Levies, 2023

For Clerk's Use Only:

Date: 4/25/2023

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

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

	YES	NO	OTHER
Branin, T.			absent
Nelson, T.	✓		
O'Bannon, P.	✓		
Schmitt, D.	✓		
Thornton, F.	✓		

WHEREAS, the Board of Supervisors of the County of Henrico, Virginia (the "Board"), held an advertised public hearing on April 25, 2023, to consider the proposed real estate tax levies; and,

WHEREAS, the magisterial districts consist of Brookland, Fairfield, Three Chopt, Tuckahoe, and Varina (collectively, the "Magisterial Districts"), and the Board has determined to set a "General County Levy" for real estate taxes in the Magisterial Districts, such that real estate is taxed at the same rate in each Magisterial District; and,

WHEREAS, special tax districts historically fund streetlights in different areas of the County and consist of sanitary districts #2, #3, #3.1, #12, #23, and #63.1 (collectively, the "Streetlight Districts" and individually "Streetlight District #2," "Streetlight District #3," etc.).

NOW, THEREFORE, BE IT RESOLVED by the Board that no part of the funds raised by the general County levies or taxes will be considered available, allocated, or expended for any purpose until there has been an appropriation of funds for that expenditure or purpose by the Board.

BE IT RESOLVED AND ORDERED by the Board that:

- (1) There be, and hereby is, levied for calendar year 2023, the tax per \$100 of assessed valuation on all taxable real estate located in this County on January 1, 2023; the levy hereby ordered being also applicable to the real estate of public service corporations and other persons with property assessed pursuant to Chapter 26 of Title 58.1 of the Code of Virginia based upon the assessment thereof fixed by the State Corporation Commission and the Virginia Department of Taxation, and duly certified, as follows:

By Agency Head

*[Signature]*

By County Manager

*[Signature]*

Routing:

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

Certified:

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

Clerk, Board of Supervisors

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



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

Agenda Item No. **120-23**  
Page No. 2 of 2

**Agenda Title      RESOLUTION – Real Estate Tax Levies, 2023**

<u>District</u>	<u>General County Levy</u>	<u>Streetlight District Levy</u>	<u>Total Levy</u>
Magisterial Districts	\$ 0.85		\$ 0.850
Streetlight #2	0.85	\$ 0.003	0.853
Streetlight #3	0.85	0.010	0.860
Streetlight #3.1	0.85	0.031	0.881
Streetlight #12	0.85	0.010	0.860
Streetlight #23	0.85	0.010	0.860
Streetlight #63.1	0.85	0.019	0.869

The Board certifies that notice of the rates of levy as set forth in the foregoing order was duly advertised according to law.

- (2) For calendar year 2023, the tax levied on real estate will be due and payable in two equal installments, the first installment being due and payable on June 5, 2023, and the second installment being due and payable on December 5, 2023.
- (3) The revenue from such taxes, when and if appropriated by the Board, will be used to defray the County charges and expenses and all necessary obligations incident to, or arising from, the execution of the lawful authority of the Board.

**COMMENTS:** This resolution should be considered on April 25, 2023, to comply with Code of Virginia Section 58.1-3321, "Effect on rate when assessment results in tax increase; public hearings," and Section 15.2-2503, "The governing body shall approve the budget, and fix a tax rate for the budget year no later than the date on which the fiscal year begins." For practical purposes in mailing tax bills and to fulfill the requirements of Code of Virginia Section 22.1-93, "Approval of annual budget for school purposes," the rate should be fixed prior to May 15, 2023. The Director of Finance recommends approval of the Board paper, and the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 121-23

Page No. 1 of 1

Agenda Title: RESOLUTION — Personal Property and Machinery and Tools Tax Levies, 2023

For Clerk's Use Only:

Date: 4/25/2023

(X) Approved

( ) Denied

( ) Amended

( ) Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Nelson Seconded by (1) Schmitt  
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T. absent

Nelson, T. ✓

O'Bannon, P. ✓

Schmitt, D. ✓

Thornton, F. ✓

Following a duly advertised public hearing, the Board of Supervisors of Henrico County, Virginia, adopted the attached Resolution.

Comments: This resolution should be considered on April 25, 2023, to comply with Code of Virginia Section 15.2-2503, "The governing body shall approve the budget and fix a tax rate for the budget year no later than the date on which the fiscal year begins." For practical purposes in mailing tax bills and to fulfill the requirements of Code of Virginia Section 22.1-93, "Approval of annual budget for school purposes," the rates should be fixed prior to May 15, 2023. The Director of Finance recommends approval of this Board paper, and the County Manager concurs.

By Agency Head

*Shela S. Miller*

By County Manager

*[Signature]*

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Copy to:

Date:

## **RESOLUTION — Personal Property and Machinery and Tools Tax Levies, 2023**

**WHEREAS**, the Board of Supervisors of the County of Henrico, Virginia (the “Board”), held an advertised public hearing on April 25, 2023, to consider the proposed tax levies in each magisterial district and special tax districts for personal property and machinery and tools; and,

**WHEREAS**, the magisterial districts consist of Brookland, Fairfield, Three Chopt, Tuckahoe, and Varina (collectively, the “Magisterial Districts”), and the Board has determined to set a “General County Levy” within each classification of personal property and machinery and tools for the Magisterial Districts, such that personal property and machinery and tools are taxed at the same rate in each Magisterial District within each class of property; and,

**WHEREAS**, the special tax districts historically fund streetlights in different areas of the County and consist of sanitary district #2, #3, #3.1, #12, #23, and #63.1 (collectively, the “Streetlight Districts” and individually “Streetlight District #2,” “Streetlight District #3,” etc.).

**NOW, THEREFORE, BE IT RESOLVED** by the Board that no part of the funds raised by the general County levies or taxes will be considered available, allocated, or expended for any purpose until there has been an appropriation of funds for that expenditure or purpose by the Board.

**BE IT RESOLVED AND ORDERED** by the Board that:

(1) Tangible personal property for which a rate is not otherwise set by this Resolution. There be, and hereby is, levied for calendar year 2023, the tax per \$100 of assessed valuation on all taxable tangible personal property segregated for local taxation under Section 58.1-3503 of the Code of Virginia, **excluding** household effects, classified by Section 58.1-3504, farm animals, farm equipment, and farm machinery, classified by Section 58.1-3505(A)(1) - (11), aircraft, classified by Section 58.1-3506(A)(2), (3), (4), and (5), manufactured homes, classified by Section 58.1-3506(A)(10), qualifying vehicles owned or leased by members of a volunteer emergency medical services agency or volunteer fire department, classified by Section 58.1-3506(A)(15), the Virginia Defense Force, classified by Section 58.1-3506(A)(44), disabled veterans’ vehicles, classified by Section 58.1-3506(A)(19), motor vehicles specially equipped to provide transportation for physically handicapped individuals, classified by Section 58.1-3506(A)(14), machinery and tools, classified by Sections 58.1-3507, 58.1-3508, 58.1-3508.1, 58.1-3508.2, 58.1-3508.3, 58.1-3508.4, 58.1-3508.5, and 58.1-3508.6, tangible personal property used in a research and development business, classified by Section 58.1-3506(A)(7), 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, classified by Section 58.1-3506(A)(9), computer equipment and peripherals used in a data center, classified by Section 58.1-3506(A)(43), certain property used in manufacturing, testing, or operating satellites, classified by Section 58.1-3506(A)(21), and certain motor vehicles, trailers, and semitrailers used to transport property for hire by a motor carrier engaged in interstate commerce, classified by Section 58.1-3506(A)(25), certain equipment used primarily for research, development, production, or provision of biotechnology, classified by Section 58.1-3506(A)(34), and vehicles classified by Section 58.1-3506(A)(48), located in this County on January 1, 2023, and those motor vehicles, trailers, and semitrailers that acquire situs within the County after January 1, 2023, and

are taxable under Section 20-109 of the Code of the County of Henrico, the levy hereby ordered also being applicable to the automobiles and trucks of public service corporations and other persons with property assessed pursuant to Chapter 26 of Title 58.1 of the Code of Virginia, as follows:

<b>District</b>	<b>General County Levy</b>	<b>Streetlight District Levy</b>	<b>Total Levy</b>
All Magisterial Districts	\$3.50		\$3.500
All Streetlight Districts	\$3.50	\$0.001	\$3.501

(2) Vehicles generally. All vehicles classified by Section 58.1-3506(A)(48) of the Code of Virginia, will be taxed for calendar year 2023, the tax per \$100 of assessed valuation as follows:

<b>District</b>	<b>General County Levy</b>	<b>Streetlight District Levy</b>	<b>Total Levy</b>
All Magisterial Districts	\$3.40		\$3.400
All Streetlight Districts	\$3.40	\$0.001	\$3.401

(3) Aircraft. All aircraft, classified by Section 58.1-3506(A)(2), (3), (4), and (5) of the Code of Virginia, will be taxed for calendar year 2023, the tax per \$100 of assessed valuation, the levy hereby ordered also being applicable to the aircraft of public service corporations and other persons with property assessed pursuant to Chapter 26 of Title 58.1 of the Code of Virginia, as follows:

<b>District</b>	<b>General County Levy</b>	<b>Streetlight District Levy</b>	<b>Total Levy</b>
All Magisterial Districts	\$0.50		\$0.500
All Streetlight Districts	\$0.50	\$0.001	\$0.501

(4) Manufactured homes. All manufactured homes, classified by Section 58.1-3506(A)(10) of the Code of Virginia, and all 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 as set forth herein above, based upon the assessment thereof as fixed by the State Corporation Commission and the Virginia Department of Taxation, as duly certified, will be taxed for calendar year 2023, the tax per \$100 of assessed valuation at a rate equal to that applicable to real property, as follows:

<b>District</b>	<b>General County Levy</b>	<b>Streetlight District Levy</b>	<b>Total Levy</b>
All Magisterial Districts	\$0.85		\$0.850
Streetlight District #2	\$0.85	\$0.003	\$0.853
Streetlight District #3	\$0.85	\$0.010	\$0.860
Streetlight District #3.1	\$0.85	\$0.031	\$0.881
Streetlight District #12	\$0.85	\$0.010	\$0.860
Streetlight District #23	\$0.85	\$0.010	\$0.860
Streetlight District #63.1	\$0.85	\$0.019	\$0.869



(5) Qualifying vehicles: Virginia Defense Force and Volunteer EMS or Fire Department. Qualifying vehicles owned or leased by members of the Virginia Defense Force, classified by Section 58.1-3506(A)(44) of the Code of Virginia, or a volunteer emergency medical services agency or volunteer fire department, classified by Section 58.1-3506(A)(15) of the Code of Virginia, will be taxed for calendar year 2023, the tax per \$100 of assessed valuation as follows:

<b>District</b>	<b>General County Levy</b>	<b>Streetlight District Levy</b>	<b>Total Levy</b>
All Magisterial Districts	\$1.00		\$1.000
All Streetlight Districts	\$1.00	\$0.001	\$1.001

(6) Qualifying vehicles: Disabled veterans and specially equipped vehicles. Disabled veterans' vehicles, classified by Section 58.1-3506(A)(19) of the Code of Virginia and motor vehicles specially equipped to provide transportation for physically handicapped individuals, classified by Section 58.1-3506(A)(14) of the Code of Virginia, will be taxed for calendar year 2023, the tax per \$100 of assessed valuation, as follows:

<b>District</b>	<b>General County Levy</b>	<b>Streetlight District Levy</b>	<b>Total Levy</b>
All Magisterial Districts	\$0.01		\$0.010
All Streetlight Districts	\$0.01	\$0.001	\$0.011

(7) Computer equipment and peripherals used in a data center. All computer equipment and peripherals used in a data center, classified by Section 58.1-3506(A)(43) of the Code of Virginia, will be taxed for calendar year 2023, the tax per \$100 of assessed valuation, as follows:

<b>District</b>	<b>General County Levy</b>	<b>Streetlight District Levy</b>	<b>Total Levy</b>
All Magisterial Districts	\$0.40		\$0.400
All Streetlight Districts	\$0.40	\$0.001	\$0.401

(8) Machinery and tools. All machinery and tools, classified by Sections 58.1-3507, 58.1-3508, 58.1-3508.2, 58.1-3508.3, 58.1-3508.4, 58.1-3508.5, and 58.1-3508.6 of the Code of Virginia, and all machinery and tools used in semiconductor manufacturing, classified by Section 58.1-3508.1 of the Code of Virginia, will be taxed for calendar year 2023, the tax per \$100 of assessed valuation, as follows:

<b>District</b>	<b>General County Levy</b>	<b>Streetlight District Levy</b>	<b>Total Levy</b>
All Magisterial Districts	\$0.30		\$0.300
All Streetlight Districts	\$0.30	\$0.001	\$0.301

(9) Certain R&D property, generating equipment, satellite equipment, and vehicles for hire in interstate commerce. All tangible personal property used in a research and development business, classified by Section 58.1-3506(A)(7) of the Code of Virginia, 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, classified by Section 58.1-3506(A)(9) of the Code of Virginia, certain property used in manufacturing, testing, or operating satellites, classified by Section 58.1-3506(A)(21) of the Code of Virginia, and certain motor vehicles, trailers, and semitrailers used to transport property for hire by a motor carrier engaged in interstate commerce, classified by Section 58.1-3506(A)(25) of the Code of Virginia, will be taxed for calendar year 2023, the tax per \$100 of assessed valuation at a rate equal to that applicable to machinery and tools, classified by Section 58.1-3507 of the Code of Virginia, as follows:

<b>District</b>	<b>General County Levy</b>	<b>Streetlight District Levy</b>	<b>Total Levy</b>
All Magisterial Districts	\$0.30		\$0.300
All Streetlight Districts	\$0.30	\$0.001	\$0.301

(10) Biotechnology property. Certain equipment used primarily for research, development, production, or provision of biotechnology, classified by Section 58.1-3506(A)(34) of the Code of Virginia, will be taxed for calendar year 2023, the tax per \$100 of assessed valuation, as follows:

<b>District</b>	<b>General County Levy</b>	<b>Streetlight District Levy</b>	<b>Total Levy</b>
All Magisterial Districts	\$0.90		\$0.900
All Streetlight Districts	\$0.90	\$0.001	\$0.901

(11) Billing dates. For calendar year 2023, the tax levied on tangible personal property, aircraft, manufactured homes, qualifying vehicles owned or leased by members of a volunteer emergency medical services agency, the Virginia Defense Force, or volunteer fire department, disabled veterans' vehicles, motor vehicles specially equipped to provide transportation for physically handicapped individuals, computer equipment and peripherals used in a data center, machinery and tools, machinery and tools used in semiconductor manufacturing, and biotechnology equipment will be due and payable in two equal installments, the first installment being due and payable on June 5, 2023, and the second installment being due and payable on December 5, 2023.

(12) Omitting small bills. Pursuant to Section 58.1-3001 of the Code of Virginia, if any taxpayer owns tangible personal property of such small value that the local levies thereon for the year result in a tax of less than \$15, such property may be omitted from the personal property book and no assessment made thereon.

(13) Revenue to be used for lawful purposes and subject to appropriation. The revenue from such taxes, when and if appropriated by the Board, will be used to defray the County charges and expenses and all necessary obligations incident to, or arising from, the execution of the lawful authority of the Board.

**COMMENTS:** This resolution should be considered on April 25, 2023, to comply with Code of Virginia Section 15.2-2503, "The governing body shall approve the budget and fix a tax rate for the budget year no later than the date on which the fiscal year begins." For practical purposes in mailing tax bills and to fulfill the requirements of Code of Virginia Section 22.1-93, "Approval of

annual budget for school purposes,” the rates should be fixed prior to May 15, 2023. 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. 122-23

Page No. 1 of 1

Agenda Title: ORDINANCE — To Return Surplus Real Estate Tax Revenues to Taxpayers

For Clerk's Use Only:

Date: 4/25/2023

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

Branin, T.			absent
Nelson, T.	✓		
O'Bannon, P.	✓		
Schmitt, D.	✓		
Thornton, F.	✓		

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

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

By Agency Head

*Heidi S. Miller*

By County Manager

*[Signature]*

Certified:

A Copy Teste:

Clerk, Board of Supervisors

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

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

## **ORDINANCE — To Return Surplus Real Estate Tax Revenues to Taxpayers**

WHEREAS, Section 15.2-2511.1 of the Code of Virginia authorizes the Board of Supervisors to enact an ordinance to “develop a method for returning surplus real property tax revenues to taxpayers who are assessed real property taxes in any fiscal year in which the locality reports a surplus;” and,

WHEREAS, the director of finance reports that the County collected surplus real estate tax revenues that exceeded budgeted amounts for FY 2021-22 by \$17,617,008 and that additional surplus real estate tax revenues will be collected in FY 2022-23; and,

WHEREAS, real estate in the County has been assessed for taxation as of January 1, 2023, and real estate taxes will be collected this year based upon that assessment and any supplemental assessments extended in accordance with law; and,

WHEREAS, the Board wishes to provide a method for returning surplus real estate tax revenues to taxpayers who are assessed real property taxes this year.

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

### **1. Taxpayers to receive payments from surplus revenues.**

For purposes of this Ordinance, a “Qualified Property” is a parcel of real estate separately assessed for real estate taxes by the County on January 1, 2023, or in a supplemental assessment between that date and June 30, 2023. A Qualified Property does not include any property that is entirely exempt from real estate taxation or for which no tax bill would otherwise be issued. A “Qualified Taxpayer” is the person or persons listed as the taxpayer for a Qualified Property in the County’s real estate tax records on June 30, 2023. Changes in the County’s real estate tax records after June 30, 2023, will not change the Qualified Property or the Qualified Taxpayer for any parcel.

### **2. Amount of payments to Qualified Taxpayers.**

For each Qualified Property, the director of finance will pay the Qualified Taxpayer two cents per hundred dollars of the assessed value of the Qualified Property on January 1, 2023, or any supplemental assessment issued between that date and June 30, 2023. Only one payment will be made for each Qualified Property, regardless of the number of persons who are listed as the Qualified Taxpayer for the Qualified Property. Payments under this ordinance will be made by check or credit, as described in clause 3 of this ordinance.

### **3. Methods of payment.**

(a) *Payments by check.* Except as otherwise provided by this ordinance, the director of finance will mail to each Qualified Taxpayer a bank check payable to the

Qualified Taxpayer at the mailing address shown in the County's real estate tax records as of June 30, 2023. The director will mail all checks as expeditiously as possible on or immediately following September 5, 2023. If a Qualified Taxpayer is the owner of more than one Qualified Property, the director of finance may, but is not required to, combine payments for all Qualified Properties owned by the Qualified Taxpayer into a single check.

(b) *Payments of less than \$30.00 as a credit.* If the payment due is less than \$30.00, the director of finance may apply the payment as a credit on the next real estate tax bill for the Qualified Property in lieu of issuing a check. The director of finance will apply the credits prior to the calculation and distribution of 2023 second-half real estate bills.

(c) *Payments for delinquent accounts.* For any Qualified Property for which delinquent real estate taxes are owed as of June 30, 2023, the director of finance will apply the payment due under this ordinance against delinquent taxes and pay any remainder as a credit on the next real estate tax bill for the Qualified Property.

(d) *Lost, damaged, void, or otherwise invalid checks.* For any check issued under this ordinance that is lost, damaged, void, or invalid for any reason, the director of finance may choose to either issue a replacement check to the Qualified Taxpayer or record a credit on the next real estate tax bill for the Qualified Property.

(f) All payments under this ordinance will be made solely from fund balances resulting from surplus revenue appropriated for that purpose.

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



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 123-23

Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Lease of County Property — 10791 Old Washington Highway — Brookland District

For Clerk's Use Only:

Date: 4/25/2023

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

Branin, T.			absent
Nelson, T.	✓		
O'Bannon, P.	✓		
Schmitt, D.	✓		
Thornton, F.	✓		

WHEREAS, the County owns a single-family dwelling at 10791 Old Washington Highway (the "Property"); and,

WHEREAS, Seneca Fritts desires to lease the Property for a one-year term beginning on June 1, 2023, and ending on May 31, 2024, which term may be renewed and extended upon agreement by the parties; and,

WHEREAS, Mr. Fritts will pay a monthly rent of \$900 and be responsible for routine maintenance of the dwelling; and,

WHEREAS, Mr. Fritts is an employee of the County's Real Property Division; and,

WHEREAS, Mr. Fritts has not and will not participate in any way in the negotiation of this lease in his official capacity; and,

WHEREAS, this Resolution was advertised pursuant to Sections 15.2-1800 and 15.2-1813 of the Code of Virginia, and a public hearing was held on April 25, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the County Manager is authorized to execute a lease agreement, in a form approved by the County Attorney, to lease 10791 Old Washington Highway to Seneca Fritts for a one-year term beginning on June 1, 2023, and ending on May 31, 2024, at a monthly rent of \$900. The County Manager is further authorized to execute one-year lease renewals through May 31, 2027, on the same terms and in forms approved by the County Attorney.

Comments: The Directors of Real Property and Recreation and Parks recommend approval of this Board paper; the County Manager concurs.

By Agency Head

By County Manager

Certified:

A Copy Teste:

Copy to:

Clerk, Board of Supervisors

Date:



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 124-23

Page No. 1 of 2

Agenda Title: ORDINANCE — Vacation of Portion of Drainage and Utility Easement — 9808 Old Milbrooke Way — Springfield Manor Subdivision — Brookland District

For Clerk's Use Only:

Date: 4/25/2023

☒ Approved

☐ Denied

☐ Amended

☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Schmitt Seconded by (1) Nelson  
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T.			absent
Nelson, T.	<input checked="" type="checkbox"/>		
O'Bannon, P.	<input checked="" type="checkbox"/>		
Schmitt, D.	<input checked="" type="checkbox"/>		
Thornton, F.	<input checked="" type="checkbox"/>		

WHEREAS, Jeffrey K. and Sharon L. Jahn (the "Owners") own Lot 8, Block A, Section A in the Springfield Manor subdivision (the "Property"); and,

WHEREAS, the Owners have asked the County to vacate a portion of a drainage and utility easement encumbering the Property; and,

WHEREAS, the portion to be vacated is shown on the attached "Exhibit A," a plat titled "Plat Showing Portions of an Existing Drainage & Utility Easement Across the Property of Jeffrey and Sharon Jahn"; and,

WHEREAS, the easement is shown on the attached "Exhibit B," a plat titled "Springfield Manor Section A," which is recorded in the Clerk's Office of the Circuit Court of Henrico County (the "Clerk's Office") in Plat Book 122, Page 106; and,

WHEREAS, there are no County facilities needed in the area to be vacated; and,

WHEREAS, this Ordinance was advertised pursuant to Va. Code § 15.2-2204, and the Board held a public hearing on April 25, 2023; and,

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

By Agency Head

By County Manager

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Copy to:

Date:



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

Agenda Item No. 124-23

Page No. 2 of 2

**Agenda Title: ORDINANCE — Vacation of Portion of Drainage and Utility Easement —  
9808 Old Milbrooke Way — Springfield Manor Subdivision — Brookland District**

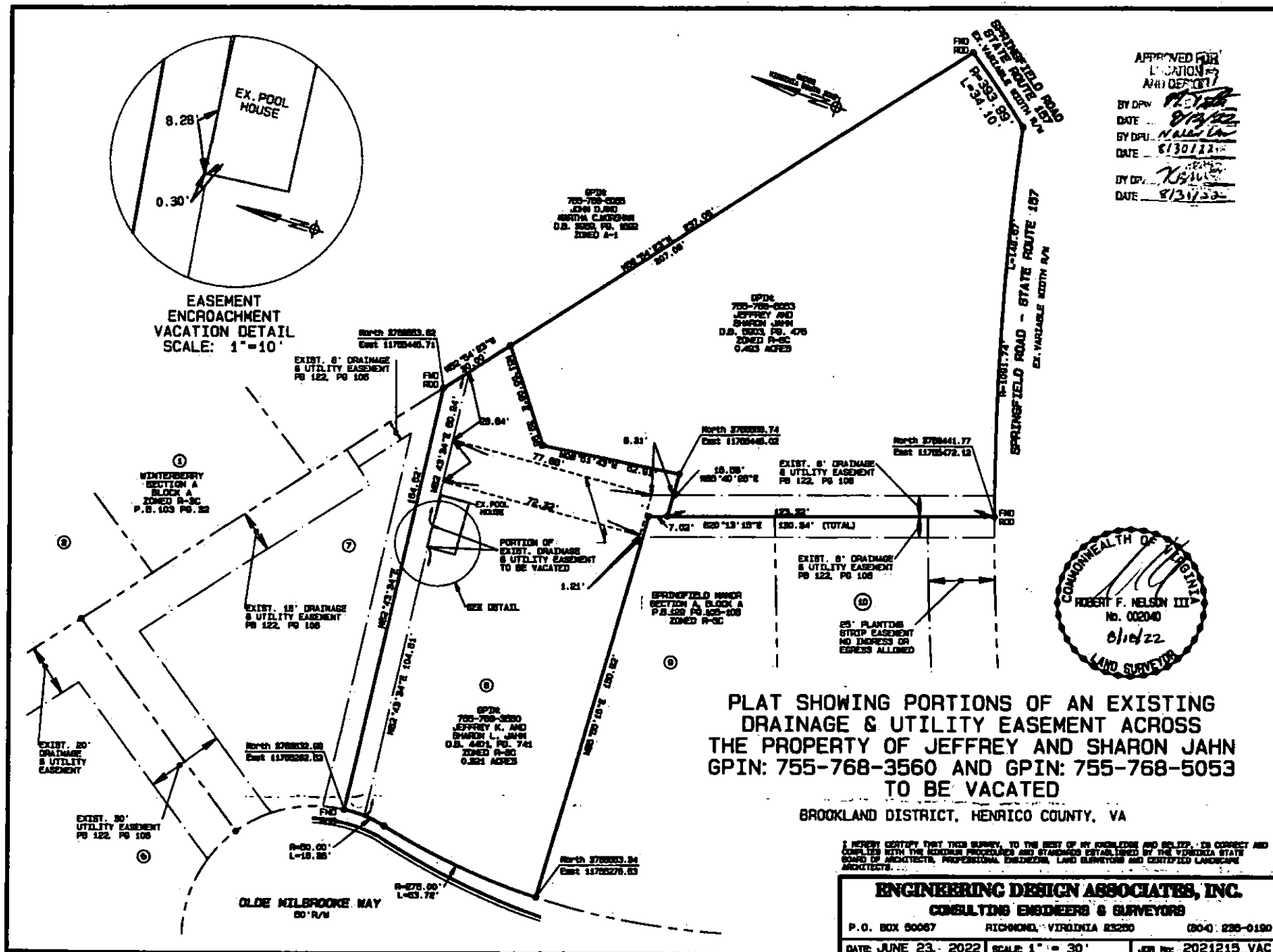
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NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors that:

- (1) the "Portion of Exist[ing] Drainage & Utility Easement to be Vacated" on Lot 8 of "Exhibit A" is vacated in accordance with Va. Code § 15.2-2272(2);
- (2) this Ordinance will become effective 30 days after its passage as provided by law;
- (3) the Clerk of the Circuit Court of Henrico County (the "Clerk") is authorized, upon receipt of payment therefor, to record a certified copy of this Ordinance in the Clerk's Office after the expiration of 30 days from its passage, provided no appeal has been taken to the Circuit Court;
- (4) the Clerk is further authorized to index the Ordinance on the grantor and grantee sides of the general index to deeds in the names of Jeffrey K. and Sharon L. Jahn; and,
- (5) the Clerk will note this vacation as provided in Va. Code § 15.2-2276.

Comments: The Real Property Division has processed this request through the Departments of Planning, Public Works, and Public Utilities without objection. The Director of Real Property recommends approval of the Board paper; the County Manager concurs.

# Exhibit A







COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 125-23

Page No. 1 of 2

Agenda Title: RESOLUTION — Condemnation — Easements — Ridge Road Sidewalk Project —  
444 N. Ridge Road — Tuckahoe District

For Clerk's Use Only:

Date: 4/25/2023

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS

APPROVED

YES NO OTHER

Branln, T.	—	—	absent
Nelson, T.	✓	—	—
O'Bannon, P.	✓	—	—
Schmitt, D.	✓	—	—
Thornton, F.	✓	—	—

WHEREAS, it is necessary for construction of the Ridge Road Sidewalk Project (the "Project") that the County acquire 119 square feet of permanent sidewalk easement and 11 square feet of temporary construction easement (the "Easements") across the property located at 444 N. Ridge Road, identified as Tax Map Parcel 756-736-5992, and owned by the Robins Family Limited Partnership (the "Owner"); and,

WHEREAS, the County has offered the Owner \$1,100 as compensation for the Easements, the affected improvements, and the cost to cure, but the parties cannot reach an agreement on the acquisition of the Easements; and,

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

WHEREAS, after advertisement in the *Richmond Times-Dispatch*, the Board held a public hearing pursuant to §§ 15.2-1903 and 15.2-1905 of the Code, at which time the Board declared its intent to enter and take the Easements for the Project across portions of the Owner's property.

NOW, THEREFORE, BE IT RESOLVED that:

- (1) The Board directs the County Manager to take the necessary steps to acquire the Easements over, under, upon, across, and through the property of the Owner, as shown on the plat made by H&B Surveying and Mapping, LLC dated May 25, 2022, a reduced size copy of which is attached and marked Exhibit "A," and as further described on Sheet No. 12A, dated July 15, 2022, of Ridge Road Sidewalk Improvements, a reduced size copy of which is attached and marked as Exhibit "B;" and,

By Agency Head

By County Manager

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

Certified:

A Copy Teste:

Clerk, Board of Supervisors

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

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

Agenda Item No. **125-23**  
Page No. 2 of 2

**Agenda Title: RESOLUTION — Condemnation — Easements — Ridge Road Sidewalk Project —  
444 N. Ridge Road — Tuckahoe District**

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- (2) The Board deems it necessary to enter upon the property and take possession of the Easements to construct the Project prior to or during condemnation proceedings in accordance with the Code; and,
- (3) The Board finds a necessity exists to institute condemnation proceedings pursuant to the Code to acquire the Easements for the public use of constructing, operating, and maintaining the Project and to determine the amount of compensation and damages, if any, caused by the taking, possession, and acquisition of the Easements; and,
- (4) The Board authorizes the County Attorney to institute and conduct condemnation proceedings to acquire the Easements in accordance with the Code; and,
- (5) The Board authorizes and directs the County Manager to continue to seek a voluntary acquisition of the Easements, to take all steps necessary to acquire the Easements, and to enter on and take possession of the required Easements in accordance with the Code.

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

# EXHIBIT A

OWNERSHIP: **THE ROBINS FAMILY LIMITED PARTNERSHIP**  
DEED BOOK: 3057 PAGE: 877  
PARCEL NO: 756-736-5992

**PERMANENT SIDEWALK EASEMENT**  
119 S.F. 0.003 AC.  
SEE DETAIL

**TEMPORARY CONSTRUCTION EASEMENT**  
11 S.F. 0.0003 AC.  
SEE DETAIL

N=3,737,117.14  
E=11,756,569.21

C-4  
 $\Delta = 1^\circ 16' 02''$   
 $R = 1,473.40'$   
 $L = 32.59'$   
 $T = 16.29'$   
CH'D BRNG = S 41°46'15" E  
CH'D = 32.59'

N/F  
BRICE ARBUCKLE  
MARIEKA ANN HELOU  
8003 RIDGE ROAD  
D.B. 5645 PG. 1880  
PARCEL ID: 756-737-4913

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 21°46'03" E	6.18'
L2	N 21°46'03" E	2.42'
L3	N 59°00'36" W	9.32'
L4	N 45°13'21" W	9.99'
L5	N 45°13'21" W	6.94'
L6	N 60°55'33" W	13.70'

**RIDGE ROAD**

C-1  
 $\Delta = 7^\circ 54' 51''$   
 $R = 1,473.40'$   
 $L = 203.52'$   
 $T = 101.92'$   
CH'D BRNG = S 45°04'29" E  
CH'D = 203.35'

10' UTILITY EASEMENT  
DB 1413 PG. 575

N=3,736,972.66  
E=11,756,714.14

C-2  
 $\Delta = 69^\circ 57' 35''$   
 $R = 30.00'$   
 $L = 36.63'$   
 $T = 20.89'$   
CH'D BRNG = S 6°32'23" E  
CH'D = 34.40'

C-3  
 $\Delta = 18^\circ 17' 01''$   
 $R = 517.47'$   
 $L = 165.13'$   
 $T = 83.27'$   
CH'D BRNG = S 19°17'55" W  
CH'D = 164.43'

**RIDGE ROAD**

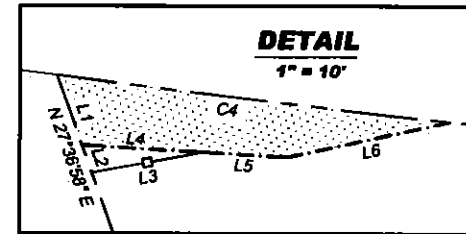
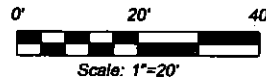
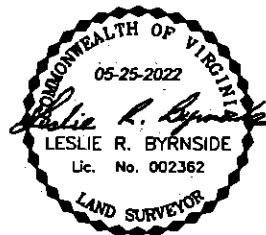
**THE ROBINS FAMILY LIMITED PARTNERSHIP**  
444 N. RIDGE ROAD  
D.B. 3057 PG. 877  
PARCEL ID: 756-736-5992  
1.674 ACRES (PLATS)

## LEGEND:

- ROD FOUND
- LIMITS OF TEMPORARY CONSTRUCTION EASEMENT
- SIDEWALK PATTERN

## NOTES:

- THIS PLAT IS FOR THE SOLE PURPOSE OF SHOWING A PERMANENT SIDEWALK EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT. THE BOUNDARY LINES SHOWN HEREON DO NOT REPRESENT A CURRENT BOUNDARY SURVEY. BEARINGS AND DISTANCES SHOWN HEREON ARE BASED ON THE SURVEY USED FOR THE DESIGN OF THE PROPOSED EASEMENTS.
- HORIZONTAL (NAD'83) DATUM ESTABLISHED THROUGH REAL TIME KINEMATIC (RTK) GPS OBSERVATIONS ON JUNE 13, 2019. DIFFERENTIAL CORRECTIONS WERE DERIVED FROM NATIONAL GEODETIC SURVEY (NGS) CONTINUALLY OPERATING REFERENCE STATION (CORS) "VAAD".
- THE PROPERTY SHOWN HEREON FALLS IN THE FOLLOWING FLOOD HAZARD ZONES: "X"(UNSHADED)-AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOOD PLAIN. THE APPROXIMATE BOUNDARY LIMITS OF THESE AREAS ARE SHOWN GRAPHICALLY, IF THEY FALL WITHIN THE LIMITS OF THIS SURVEY, AS SCALED FROM FEMA FLOOD INSURANCE RATE MAP, MAP NUMBERS 1087C0110C, EFFECTIVE DATE: 12/18/2007.
- THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES UPON THE TITLE.



PERMANENT SIDEWALK EASEMENT 119 SQUARE FEET  
TEMPORARY CONSTRUCTION EASEMENT 11 SQUARE FEET

PLAT SHOWING THE LOCATION OF A PERMANENT SIDEWALK EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT TO BE ACQUIRED THROUGH THE PROPERTY OF  
**THE ROBINS FAMILY LIMITED PARTNERSHIP**  
IN THE TUCKAHOE MAGISTERIAL DISTRICT, COUNTY OF HENRICO, VIRGINIA  
SCALE: 1"= 20'

H&B SURVEYING and MAPPING, LLC.  
LESLIE R. BYRNSIDE, LS \* VA SURVEYOR'S LIC. NO.: 2362  
614 MOOREFIELD PARK DRIVE, RICHMOND, VA 23236  
OFFICE: (804)330-3781 \* FAX: (804)859-5330

PLAT NUMBER: \_\_\_\_\_  
SHEET 1 OF 1  
RECORDED \_\_\_\_\_ P.B. \_\_\_\_\_ PG. \_\_\_\_\_

008

DATE: 05-25-2022





COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 126-23

Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Termination and Release of Covenants —  
Bridleton Landing, Section A — Varina District

For Clerk's Use Only:

Date: 4/25/2023

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

Branin, T. ☐ ☐ absent  
Nelson, T. ☒ ☐ ☐  
O'Bannon, P. ☒ ☐ ☐  
Schmitt, D. ☒ ☐ ☐  
Thornton, F. ☒ ☐ ☐

WHEREAS, Gill Dale Co., Inc., and Pruitt Properties Inc., have asked the County to terminate and release a Declaration of Covenants with respect to former Stream Protection Areas within property they own in Bridleton Landing, Section A, identified as GPIN 838-693-9348, GPIN 839-691-4296, and GPIN 837-693-5764 (collectively, the "Property"); and,

WHEREAS, the Declaration of Covenants was recorded in the Clerk's Office of Henrico County on November 9, 2007, at Book 4434 and Pages 2265 through 2269, instrument number 57614; and,

WHEREAS, the Property no longer contains any Stream Protection Areas; and,

WHEREAS, this resolution was advertised pursuant to Va. Code §§ 15.2-1800 and 15.2-1813, and the Board held a public hearing on April 25, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the Director of Public Works is authorized to execute a Termination and Release of the Declaration of Covenants and any interest the County may have with respect to the former Stream Protection Areas within the Property, all in a form approved by the County Attorney.

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

By Agency Head

By County Manager

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

Certified:

A Copy Teste:

Clerk, Board of Supervisors

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





COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 127-23

Page No. 1 of 2

**Agenda Title: RESOLUTION — Signatory Authority — Agreement with Richmond Metropolitan Habitat for Humanity and Conveyance of Real Property — 5200 and 5405 Moncure Avenue — Varina District**

For Clerk's Use Only:

Date: 4/25/2023

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

Branin, T. absent.  
Nelson, T. ✓  
O'Bannon, P. ✓  
Schmitt, D. ✓  
Thornton, F. ✓

**WHEREAS**, the County owns real estate known as Tax Map Parcel numbers 805-711-4050 and 805-710-9285 located at 5200 and 5405 Moncure Avenue in the Richland Heights subdivision (the "Properties"); and,

**WHEREAS**, Richmond Metropolitan Habitat for Humanity, Inc. ("RMHFH") is a nonprofit corporation with a track record of rehabilitating and building single-family homes and providing homebuyer services and other assistance programs to residents of the County and Central Virginia; and,

**WHEREAS**, RMHFH desires to acquire the Properties for the construction of two new, affordable single-family homes; and,

**WHEREAS**, the Properties are surplus to the needs of the County; and,

**WHEREAS**, the Board of Supervisors desires to support the construction of new affordable single-family homes on the Properties by conveying the Properties to RMHFH for no monetary consideration and providing \$100,000 towards the construction of two single-family homes on the Properties; and,

**WHEREAS**, this resolution was advertised, and a public hearing was held on April 25, 2023, pursuant to Va. Code §§ 15.2-1800 and 15.2-1813.

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

1. The County Manager is authorized to execute an agreement with RMHFH, in a form approved by the County Attorney, providing for the construction of two affordable single-family homes at the Properties with the assistance of County funding totaling \$100,000;
2. The Properties are declared surplus to the needs of the County; and

By Agency Head

By County Manager

Certified:

A Copy Teste:

Copy to:

Clerk, Board of Supervisors

Date:

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

Agenda Item No. 127-28

Page No. 2 of 2

**Agenda Title: RESOLUTION — Signatory Authority — Agreement with Richmond Metropolitan Habitat for Humanity and Conveyance of Real Property — 5200 and 5405 Moncure Avenue — Varina District**

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3. The Chairman and Clerk are authorized to execute a deed, in a form approved by the County Attorney, subject to the condition that RMHFH will use the Properties only to construct new affordable single-family homes for sale to qualified homebuyers in accordance with the terms of the agreement between the parties.

**COMMENTS:** The Real Property Division has processed this conveyance through the Departments of Planning, Public Utilities, and Public Works without objection. The Directors of Community Revitalization and Real Property recommend approval of the Board paper, and the County Manager concurs.

# **COMMUNITY REVITALIZATION AGREEMENT**

**Between**

**County of Henrico**

**and**

**Richmond Metro Habitat for Humanity**

This **COMMUNITY REVITALIZATION AGREEMENT** ("Agreement") is made this \_\_\_\_\_ day of \_\_\_\_\_ between the **COUNTY OF HENRICO, VIRGINIA**, a Virginia political subdivision (the "County"), and **RICHMOND METROPOLITAN HABITAT FOR HUMANITY, INC.**, a Virginia non-stock corporation ("RMHFH"), to state the agreement between the parties regarding the County's support for RMHFH's development and sale of the Homes (as defined below) in furtherance of creating affordable homeownership opportunities in Henrico County.

## **RECITALS**

A. The County owns real estate known as Tax Map Parcel No. 805-711-4050, located at 5200 Moncure Avenue, and Tax Map Parcel No. 805-710-9285, located at 5405 Moncure Avenue, in the Richland Heights subdivision (the "Properties").

B. The Properties are considered surplus to the needs of the County.

C. RMHFH is a nonprofit corporation with a track record of rehabilitating and building single-family homes and providing homebuyer services and other assistance programs to residents of Henrico County and Central Virginia.

D. RMHFH desires to acquire the Properties for the construction of two new single-family homes (one single-family home on each parcel) (collectively, the "Homes").

E. The Board of Supervisors of Henrico County, Virginia is willing to convey the Properties to RMHFH for no monetary consideration subject to the condition that RMHFH will use the Properties only to construct and sell the Homes to households whose annual gross income does not exceed 80% of the area median income for the Richmond Metropolitan area as established by the U.S. Department of Housing and Urban Development.

## **AGREEMENT**

NOW, THEREFORE, for and in consideration of the recitals above, the mutual agreements set forth below, and other good and valuable consideration, the parties agree as follows:

### **I. SCOPE OF SERVICES**

RMHFH agrees to construct and sell the Homes pursuant to the terms of this Agreement. The County agrees to provide funds in an amount not to exceed \$50,000.00 per home ("Funds"), as shown in the Project Budgets and Proformas attached to this Agreement. For the County's review and approval, RMHFH must submit architectural plans for each of the Homes no later than 180 days after the date of this Agreement. The Project Budgets and Proformas are incorporated

into and made a part of this Agreement by reference.

## **II. USE OF COUNTY FUNDS**

A. In accordance with Section I, the County agrees to provide \$50,000.00 per home (for a total of \$100,000.00) to RMHFH for the construction and sale of the Homes. RMHFH may use the Funds only for the construction and sale of the Homes. Subject to the County's prior written approval, RMHFH may use the Funds for homebuyer assistance and other related costs.

B. The Funds may come from County or other government sources. Acceptance or use of the Funds may require RMHFH to comply with additional regulatory requirements. Any additional regulatory requirements will be set forth in writing in an appropriate addendum to this Agreement.

C. Upon the sale of each Home pursuant to this Agreement, RMHFH must promptly return 50% of all project proceeds (if any) to the County. Project proceeds are defined as net sales proceeds received by RMHFH in connection with the sale of each Home. Any expenses not identified in the Project Budgets and Proformas must be documented by cancelled checks and invoices marked paid by the vendor.

## **III. PURCHASE OF HOME**

A. The contract sales price for each Home must be supported by an appraisal by a licensed appraiser. RMHFH shall require an affordability restriction by deed of trust and note provided that any affordability restriction must terminate upon foreclosure or transfer in lieu of foreclosure.

B. RMHFH must include an assignment clause in the deed of trust and note securing the County's investment that ensures the County, or its agent, can enforce the deed of trust and note in the event RMHFH ceases to exist or fails to satisfy the requirements of this Agreement. The County will provide a suitable form deed of trust and note to RMHFH to be executed for this project.

## **IV. SCHEDULE OF ACTIVITIES**

A. RMHFH must complete the activities under this Agreement no later than 24 months after the date of this Agreement. The parties agree to prepare jointly a Project Schedule for work to be performed pursuant to this Agreement, and the parties further agree to make good faith efforts to finalize preparation of the Project Schedule within 60 days of the date of this Agreement. All activities must be completed in accordance with the Project Schedule, but no later than 24 months after the date of this Agreement, which may be extended only by written agreement signed by the parties and which will be incorporated into and made a part of this Agreement.

B. The timely completion of activities under this Agreement is an integral and essential part of performance. By accepting and executing this Agreement, RMHFH agrees that activities will be completed as expeditiously as possible and that RMHFH will make every effort to ensure that the project proceeds as scheduled and without delay. If RMHFH fails to meet the Project Schedule without the County's prior written approval, the County may declare RMHFH to

be in default and terminate the Agreement under Section XI of this Agreement.

## **V. PAYMENT**

A. Payments to RMHFH will be made in compliance with County cash management requirements. The County will remit payment within 30 business days after approving a request for funds submitted by RMHFH to the County's Housing Specialist. RMHFH must return erroneously drawn funds to the County within ten business days.

B. RMHFH must include accurate information in its requests for funds, and RMHFH may not request funds until payment for eligible costs is necessary. Requests for payment must be submitted by RMHFH in a form acceptable to the County and must include adequate documentation of eligible costs incurred. All such expenses must conform with the Project Budgets and Proformas. The County may inspect records and project sites to determine reimbursement requests are reasonable and accurate. Further, the County may hold payment until adequate documentation has been provided by RMHFH and reviewed and approved by the County.

## **VI. LEAD BASED PAINT**

RMHFH must comply with the provisions of the Lead Based Paint Poisoning Prevention Act (42 U.S.C. § 4821 et seq.), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. § 4851 et seq.), and implementing regulations at 24 CFR Part 35, subparts A, B, J, K, M, and R of this title.

## **VII. FAIR HOUSING AND EQUAL OPPORTUNITY**

A. RMHFH must comply with the provisions of Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d et seq.), 24 CFR Part 1, The Fair Housing Act (42 U.S.C. § 3601 et seq.), 24 CFR Part 100-115, Equal Opportunity in Housing, Executive Order 11063, as amended by Executive Order 12259, 24 CFR Part 107, the Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 et seq.), and 24 CFR Part 146 and Executive Order 11246 as applicable, and the applicable provisions of 24 CFR § 92.351 Affirmative Marketing; Minority Outreach Program.

B. RMHFH must also comply with all federal, state and local laws, ordinances, codes, rules and regulations and amendments thereto, including but not limited to Title 8 of the Civil Rights Act of 1968 (Public Law 90-284), Executive Order 11063 on Equal Opportunity, and Section 3 of the Housing and Urban Development Act of 1968.

## **VIII. RECORDS AND REPORTS**

A. RMHFH must retain all records pertaining to this Agreement and activities performed pursuant to it for no less than ten years. Notwithstanding the previous sentence, RMHFH must comply with any applicable federal, state, or local legal requirements that impose a longer retention schedule. The County will have unrestricted access to all records pertaining to this Agreement and activities performed pursuant to it for the entire duration of the retention period. Records include:

1. A full description of the project, including the location, forms of assistance, and

project budget;

2. The sources and application of funds and supporting documentation;
3. Records demonstrating that the Properties meet the property standards of 24 CFR § 92.251 and the lead-based paint requirements of 24 CFR § 92.355 and any other documentation necessary to maintain compliance with contractual requirements, and federal, state, or local codes;
4. Income eligibility documentation;
5. Records demonstrating adequate financing has been secured to ensure project completion; and
6. Records demonstrating that there is adequate need for the project based on neighborhood market conditions.

B. RMHFH must submit to the County a monthly report setting forth the progress made to date in relationship to the Scope of Services and Project Schedule..

## **IX. PROCUREMENT REQUIREMENTS**

A. RMHFH must comply with the following procurement requirements when purchasing goods or contracting for services or construction performed by third parties under this Agreement:

1. For all types of bid requests a **written** description of the solicited good or service, including any requirements, shall be prepared.
2. For any purchase less than or equal to \$7,500, a minimum of one proposal shall be solicited. Additional competition, if available, should be solicited to include a supplier from the Small, Women and Minority (SWAM) Vendor list made available by the Virginia Department of Minority Business Enterprise (DMBE). The SWAM Vendor Directory can be located at the following link:  
<http://www.dmbv.virginia.gov>
3. For purchases of professional services (architects, engineers, etc.) less than or equal to \$7,500, a minimum of one proposal shall be solicited. Soliciting proposals from business on the DMBE SWAM list is encouraged.
4. For purchases of professional services greater than \$7,500 but less than or equal to \$60,000, a minimum of four proposals shall be solicited from qualified firms. A minimum of one proposal shall be solicited from a DMBE SWAM business; soliciting more than one proposal from DMBE SWAM businesses is encouraged.
5. For purchases of professional services greater than \$60,000, a minimum of six proposals shall be solicited from qualified firms. A minimum of two proposals shall be solicited from a DMBE SWAM business; soliciting more than two proposals from DMBE SWAM businesses is encouraged.

6. For purchases of goods, non-professional services, and construction greater than \$7,500 but less than or equal to \$50,000, a minimum of four written quotes shall be solicited from qualified firms. A minimum of one quote shall be solicited from a DMBE SWAM business; soliciting more than one quote from DMBE SWAM businesses is encouraged.
7. For purchases of goods, non-professional services, and construction greater than \$50,000 but less than or equal to \$100,000, a minimum of four written quotes shall be solicited from qualified firms. A minimum of one quote shall be solicited from a DMBE SWAM business; soliciting more than one quote from DMBE SWAM businesses is encouraged. A copy of the published notice for invitations to bid shall be provided to the Department of Community Revitalization.
8. For purchases of goods, non-professional services, and construction greater than \$100,000, a minimum of six written quotes shall be solicited from qualified firms. A minimum of two quotes shall be solicited from a DMBE SWAM business; soliciting more than two quotes from DMBE SWAM businesses is encouraged. A copy of the published notice for invitations to bid shall be provided to the Department of Community Revitalization.

## **X. AUDIT REQUIREMENTS**

A. RMHFH agrees to retain the services of an independent certified public accountant to perform an annual organization wide audit in accordance with generally accepted government auditing standards as defined by Standards for Audit of Government Organizations, Activities, and Functions, in compliance in all respects with the generally accepted auditing standards of the American Institute of Certified Public Accountants, and in accordance with the Single Audit Act of 1984, if applicable. In the alternative, it will provide an organization wide audit report, including an audit report for program activities funded under this Agreement, in compliance with accepted auditing standards of the American Institute of Certified Public Accountants, by a certified public accountant. RMHFH must provide copies of the audit reports to the County's Housing Specialist and the County's Department of Finance within 90 days of the close of each RMHFH fiscal year covered by this Agreement.

B. RMHFH must pay the cost of the audit from its own funds. RMHFH may not use any portion of the Funds for this purpose.

## **XI. TERMINATION FOR CAUSE OR CONVENIENCE**

A. The County may suspend or terminate this Agreement if RMHFH materially fails to comply with any of its terms (including the terms of Section IV). If the County determines RMHFH is in default of this Agreement, the County may take one or more of the following actions:

1. Withhold cash payments pending correction of the deficiency by RMHFH or any contractor or subcontractor of RMHFH.
2. Disallow all or part of the cost of the non-compliant activity or action.
3. Suspend or terminate, in whole or in part, this Agreement. If the County

terminates this Agreement due to RMHFH's default, RMHFH must repay all Funds advanced to RMHFH within ten days of receiving the County's notice of termination.

4. Withhold further funds from RMHFH.

5. Pursue other remedies that may be legally available.

B. Either party may terminate this Agreement for convenience at any time by notifying the other party in writing at least 30 days prior to the date of termination. If RMHFH terminates this Agreement prior to project completion, RMHFH must repay all Funds advanced to RMHFH by the County within ten days of providing its notice of termination.

C. In the event of any termination of this Agreement, all property and finished or unfinished documents, data, studies, and reports purchased or prepared by RMHFH under this Agreement shall, at the option of the County, become the County's property or assigned to the County's agent at the County's sole discretion.

## **XII. CONFLICT OF INTEREST**

No employee, agent, consultant, officer or appointed official of RMHFH who is in a position to participate in a decision-making process or gain inside information with regard to any activity under this Agreement may obtain a personal or financial interest in any contract, subcontract or agreement with respect thereto, or in the proceeds hereunder, for himself, or for his family or business associates, during his tenure or for one year thereafter.

## **XIII. AVAILABILITY OF FUNDS**

This Agreement is subject to annual appropriations by the Board of Supervisors of Henrico County, Virginia, and the County is bound only to the extent that there are funds available to perform its obligations under this Agreement. In addition, all funding under this Agreement is contingent on the County's determination to proceed with, modify, or cancel the project based on the result of any title examination.

## **XIV. INDEMNIFICATION**

RMHFH agrees to indemnify and hold harmless the County, its officers, agents and employees (the "Indemnified Parties") against and from all liability, claims, damages and costs, including reasonable attorneys' fees, of every kind and nature, and attributable to bodily injury, sickness, disease or death, or to damage or destruction of property resulting from or in any manner arising out of or in conjunction with the performance of work under this Agreement, provided that such liability is not attributable to the negligence of the Indemnified Parties. In addition, RMHFH must provide to the County a Certificate of Insurance evidencing coverage under the Workers' Compensation Act and liability protection against claims for bodily injury, death, or property damage in the amounts set forth in Section XV of this Agreement. In addition, RMHFH's insurer must give the County 30 days' prior written notice of its decision to amend, cancel or terminate any insurance coverage. The County, its officials, employees, volunteers, and agents must be named as additional insured on all insurance policies held by RMHFH.



## **XV. INSURANCE**

A. RMHFH will obtain liability insurance from a company licensed to do business in the Commonwealth of Virginia, countersigned by an authorized agent in Virginia, to cover injury to or death of one or more persons in RMHFH's performance of this Agreement. Premiums chargeable for the insurance must be paid by RMHFH and all liability insurance policies must be kept in force during the term of this Agreement. Required liability insurance policies and their limits of coverage are as follows:

1. Automobile Liability, including owned, non-owned and hired car coverage: One Million Dollars (\$1,000,000) per occurrence combined single limit;
2. Commercial General Liability: One Million Dollars (\$1,000,000) per occurrence; Two Million Dollars (\$2,000,000) in the aggregate; and
3. Worker's Compensation coverage according to statutory limits of the Code of Virginia, Title 65.2.

B. The County, its officials, employees, volunteers, and agents must be named as an additional insured under the commercial general liability coverage. The required insurance must apply as primary insurance with respect to any other insurance or self-insurance programs of the County. Each policy must be endorsed to be primary with respect to the additional insured.

## **XVI. MISCELLANEOUS**

A. Governing law; Venue; Attorneys' fees. This Agreement is governed by the laws of the Commonwealth of Virginia without giving effect to its conflict of law principles. Any disputes concerning interpretation or performance under this Agreement must be litigated only in the Circuit Court of Henrico County. Attorneys' fees will not be recoverable by the prevailing party in the event this Agreement is subject to litigation.

B. Entire Agreement; Amendments. This Agreement constitutes the entire contract between the parties with regard to its subject matter and may not be changed except in writing signed by the parties.

C. Severability. If any court of competent jurisdiction holds any provision of this Agreement invalid, then (1) such holding will not invalidate any other provision of this Agreement, unless such provision is contingent on the invalidated provision, and (2) the remaining terms will constitute the parties' entire agreement.

D. Communications. Any communication under this Agreement will be sufficiently given when delivered by hand or by first-class mail, postage prepaid, as follows:

If to RMHFH:

[Matt Waring  
Vice President of Construction and Real Estate  
Richmond Metropolitan Habitat for Humanity Inc.  
2281 Dabney Road Suite A, Richmond VA 23230  
Ph: (804) 299-4652 Email: mwarding@richmondhabitat.org]

If to the County:

Housing Specialist  
County of Henrico  
4905 Dickens Road, Suite 200  
Henrico, VA 23230

A party may designate additional or different addresses for communications to it by notice given under this section.

E. Recitals. The recitals to this Agreement are true and correct and incorporated into this Agreement by reference.

**WITNESS** the following signatures:

**COUNTY OF HENRICO**

By: \_\_\_\_\_  
**John A. Vithoukas, County Manager**

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

**Richmond Metro Habitat for Humanity**

By: \_\_\_\_\_

Name: \_\_\_\_\_

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

Property Address: 5405 Moncure

Expenses			Sources of Funds		
Building and Land	Estimate	Actual		Estimate	Actual
Building and Land	\$ -	\$ -	<b>First Mortgage Amount</b>	\$ 179,500.00	
Attorney's Fee	\$ -		Commission (6%)	\$ -	
Title Insurance	\$ 600.00		Seller Closing Costs	\$ 200.00	
Recording Fees	\$ 120.00		<b>Net 1st Mortgage</b>	\$ 179,300.00	
Taxes	\$ 500.00				
Demolition	\$ -		<b>Development Costs</b>	\$ 320,844.69	
Surveys	\$ 375.00	\$ -			
Real Estate Comission	\$ -			0	
Appraisal - Acq.	\$ -		<b>Development Gap</b>	(\$141,544.69)	
<b>Subtotal</b>	<b>\$ 1,595.00</b>	<b>\$ -</b>	<b>Development Subsidy</b>		
<b>Pre-Development</b>			Community Revitalization Fund (Henrico)	50,000.00	
Appraisal (after value rehab)	\$ -		Other Corporate or Philanthropic Donation	91,544.69	\$ -
Arch. & Engineering Fees	\$ 2,805.00		Property donated by Henrico County	-	
Surveys (2)	\$ 2,000.00				
Environmental	\$ 2,500.00				
Hazard Insurance	\$ 1,500.00				
			<b>Subtotal</b>	<b>\$0.00</b>	<b>\$ -</b>
<b>Subtotal</b>	<b>\$ 8,805.00</b>	<b>\$ -</b>	<b>Property Information</b>		
<b>Construction</b>			Square Footage	1,620	
Construction Costs	\$ 200,072.00		Year Built	2024	
Construction Contingency	\$ 11,336.85		Fully Loaded cost/sq.ft.	\$198.05	
Interior Demo	\$ -				
Lead Abatement/Clearance	\$ -				
Pest Treatment	\$ 535.00				
Utilities	\$ 17,660.00				
Attorney/	\$ -		Buyer's annual income: unknown		
Construction Loan			AMI: unknown		
Title Insurance/Lender	\$ 300.00		Household of: unknown		
Taxes					
Construction Loan Fee	\$ -				
Construction Interest					
Site Maint./Appliances	\$ 3,000.00				
<b>Subtotal</b>	<b>\$ 232,903.85</b>	<b>\$ -</b>	First Mortgage Financed by Habitat at 0%:	\$179,500.00 (30 yr/360 mo)	
			Monthly Principal:	\$498.45	
<b>Expense of holding mortgage</b>	<b>\$ 60,040.84</b>		Monthly Henrico Real Estate Taxes:	\$205.00	
<b>Developer's Fee</b>	<b>\$ 17,500.00</b>		Monthly Homeowner's Insurance:	\$50.00	
<b>Total Development Costs</b>	<b>\$ 320,844.69</b>	<b>\$ -</b>	Total Payment:	\$753.45	

Property Address: 5200 Moncre...					
Expenses			Sources of Funds		
	Estimate	Actual		Estimate	Actual
<b>Building and Land</b>			<b>First Mortgage Amount</b>	\$ 179,500.00	
Building and Land	\$ -	\$ -	Commission (6%)	\$ -	
Attorney's Fee	\$ -		Seller Closing Costs	\$ 200.00	
Title Insurance	\$ 600.00		<b>Net 1st Mortgage</b>	\$ 179,300.00	
Recording Fees	\$ 120.00				
Taxes	\$ 500.00				
Demolition	\$ -		<b>Development Costs</b>	\$ 320,844.69	
Surveys	\$ 375.00	\$ -			
Real Estate Commission	\$ -			0	
Appraisal - Acq.	\$ -		<b>Development Gap</b>	(\$141,544.69)	
<b>Subtotal</b>	\$ 1,595.00	\$ -			
			<b>Development Subsidy</b>		
<b>Pre-Development</b>			Community Revitalization Fund (Henrico)	50,000.00	
Appraisal (after value rehab)	\$ -		Other Corporate or Philanthropic Donation	91,544.69	\$ -
Arch. & Engineering Fees	\$ 2,805.00		Property donated by Henrico County	-	
Surveys (2)	\$ 2,000.00				
Environmental	\$ 2,500.00				
Hazard Insurance	\$ 1,500.00		<b>Subtotal</b>	\$0.00	\$ -
<b>Subtotal</b>	\$ 8,805.00	\$ -			
			<b>Property Information</b>		
<b>Construction</b>			Square Footage	1,620	
Construction Costs	\$ 200,072.00		Year Built	2024	
Construction Contingency	\$ 11,336.85		Fully Loaded cost/sq.ft.	\$198.05	
Interior Demo	\$ -				
Lead Abatement/Clearance	\$ -				
Pest Treatment	\$ 535.00				
Utilities	\$ 17,660.00				
Attorney/	\$ -		Buyer's annual income: unknown		
Construction Loan			AMI: unknown		
Title Insurance/Lender	\$ 300.00		Household of: unknown		
Taxes					
Construction Loan Fee	\$ -				
Construction Interest					
Site Maint./Appliances	\$ 3,000.00		First Mortgage Financed by Habitat at 0%:	\$179,500.00 (30 yr/360 mo)	
<b>Subtotal</b>	\$ 232,903.85	\$ -			
			Monthly Principal:	\$498.45	
<b>Expense of holding mortgage</b>	\$ 60,040.84		Monthly Henrico Real Estate Taxes:	\$205.00	
<b>Developer's Fee</b>	\$ 17,500.00		Monthly Homeowner's Insurance:	\$50.00	
<b>Total Development Costs</b>	\$ 320,844.69	\$ -	Total Payment:	\$753.45	



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 128-23  
Page No. 1 of 1

Agenda Title: ORDINANCE — To Amend and Reordain Section 23-359 Titled “Water connection fees,” Section 23-360 Titled “Sewer connection fees,” Section 23-361 Titled “Water service and volume charges,” and Section 23-362 Titled “Sewer service charges and rates” of the Code of the County of Henrico to Change Utility Fees and Charges and Make Credits Available for the County’s ARPA Infill Project

For Clerk's Use Only:

Date: 4/25/2023

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

Branin, T. \_\_\_\_\_ absent  
Nelson, T. ☒ \_\_\_\_\_  
O'Bannon, P. ☒ \_\_\_\_\_  
Schmitt, D. ☒ \_\_\_\_\_  
Thornton, F. ☒ \_\_\_\_\_

After a duly advertised public hearing, the Board of Supervisors approved the attached ordinance.

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

By Agency Head

By County Manager

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

Certified:

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

Clerk, Board of Supervisors

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

**ORDINANCE — To Amend and Reordain Section 23-359 Titled "Water connection fees," Section 23-360 Titled "Sewer connection fees," Section 23-361 Titled "Water service and volume charges," and Section 23-362 Titled "Sewer service charges and rates" of the Code of the County of Henrico to Change Utility Fees and Charges and Make Credits Available for the County's ARPA Infill Project**

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

1. That Section 23-359 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 23-359. Water connection fees.**

• • • •

**(k) Credits generated on or after July 1, 2023. Credits generated pursuant to this section on or after July 1, 2023, will be known as "utility credits" and may be used to offset connection fees incurred under this section or section 23-360.**

2. That Section 23-360 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 23-360. Sewer connection fees.**

• • • •

**(k) Credits generated on or after July 1, 2023. Credits generated pursuant to this section on or after July 1, 2023, will be known as "utility credits" and may be used to offset connection fees incurred under this section or section 23-359.**

3. That Section 23-361 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 23-361. Water service and volume charges.**

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

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

a. Connected Users:

<i>Meter Size (Inches)</i>	<i>Bimonthly Charge</i>	
5/8 or 3/4	\$17.25	<b><u>\$18.10</u></b>
1	40.75	<b><u>42.80</u></b>
1½	74.95	<b><u>78.70</u></b>
2	115.10	<b><u>120.85</u></b>
3	189.80	<b><u>199.30</u></b>
4	304.90	<b><u>320.15</u></b>

6	589.35	<u>618.80</u>
8	1,179.50	<u>1,238.50</u>
10	1,179.50	<u>1,238.50</u>

- b. Single-family residential users with fire sprinkler system, five-eighths-inch, three-fourths-inch or one-inch meter: ~~\$47.25~~ \$18.10.
- c. Not connected, single-family and multi-family residential users, per single-family residential unit: ~~\$47.25~~ \$18.10.
- d. When there is a backup service connection, the owner shall must pay the amount of the service charge in subsection (a) for both the regular service connection and the backup service connection.

- (2) *Volume charge.* In addition to the service charges, the following volume charges shall apply to all water delivered:

<i>Consumption Block 100 Cubic Feet</i>			<i>Volume Charge</i>	
	<i>Monthly</i>	<i>Bimonthly</i>	<i>Per 100 Cubic Feet</i>	
First	5,000	10,000	<del>\$3.96</del>	<u>\$4.16</u>
Next	35,000	70,000	<del>2.70</del>	<u>2.84</u>
Over	40,000	80,000	<del>1.94</del>	<u>2.04</u>

For single-family residential customers using six CCF or less bimonthly, the volume charge shall be ~~\$2.47~~ is \$2.59 per CCF.

• • • •

- 4. That Section 23-362 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 23-362. Sewer service charges and rates.**

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

- (1) *Service charge.* All users billed bimonthly for water service shall must pay the following charge based on the size of the water meter which serves or the size of the water meter which would serve the premises if one were installed. Users billed monthly shall must pay one-half of this charge.

- a. Connected users:

<i>Meter Size</i> <i>(Inches)</i>	<i>Bimonthly Charge</i>	
5/8 or 3/4	<del>\$34.80</del>	<u>\$36.55</u>
1	<del>57.55</del>	<u>60.45</u>
1½	<del>84.35</del>	<u>88.55</u>
2	<del>121.75</del>	<u>127.85</u>

3	206.05	<u>216.35</u>
4	325.80	<u>342.10</u>
6	648.65	<u>681.10</u>
8	1,110.45	<u>1,165.95</u>
10	1,110.45	<u>1,165.95</u>

- b. Single-family residential users with fire sprinkler system, five-eighths-inch, three-fourths-inch or one-inch meter: ~~\$34.80~~ \$36.55.
- c. Not connected, single-family and multi-family residential users, per single-family residential unit: ~~\$34.80~~ \$36.55.
- d. Connected and not metered single-family and multi-family residential users, per single-family residential unit: ~~\$91.40~~ \$95.95.

(2) *Volume charge.*

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

<i>Consumption Block Hundred Cubic Feet</i>			<i>Volume Charge</i>	
	<i>Monthly</i>	<i>Bimonthly</i>	<i>Per Hundred Cubic Feet</i>	
First	5,000	10,000	<del>\$4.20</del>	<u>\$4.41</u>
Next	35,000	70,000	<del>3.00</del>	<u>3.15</u>
Over	40,000	80,000	<del>2.70</del>	<u>2.84</u>

- b. For single-family residential customers using six CCF or less bimonthly, the volume charge ~~shall be \$2.57~~ is \$2.70 per CCF.
  - c. For residential units receiving water service from the county, other than multifamily, bimonthly sewer volume charges ~~shall be~~ are based on the lesser of actual usage or usage determined from the first meter reading cycle of the calendar year. For residential units receiving water service from the City of Richmond, other than multifamily, bimonthly sewer volume charges ~~shall be~~ are based on usage determined from the first meter reading cycle of the calendar year. For the purpose of this subsection, if the first reading is estimated as provided in section 23-205 or if the user joins the system after the first reading cycle, or an allowance is made for an underground leak during the first billing cycle, billing shall will not exceed charges for 10 CCF.
- (3) *Industrial and commercial strong waste charge.* In addition to the charges set out in subsections (a)(1) and (2) of this section, there will be charged to individual users a strong waste charge as applicable:



- a. Suspended solids, when the concentrations of suspended solids exceed 275 milligrams per liter: ~~\$28.15~~ **\$29.55** per CWT for suspended solids in excess of 275 mg/l.
- b. BOD, when concentrations of BOD exceed 250 milligrams per liter: ~~\$39~~ **\$40.95** per CWT for BOD in excess of 250 mg/l.

• • • •

- 5. The County Manager is authorized and directed to retire credits owned by the County for the purpose of offsetting the basic water connection fee and local water facilities fee that would otherwise apply for an existing single-family dwelling served by an individual private well. This authorization is limited to dwellings to be served by water lines constructed pursuant to the County's ARPA Infill Program. The amount of credits retired must be equal to the amount of the basic connection fee and local facilities fee that would otherwise be imposed under Sections 23-359(b)(2) and 23-359(c) for the existing single-family dwelling served by an individual private well. The retirement of credits necessary to offset the fees will relieve the connector of any obligation to pay the basic water connection fee and local water facilities fee under Section 23-359. The authorization provided in this clause will expire on December 31, 2026, and is subject to the availability of credits owned by the County. The Board finds that the use of the County's credits for this purpose will benefit the public by reducing reliance on limited groundwater resources.
- 6. The County Manager is authorized and directed to retire credits owned by the County for the purpose of offsetting the basic sewer connection fee and local sewer facilities fee that would otherwise apply for an existing single-family dwelling served by an individual septic system. This authorization is limited to dwellings to be served by sewer lines constructed pursuant to the County's ARPA Infill Program. The amount of credits retired must be equal to the amount of the basic connection fee and local facilities fee that would otherwise be imposed under Sections 23-360(b)(2) and 23-360(c) for the existing single-family dwelling served by an individual septic system. The retirement of credits necessary to offset the fees will relieve the connector of any obligation to pay the basic sewer connection fee and local sewer facilities fee under Section 23-360. The authorization provided in this clause will expire on December 31, 2026, and is subject to the availability of credits owned by the County. The Board finds that the use of the County's credits for this purpose will benefit the public by reducing the negative environmental impacts associated with individual septic systems.
- 7. That this ordinance will be in full force and effect from and after July 1, 2023, as provided by law and the following provisions: Charges set forth in Sections 23-361 and 23-362 will be pro-rated to apply the old and new charges to that proportion of water supplied and sewage collected prior to and after the effective date of the new rates. Such pro-rated charges will be calculated based on average daily use of service supplied.

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

Page No. 1 of 7  
Agenda Item No. 104-23

Agenda Title: **RESOLUTION - Approval of Operating and Capital Annual Fiscal Plans for FY 2023-24 and Allocation of Car Tax Relief for Tax Year 2023**

For Clerk's Use Only:

Date: 4/25/2023

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

**BOARD OF SUPERVISORS ACTION**

Moved by (1) O'Bannon Seconded by (1) Schmitt  
(2) \_\_\_\_\_ (2) \_\_\_\_\_

REMARKS

APPROVED

YES NO OTHER

Branin, T.	✓	✓	<u>about</u>
Nelson, T.	✓	✓	—
O'Bannon, P.	✓	✓	—
Schmitt, D.	✓	✓	—
Thornton, F.	✓	✓	—

**WHEREAS**, the Board of Supervisors of the County of Henrico, Virginia, held an advertised public hearing at 6:00 p.m., on April 11, 2023, to consider the proposed Operating and Capital Annual Fiscal Plans FY 2023-24; and,

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

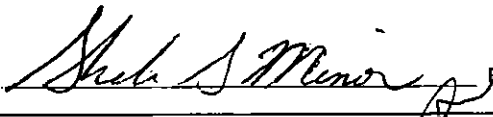
**NOW, THEREFORE, BE IT RESOLVED** that the proposed Operating and Capital Annual Fiscal Plans for FY 2023-24 are hereby approved for informative and fiscal planning purposes only.

**OPERATING ANNUAL FISCAL PLAN  
ESTIMATED OPERATING RESOURCES**

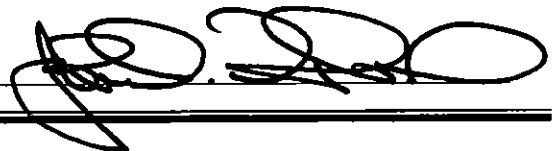
**01- GENERAL FUND:**

	<u>Manager Proposed</u>	<u>Board Approved</u>
General Property Taxes	\$ 641,410,000	\$ 641,410,000
Other Local Taxes	203,060,000	203,060,000
Permits, Fees, & Licenses	6,481,000	6,481,000
Fines & Forfeitures	1,575,000	1,575,000
Use of Money & Property	3,314,000	3,314,000
Charges for Services	3,335,000	3,335,000
Miscellaneous	3,659,000	3,659,000
Recovered Costs	4,168,500	4,168,500
Total from Local Sources	<u>\$ 867,002,500</u>	<u>\$ 867,002,500</u>
 Non-Categorical Aid	 \$ 12,567,000	 \$ 12,567,000
Shared Expenses	19,695,000	19,695,000
Categorical Aid	421,447,730	421,447,730
Total from State	<u>\$ 453,709,730</u>	<u>\$ 453,709,730</u>

By Agency Head



By County Manager



Certified:

A Copy Teste:

Copy to: \_\_\_\_\_ Clerk, Board of Supervisors

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

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

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Agenda Item No. **104-23**

Agenda Title: **RESOLUTION - Approval of Operating and Capital Annual Fiscal Plans for FY 2023-24  
and Allocation of Car Tax Relief for Tax Year 2023**

Categorical Aid - Total Federal	\$ 385,000	\$ 385,000
GENERAL FUND REVENUE	<u>\$ 1,321,097,230</u>	<u>\$ 1,321,097,230</u>
Operating Transfers	\$ (227,009,528)	\$ (227,009,528)
From (To) Fund Balance	<u>62,970,728</u>	<u>62,970,728</u>
GENERAL FUND RESOURCES	<u>\$ 1,157,058,430</u>	<u>\$ 1,157,058,430</u>

**11 – SPECIAL REVENUE FUND:**

Permits, Fees, & Licenses	\$ 897,000	\$ 897,000
Fines & Forfeitures	267,360	267,360
Use of Money & Property	247,448	247,448
Charges for Services	37,657,440	37,657,440
Miscellaneous	9,375,549	9,375,549
Recovered Costs	<u>1,202,626</u>	<u>1,202,626</u>
Total from Local Sources	<u>\$ 49,647,423</u>	<u>\$ 49,647,423</u>
Non-Categorical Aid	\$ 4,318,940	\$ 4,318,940
Categorical Aid	<u>57,824,639</u>	<u>57,824,639</u>
Total from State	<u>\$ 62,143,579</u>	<u>\$ 62,143,579</u>
Categorical Aid - Total Federal	\$ 78,415,470	\$ 78,415,470
SPECIAL REVENUE FUND REVENUE	<u>\$ 190,206,472</u>	<u>\$ 190,206,472</u>
Operating Transfers	\$ 47,602,602	\$ 47,602,602
From (To) Fund Balance	<u>3,970,346</u>	<u>3,970,346</u>
SPECIAL REVENUE FUND RESOURCES	<u>\$ 241,779,420</u>	<u>\$ 241,779,420</u>

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

Fines & Forfeitures	\$ 159,485	\$ 159,485
Charges for Services	149,937,692	149,937,692
Miscellaneous	<u>1,893,719</u>	<u>1,893,719</u>
W&S ENTERPRISE FUND REVENUE	<u>\$ 151,990,896</u>	<u>\$ 151,990,896</u>
Operating Transfers	\$ 7,150,500	\$ 7,150,500
From (To) Retained Earnings	<u>(42,324,750)</u>	<u>(42,324,750)</u>
W&S ENTERPRISE FUND RESOURCES	<u>\$ 116,816,646</u>	<u>\$ 116,816,646</u>

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

Use of Money & Property	\$ 400,000	\$ 400,000
Recovered Costs	<u>24,669,773</u>	<u>24,669,773</u>
C.A.M. FUND REVENUES	<u>\$ 25,069,773</u>	<u>\$ 25,069,773</u>
Operating Transfers	<u>327,360</u>	<u>327,360</u>
C.A.M. FUND RESOURCES	<u>\$ 25,397,133</u>	<u>\$ 25,397,133</u>

**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
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Agenda Item No. 104-23

Agenda Title: **RESOLUTION - Approval of Operating and Capital Annual Fiscal Plans for FY 2023-24  
and Allocation of Car Tax Relief for Tax Year 2023**

**62 – TECHNOLOGY REPLACEMENT FUND:**

Operating Transfers	\$ 3,500,000	\$ 3,500,000
From (To) Retained Earnings	341,471	341,471
TECH. REPLACE. FUND RESOURCES	<u>\$ 3,841,471</u>	<u>\$ 3,841,471</u>

**63 – RISK MANAGEMENT/WORKPLACE SAFETY FUND:**

Recovered Costs - Total Revenue	\$ 1,000,000	\$ 1,000,000
Operating Transfers	9,619,234	9,619,234
RISK MANAGEMENT/WORKPLACE SAFETY RES.	<u>\$ 10,619,234</u>	<u>\$ 10,619,234</u>

**64 - HEALTHCARE FUND:**

Interest on Investment	\$ 400,000	\$ 400,000
Miscellaneous	500,000	500,000
Recovered Costs	152,879,481	152,879,481
HEALTHCARE FUND RESOURCES	<u>\$ 153,779,481</u>	<u>\$ 153,779,481</u>

**71 – DEBT SERVICE FUND:**

Operating Transfers - TOTAL RESOURCES	\$ 77,631,422	\$ 77,631,422
- From (To) Fund Balance	368,578	368,578
DEBT SERVICE FUND RESOURCES	<u>\$ 78,000,000</u>	<u>\$ 78,000,000</u>

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

Shared Expenses - Local	\$ 588,826	\$ 588,826
Shared Expenses - State	1,600,085	1,600,085
JRJDC AGENCY FUND REVENUE	<u>\$ 2,188,911</u>	<u>\$ 2,188,911</u>
Operating Transfers	\$ 3,805,410	\$ 3,805,410
From (To) Fund Balance	321,714	321,714
JRJDC AGENCY FUND RESOURCES	<u>\$ 6,316,035</u>	<u>\$ 6,316,035</u>

**83 – FIDUCIARY FUNDS**

Recovered Costs	\$ 75,000	\$ 75,000
Operating Transfers	4,575,000	4,575,000
OPEB, LINE OF DUTY AND LTD RESOURCES	<u>\$ 4,650,000</u>	<u>\$ 4,650,000</u>

**90 – ADJUSTMENT FOR INTERFUND TRANSACTIONS:**

Operating Transfers - TOTAL RESOURCES	<u>\$ (131,335,792)</u>	<u>\$ (131,335,792)</u>
TOTAL OPERATING RESOURCES	<u><u>\$ 1,666,922,058</u></u>	<u><u>\$ 1,666,922,058</u></u>

Including: REVENUE TOTAL	\$ 1,845,407,763	\$ 1,845,407,763
OPERATING TRANSFERS	(204,133,792)	(204,133,792)
FUND BALANCE/RETAINED EARNINGS	25,648,087	25,648,087
	<u>\$ 1,666,922,058</u>	<u>\$ 1,666,922,058</u>

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

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Agenda Item No. 104-23

Agenda Title: **RESOLUTION - Approval of Operating and Capital Annual Fiscal Plans for FY 2023-24 and Allocation of Car Tax Relief for Tax Year 2023**

ESTIMATED OPERATING REQUIREMENTS

Department

<u>01 - GENERAL FUND:</u>	<u>Manager Proposed</u>	<u>Board Approved</u>
General Government Administration	\$ 78,592,275	\$ 78,592,275
Judicial Administration	11,725,928	11,725,928
Public Safety	254,143,711	254,143,711
Public Works	59,414,272	59,414,272
Health & Welfare	3,130,561	3,130,561
Education	650,376,582	650,376,582
Recreation, Parks, & Culture	49,552,181	49,552,181
Community Development	33,995,841	33,995,841
Miscellaneous	16,127,079	16,127,079
TOTAL GENERAL FUND	\$ 1,157,058,430	\$ 1,157,058,430
 <u>11 - SPECIAL REVENUE FUND:</u>		
Judicial Administration	\$ 2,899,027	\$ 2,899,027
Public Safety	3,571,964	3,571,964
Public Works	25,465,260	25,465,260
Health & Welfare	90,346,232	90,346,232
Education	117,747,843	117,747,843
Recreation, Parks, & Culture	1,079,094	1,079,094
Miscellaneous	670,000	670,000
TOTAL SPECIAL REVENUE FUND	\$ 241,779,420	\$ 241,779,420
 <u>51 - WATER AND SEWER ENTERPRISE FUND:</u>		
Public Utilities - Operations	\$ 87,167,785	\$ 87,167,785
- Debt Service	29,648,861	29,648,861
TOTAL W&S ENTERPRISE FUND	\$ 116,816,646	\$ 116,816,646
 <u>61 - CENTRAL AUTO MAINTENANCE FUND:</u>		
Central Auto. Maint. - TOTAL FUND	\$ 25,397,133	\$ 25,397,133
 <u>62 - TECHNOLOGY REPLACEMENT FUND:</u>		
Technology Replacement - TOTAL FUND	\$ 3,841,471	\$ 3,841,471
 <u>63 - RISK MANAGEMENT/WORKPLACE SAFETY FUND:</u>		
Finance	\$ 10,619,234	\$ 10,619,234
TOTAL RISK MANAGEMENT/WORKPLACE SAFETY	\$ 10,619,234	\$ 10,619,234
 <u>64 - HEALTHCARE FUND:</u>		
Healthcare - TOTAL FUND	\$ 153,779,481	\$ 153,779,481
 <u>71 - DEBT SERVICE FUND:</u>		
General Government	\$ 28,057,571	\$ 28,057,571
Education	49,942,429	49,942,429
TOTAL DEBT SERVICE FUND	\$ 78,000,000	\$ 78,000,000

**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
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Agenda Title: **RESOLUTION - Approval of Operating and Capital Annual Fiscal Plans for FY 2023-24 and Allocation of Car Tax Relief for Tax Year 2023**

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

JRJDC - Operations	\$	6,316,035	\$	6,316,035
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**83 – FIDUCIARY FUND:**

OPEB - GASB 45	\$	2,750,000	\$	2,750,000
Long-Term Disability		650,000		650,000
Line of Duty Act (LODA)		1,250,000		1,250,000
<b>TOTAL FIDUCIARY FUND</b>	<b>\$</b>	<b>4,650,000</b>	<b>\$</b>	<b>4,650,000</b>

**90 – ADJUSTMENT FOR INTERFUND TRANSACTIONS:**

Interdepartmental Billings - CAM	\$	(25,069,773)	\$	(25,069,773)
- Healthcare		(106,266,019)		(106,266,019)
<b>TOTAL ADJUSTMENTS</b>	<b>\$</b>	<b>(131,335,792)</b>	<b>\$</b>	<b>(131,335,792)</b>
<b>TOTAL OPERATING REQUIREMENTS</b>	<b>\$</b>	<b>1,666,922,058</b>	<b>\$</b>	<b>1,666,922,058</b>

**CAPITAL ANNUAL FISCAL PLAN  
ESTIMATED CAPITAL RESOURCES**

**Source**

**21 - CAPITAL PROJECTS FUND:**

	Manager Proposed		Board Approved	
Central Virginia Transit Authority - Revenues	\$	27,500,000	\$	27,500,000
Designated General Fund Balance		10,800,000		10,800,000
General Fund - Reserves		16,400,000		16,400,000
Education Meals Tax Revenue		9,000,000		9,000,000
2022 G. O. Bonds - Education		86,000,000		86,000,000
2022 G. O. Bonds - General Government		28,300,000		28,300,000
Motor Vehicle License Fees		1,750,000		1,750,000
General Fund Revenues		3,000,000		3,000,000
General Fund - Stormwater Dedication		2,348,000		2,348,000
Designated Capital Reserve		16,000,000		16,000,000
<b>TOTAL CAPITAL PROJECTS FUND</b>	<b>\$</b>	<b>201,098,000</b>	<b>\$</b>	<b>201,098,000</b>

**22 - VEHICLE REPLACEMENT RESERVE:**

Fund Balance - General Fund	\$	13,500,000	\$	13,500,000
Categorical Aid		1,300,000		1,300,000
<b>TOTAL VEHICLE REPLACEMENT RESERVE</b>	<b>\$</b>	<b>14,800,000</b>	<b>\$</b>	<b>14,800,000</b>

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

Water & Sewer Resources	\$	100,900,000	\$	100,900,000
<b>TOTAL WATER AND SEWER ENTERPRISE FUND</b>	<b>\$</b>	<b>100,900,000</b>	<b>\$</b>	<b>100,900,000</b>
<b>TOTAL CAPITAL RESOURCES</b>	<b>\$</b>	<b>316,798,000</b>	<b>\$</b>	<b>316,798,000</b>

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

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Agenda Item No. **164-23**

Agenda Title: **RESOLUTION - Approval of Operating and Capital Annual Fiscal Plans for FY 2023-24 and Allocation of Car Tax Relief for Tax Year 2023**

**ESTIMATED CAPITAL REQUIREMENTS**

Department

**21 - CAPITAL PROJECTS FUND:**

	<u>Manager Proposed</u>	<u>Board Approved</u>
General Government	\$ 95,548,000	\$ 95,548,000
Education	105,550,000	105,550,000
<b>TOTAL CAPITAL PROJECTS FUND</b>	<b>\$ 201,098,000</b>	<b>\$ 201,098,000</b>

**22 - VEHICLE REPLACEMENT RESERVE:**

Public Safety	\$ 8,800,000	\$ 8,800,000
Education	6,000,000	6,000,000
<b>TOTAL VEHICLE REPLACEMENT RESERVE</b>	<b>\$ 14,800,000</b>	<b>\$ 14,800,000</b>

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

Public Utilities - Water	\$ 13,500,000	\$ 13,500,000
- Sewer	87,400,000	87,400,000
<b>TOTAL WATER &amp; SEWER ENTERPRISE FUND</b>	<b>\$ 100,900,000</b>	<b>\$ 100,900,000</b>

<b>TOTAL CAPITAL REQUIREMENTS</b>	<b>\$ 316,798,000</b>	<b>\$ 316,798,000</b>
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**BE IT FURTHER RESOLVED** that the funds included in the Operating and Capital Annual Fiscal Plans for any County department, office, or agency may be used as participating funds in any Federal or State aid program for like purpose upon appropriation by the Board of Supervisors.

**BE IT FURTHER RESOLVED** that the Schedule of Compensation attached hereto effective at the beginning of FY 2023-24 is approved; and,

**BE IT FURTHER RESOLVED** that the approved Operating Annual Fiscal Plan for FY 2023-24 includes an increase in the personnel complement of 54 positions for general government and 50 positions for schools and funding for an 8.2% scale adjustment for all eligible general government and school employees, to be effective on June 17, 2023; and,

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

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Agenda Item No. 104-23

Agenda Title: **RESOLUTION - Approval of Operating and Capital Annual Fiscal Plans for FY 2023-24 and Allocation of Car Tax Relief for Tax Year 2023**

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

1. Any qualifying vehicle, as defined in the PPTRA, sitused within the County commencing January 1, 2023, shall receive personal property tax relief in the following manner:
  - a. Qualifying vehicles valued at \$1,000 or less shall receive 100% tax relief;
  - b. Qualifying vehicles valued at between \$1,001 to \$20,000 shall receive 42% tax relief;
  - c. Qualifying vehicles valued at \$20,001 or more shall receive 42% tax relief on the first \$20,000 of value only; and
  - d. All other vehicles which do not meet the definition of "qualifying vehicles" will not receive any form of tax relief under the PPTRA.
2. The amount of tax relief shall be a specific dollar amount offset against the total personal property taxes that would otherwise be due on a qualifying vehicle but for the PPTRA. The specific dollar amount of relief shall be shown on the tax bill for each qualifying vehicle, together with a general description of the criteria upon which relief has been allocated.

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



# FY24 SCHEDULE OF COMPENSATION

## County of Henrico, Virginia

<u>OFFICE, BOARD, COMMISSION, AUTHORITY OR JOB TITLE</u>	<u>RATE</u>
Board of Supervisors .....	\$ 59,885.69 per annum <sup>(1)</sup>
Board of Zoning Appeals.....	\$6,600.00 per annum
Electoral Board - General Election (members other than the Secretary).....	\$5,126.10 per annum <sup>(2)</sup>
Secretary, Electoral Board - General Election.....	\$10,252.20 per annum <sup>(2)</sup>
Election Officials .....	\$225.00 base pay per workday <sup>(3)</sup>
Assistant Chief Election Officials .....	\$275.00 base pay per workday <sup>(3)</sup>
Chief Election Officials.....	\$300.00 base pay per workday <sup>(3)</sup>
Henrico Planning Commission.....	\$20,000.00 per annum
Plan RVA .....	\$3,000.00 per annum
Capital Region Airport Commission .....	\$3,000.00 per annum
Board of Real Estate Review & Equalization.....	\$300.00 per month
School Board .....	\$24,205.32 per annum <sup>(4)</sup>
Social Services Board .....	\$3,000.00 per annum
Volunteer Firefighters.....	\$2.00 per call
Economic Development Authority.....	\$200.00 per meeting
Parks and Recreation Advisory Commission .....	\$75.00 per meeting
Housing Advisory Committee .....	\$225.00 per meeting

- 
- (1) This salary is in effect through December 31, 2023. The Chairman and Vice Chairman receive the additional sum of 15% and 10%, respectively. Pursuant to Va. Code Sec. 15.2-1414.2, the maximum annual salaries for calendar years 2024-2027 will be as follows: 2024 \$64,796.00; 2025 \$68,036.00; 2026, \$71,438.00 and 2027 \$75,010.00. The Chairman and Vice-Chairman will receive the additional sum of 15% and 10%, respectively of the annual salary prevailing in each calendar year.
- (2) The annual compensation rate and effective date are set by the General Assembly and subject to the Governor's approval. Salaries for FY24 are based on current salaries and the approved biennial budget increase for FY24 of 5%.
- (3) The maximum rate is set by separate resolution of the Board of Supervisors.
- (4) This salary is in effect through December 31, 2023. The Chairman receives an additional sum of \$2,000.00 per year. Pursuant to Va. Code Sec. 22.1-32, the School Board will determine its maximum annual salary for calendar years 2024-2027 prior to July 1, 2023.

# FY24 SCHEDULE OF COMPENSATION

## County of Henrico, Virginia

<u>NAME AND OFFICE OR JOB TITLE</u>	<u>SALARY</u>
Heidi Barshinger Clerk of Circuit Court.....	\$ 190,585.49 <sup>(5) (7)</sup>
Alisa Gregory Sheriff.....	\$ 189,585.72 <sup>(5) (6) (8)</sup>
Mark Coakley General Registrar.....	\$ 158,272.12 <sup>(6) (9)</sup>
Shannon Taylor Attorney for the Commonwealth.....	\$ 222,093.74 <sup>(6) (10)</sup>

- 
- (5) The Clerk of the Circuit Court and the Sheriff are elected positions. The General Assembly sets the annual compensation and effective dates subject to the Governor's approval. The salary reflected also includes the targeted longevity pay adjustment approved by the Board of Supervisors for FY22. The County will adjust these salaries to reflect any changes made by the General Assembly and approved by the Governor for FY24 as well as any additional targeted increases approved by the Board of Supervisors.
- (6) 2012 Va. Acts c. 822 requires persons employed by local government to contribute five percent of their creditable compensation for the employee contribution to the Virginia Retirement System. To comply with 2012 Va. Acts c. 822 and the non-supplant requirement, the current incumbent in this elected/appointed position, who was employed or hired on or before July 1, 2012, receives an additional amount equal to 5% of the salary approved by the General Assembly. Future incumbents in this position will not receive an additional 5% locality supplement for the VRS employee member contribution per 2012 Va. Acts c. 822.
- (7) Salary reflects the current Clerk of the Circuit Court's certification.
- (8) Consistent with historical pay practice for this position, the Sheriff's current salary reflects the salary published by the State Compensation Board plus the targeted longevity pay adjustment approved by the Board of Supervisors for FY22. The salary for FY24 is based on the Commonwealth's approved biennial budget increase for FY24 of 5%. The County will adjust this salary to reflect any changes made by the General Assembly and approved by the Governor for FY24, as well as any additional targeted increases approved by the Board of Supervisors.
- (9) Effective FY22 the General Assembly approved repositioning the General Registrar classification/salary within the State's compensation system. Consistent with that approved action, the General Registrar's current salary reflects the salary published by the State Compensation Board plus the longevity pay adjustment approved by the Board of Supervisors for FY22. The salary for FY24 is based on the current salary and the Commonwealth's approved biennial budget increase for FY24 of 5%. The County will adjust this salary to reflect any changes made by the General Assembly and approved by the Governor for FY24, as well as any additional targeted increases approved by the Board of Supervisors.
- (10) Effective June 22, 1988 (FY89), the constitutional position of Attorney for the Commonwealth was adopted into the County classification and compensation plan. The position is currently assigned to pay grade HU.49 and the current incumbent (Taylor) receives the pay increases and wage adjustments approved by the Board of Supervisors for County pay plans.



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 129-23

Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Memorandum of Understanding — Capital Trees  
— Reforestation Program

For Clerk's Use Only:

Date: 4/25/2023

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

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

Branin, T.			absent
Nelson, T.	✓		
O'Bannon, P.	✓		
Schmitt, D.	✓		
Thornton, F.	✓		

WHEREAS, Capital Trees is a Virginia nonstock corporation and 501(c)(3) non-profit organization; and,

WHEREAS, the County of Henrico has negotiated a memorandum of understanding with Capital Trees and the County School Board of Henrico County, Virginia (the "MOU"); and,

WHEREAS, the MOU establishes a reforestation program that will (i) identify trees in the County's park properties and the School Board's school properties (collectively the "Properties"), and (ii) create a reforestation plan to increase tree canopy on the Properties; and,

WHEREAS, reforestation plans are important positive environmental projects that mitigate the impacts of climate change and global warming by reducing carbon dioxide levels, improving biodiversity in our ecosystem, increasing soil fertility, and managing stormwater runoff; and,

WHEREAS, the initial term of the MOU is one year and may be renewed on an annual basis; and,

WHEREAS, the initial budget for the program is \$50,000, subject to appropriation by the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the County Manager is authorized to execute the MOU in a form approved by the County Attorney.

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

By Agency Head

By County Manager

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Copy to:

Date:



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 130-23

Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Sublease — 2263 Dabney Road — Brookland District

For Clerk's Use Only:

Date: 4/25/2023

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Schmitt Seconded by (1) O'Bannon  
(2) \_\_\_\_\_ (2) \_\_\_\_\_

REMARKS:

**APPROVED**

YES NO OTHER

Branin, T.	_____	_____	<u>absent</u>
Nelson, T.	<u>✓</u>	_____	_____
O'Bannon, P.	<u>✓</u>	_____	_____
Schmitt, D.	<u>✓</u>	_____	_____
Thornton, F.	<u>✓</u>	_____	_____

WHEREAS, the County wishes to sublease approximately 9,217 square feet of office warehouse space at 2263 Dabney Road from Game on Foods, Inc.; and,

WHEREAS, the Division of Fire will use the subleased property to conduct firefighter candidate physical ability tests and work performance evaluations; and,

WHEREAS, the sublease term will commence on or about May 1, 2023, and end on January 31, 2026; and,

WHEREAS, the monthly rent will be \$13,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the County Manager is authorized to execute a sublease, including any amendments thereto, with Game on Foods, Inc. for approximately 9,217 square feet at 2263 Dabney Road for \$13,000 a month in a form approved by the County Attorney.

Comments: The Fire Chief and Director of Real Property recommend approval of the Board paper; the County Manager concurs.

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

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

Certified:

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

Clerk, Board of Supervisors

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

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



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 131-23

Page No. 1 of 2

Agenda Title: RESOLUTION — Signatory Authority — Agreement with Maggie Walker Community Land Trust and Conveyance of Real Property — 10235 Greenwood Road — Fairfield District

For Clerk's Use Only:

Date: 4/25/2023

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

Branin, T.	—	—	about
Nelson, T.	✓	—	—
O'Bannon, P.	✓	—	—
Schmitt, D.	✓	—	—
Thornton, F.	✓	—	—

WHEREAS, the County owns real estate known as Tax Map Parcel number 780-764-2252 located at 10235 Greenwood Road in the Greenwood Park subdivision (the "Property"); and,

WHEREAS, The Maggie Walker Community Land Trust ("MWCLT") is a nonprofit organization providing land bank and community land trust services in the Richmond metropolitan area; and,

WHEREAS, on November 26, 2019, the Board of Supervisors adopted an ordinance designating MWCLT to carry out the functions of a landbank entity pursuant to the Land Bank Entities Act codified as Va. Code § 15.2-7500 et seq. and the Memoranda of Understanding between MWCLT and the County dated June 11, 2019, and November 26, 2019; and,

WHEREAS, MWCLT desires to acquire the Property for the construction and sale of an affordable single-family home using the community land trust model; and,

WHEREAS, the Property is surplus to the needs of the County, and the Board wishes to convey the Property to MWCLT at no cost so that an affordable single-family dwelling can be constructed for sale to a lower-income homebuyer using the community land trust model outlined in the Memoranda of Understanding; and,

WHEREAS, the Board of Supervisors further desires to support the construction of this affordable single-family home on the Property by providing \$25,077 pursuant to an agreement negotiated by MWCLT and the County's Department of Community Revitalization.

By Agency Head

By County Manager

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Copy to:

Date:

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

Agenda Item No. 131-23

Page No. 2 of 2

**Agenda Title: RESOLUTION — Signatory Authority — Agreement with Maggie Walker Community Land Trust and Conveyance of Real Property — 10235 Greenwood Road — Fairfield District**

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

1. The County Manager is authorized to execute an agreement with MWCLT, in a form approved by the County Attorney, providing for the construction of an affordable single-family home at the Property with the assistance of County funding totaling \$25,077;
2. The Property is declared surplus to the needs of the County; and
3. The Chairman and Clerk are authorized to execute a deed, in a form approved by the County Attorney, subject to the condition that MWCLT will use the Property only to construct an affordable single-family home for sale to a qualified homebuyer using the community land trust model in accordance with the terms of the agreement between the parties.

**COMMENTS:** The Real Property Division has processed this conveyance through the Departments of Planning, Public Utilities, and Public Works without objection. The Directors of Community Revitalization and Real Property recommend approval of the Board paper, and the County Manager concurs.

# **COMMUNITY REVITALIZATION AGREEMENT**

**Between**

**County of Henrico**

**and**

**Maggie Walker Community Land Trust**

This **COMMUNITY REVITALIZATION AGREEMENT** ("Agreement") is made this \_\_\_\_\_ day of \_\_\_\_\_ between the **COUNTY OF HENRICO, VIRGINIA**, a Virginia political subdivision (the "County"), and **THE MAGGIE WALKER COMMUNITY LAND TRUST**, a Virginia nonprofit organization providing community land trust and related charitable services in the Richmond metropolitan area ("MWCLT"), to state the agreement between the parties regarding the County's support for MWCLT's development and sale of the Home (as defined below) in furtherance of creating affordable homeownership opportunities in Henrico County.

## **RECITALS**

A. The County owns real estate known as Tax Map Parcel No. 780-764-2252, located at 10235 Greenwood Road, in the Greenwood Park subdivision (the "Property").

B. The Property is considered surplus to the needs of the County.

C. MWCLT is a nonprofit organization providing community land trust and related charitable services in the Richmond metropolitan area.

D. MWCLT desires to acquire the Property for the construction of a new single-family home (the "Home").

E. The Board of Supervisors of Henrico County, Virginia is willing to convey the Property to MWCLT for no monetary consideration subject to the condition that MWCLT will use the Property only to construct and sell the Home to a Qualified Purchaser as defined in Section 3 of this agreement.

## **AGREEMENT**

NOW, THEREFORE, for and in consideration of the recitals above, the mutual agreements set forth below, and other good and valuable consideration, the parties agree as follows:

### **I. SCOPE OF SERVICES**

MWCLT agrees to construct and sell the Home using the community land trust model, pursuant to the terms of this Agreement. The County agrees to provide funds in an amount not to exceed \$25,077 ("Funds"), as shown in the Project Budget and Proforma attached to this Agreement. For the County's review and approval, MWCLT must submit architectural plans for the Home no later than 180 days after the date of this Agreement. The Project Budget and Proforma is incorporated into and made a part of this Agreement by reference.

## **II. USE OF COUNTY FUNDS**

A. In accordance with Section I, the County agrees to provide \$25,077 to MWCLT for the construction and sale of the Home. MWCLT may use the Funds only for the construction and sale of the Home. Subject to the County's prior written approval, MWCLT may use the Funds for homebuyer assistance and other related costs.

B. MWCLT agrees to use funds solicited from other donors (not County or other governmental sources) to cover at least 33% of the development gap noted in the Project Budget and Proforma.

C. The Funds may come from County or other government sources. Acceptance or use of the Funds may require MWCLT to comply with additional regulatory requirements. Any additional regulatory requirements will be set forth in writing in an appropriate addendum to this Agreement.

D. Upon the sale of the Home pursuant to this Agreement, MWCLT must promptly return 50% of all project proceeds (if any) to the County. Project proceeds are defined as net sales proceeds received by MWCLT in connection with the sale of the Home. Any expenses not identified in the Project Budget and Proforma must be documented by cancelled checks and invoices marked paid by the vendor.

## **III. SALE OF THE HOME**

A. MWCLT will make the Home affordable to a qualified purchaser using the community land trust model. The term "qualified purchaser" means an individual who:

1. Is 18 years of age or older;
2. Is a legal resident of the United States;
3. Has annual household income not exceeding 115% of the area median income, adjusted for family size, of the Richmond Metropolitan Area;
4. Has monthly household income sufficient to support the housing costs for the Home;
5. Can demonstrate a history of responsible efforts to meet his or her financial obligations; and
6. Will occupy the Home as his or her principal residence.

## **IV. SCHEDULE OF ACTIVITIES**

A. MWCLT must complete the activities under this Agreement no later than 24 months after the date of this Agreement. The parties agree to prepare jointly a Project Schedule



for work to be performed pursuant to this Agreement, and the parties further agree to make good faith efforts to finalize preparation of the Project Schedule within 60 days of the date of this Agreement. All activities must be completed in accordance with the Project Schedule, but no later than 24 months after the date of this Agreement, which may be extended only by written agreement signed by the parties and which will be incorporated into and made a part of this Agreement.

B. The timely completion of activities under this Agreement is an integral and essential part of performance. By accepting and executing this Agreement, MWCLT agrees that activities will be completed as expeditiously as possible and that MWCLT will make every effort to ensure that the project proceeds as scheduled and without delay. If MWCLT fails to meet the Project Schedule without the County's prior written approval, the County may declare MWCLT to be in default and terminate the Agreement under Section XI of this Agreement.

## **V. PAYMENT**

A. Payments to MWCLT will be made in compliance with County cash management requirements. The County will remit payment within 30 business days after approving a request for funds submitted by MWCLT to the County's Housing Specialist. MWCLT must return erroneously drawn funds to the County within ten business days.

B. MWCLT must include accurate information in its requests for funds, and MWCLT may not request funds until payment for eligible costs is necessary. Requests for payment must be submitted by MWCLT in a form acceptable to the County and must include adequate documentation of eligible costs incurred. All such expenses must conform with the Project Budget and Proforma. The County may inspect records and project sites to determine reimbursement requests are reasonable and accurate. Further, the County may hold payment until adequate documentation has been provided by MWCLT and reviewed and approved by the County.

## **VI. LEAD BASED PAINT**

MWCLT must comply with the provisions of the Lead Based Paint Poisoning Prevention Act (42 U.S.C. § 4821 et seq.), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. § 4851 et seq.), and implementing regulations at 24 CFR Part 35, subparts A, B, J, K, M, and R of this title.

## **VII. FAIR HOUSING AND EQUAL OPPORTUNITY**

A. MWCLT must comply with the provisions of Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d et seq.), 24 CFR Part 1, The Fair Housing Act (42 U.S.C. § 3601 et seq.), 24 CFR Part 100-115, Equal Opportunity in Housing, Executive Order 11063, as amended by Executive Order 12259, 24 CFR Part 107, the Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 et seq.), and 24 CFR Part 146 and Executive Order 11246 as applicable, and the applicable provisions of 24 CFR § 92.351 Affirmative Marketing; Minority Outreach Program.

B. MWCLT must also comply with all federal, state and local laws, ordinances, codes, rules and regulations and amendments thereto, including but not limited to Title 8 of the Civil

Rights Act of 1968 (Public Law 90-284), Executive Order 11063 on Equal Opportunity, and Section 3 of the Housing and Urban Development Act of 1968.

## **VIII. RECORDS AND REPORTS**

A. MWCLT must retain all records pertaining to this Agreement and activities performed pursuant to it for no less than ten years. Notwithstanding the previous sentence, MWCLT must comply with any applicable federal, state, or local legal requirements that impose a longer retention schedule. The County will have unrestricted access to all records pertaining to this Agreement and activities performed pursuant to it for the entire duration of the retention period. Records include:

1. A full description of the project, including the location, forms of assistance, and project budget;
2. The sources and application of funds and supporting documentation;
3. Records demonstrating that the Home meets the property standards of 24 CFR § 92.251 and the lead-based paint requirements of 24 CFR § 92.355 and any other documentation necessary to maintain compliance with contractual requirements, and federal, state, or local codes;
4. Income eligibility documentation;
5. Records demonstrating adequate financing has been secured to ensure project completion; and
6. Records demonstrating that there is adequate need for the project based on neighborhood market conditions.

B. MWCLT must submit to the County a monthly report setting forth the progress made to date in relationship to the Scope of Services and Project Schedule.

## **IX. PROCUREMENT REQUIREMENTS**

A. MWCLT must comply with the following procurement requirements when purchasing goods or contracting for services or construction performed by third parties under this Agreement:

1. For all types of bid requests a **written** description of the solicited good or service, including any requirements, shall be prepared.
2. For any purchase less than or equal to \$7,500, a minimum of one proposal shall be solicited. Additional competition, if available, should be solicited to include a supplier from the Small, Women and Minority (SWAM) Vendor list made available by the Virginia Department of Minority Business Enterprise (DMBE). The SWAM Vendor Directory can be located at the following link:  
<http://www.dmbv.virginia.gov>

3. For purchases of professional services (architects, engineers, etc.) less than or equal to \$7,500, a minimum of one proposal shall be solicited. Soliciting proposals from business on the DMBE SWAM list is encouraged.
4. For purchases of professional services greater than \$7,500 but less than or equal to \$60,000, a minimum of four proposals shall be solicited from qualified firms. A minimum of one proposal shall be solicited from a DMBE SWAM business; soliciting more than one proposal from DMBE SWAM businesses is encouraged.
5. For purchases of professional services greater than \$60,000, a minimum of six proposals shall be solicited from qualified firms. A minimum of two proposals shall be solicited from a DMBE SWAM business; soliciting more than two proposals from DMBE SWAM businesses is encouraged.
6. For purchases of goods, non-professional services, and construction greater than \$7,500 but less than or equal to \$50,000, a minimum of four written quotes shall be solicited from qualified firms. A minimum of one quote shall be solicited from a DMBE SWAM business; soliciting more than one quote from DMBE SWAM businesses is encouraged.
7. For purchases of goods, non-professional services, and construction greater than \$50,000 but less than or equal to \$100,000, a minimum of four written quotes shall be solicited from qualified firms. A minimum of one quote shall be solicited from a DMBE SWAM business; soliciting more than one quote from DMBE SWAM businesses is encouraged. A copy of the published notice for invitations to bid shall be provided to the Department of Community Revitalization.
8. For purchases of goods, non-professional services, and construction greater than \$100,000, a minimum of six written quotes shall be solicited from qualified firms. A minimum of two quotes shall be solicited from a DMBE SWAM business; soliciting more than two quotes from DMBE SWAM businesses is encouraged. A copy of the published notice for invitations to bid shall be provided to the Department of Community Revitalization.

## **X. AUDIT REQUIREMENTS**

A. MWCLT agrees to retain the services of an independent certified public accountant to perform an annual organization wide audit in accordance with generally accepted government auditing standards as defined by Standards for Audit of Government Organizations, Activities, and Functions, in compliance in all respects with the generally accepted auditing standards of the American Institute of Certified Public Accountants, and in accordance with the Single Audit Act of 1984, if applicable. In the alternative, it will provide an organization wide audit report, including an audit report for program activities funded under this Agreement, in compliance with accepted auditing standards of the American Institute of Certified Public Accountants, by a certified public accountant. MWCLT must provide copies of the audit reports to the County's Housing Specialist and the County's Department of Finance within 90 days of the close of each MWCLT fiscal year covered by this Agreement.

B. MWCLT must pay the cost of the audit from its own funds. MWCLT may not use

any portion of the Funds for this purpose.

## **XI. TERMINATION FOR CAUSE OR CONVENIENCE**

A. The County may suspend or terminate this Agreement if MWCLT materially fails to comply with any of its terms (including the terms of Section IV). If the County determines MWCLT is in default of this Agreement, the County may take one or more of the following actions:

1. Withhold cash payments pending correction of the deficiency by MWCLT or any contractor or subcontractor of MWCLT.
2. Disallow all or part of the cost of the non-compliant activity or action.
3. Suspend or terminate, in whole or in part, this Agreement. If the County terminates this Agreement due to MWCLT's default, MWCLT must repay all Funds advanced to MWCLT within ten days of receiving the County's notice of termination.
4. Withhold further funds from MWCLT.
5. Pursue other remedies that may be legally available.

B. Either party may terminate this Agreement for convenience at any time by notifying the other party in writing at least 30 days prior to the date of termination. If MWCLT terminates this Agreement prior to project completion, MWCLT must repay all Funds advanced to MWCLT by the County within ten days of providing its notice of termination.

C. In the event of any termination of this Agreement, all property and finished or unfinished documents, data, studies, and reports purchased or prepared by MWCLT under this Agreement shall, at the option of the County, become the County's property or assigned to the County's agent at the County's sole discretion.

## **XII. CONFLICT OF INTEREST**

No employee, agent, consultant, officer or appointed official of MWCLT who is in a position to participate in a decision-making process or gain inside information with regard to any activity under this Agreement may obtain a personal or financial interest in any contract, subcontract or agreement with respect thereto, or in the proceeds hereunder, for himself, or for his family or business associates, during his tenure or for one year thereafter.

## **XIII. AVAILABILITY OF FUNDS**

This Agreement is subject to annual appropriations by the Board of Supervisors of Henrico County, Virginia, and the County is bound only to the extent that there are funds available to perform its obligations under this Agreement. In addition, all funding under this Agreement is contingent on the County's determination to proceed with, modify, or cancel the project based on the result of any title examination.

#### **XIV. INDEMNIFICATION**

MWCLT agrees to indemnify and hold harmless the County, its officers, agents and employees (the "Indemnified Parties") against and from all liability, claims, damages and costs, including reasonable attorneys' fees, of every kind and nature, and attributable to bodily injury, sickness, disease or death, or to damage or destruction of property resulting from or in any manner arising out of or in conjunction with the performance of work under this Agreement, provided that such liability is not attributable to the negligence of the Indemnified Parties. In addition, MWCLT must provide to the County a Certificate of Insurance evidencing coverage under the Workers' Compensation Act and liability protection against claims for bodily injury, death, or property damage in the amounts set forth in Section XV of this Agreement. In addition, MWCLT's insurer must give the County 30 days' prior written notice of its decision to amend, cancel or terminate any insurance coverage. The County, its officials, employees, volunteers, and agents must be named as additional insured on all insurance policies held by MWCLT.

#### **XV. INSURANCE**

A. MWCLT will obtain liability insurance from a company licensed to do business in the Commonwealth of Virginia, countersigned by an authorized agent in Virginia, to cover injury to or death of one or more persons in MWCLT's performance of this Agreement. Premiums chargeable for the insurance must be paid by MWCLT and all liability insurance policies must be kept in force during the term of this Agreement. Required liability insurance policies and their limits of coverage are as follows:

1. Automobile Liability, including owned, non-owned and hired car coverage: One Million Dollars (\$1,000,000) per occurrence combined single limit;
2. Commercial General Liability: One Million Dollars (\$1,000,000) per occurrence; Two Million Dollars (\$2,000,000) in the aggregate; and
3. Worker's Compensation coverage according to statutory limits of the Code of Virginia, Title 65.2.

B. The County, its officials, employees, volunteers, and agents must be named as an additional insured under the commercial general liability coverage. The required insurance must apply as primary insurance with respect to any other insurance or self-insurance programs of the County. Each policy must be endorsed to be primary with respect to the additional insured.

#### **XVI. MISCELLANEOUS**

A. Governing law; Venue; Attorneys' fees. This Agreement is governed by the laws of the Commonwealth of Virginia without giving effect to its conflict of law principles. Any disputes concerning interpretation or performance under this Agreement must be litigated only in the Circuit Court of Henrico County. Attorneys' fees will not be recoverable by the prevailing party in the event this Agreement is subject to litigation.

B. Entire Agreement; Amendments. This Agreement constitutes the entire contract between the parties with regard to its subject matter and may not be changed except in writing signed by the parties.

C. Severability. If any court of competent jurisdiction holds any provision of this Agreement invalid, then (1) such holding will not invalidate any other provision of this Agreement, unless such provision is contingent on the invalidated provision, and (2) the remaining terms will constitute the parties' entire agreement.

D. Communications. Any communication under this Agreement will be sufficiently given when delivered by hand or by first-class mail, postage prepaid, as follows:

If to MWCLT:

Erica Sims  
203 N. Robinson St  
Richmond, VA 23220

If to the County:

Housing Specialist  
County of Henrico  
4905 Dickens Road, Suite 200  
Henrico, VA 23230

A party may designate additional or different addresses for communications to it by notice given under this section.

E. Recitals. The recitals to this Agreement are true and correct and incorporated into this Agreement by reference.

**WITNESS** the following signatures:

**COUNTY OF HENRICO**

By: \_\_\_\_\_  
**John A. Vithoukas, County Manager**

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

**Maggie Walker Community Land Trust**

By: \_\_\_\_\_  
**Erica Sims**

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

**Property Address: 10235 Greenwood Road**

Expenses			Sources of Funds		
<u>Building and Land</u>	Estimate	Actual		Estimate	Actual
Building and Land	\$ -		<u>Sales Price</u>	\$ 200,000.00	
Attorney's Fee	\$ 650.00		Commission (6%)	\$ 12,000.00	
Title Insurance	\$ 550.00		Seller Closing Costs	\$ 1,500.00	
Recording Fees	\$ 150.00			<u>Net Sales Price</u>	\$ 186,500.00
Taxes	\$ -				
Demolition	\$ -		<u>Development Costs</u>	\$ 289,600.00	
Real Estate Commission					
Appraisal - Acq.	\$ -		<u>Development Gap</u>	(\$103,100.00)	
<b>Subtotal</b>	<b>\$ 1,350.00</b>				
			<u>Development Subsidy</u>		
<u>Pre-Development</u>			Community Revitalization Funding (Henrico) This Agreement	\$25,077	
Appraisal (after value rehab)	\$ -		Other Corporate or Philanthropic Donation	\$34,023	
Arch. & Engineering Fees	\$ 1,000.00		Previously funded CR Fund Amount from June 2019 MOU	\$44,000	
Surveys (4)	\$ 650.00				
Environmental	\$ 1,250.00				
Hazard Insurance	\$ 1,400.00				
			<b>Subtotal</b>	<b>\$0.00</b>	<b>\$ 79,100.00</b>
<b>Subtotal</b>	<b>\$ 4,300.00</b>	<b>\$ -</b>			
<u>Construction</u>			<u>Property Information</u>		
Construction Costs	\$ 237,000.00		Square Footage	1,500	
Construction Contingency	\$ 11,850.00		Year Built	2023	
Interior Demo			cost/sq. ft.	\$ 158.00	
Lead Abatement/Clearance	\$ -				
Pest Treatment					
Utilities	\$ 20,000.00				
Attorney/	\$ 650.00				
Construction Loan	\$ -				
Title Insurance/Lender	\$ 450.00				
Taxes	\$ -				
Construction Loan Fee	\$ -				
Construction Interest	\$ -				
Site Maint./Appliances	\$ -				
<b>Subtotal</b>	<b>\$ 269,950.00</b>				
<u>Developer's Fee</u>	<u>\$ 14,000.00</u>				
<b>Total Development Costs</b>	<b>\$ 289,600.00</b>				



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 132-23

Page No. 1 of 1

**Agenda Title: RESOLUTION — Hotel Connection Fee Holiday — Use of the Shovel Ready Henrico Fund and County Utility Credits to Offset Utility Connection Fees for New and Rehabilitated Hotels**

For Clerk's Use Only:

Date: 4/25/2023

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

**APPROVED**

YES NO OTHER

Branin, T. ☐ ☒ ☐ *Abst*  
Nelson, T. ☒ ☐ ☐  
O'Bannon, P. ☒ ☐ ☐  
Schmitt, D. ☒ ☐ ☐  
Thornton, F. ☒ ☐ ☐

WHEREAS, tourism is a major driver of the County's economy and an important component of the County's tax base; and,

WHEREAS, an increase in hotel capacity and the modernization of existing hotels will encourage economic growth through additional visitors to the County; and,

WHEREAS, the Board of Supervisors intends to incentivize the construction of new hotels and the rehabilitation of existing hotels to develop the County's economy and increase its tax base; and,

WHEREAS, the County holds utility credits that can be used to offset connection fees to the County's public sewer system; and,

WHEREAS, the County has created the Shovel Ready Henrico Fund that can be used to offset connection fees to the County's public water system; and,

WHEREAS, the Board wishes to use County credits and the Shovel Ready Henrico Fund to offset water and sewer connection fees for new and rehabilitated hotels and the redevelopment of hotel properties in the County, all to promote the resources and advantages of the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County, Virginia, that the County Manager is authorized and directed to establish a program to use County utility credits and the Shovel Ready Henrico Fund to offset the costs of connection fees to the County's water and sewer systems for new and rehabilitated hotels for 36 months, subject to the availability of credits and funding. The County Manager is further authorized to execute any agreements to administer the program and further the purposes of this Resolution.

**Comment:** The Director of Public Utilities recommends approval of this Board paper; the County Manager concurs.

By Agency Head

By County Manager

Certified:

A Copy Teste:

Clerk, Board of Supervisors

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

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





COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 133-23

Page No. 1 of 2

Agenda Title: RESOLUTION – Award of Contract – Annual Contract to Apply Slurry Seal – Countywide

For Clerk's Use Only:

Date: 4/25/2023

- ☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

Branin, T. ☐ ☐ ☒ about  
Nelson, T. ☒ ☐ ☐  
O'Bannon, P. ☒ ☐ ☐  
Schmitt, D. ☒ ☐ ☐  
Thornton, F. ☒ ☐ ☐

WHEREAS, the County received one bid on March 7, 2023, in response to ITB 23-2483-1EAR and Addendum No. 1 for an annual contract to apply slurry seal throughout the County on roads on an as-needed and as-requested basis; and,

WHEREAS, the annual contract is expected to begin in July 2023, and will remain in effect for a period of one year with two one-year renewal options; and

WHEREAS, the bid was as follows:

Bidder	Bid Amount
Slurry Pavers, Inc. Richmond, Va.	\$4,165,900

WHEREAS, the bid amount was calculated by multiplying the estimated unit quantities listed in the bid documents by the unit prices set out in the bid; and,

WHEREAS, after a review and evaluation of the bid, it was determined that Slurry Pavers Inc. is the lowest responsive and responsible bidder for the annual unit price contract; and,

WHEREAS, the final contract amount will be determined upon completion of the project by multiplying the unit quantities authorized by the County by the unit prices submitted in the contractor's bid with a total annual amount estimated at \$1,000,000.

By Agency Head

*Terrell E. Bynore*

By County Manager

*[Signature]*

Certified:

A Copy Teste:

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

Clerk, Board of Supervisors

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

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

Agenda Item No. **133-23**

Page No. 2 of 2

**Agenda Title: RESOLUTION – Award of Contract – Annual Contract to Apply Slurry Seal  
– Countywide**

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

1. The annual contract is awarded to Slurry Pavers, Inc., the lowest responsive and responsible bidder, pursuant to ITB 23-2483-1EAR, Addendum No. 1, and the bid submitted by Slurry Pavers, 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 contract amendments within the scope of the project and budget.

**Comment:** The Director of Public Works 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. 134-23

Page No. 1 of 1

Agenda Title: **RESOLUTION – Signatory Authority – Agreement with the Central Virginia Transportation Authority for Regionally Funded Projects – Fall Line Trail – Fairfield District**

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES	NO	OTHER
Date: <u>4/25/2023</u>	Moved by (1) <u>Schmitt</u> Seconded by (1) <u>O'Bannon</u>			<u>about</u>
( <input checked="" type="checkbox"/> ) Approved	(2) _____ (2) _____	<input checked="" type="checkbox"/>		
( ) Denied	REMARKS: _____	<input checked="" type="checkbox"/>		
( ) Amended	<b>APPROVED</b>	<input checked="" type="checkbox"/>		
( ) Deferred to: _____				

**WHEREAS**, the Department of Public Works has negotiated an agreement with the Central Virginia Transportation Authority ("CVTA") under which the County will construct approximately 7.5 miles of the Fall Line Trail, along with other associated roadway improvements; and,

**WHEREAS**, the County section of the Fall Line Trail will run from Bryan Park Avenue to Woodman Road, and include trailheads, connector trails, pedestrian crossings, drainage improvements, intersection modifications, and landscaping; and,

**WHEREAS**, the estimated cost for the design, right-of-way, and construction of the portion of the Fall Line Trail within Henrico County is \$52,614,905; and,

**WHEREAS**, funding for the portion of the Fall Line Trail within Henrico County has been allocated approximately as follows:

\$ 7,630,000 – CVTA Local Funds from the County  
\$ 9,165,000 – State and Federal Grants  
\$ 35,819,905 – CVTA Regional Funds  
\$ 52,614,905 – TOTAL

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors that the County Manager is authorized to execute the agreement in a form approved by the County Attorney.

**COMMENT:** The Director of Public Works and the Purchasing Director recommend approval of this Board paper, and the County Manager concurs.

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

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

Certified:

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

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

Clerk, Board of Supervisors

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