

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
July 13, 2010
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION – Rev. Travis Branch, Gospel Jail Ministry

APPROVAL OF MINUTES – June 22, 2010 Regular and Special Meetings, and May 6, 2010
Special Meeting

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PUBLIC HEARING - REZONING CASE

166-10 C-8C-10 Brookland	JMW, LLC: Request to amend proffered conditions accepted with Rezoning Case C-68C-00, on Parcel 776-744-1464, located at the southwest intersection of Dumbarton Road and Byrdhill Road. The applicant proposes to amend proffers related to building size, building height, and landscaping. The existing zoning is M-1C Light Industrial District (Conditional) and O-2C Office District (Conditional). The Land Use Plan recommends Office. This site is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors <u>grant</u> the request.
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PUBLIC HEARINGS - OTHER ITEMS

167-10	Resolution - Authorizing the County Manager to Submit the Henrico County Five Year Consolidated Plan and the 2010-2011 Annual Consolidated Plan, including the CDBG Program Year Twenty-One Plan and the HOME Program Year Fourteen Plan; to Execute the CDBG Agreement for Program Year Twenty-One and the HOME Agreement for Program Year Fourteen; and to Execute Contracts to Implement the CDBG and HOME Activities.
168-10	Resolution – Signatory Authority – Easement Agreement for Virginia Electric and Power Company– Three Chopt District.
169-10	Resolution - Condemnation - Rights-of-Way and Easements - North Gayton Road Extension Project - Centex Homes - Three Chopt District.
170-10	Resolution - Condemnation - Right-of-Way and Easements - North Gayton Road Extension Project - Richmond Strikers Soccer Club, Inc. - Three Chopt District.

PUBLIC COMMENTS

GENERAL AGENDA

- 171-10 Introduction of Ordinance - To Amend and Reordain Section 2-87 of the Code of the County of Henrico Titled "Service charge on returned payments," to Add Another Reason for the Charge.
- 172-10 Introduction of Ordinance - To Add Section 20-605 to the Code of the County of Henrico Titled "Prerequisite to issuance or renewal of license," Relating to the Issuance or Renewal of a Business License for Contractors.
- 173-10 Introduction of Ordinance - To Amend and Reordain Section 20-411 of the Code of the County of Henrico Titled "Enumerated; amount of license tax" and to Add Section 20-414 Titled "Exclusion from gross receipts – Security brokers and dealers," Relating to Business License Taxation of Security Brokers and Dealers.
- 174-10 Introduction of Ordinance – To Amend and Reordain Sections 20-312, 20-313, and 20-691 of the Code of the County of Henrico Titled, Respectively, "Levy; amount," "Taxation of rental property other than daily rental property," and "License and payment of tax required; 'retail merchant' defined," All Relating to Short-Term Rental Property Tax.
- 175-10 Resolution – Authorization to Accept Grant Funding from the FY2009 State Homeland Security Grant, National Preparedness Directorate, United States Department of Homeland Security, as Managed by the Virginia Department of Emergency Management, for Equipment Purchases.
- 176-10 Introduction of Ordinance – To Amend and Reordain Sections 4-112 and 4-113 of the Code of the County of Henrico Titled "Application" and "Annual Permit," Respectively, Relating to Applications for a Music Festival Permit.
- 177-10 Introduction of Ordinance - To Amend and Reordain Sections 2-51, 5-1, 5-2, 5-3, 5-4, 5-31, 5-32, 5-36, 5-53, 5-59, 5-61, 5-81, 5-102, 5-133, 5-136, 5-140, 5-141, 5-173, 5-174, 5-175, and 5-179 of the Code of the County of Henrico Titled, Respectively, "Bonds," "Definitions," "Appointment of animal protection supervisor; powers and duties generally," "Animal protection officers," "Disposal of dead animals," "Dogs killing or injuring livestock or poultry," "Compensation for livestock and poultry killed by dogs; false claims," "Control of dangerous or vicious dogs," "Failure to pay tax," "Display of receipt; wearing of collar and tag," "Display of kennel tags; allowing dogs out of kennel," "[Rabies vaccination] Required; certificate," "Sterilization required," "Impoundment generally; holding period," "Redemption of animals," "Voluntary delivery of animal by owner; surrender of owner's rights in animal," "Seizure and impoundment of stolen or unlawfully held dogs or cats," "Confinement or destruction of dogs and cats suspected of having rabies," "Confinement or destruction of biting animals," "Confinement or destruction of dogs or cats

bitten by rabid animals,” and “Enforcement measures on noncompliance by owner of dog or cat,” All to Change the Name of “Animal Protection Officer” to “Animal Protection Police Officer.”

- 178-10 Resolution - Signatory Authority - Right-of-Way and Easements - North Gayton Road Extension Project - Robert L. White, Jr. -Three Chopt District.
- 179-10 Resolution – Signatory Authority - Right-of-Way and Easements – North Gayton Road Extension Project – Raleigh R. Cook and Carolyn A. Cook – Three Chopt District.
- 180-10 Resolution – Conveyance of Site Development Easements Providing Necessary Services to County-Owned Facilities.
- 181-10 Resolution - Award of Construction Contract - Lydell Drive and Jewett Drive Water Main Rehabilitation - Brookland District.
- 182-10 Resolution - To Permit Additional Fine of \$200 for Speeding on Snowmass Road and a Portion of Alvarado Road.
- 183-10 Resolution - Acceptance of Roads.

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
June 22, 2010

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, June 22, 2010 at 7:00 p.m. in the Board Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia.

Members of the Board Present:

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

Other Officials Present:

Virgil R. Hazelett, P.E., County Manager
Joseph P. Rapisarda, Jr., County Attorney
Michael L. Wade, Sheriff
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board
Angela N. Harper, Deputy County Manager for Special Services
Leon T. Johnson, Ph.D., Deputy County Manager for Administration
Robert K. Pinkerton, P.E., Deputy County Manager for Community Operations
Randall R. Silber, Deputy County Manager for Community Development

Mrs. O'Bannon called the meeting to order at 7:06 p.m.

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

Rev. Kenneth Johnston, Pastor of West End Alliance Church, delivered the invocation.

On motion of Mr. Thornton, seconded by Mr. Glover, the Board approved the minutes of the June 8, 2010 Regular and Special Meetings.

The vote of the Board was as follows:

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

No: None

MANAGER'S COMMENTS

The Public Relations & Media Services Department recently received its third Emmy Award from the National Academy of Television Arts and Sciences. Television Producer Roberta Fountain earned the award in the special programs category for "Battles with Parkinson's Disease." The department also received 16 awards in the National Association of County Information Officers Awards of Excellence competition in recognition of its work in graphic design, feature writing, and television production. These awards and the staff members who received them are as follows: Graphic Design - 2011 Logo, and Graphic Design - HCTV Brochure (Joel Archibald); Television Show - "Virginia Randolph Biography," Television Show - "John Mosby Sheppard Biography," and Script Writing - "John Mosby Sheppard Biography" (Steve Boyd); Television Show - "A Shift: Station 12 - 24 Hours with Henrico Fire" (Ryan Eubank; Feature Writing - "Electric Garbage: Henrico Set to Convert Methane," Feature Writing - "Fighting the Asian Tiger Mosquito," and Script Writing - "Welcome to Meadow Farm Museum" (Steve Knockemus); Script Writing - "The Fourth Estate: The Story of the Richmond Times-Dispatch," and Script Writing - "Taking Flight: Stories of Modern Virginia Aviation" (Ben Sheppard); Television Shows - "Learning to Hear," and Television Shows - "The Permit Center" (Roberta Fountain); and Speech Writing - "'Twas the Night Before Henrico's Christmas," Script Writing - "Inside Henrico Spring 2009 Edition," and Script Writing - "Inside Fall 2009 Edition" (Tamra McKinney).

BOARD OF SUPERVISORS' COMMENTS

Mr. Thornton commended Fire Chief Ed Smith, Brigadier General Wayne Wright, and staff from the County's Division of Fire and the Virginia Air National Guard for their cooperative participation the previous week in an emergency response training exercise in Glen Allen.

Mrs. O'Bannon mentioned the recent passing of Jimmy Dean, a well known Henrico resident. Mr. Donati noted that Mr. Dean was very generous to the community, especially Varina High School.

Mrs. O'Bannon recognized Andrew Meade from Boy Scout Troop 737, sponsored by St. Mary's Catholic Church, who was observing the meeting to fulfill a requirement for the Citizenship in the Community Merit Badge.

RECOGNITION OF NEWS MEDIA

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

PRESENTATION

Christina M. Harris, Vice Chairperson of the Keep Henrico Beautiful Committee, was joined by the members of the Board of Supervisors and the following members of her committee in presenting awards for outstanding residential and commercial properties: Linda B. Turner, Secretary; Elaine L. Burton; Deborah L. Harrison; and Brian S. Montgomery. The following residents received Land Lover Awards: Ronnie Jowers (Brookland), Albert and Jean Scott

(Fairfield), Joyce Hall and Frank Hall (Three Chopt); Tom Wood (Tuckahoe), and Odie and Gloria Whitlow (Varina). The following businesses received Clean Business Awards: Wachovia Operations Center - Innsbrook (Three Chopt), represented by Nat Shanks, Facility Manager; and Citizens and Farmers Bank (Varina), represented by Mary Long, Branch Manager. Courtyard by Marriott (Brookland), Legends at Virginia Center (Fairfield), and Bon Secours Medical Group (Tuckahoe) did not have representatives in attendance but were also recognized as Clean Business Award winners.

APPOINTMENTS

- 141-10 Resolution – Appointment of Member – Board of Social Services.
- On motion of Mr. Donati, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.
- 142-10 Resolution – Appointment of Members – Community Criminal Justice Board.
- On motion of Mr. Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board approved this item – see attached resolution.
- 143-10 Resolution – Appointment of Member – Greater Richmond Partnership Board of Directors.
- On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.
- 144-10 Resolution – Appointment of Members – J. Sargeant Reynolds Community College Board.
- On motion of Mr. Thornton, seconded by Mr. Glover, and by unanimous vote, the Board approved this item – see attached resolution.
- 145-10 Resolution – Appointment of Members – Keep Henrico Beautiful Committee.
- On motion of Mr. Thornton, seconded by Mr. Kaechele, and by unanimous vote, the Board approved this item – see attached resolution.
- 146-10 Resolution – Appointment of Members – Policy and Management Team for Youth and Families.
- On motion of Mr. Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board approved this item – see attached resolution.
- 147-10 Resolution – Appointment of Member – Richmond Metropolitan Authority Board of Directors.

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

- 148-10 Resolution – Appointment of Member – Senior Connections, The Capital Area Agency on Aging Board of Directors.

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

- 149-10 Resolution – Appointment of Members – The Cultural Arts Center at Glen Allen Foundation Board of Directors.

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

- 150-10 Resolution – Appointment of Members and Alternates – Virginia Transit Association Board of Directors.

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

PUBLIC HEARING ITEMS

- 151-10 Resolution – Signatory Authority – Assignment of Easements – Fairfield District.

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

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

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

- 152-10 Resolution – Signatory Authority – Quitclaim of Interest in Real Property – Chamberlayne Farms – Fairfield District.

Jon Tracy, Director of Real Property, responded to questions from the Board.

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

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

- 153-10 Resolution – Condemnation – Right-of-Way and Easements – North Gayton Road Extension Project – Roger Lee Horton – Three Chopt District.

Mr. Tracy advised the Board that settlement with the property owner had occurred after filing of the advertisement for this public hearing so staff was requesting withdrawal of the resolution.

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

154-10

Resolution - Signatory Authority - Modification of Contract for Public Transit Service in Henrico County - Greater Richmond Transit Company.

Tim Foster, Director of Public Works, recognized the following persons who were assisting him with the presentation for this public hearing: John Lewis, Chief Executive Officer of GRTC Transit System; Larry Hagan, Planning Director for GRTC Transit System; Todd Eure, Transportation Development Engineer for the County's Department of Public Works; and Chris Winstead, Assistant Director of Public Works for the County. Mr. Foster narrated a slide presentation on the Henrico County Fiscal Year 2010-2011 Mass Transit Proposal. His presentation addressed the County's FY 11 mass transit operating budget, GRTC's current local and express routes serving the County, GRTC's average monthly ridership in the County from FY 05 – FY 10, cost reduction recommendations and the total estimated annual cost savings from these recommendations, and a proposed GRTC fare increase. Mr. Foster advised that the proposed changes in service routes would be implemented in August 2010 if approved by the Board, GRTC would be continuing system-wide efforts to reduce costs and improve efficiencies, and the County would continue to work with GRTC to monitor all routes and recommend adjustments to schedules and routes if necessary. He noted that staff had received 39 e-mails and telephone calls from the public during the past week expressing concerns and feedback on the recommendations. The majority of the concerns focused on the recommendation to eliminate the Route 25 service, the Express Circulator. During Mr. Foster's presentation, he responded to several questions from the Board pertaining to ridership statistics for this midday route. Following his presentation, he and Mr. Lewis responded to a series of questions from the Board relating to ridership statistics and subsidies for routes recommended for elimination or reductions, alternatives for publicizing transit system routes, sources of funding for GRTC service, future trends in public transportation, GRTC's proposed fare increase, and local government participation in GRTC.

Mr. Hazelett announced that the following citizens who were not present for the public hearing had submitted written comments in advance and had specifically requested that these comments be made a part of the public record for the hearing: Deborrah Mahone, Tonya Morgan, and Jo Freeman. The following citizens who were registered to speak during the public hearing then addressed the Board:

- Martin J. Hubbell, a resident of 8909 Michaux Lane in the Tuckahoe District, read and submitted prepared remarks expressing concerns about the proposed cutbacks to the Route 26 service (Parham Park & Ride) and proposed elimination of the Route 25 service (Glenside/Parham/Gaskins Express). He presented a petition signed by concerned citizens and riders of the Route 26 service requesting the prevention of any cutbacks to the schedule for this service.
- Samuel Henderson, Jr., a resident of 6712 Cluck Lane in the Varina District, voiced concerns about proposed reductions to the Route 28 service (Fair Oaks Connector).
- Philip Underwood, a resident of 10324 in the Brookland District, stated concerns about the proposed elimination of the Route 25 service.
- Nicholas DiFilippis, a resident of 1913 Leslie Lane in the Fairfield District and representing the newly organized Richmond Transit Riders Union, asked the Board to expand transit services in the County, increase funding for these services, and make these services more affordable and reliable.

The following citizens who were not registered to speak during the public hearing also addressed the Board:

- Chris Lewis, a Henrico resident and employee of the Virginia Rehabilitation Center for the Blind and Vision Impaired, expressed concerns regarding the existing weekday schedule for Route 93 (Laburnum Connector) service and the absence of weekend service. Three students at the Center – Lillian Foster, Glenda King, and Wendy Thomas – voiced similar concerns and also asked that current service on this route not be reduced.
- Marianne Jorgenson, a resident of the Brookland District, expressed concerns that GRTC is not making maximum use of its buses.
- Heather Marshall Stout, a resident of the Tuckahoe District employed by Virginia Commonwealth University Health System, questioned the methodology used to calculate ridership data for Route 25 service and suggested that GRTC use smaller buses.
- Siva Lavu, a resident of the Three Chopt District employed by the Federal Reserve Bank, voiced concern about the proposed elimination of Route 25 service.

- Thomas Kensay, a resident of the Three Chopt District and a state employee, commented favorably on GRTC service and expressed concern about the proposed elimination of Route 25 service and reduction of Route 29 service (Gaskins Express).
- Pamela Hinton, a resident of the Varina District and a state employee, suggested moving the Park and Ride lot for Route 28 service from its current location at the Flea Market to White Oak Village. She responded to a question from Mr. Thornton about conditions at the Flea Market.
- Karen Cullen, a resident of the Tuckahoe District and an employee of the Virginia Department of Social Services, stated that she would be happy to pay a greater amount for Route 25 service.
- Sara Snelson, a resident of the Tuckahoe District and a state employee, conveyed concerns relating to the proposed reduction of Route 26 service and proposed elimination of Route 25 service.
- John Snelson, a resident of the Tuckahoe District, commended the Board for subsidizing public transportation and asked the Board to postpone a vote on this resolution until a new ridership survey of Henrico citizens benefiting from GRTC service and the Park and Ride lots could be conducted.
- Rob Monroe, a resident of Fireside Drive in the Brookland District, spoke to the convenience of the Gaskins Park and Ride lot and the money saved by the County by having citizens ride the express buses and not having cars on the road.

Mr. Foster responded at length to questions and concerns raised by the speakers during the public hearing and to further questions from the Board. Mr. Hazelett and Mr. Lewis also responded and commented. Mr. Glover and Mr. Hazelett reminded the public of the \$732,000 shortfall facing the County should the adjustments in service recommended by staff not be made. Thornton commented that he understood the economics of the proposed reductions and eliminations in service but suggested that in the future the Board would need to look beyond funding and be more visionary while GRTC could do more public relations and education. There was further discussion by the Board and Mr. Foster regarding the County's transit funding shortfall, the process for making future route adjustments, and the cost savings that would be realized by using smaller buses.

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

The Board recessed at 10:18 p.m. and reconvened at 10:30 p.m.

PUBLIC COMMENTS

Vickie Beaty, a resident of the Three Chopt District, reiterated concerns she previously presented to the Board pertaining to commercial construction activities at Ridge Shopping Center on the site of a former Hardee's restaurant, including the length of a newly reinstalled fence screening the site from her property and the removal of trees along a creek embankment adjoining her rear property line. She responded to questions from the Board. In response to questions and comments from Mr. Glover, Mr. Hazelett advised the Board that County staff has been talking with the contractor and owner about the possibility of extending the fence further. He assured the Board that the County has tried to help Ms. Beaty every way it can while also pointing out to the Board that the developer is not legally obligated to extend the fence and that the items of concern to Ms. Beaty are not on her property. There was more discussion among Mr. Glover, Ms. Beaty, Mr. Kaechele, and Mr. Hazelett relating to Ms. Beaty's concerns and the County's efforts to assist her.

GENERAL AGENDA

155-10 Resolution – Appropriation of Funds for Fiscal Year 2010-11.

Gene Walter, Management and Budget Division Director, responded to questions from Mrs. O'Bannon.

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

156-10 Resolution - Authorizing and Providing for the Issuance and Sale of Not to Exceed Seventy-Seven Million Four Hundred Fifty-Five Thousand Dollars (\$77,455,000) Principal Amount of County of Henrico, Virginia, General Obligation Public Improvement Bonds.

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

157-10 Resolution – Award of Construction Contract – Government Center Exterior Lighting Phase II.

Paul Proto, Director of General Services, responded to questions from the Board.

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

- 137-10 Resolution - Signatory Authority - Consent to Assignment of Contract for Architectural and Engineering Services - Fire Station # 7.
- Mr. Proto responded to questions from Mrs. O'Bannon.
- On motion of Mr. Donati, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item - see attached resolution.
- 158-10 *Resolution - Award of Construction Contract - Sandston Community Hall Addition and Repairs.*
- Mr. Proto and Mr. Hazelett responded to questions from the Board.
- On motion of Mr. Donati, seconded by Mr. Kaechele, and by unanimous vote, the Board approved this item - see attached resolution.
- 159-10 Resolution - Authorization to Pick-Up the Employee's Contribution to VRS under § 414(h) of the Internal Revenue Code for Plan 2 Employees.
- Mr. Hazelett and Mr. Rapisarda joined George Cauble, Jr., Director of Human Resources, in responding to questions from the Board. There was some discussion pertaining to the distinction between Plan 1 and Plan 2 employees pursuant to legislation passed by the Virginia General Assembly during the 2010 session. This legislation created a separate retirement plan under the Virginia Retirement System for employees hired after July 1, 2010.
- On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item - see attached resolution.
- 160-10 Resolution - Signatory Authority - Henrico Juvenile Detention Home Medical Services Contract.
- Mike Bingham, Juvenile Detention Superintendent, responded to a question from Mr. Kaechele.
- On motion of Mr. Glover, seconded by Mr. Kaechele, and by unanimous vote, the Board approved this item - see attached resolution.
- 161-10 Resolution - Signatory Authority - Easement Agreement for Verizon Virginia Inc. - Tuckahoe District.
- Real Property Director Jon Tracy, Mr. Hazelett, and Mr. Proto responded to a question from Mrs. O'Bannon.
- On motion of Mr. Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board approved this item - see attached resolution.

162-10 Resolution - Signatory Authority – Second Amendment to Lease of Office Space for the Henrico Drug Court Program – 8604 Staples Mill Road - Brookland District.

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

163-10 Resolution - Award of Construction Contract - Greendale Manor Area Water and Sewer System Improvements – Brookland District.

Mr. Tracy responded to a question from Mr. Hazelett and a comment from Mr. Glover.

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

164-10 Resolution - Award of Construction Contract - Broadwater Area Sanitary Sewer Rehabilitation Phase II - Varina District.

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

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

165-10 Resolution - Acceptance of Road.

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

There being no further business, the meeting was adjourned at 11:09 p.m.

Chairman, Board of Supervisors
Henrico County, Virginia

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
June 22, 2010

The Henrico County Board of Supervisors convened a special meeting on Tuesday, June 22, 2010 at 5:30 p.m. in the County Manager's Conference Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

Members of the Board Present:

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

Other Officials Present:

Virgil R. Hazelett, P.E., County Manager
Joseph P. Rapisarda, Jr., County Attorney
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board
Tanya B. Harding, Administrative Assistant/Deputy Clerk to the Board
Angela N. Harper, Deputy County Manager for Special Services
Leon T. Johnson, Deputy County Manager for Administration
Robert K. Pinkerton, P.E., Deputy County Manager for Community Operations
Randall R. Silber, Deputy County Manager for Community Development
John A. Vithoulkas, Special Economic Advisor to the County Manager/Director of Finance
C. Michael Schnurman, Jr., Legislative Liaison
Tamra R. McKinney, Director of Public Relations & Media Services

Mrs. O'Bannon called the meeting to order at 4:51 p.m.

Virginia Retirement System (VRS) Modifications Pursuant to 2010 State Legislation

Mr. Hazelett recognized George Cauble, Jr., Director of Human Resources, who narrated a brief *Virginia Retirement System Review* slide presentation. Mr. Cauble advised the Board that due to changes to the Virginia Retirement System approved by the Virginia General Assembly during the 2010 Session, localities and school divisions opting to pay the five percent member contribution for Plan 2 members, i.e. those employees hired after July 1, 2010, would be required to pass a resolution prior to July 1, 2010. He noted that the Henrico School Board would be considering a resolution to pay the five percent employee contribution for Plan 2 members at its June 24, 2010 meeting. Mr. Cauble further noted that Henrico County began paying the five percent member contribution for its employees in FY 1977-78 in lieu of a salary increase. Mr. Hazelett elaborated on the distinction between VRS Plan 1 and Plan 2 members pursuant to the new state legislation

and clarified that Plan 1 members will not see a change in their retirement benefits. Mr. Cauble summarized how benefits for Plan 2 members will differ from those for Plan 2 members. He pointed out that the new state legislation resulted from a Joint Legislative Audit and Review Commission (JLARC) study.

Mr. Cauble, Mr. Hazelett, Mr. Rapisarda, and Management and Budget Division Director Gene Walter responded to questions and comments from the Board regarding the Board's two options for funding Plan 2 employee VRS contributions, whether the new state legislation will impact law enforcement officer or school employee supplemental retirement benefits, the national trend away from traditional defined benefit pension plans in favor of defined contribution retirement plans, and the level of the County's annual VRS contributions. There was discussion among the Board, Mr. Vithoulkas, and Mr. Hazelett pertaining to VRS contribution rates and investments.

Pending Ordinance Amendments Resulting from 2010 State Legislation

Mr. Hazelett recognized Ms. Adams, who narrated a slide presentation on *Henrico Code Amendments Resulting from 2010 General Assembly Legislation*. Ms. Adams reviewed several bills approved during the Session that would require changes to the County Code and an additional bill that would allow a change to the Code as follows: House Bill (HB) 239/Senate Bill (SB) 90 – renames animal protection officers as animal protection police officers and provides these officers with full law-enforcement powers; HB 985/SB 90 – excludes from the taxable gross receipts of security brokers and dealers amounts paid to independent contractors as commissions on the sale or purchase of a security; HB 1301/SB 355 – clarifies that short-term rental property is a classification of merchants' capital rather than tangible personal property and permits localities to continue to impose the Business, Professional, Occupational, and License (BPOL) tax on persons engaged in the short-term rental business; HB 409/HB 713 – requires contractors to provide certain documentation prior to issuance of initial or renewal business licenses and requires a licensed or certified contractor to furnish his license or certification number; and HB 367 – allows imposition of an additional \$35.00 service charge for the return of a check, draft, or order payable to a locality on which a stop-payment order has been placed by the payer in bad faith. Ms. Adams advised that staff was recommending that ordinances incorporating these changes be introduced at the July 13, 2010 Board of Supervisors meeting, advertised in the *Richmond Times Dispatch* on July 20 and 27, 2010, and scheduled for public hearing at the Board's August 10, 2010 meeting.

Ms. Adams, Animal Protection Supervisor Shawn Sears, Mr. Hazelett, and Mr. Cauble responded to questions from the Board pertaining to the legislation addressing animal control police officers. These questions concerned the training that would be required for animal protection police officers, the restriction of the legislation to Henrico County, and the powers of and pay grades for this new classification of police officers. Ms. Adams responded to questions from the Board relating to the legislation addressing security brokers and dealers. These questions were in regards to the revenue impact of this legislative change on the County and the legal distinction between brokers and dealers. Ms. Adams also responded to a question concerning the legislation addressing contractors, specifically whether certain contracting businesses are exempted from having to obtain from a business license.

The Board recessed for dinner at 5:31 p.m. and reconvened at 5:59 p.m.

Mr. Hazelett briefly reviewed the presentations, appointments, public hearings, and general agenda items listed on the evening's regular meeting agenda. He advised that a citizen had signed up in advance to address the Board during the public comment period on concerns relating to the local public access cable television channel and that this matter should be discussed by the Board at a future work session on either July 13 or 27, 2010. Mr. Hazelett, Mr. Rapisarda, and Mrs. McKinney responded to questions from the Board regarding the County's level of control over the local cable public access studio, the cable companies' responsibilities for this studio, and how programming is controlled on the public access station. Mr. Hazelett reviewed the format of the evening's public hearing on the proposed reduction to Greater Richmond Transit Company (GRTC) service and how citizen comments would be incorporated into the record. There was more discussion by the Board and Mr. Hazelett of the public access cable television channel matter and by Mr. Glover and Mr. Hazelett of comments on WRVA-AM radio by commentators Paul Barrett and Jimmy Bottoms that were critical of the County's cable television station, *Henrico Today* publication, and residential investment tax abatement program.

Mr. Hazelett briefed the Board on the current status of VRS and how other localities in the region and the Commonwealth of Virginia had been responding to the new 2010 state legislation discussed at the outset of this special meeting. He and Mr. Vithoulkas responded to several questions and comments from the Board pertaining to the state revenue situation and there was extended discussion by Mrs. O'Bannon, Mr. Glover, and Mr. Hazelett relating to the financial predicament of other Virginia localities. There was then discussion by the Board, Mr. Hazelett, and Mr. Vithoulkas of the Richmond Flying Squirrels baseball team, the County's financial outlook for the coming year, alternate forms of local government in Virginia, the office of Sheriff, the future of high speed rail in the Commonwealth, and the viability of Amtrak's Main Street station.

There being no further business, the meeting was adjourned at 6:52 p.m.

Chairman, Board of Supervisors
Henrico County, Virginia

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
May 6, 2010

The Henrico County Board of Supervisors convened a special joint meeting with the Economic Development Authority Board of Directors on Thursday, May 6, 2010 at 4:00 p.m. in the Conference Room of the Authority's offices located at 4300 East Parham Road, Henrico, Virginia 23228.

Members of the Board of Supervisors Present:

Patricia S. O'Bannon, Chairman, Tuckahoe District
Frank J. Thornton, Vice Chairman, Fairfield District (arrived at 4:27 p.m.)
James B. Donati, Jr., Varina District
Richard W. Glover, Brookland District
David A. Kaechele, Three Chopt District

Members of the Economic Development Authority Board of Directors Present:

Marsha S. Shuler, Chair, Tuckahoe District
John M. Steele, Vice Chair, Varina District
Harold D. Parker, Jr., Secretary, Fairfield District
Patrick R. Liverpool, Treasurer, Three Chopt District
Stephanie T. Ford, Tuckahoe District
S. Floyd Mays, Jr., Varina District
Benjamin B. Miles, Fairfield District
Christopher Shumaker, Brookland District
Edward F. Steiner, Three Chopt District

Member of the Economic Development Authority Board of Directors Absent:

John F. Hastings, Brookland District

Other Officials Present:

Virgil R. Hazelett, P.E., County Manager
John L. Knight, Deputy County Attorney
Rhysa G. South, Assistant County Attorney
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board
Tanya B. Harding, Administrative Assistant/Deputy Clerk to the Board
Angela N. Harper, Deputy County Manager for Special Services
Randall R. Silber, Deputy County Manager for Community Development
Wilbert J. Childress, Technology Support Specialist
Gary R. McLaren, Executive Director, Economic Development Authority

Leonard C. Cake, Administrative Director, Economic Development Authority
B. Anthony Hall, Director of Marketing, Economic Development Authority
Joyce A. Whitten, Administrative Assistant, Economic Development Authority

Mrs. O'Bannon called the meeting to order at 4:09 p.m. She recognized Ms. Shuler, who welcomed the Board of Supervisors to the meeting. Mrs. Shuler commented that the Economic Development Authority (EDA) Board of Directors had been very busy during the past 18 months recruiting a new Executive Director and developing a new strategic plan.

Draft Economic Development Strategic Plan

Ms. Shuler recognized Mr. McLaren, who noted that his staff had distributed draft copies of the EDA strategic plan to the members of the Board of Supervisors and EDA Board at the outset of the meeting. Mr. McLaren narrated a slide presentation addressing why the plan had been developed; the process followed by EDA in drafting the plan; the mission statement included in the plan; an analysis of the County's strengths, weaknesses, opportunities, and threats as related to the EDA's economic development operations and program and to the County's current economic development climate; the plan's strategic goals and objectives; the strategic measures that the EDA will use to monitor progress and results; and the plan's implementation. The four goals established by the plan are as follows: 1) Market Henrico County as a desirable pro-business location; 2) expand and diversify the business tax base; 3) attract well-paying jobs; and 4) maintain and strengthen a pro-business environment that employs policies and procedures that make Henrico County a competitive business location. Mr. McLaren pointed out that the EDA was looking for feedback from the Board of Supervisors on the plan and hoped to approve the plan by June 30, 2010.

Mrs. O'Bannon thanked Mr. McLaren for the presentation and the EDA Board and staff for the many hours they put into developing the plan. Mr. McLaren, Mr. Hazelett, and Mr. Silber responded to a number of questions and comments from members of the Board of Supervisors regarding the EDA's and County's economic development efforts. Issues and topics discussed included the possible need for more competitive incentives, particularly in enterprise zones, to close future economic development projects; changes in the ways larger companies are obtaining information on communities in which they are interested in locating; whether the County should be more aggressively recruiting retail businesses; the status of local and regional business retention efforts; the role of the Greater Richmond Partnership in local economic development; the level of EDA involvement in reviewing the County's Comprehensive Plan, land use decisions, and zoning cases; and the EDA's current level of staffing. Mr. Thornton remarked that the new strategic plan is healthy and that the County will need to start being more visionary and looking at things differently, especially in its use of the media. Mr. Steele responded to a question from Mr. Donati pertaining to how the EDA will measure or assess its performance after the plan is implemented. In response to a question from Mrs. O'Bannon, Mr. Hazelett elaborated on the successful negotiations that occurred among the County, the Commonwealth of Virginia, and Qimonda's predecessor company (Siemens-Motorola) during the mid-1990s when White Oak Technology Park was initially developed. Mr. McLaren responded to questions relating to future plans for the use of the

facility formerly occupied by Qimonda. Mr. McLaren and Mr. Hazelett responded to questions concerning the current status of the Governor's Opportunity Fund.

Ms. Shuler thanked everyone for attending the joint work session and announced that the EDA Board would be reconvening for its business meeting after taking a recess at the conclusion of this meeting.

There being no further business, this meeting was adjourned at 5:29 p.m.

Chairman, Board of Supervisors
Henrico County, Virginia

166-10
C-8C-10
Brookland

JMW, LLC: Request to amend proffered conditions accepted with Rezoning Case C-68C-00, on Parcel 776-744-1464, located at the southwest intersection of Dumbarton Road and Byrdhill Road. The applicant proposes to amend proffers related to building size, building height, and landscaping. The existing zoning is M-1C Light Industrial District (Conditional) and O-2C Office District (Conditional). The Land Use Plan recommends Office. This site is in the Enterprise Zone. Acting on a motion by Mr. Vanarsdall seconded by Mr. Archer, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors grant the request because the proffers continue to assure a quality form of development with maximum protection afforded the adjacent properties.

RESOLUTION — Authorizing the County Manager to Submit the Henrico County Five Year Consolidated Plan and the 2010-2011 Annual Consolidated Plan, including the CDBG Program Year Twenty-One Plan and the HOME Program Year Fourteen Plan; to Execute the CDBG Agreement for Program Year Twenty-One and the HOME Agreement for Program Year Fourteen; and to Execute Contracts to Implement the CDBG and HOME Activities.

This resolution authorizes the County Manager to submit the Henrico County Five Year Consolidated Plan and the 2010-2011 Annual Consolidated Plan, consisting of the CDBG Program Year Twenty-One Plan and the HOME Program Year Fourteen Plan, to the United States Department of Housing and Urban Development (“HUD”) on or before August 15, 2010 in accordance with federal submission requirements. It also authorizes the County Manager to execute contracts with HUD for Program Year Twenty-One of the Henrico CDBG Program and for HOME Program Year Fourteen in a form approved by the County Attorney and in accordance with the rules and regulations of the CDBG and HOME programs. Finally, it authorizes the County Manager to execute contracts in a form approved by the County Attorney to implement the 2010-2011 CDBG and HOME Program Year activities as funds are appropriated.

The County’s CDBG entitlement for Program Year Twenty-One is \$1,598,002.

The County’s HOME entitlement for Program Year Fourteen is \$923,758.

The Department of Community Revitalization has prepared the attached objectives and proposed uses of CDBG and HOME funds. The proposed use of funds includes \$317,192 in CDBG funds from previous years and \$50 in HOME funds from previous years.

The Director of Community Revitalization recommends approval, and the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 167-10

Page No. 1 of 2

Agenda Title: RESOLUTION – Authorizing the County Manager to Submit the Henrico County Five Year Consolidated Plan and the 2010-2011 Annual Consolidated Plan, including the CDBG Program Year Twenty-One Plan and the HOME Program Year Fourteen Plan; to Execute the CDBG Agreement for Program Year Twenty-One and the HOME Agreement for Program Year Fourteen; and to Execute Contracts to Implement the CDBG and HOME Activities.

For Clerk's Use Only:

Date: **JUL 13 2010**

- ☐ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) _____ Seconded by (1) _____
(2) _____ (2) _____

REMARKS: _____

YES NO OTHER

Donati, J. _____
Glover, R. _____
Kacchale, D. _____
O'Bannon, P. _____
Thornton, F. _____

WHEREAS, Henrico County (the "County") is an entitlement community under the U. S. Department of Housing and Urban Development ("HUD") Community Development Block Grant ("CDBG") Program, as authorized by Title I of the Housing and Community Development Act of 1974, as amended; and,

WHEREAS, the County's CDBG entitlement is \$1,598,002 for Program Year Twenty-One, and the County has prepared the attached objectives and proposed uses of CDBG entitlement funds for 2010-2011; and,

WHEREAS, the County is an entitlement community under the HUD Home Investment Partnership Program ("HOME") as authorized by the HOME Act of 1990, as amended; and,

WHEREAS, the County's HOME entitlement is \$923,758 for Program Year Fourteen, and the County has prepared the attached objectives and proposed uses of HOME funds for 2010-2011; and,

WHEREAS, \$317,192 in CDBG funds and \$50 in HOME funds from previous years are included in the proposed use of CDBG and HOME funds; and,

WHEREAS, localities are required by HUD to submit a Consolidated Plan with annual installments as a condition of receiving funds under the Housing and Community Development Act of 1974, as amended, and the HOME Act of 1990, as amended, and the Department of Community Revitalization has prepared for submission to HUD the required Consolidated Plan with proposed uses of CDBG and HOME funds for 2010-2011 as shown on the attached table.

NOW, THEREFORE, BE IT RESOLVED by the Henrico County Board of Supervisors that the Board (1) approves the Five Year Consolidated Plan and the 2010-2011 Annual Consolidated Plan, including the proposed uses of CDBG and HOME funds for 2010-2011, (2) authorizes the County Manager to submit them as required by law, and (3) authorizes the County Manager to execute the necessary agreements and contracts to implement the CDBG and HOME activities in a form approved by the County Attorney.

By Agency Head

A. M. H. H. H.

By County Manager

James R. H. H.

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. 167-10

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Agenda Title: RESOLUTION – Authorizing the County Manager to Submit the Henrico County Five Year Consolidated Plan and the 2010-2011 Annual Consolidated Plan, including the CDBG Program Year Twenty-One Plan and the HOME Program Year Fourteen Plan; to Execute the CDBG Agreement for Program Year Twenty-One and the HOME Agreement for Program Year Fourteen; and to Execute Contracts to Implement the CDBG and HOME Activities.

BE IT FURTHER RESOLVED that the Board of Supervisors authorizes the County Manager to submit the Henrico County Five Year Consolidated Plan and the 2010-2011 Annual Consolidated Plan to HUD on or before August 15, 2010 in accordance with federal submission requirements; to execute the contracts with HUD for CDBG Program Year Twenty-One and HOME Program Year Fourteen in a form approved by the County Attorney and in accordance with the rules and regulations for CDBG and HOME funds; and, as funds are appropriated, to execute contracts in a form approved by the County Attorney to implement the 2010-2011 CDBG and HOME Program Year activities.

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

**2010-2011 CDBG & HOME Program
Sources & Uses of Funds**

	CDBG	HOME
SOURCES		
Funds Brought Forward	317,192	50
FY 2010-2011 Allocation	1,598,002	923,758
Total Available	\$1,915,194	\$923,808
USES		
1. CDBG & HOME Administration	177,000	90,000
2. Commercial Assistance Program	208,000	0
3. ElderHomes Rehabilitation	97,000	333,808
4. ElderHomes Emergency & Minor Repairs	255,194	0
5. CONNECT Program	172,000	0
6. HOME Inc. Downpayment Assistance	28,000	100,000
7. Southside CDC Downpayment Assistance	30,000	150,000
8. Neighborworks Downpayment Assistance	10,000	50,000
9. Neighborworks CHDO	0	200,000
10. A Grace Place	295,000	0
11. Highland Garden Park Improvements	25,000	0
12. MH&DS Group Home Improvements	80,000	0
13. RAMPS	50,000	0
14. Laburnum Avenue Revitalization Improvements	488,000	0
Total Allocation	\$1,915,194	\$923,808

Funds Brought Forward

	CDBG	HOME
1.. 07-08 Golden Road	223,119	0
2. 08-09 Façade Grants	83,588	0
3. 07-08 Meadowview Park	34	0
4. 07-08 MH Group Home Improvements	10,449	0
5. 08-09 Allenshaw Group Home	0	50
Available for Reprogramming	\$317,192	\$50

RESOLUTION – Signatory Authority – Easement Agreement for Virginia Electric and Power Company– Three Chopt District

The approval of this resolution will authorize the Chairman and Clerk of the Board of Supervisors to execute an easement agreement, in a form approved by the County Attorney, conveying to Virginia Electric and Power Company (“VEPCO”), the right to construct and maintain an electric line across County land adjacent to Kain Road. *With the realignment of Kain Road in conjunction with the North Gayton Road extension, the easement is needed for the relocation of a portion of the existing electric line.* The Directors of Public Works and Real Property recommend approval of this action. **(Public Hearing)**



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 168-10

Page No.

1 of 1

Agenda Title

RESOLUTION - Signatory Authority - Easement Agreement for Virginia Electric and Power Company - Three Chopt District

For Clerk's Use Only:

Date **JUL 13 2010**

- ☐ Approved
☐ Denied
☐ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

Moved by (1) _____ Seconded by (1) _____
(2) _____ (2) _____

REMARKS: _____

YES NO OTHER

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

WHEREAS, the County of Henrico, Virginia owns a parcel of land adjacent to Kain Road; and,

WHEREAS, Virginia Electric and Power Company ("VEPCO") has requested that the County convey an electric line easement across a portion of the parcel, as shown on the attached Exhibit "A," to provide for the relocation of an existing electric line; and,

WHEREAS, the Board of Supervisors of Henrico County, Virginia wishes to grant an easement to VEPCO for this purpose; and,

WHEREAS, on July 13, 2010, the Board held an advertised public hearing on this Resolution pursuant to Sections 15.2-1800 and 15.2-1813 of Code of Virginia, 1950, as amended.

NOW, THEREFORE, BE IT RESOLVED by the Board that the Chairman and Clerk are authorized to execute an easement agreement, in a form approved by the County Attorney, by and between the County and VEPCO, for the conveyance of an electric line easement across the County parcel, as shown on Exhibit "A."

Comments: The Directors of Public Works and Real Property recommend approval of this paper; the County Manager concurs.

By Agency Head

By County Manager

Routing:

Yellow to:

Real Property

Copy to:

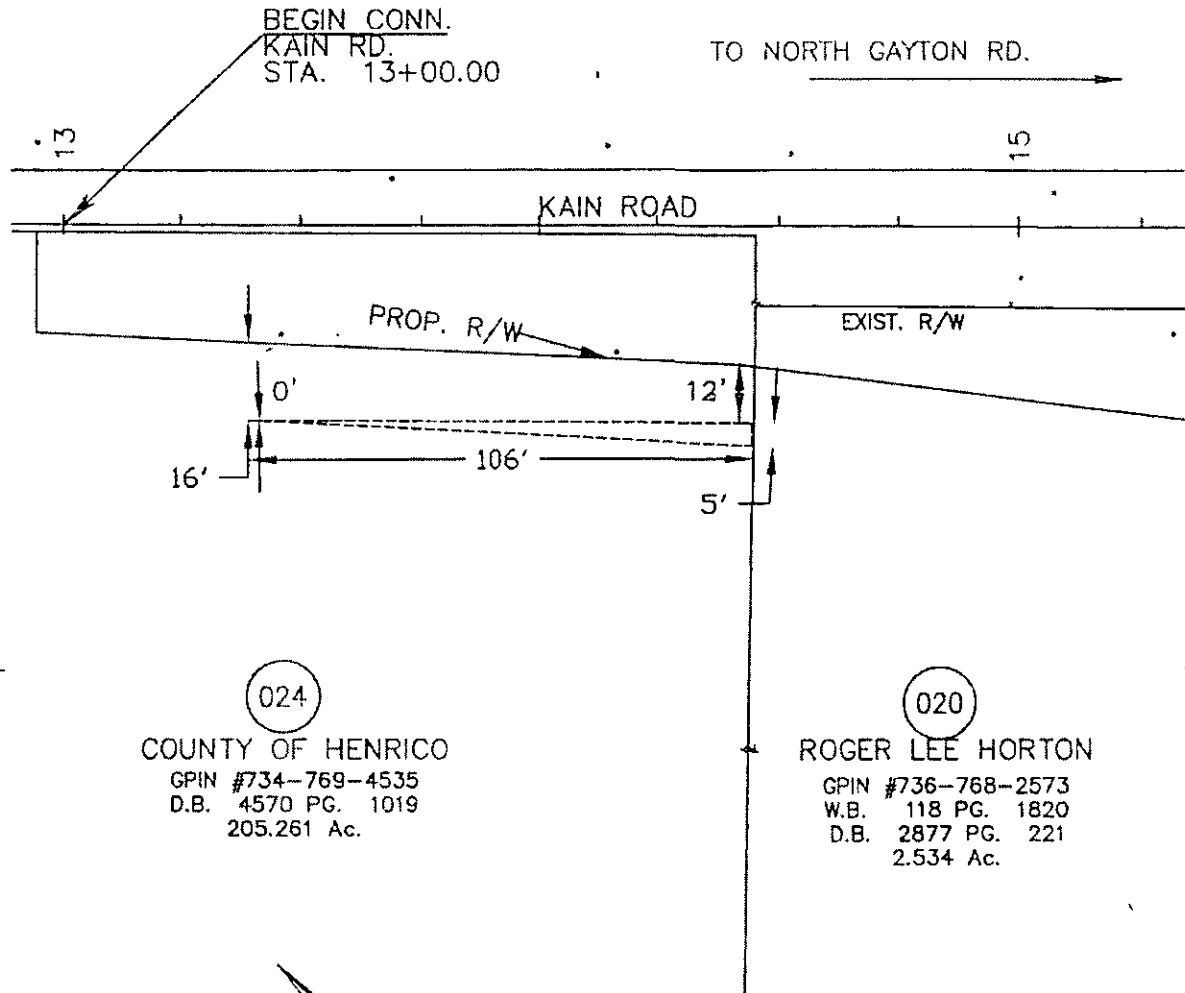
Certified:

A Copy Teste:

Clerk, Board of Supervisors

Date:

EXHIBIT "A"



024
COUNTY OF HENRICO
GPIN #734-769-4535
D.B. 4570 PG. 1019
205.261 Ac.

020
ROGER LEE HORTON
GPIN #736-768-2573
W.B. 118 PG. 1820
D.B. 2877 PG. 221
2.534 Ac.

Legend

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

Plat to Accompany Right-of-Way Agreement		
VIRGINIA ELECTRIC AND POWER COMPANY doing business as Dominion Virginia Power OH/UG		
District RICHMOND		
District-Township-Borough THREE CHOPT	County-City HENRICO	State VA
Office CENTRAL REGION	Plat Number 00090255	
Estimate Number 7180563	Grid Number G2108	
Date: 11/18/2009	By: COSGROVE	

RESOLUTION — Condemnation — Rights-of-Way and Easements — North Gayton Road Extension Project — Centex Homes — Three Chopt District

This Board paper authorizes condemnation proceedings for property owned by Centex Homes, a Nevada general partnership, that is needed for the construction of the North Gayton Road Extension Project.

The County needs to acquire rights-of-way containing 452 sq. ft., permanent slope and drainage easements containing 24,722 sq. ft., a temporary construction easement containing 3,378 sq. ft., permanent easements for Virginia Electric and Power Company, a Virginia public service corporation, doing business as Dominion Virginia Power, containing 16,484.35 sq. ft., and permanent easements containing 7,034.18 sq. ft. for Verizon Virginia Inc., a Virginia corporation, (collectively, the "Rights-of-Way and Easements") across seven parcels of real property owned by Centex Homes and identified as Tax Map Parcels 470-769-0088, 740-770-2208, 740-769-4285, 740-769-6282, 740-769-7087, 740-769-8296, and 739-770-7715. Based on independent appraisals, bona fide offers totaling \$93,646 were made to and rejected by the owner.

This Board paper directs the County Manager to take the necessary steps to acquire the Rights-of-Way and Easements with the right to enter the property upon the filing of a certificate of take and the deposit of \$93,646 in the Clerk's Office of the Henrico County Circuit Court.

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



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

Agenda Item No. 109-10

Page No.

1 of 3

Agenda Title RESOLUTION — Condemnation — Rights-of-Way and Easements — North Gayton Road Extension Project — Centex Homes — Three Chopt District

For Clerk's Use Only:

Date **JUL 13 2010**

- ☐ Approved
☐ Denied
☐ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

Moved by (1) _____ Seconded by (1) _____
(2) _____ (2) _____

REMARKS: _____

YES NO OTHER

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

WHEREAS, it is necessary for construction of the North Gayton Road Extension Project (the "Project") to acquire rights-of-way containing 452 sq. ft., permanent slope and drainage easements containing 24,722 sq. ft., a temporary construction easement containing 3,378 sq. ft., permanent easements for Virginia Electric and Power Company, a Virginia public service corporation, doing business as Dominion Virginia Power, containing 16,484.35 sq. ft., and permanent easements containing 7,034.18 sq. ft. for Verizon Virginia Inc., a Virginia corporation, (collectively, the "Rights-of-Way and Easements") across seven parcels of real property owned by Centex Homes, a Nevada general partnership (the "Owner") and identified as portions of Tax Map Parcels 740-769-0088, 740-770-2208, 740-769-4285, 740-769-6282, 740-769-7087, 740-769-8296, and 739-770-7715 in the Three Chopt District; and,

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

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

NOW, THEREFORE, BE IT RESOLVED that:

- (1) The Board directs the County Manager to take the necessary steps to acquire the Rights-of-Way and Easements over, under, upon, across and through the property of the Owner, shown as "CENTEX HOMES" on 11 plats, one made by NXL, dated December 11, 2009, sealed on December 21, 2009 by David L. Jones, Land Surveyor, a reduced size copy of which is attached and marked Exhibit "A", one made by NXL, dated January 12, 2010, sealed on April 5, 2010, by Nicholas Kougoulis, Land Surveyor, a reduced size copy of which is attached and marked

By Agency Head

[Signature]

By County Manager

[Signature]

Routing:

Yellow to:

Real Property

Copy to:

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Date:

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

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RESOLUTION — Condemnation — Rights-of-Way and Easements — North Gayton
Agenda Title Road Extension Project — Centex Homes — Three Chopt District

Exhibit "A-1", one made by NXL, dated December 11, 2009, sealed on January 18, 2010, by Nick Kougoulis, Land Surveyor, a reduced size copy of which is attached and marked Exhibit "A-2", one made by NXL, dated December 12, 2009, sealed on January 18, 2010, by Nick Kougoulis, Land Surveyor, a reduced size copy of which is attached and marked Exhibit "A-3", one made by NXL, dated December 12, 2009, sealed on January 18, 2010, by Nick Kougoulis, Land Surveyor, a reduced size copy of which is attached and marked Exhibit "A-4", one made by NXL, dated January 11, 2010, sealed on May 26, 2010, by Nicholas Kougoulis, Land Surveyor, a reduced size copy of which is attached and marked Exhibit "A-5", one made by NXL, dated March 23, 2010, sealed on March 30, 2010, by Nicholas Kougoulis, Land Surveyor, a reduced size copy of which is attached and marked Exhibit "A-6", two made by Virginia Electric and Power Company, dated November 20, 2009, copies of which are attached and marked Exhibit "B" and "B-1", and two made by Verizon Virginia, Inc., copies of which are attached and marked "C" and "C-1", and shown as Parcels "041", "059", "060", "061", "063", "064", and "070" on Sheet Nos. 15, 16 and 17, and further described on Sheet No. 1C(2) of the plans for North Gayton Road, Project 2122.50701.28004.01152, reduced size copies of which are attached and marked Exhibit "D", "D-1", "D-2" and "D-3", respectively;

- (2) The Board deems it necessary to enter upon the property and take possession of the Rights-of-Way and Easements in order to construct the Project prior to the time in which a condemnation case can be filed and heard in accordance with the Code;
- (3) The County Manager shall send by certified mail a notice dated July 14, 2010, advising the Owner that the County intends to enter upon and take the Rights-of-Way and Easements prior to the conclusion of condemnation proceedings, setting forth the compensation and damages offered by the County, and informing the Owner of the 30 days within which to contest the taking;
- (4) The Board finds a necessity exists to institute condemnation proceedings pursuant to the Code to acquire the Rights-of-Way and Easements for the public use of constructing, operating, and maintaining the Project and to determine the amount of compensation and damages, if any, caused by the taking, possession and acquisition of the Rights-of-Way and Easements;

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

Agenda Item No. 109-10
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RESOLUTION — Condemnation — Rights-of-Way and Easements — North Gayton
Agenda Title Road Extension Project — Centex Homes — Three Chopt District

-
- (5) After the 30-day period for the Owner to contest the taking has run, the County Attorney shall file in the Clerk's Office of the Circuit Court a certificate signed by the Chairman and Clerk of the Board in accordance with the Code and shall deposit with the Clerk the total amount of the bona fide offers listed below that has not been accepted by the Owner:

**CENTEX HOMES, A NEVADA GENERAL PARTNERSHIP
AS TO PORTIONS OF TAX MAP PARCELS:
740-769-0088, 740-770-2208, 740-769-4285, 740-769-6282,
740-769-7087, 740-769-8296, and 739-770-7715,
\$93,646;**

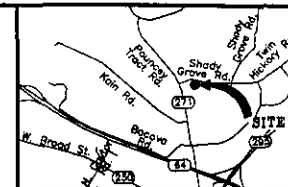
and,

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

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

GPIN	LAND OWNER	D.B./PG.	Right-of-Way Acquisition	Permanent Slope & Drainage Easements	Temporary Construction Easements
740-769-0088	CENTEX HOMES	4020/2351	141 sq. ft.	7,557 sq. ft.	3,378 sq. ft.

EXHIBIT "A"

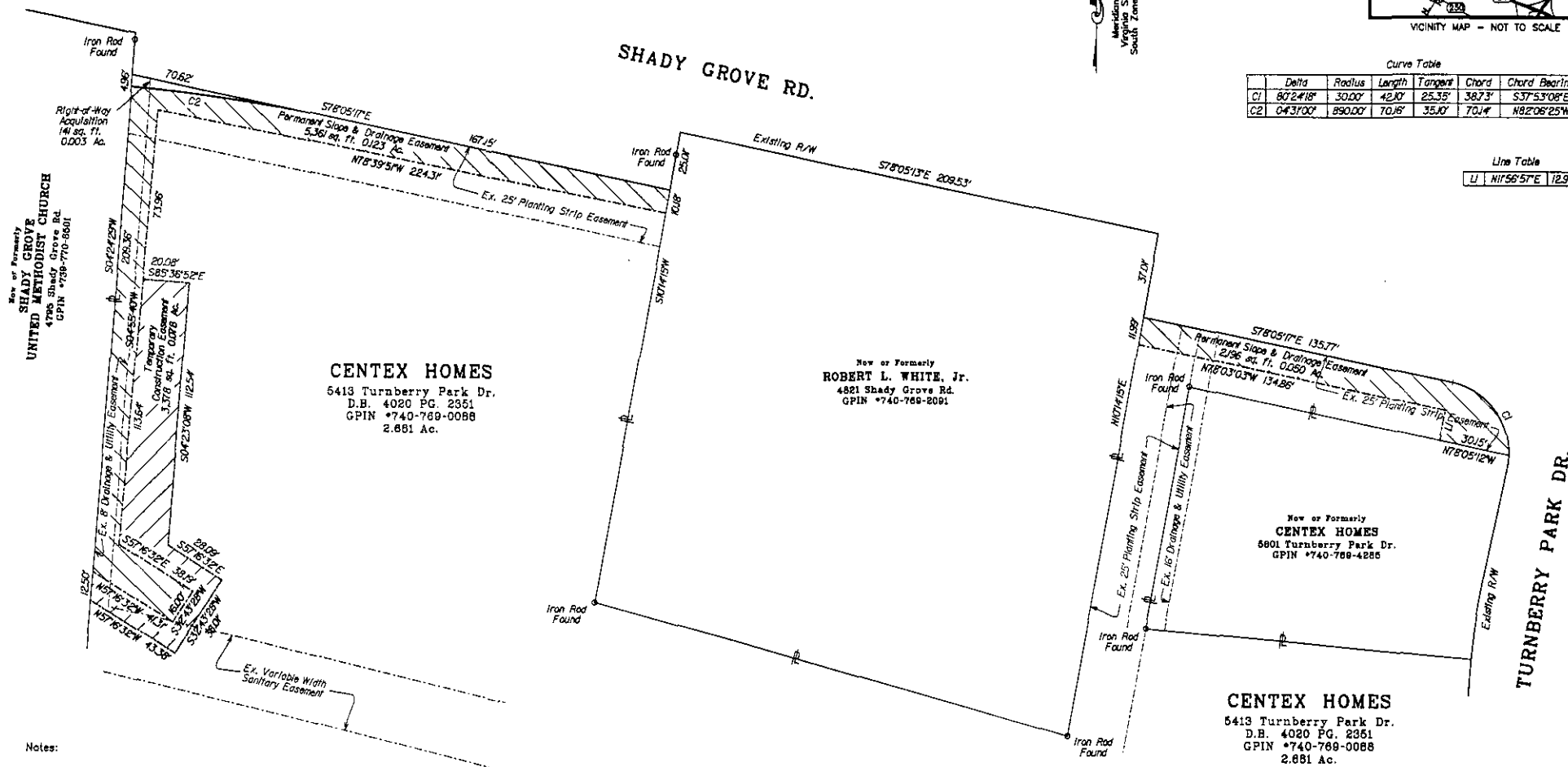


VICINITY MAP - NOT TO SCALE

Delta	Radius	Length	Tangent	Chord	Chord Bearing
C1	60'24'18"	30.00'	42.80'	25.35'	S37°53'08"E
C2	04'31'00"	890.00'	70.85'	35.00'	N82°06'25"W

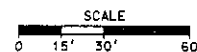
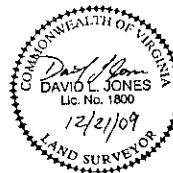
Line Table

U	N15°56'51"E	12.92'
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Notes:

- This plat has been prepared for the purpose of defining the right-of-way and easements noted, and is not to be considered a boundary survey. No structures or utilities have been located by this survey.
- Proposed right-of-way, permanent easements, and temporary construction easements are based on files provided by AECOM received: 11/18/09.
- Acres tabulations, if provided, are based on information provided by Henrico County Real Estate assessments and may not necessarily agree with computed areas or recorded deeds.
- Meridian Source: Virginia State Plane Coordinate System South Zone, Grid North, Based On Henrico County Geodetic Control.



CENTEX HOMES
5413 Turnberry Park Dr.
D.B. 4020 PG. 2351
GPIN #740-769-0088
2.881 Ac.

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

CENTEX HOMES

THREE CHOPT MAGISTERIAL DISTRICT
HENRICO COUNTY, VIRGINIA



RMD Engineers, Surveyors,
Construction Managers
114 east Cary Street, Suite 200
Richmond, Virginia 23219
(804) 644-4600

FILE NAME	SCALE	DATE	JOB NO.	SHEET NO.
041	1"=30'	Dec. 11, 2009	0710007L	1 of 1

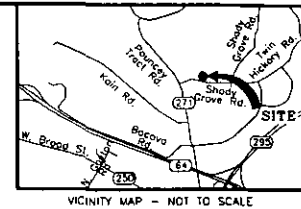
GPIN	LAND OWNER	D.B./PG.	Right-of-Way Acquisition	Permanent Slope & Drainage Easements	Temporary Construction Easements
740-770-2208	CENTEX HOMES	4020/2351	128 sq. ft.	5331 sq. ft.	0 sq. ft.

Curve Table

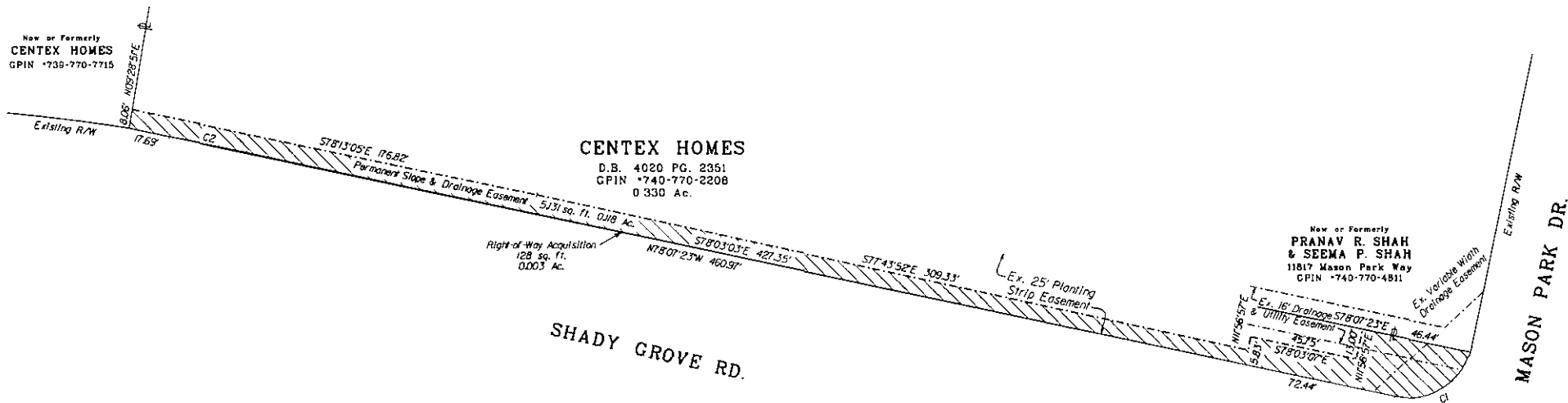
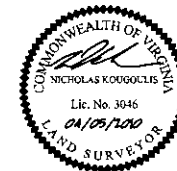
	Delta	Radius	Length	Tangent	Chord	Chord Bearing
C1	85°45'25"	27.00'	40.41'	25.07'	36.74'	S58°59'56"W
C2	0°59'10"	970.00'	33.63'	16.81'	33.62'	S79°02'38"E

EXHIBIT "A-1"

Meridian Source:
Virginia State Plane
South Zone Grid North



VICINITY MAP - NOT TO SCALE



Notes:

1. This plat has been prepared for the purpose of defining the right-of-way and easements noted, and is not to be considered a boundary survey. No structures or utilities have been located by this survey.
2. Proposed right-of-way, permanent easements, and temporary construction easements are based on files provided by AECOM received: 11/18/09.
3. Acreage tabulations, if provided, are based on information provided by Henrico County Real Estate assessments and may not necessarily agree with computed areas or recorded deeds.
4. Meridian Source: Virginia State Plane Coordinate System South Zone, Grid North, Based On Henrico County Geodetic Control.

SCALE
0 15' 30' 60'

ACQUISITION PLAT SHOWING RIGHT-OF-WAY AND PERMANENT SLOPE & DRAINAGE EASEMENT ON THE PROPERTY OF

CENTEX HOMES

THREE CHOPT MAGISTERIAL DISTRICT
HENRICO COUNTY, VIRGINIA

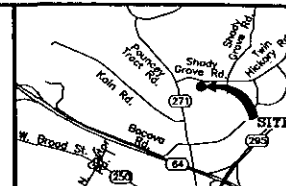


RMD Engineers, Surveyors
Construction Managers
114 east cary street, suite 200
richmond, virginia 23219
(804) 644-4600

FILE NAME	SCALE	DATE	JOB NO.	SHEET NO.
059	1"=30'	Jan 12, 2010	0710007L	1 of 1

GPIN	LAND OWNER	D.B./PG.	Right-of-Way Acquisition	Permanent Slope & Drainage Easements	Temporary Construction Easements
740-769-4285	CENTEX HOMES	4020/2351	0 sq. ft.	333 sq. ft.	0 sq. ft.

EXHIBIT "A-2"



VICINITY MAP - NOT TO SCALE

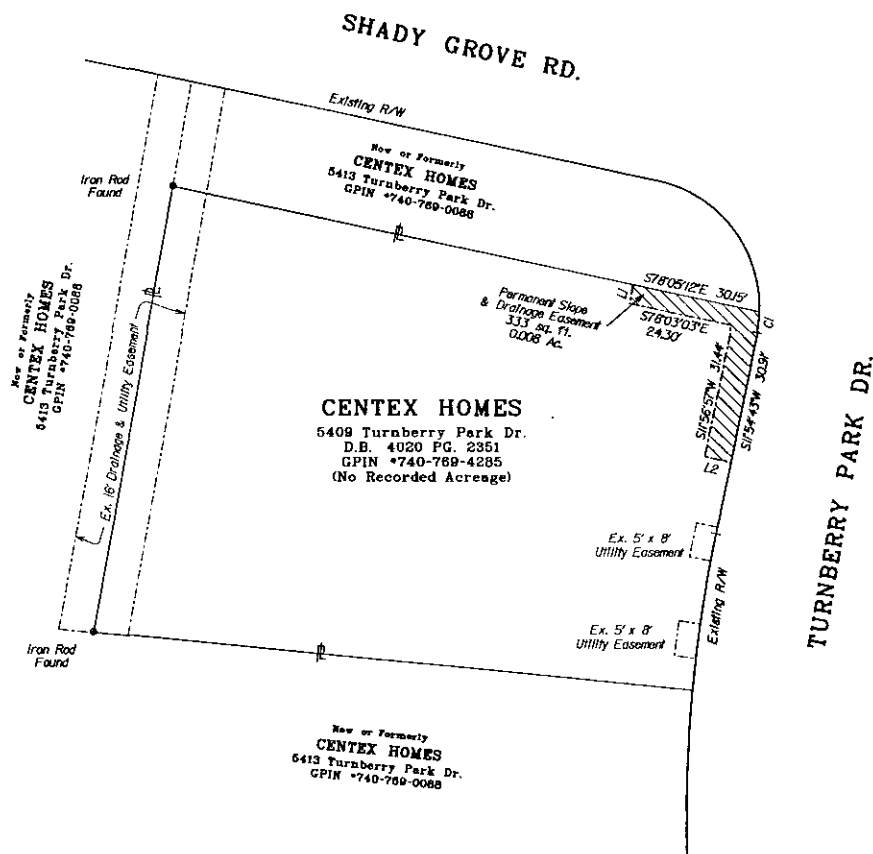
Meridian Source:
Virginia State Plane
South Zone Grid North

Curve Table

	Delta	Radius	Length	Tangent	Chord	Chord Bearing
C1	09°35'15"	30.00'	5.02'	2.52'	5.00'	S01°06'39"W
C2	06°30'19"	325.00'	36.90'	19.47'	36.88'	S08°39'34"W

Line Table

L1	S15°56'57"W	4.45'
L2	S78°03'03"E	6.30'



Notes:

- This plat has been prepared for the purpose of defining the right-of-way and easements noted, and is not to be considered a boundary survey. No structures or utilities have been located by this survey.
- Proposed right-of-way, permanent easements, and temporary construction easements are based on files provided by AECOM received: 11/18/09.
- Acreage tabulations, if provided, are based on information provided by Henrico County Real Estate assessments and may not necessarily agree with computed areas or recorded deeds.
- Meridian Source: Virginia State Plane Coordinate System South Zone, Grid North, Based On Henrico County Geodetic Control.



SCALE
0 10' 20' 40'

ACQUISITION PLAT SHOWING
PERMANENT SLOPE AND DRAINAGE EASEMENT
ON THE PROPERTY OF

CENTEX HOMES

THREE CHOPT MAGISTERIAL DISTRICT
HENRICO COUNTY, VIRGINIA



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

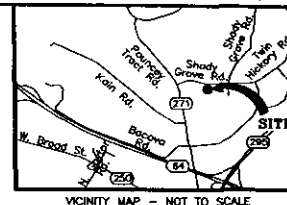
FILE NAME	SCALE	DATE	JOB NO.	SHEET NO.
060	1"=20'	Dec. 11, 2009	0710007L	1 of 1

GPIN	LAND OWNER	D.B./PG.	Right-of-Way Acquisition	Permanent Slope & Drainage Easements	Temporary Construction Easements
740-769-6282	CENTEX HOMES	4020/2351	0 sq. ft.	681 sq. ft.	0 sq. ft.

Curve Table

	Delta	Radius	Length	Tangent	Chord	Chord Bearing
C1	05°11'16"	275.00'	24.90'	12.46'	24.89'	N09°19'05"E
C2	04°14'39"	27.00'	2.00'	1.00'	2.00'	N14°02'15"E

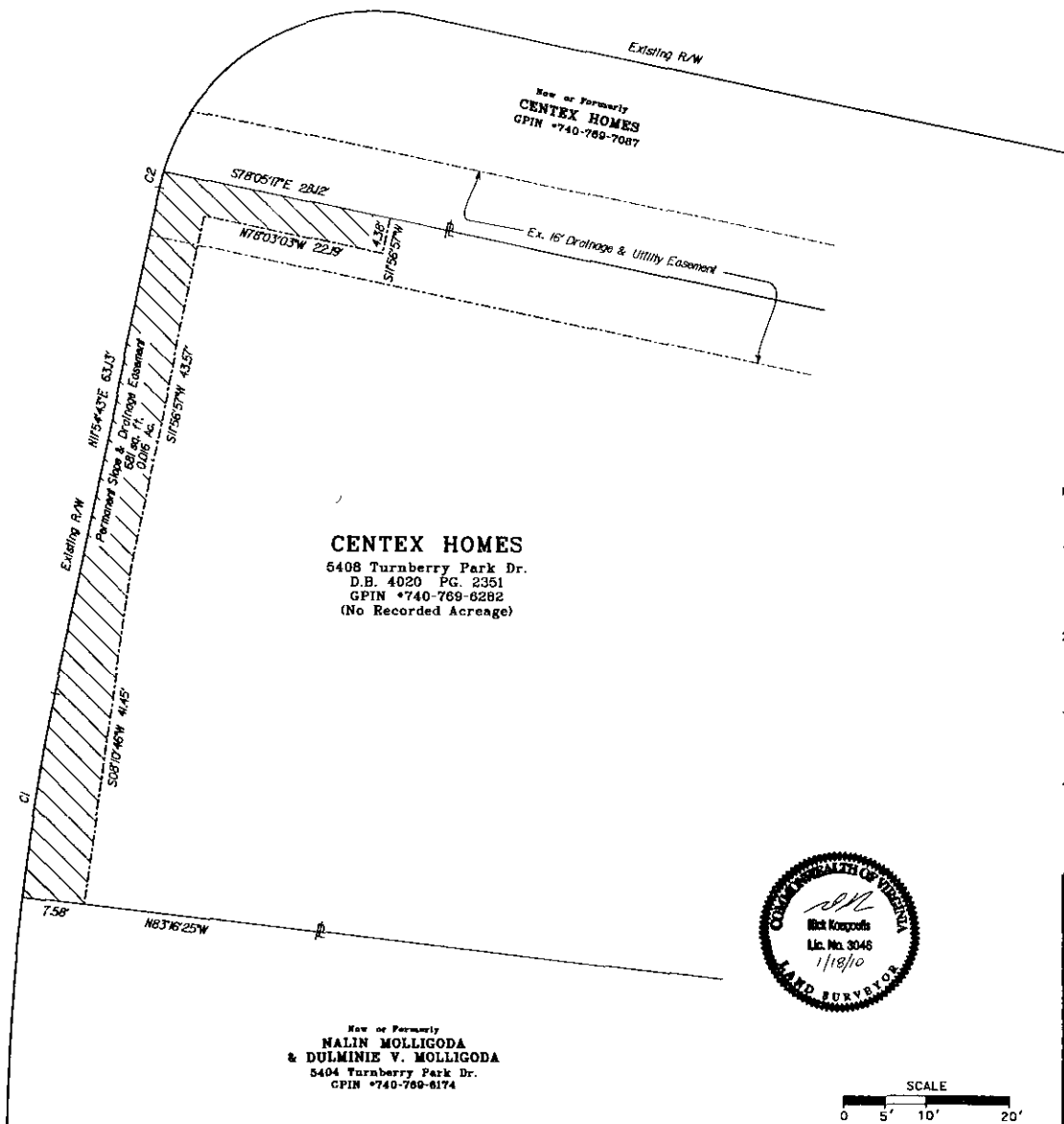
EXHIBIT "A-3"



Meridian Source:
Virginia State Plane
South Zone Grid North

TURNBERRY PARK DR.

SHADY GROVE RD.



Notes:

1. This plat has been prepared for the purpose of defining the right-of-way and easements noted, and is not to be considered a boundary survey. No structures or utilities have been located by this survey.
2. Proposed right-of-way, permanent easements, and temporary construction easements are based on files provided by AECOM received: 11/18/09.
3. Acreage tabulations, if provided, are based on information provided by Henrico County Real Estate assessments and may not necessarily agree with computed areas or recorded deeds.
4. Meridian Source: Virginia State Plane Coordinate System South Zone, Grid North, Based On Henrico County Geodetic Control.



SCALE
0 5' 10' 20'

ACQUISITION PLAT SHOWING
PERMANENT SLOPE AND DRAINAGE EASEMENT
ON THE PROPERTY OF
CENTEX HOMES
THREE CHOPT MAGISTERIAL DISTRICT
HENRICO COUNTY, VIRGINIA



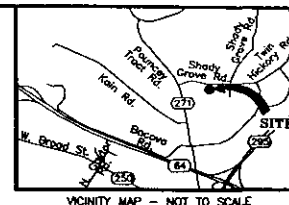
nrd Engineers, Surveyors
& Construction Managers
114 east cary street, suite 200
richmond, virginia 23219
(804) 644-4600

FILE NAME	SCALE	DATE	JOB NO.	SHEET NO.
061	1"=10'	Dec. 12, 2009	0710007L	1 of 1

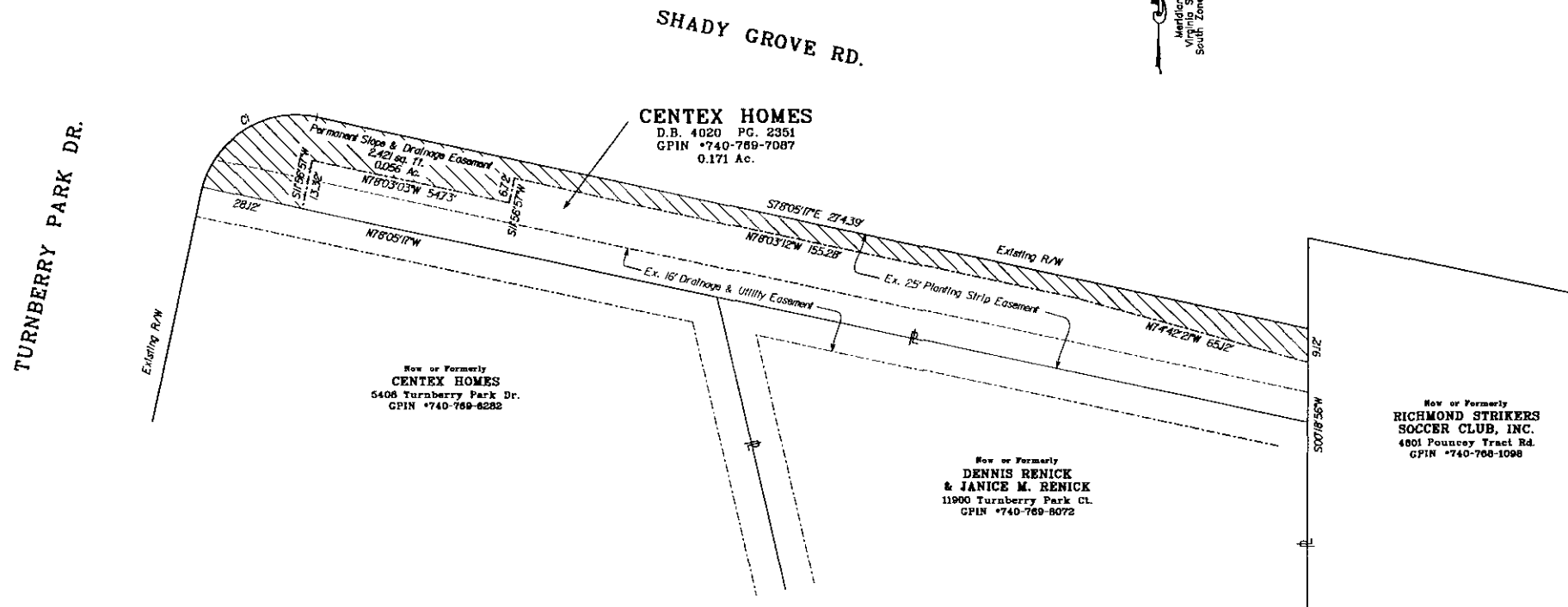
GPIN	LAND OWNER	D.B./PG.	Right-of-Way Acquisition	Permanent Slope & Drainage Easements	Temporary Construction Easements
740-769-7087	CENTEX HOMES	4020/2351	0 sq. ft.	2.421 sq. ft.	0 sq. ft.

Curve Table					
Delta	Radius	Length	Tangent	Chord	Chord Bearing
CI 85°45'10"	27.00'	40.41'	25.00'	36.74'	N59°02'08"E

EXHIBIT "A-4"



Meridian Source:
Virginia State Plane
South Zone Grid North



Notes:

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2. Proposed right-of-way, permanent easements, and temporary construction easements are based on files provided by AECOM received: 11/18/09.
3. Acreage tabulations, if provided, are based on information provided by Henrico County Real Estate assessments and may not necessarily agree with computed areas or recorded deeds.
4. Meridian Source: Virginia State Plane Coordinate System South Zone, Grid North, Based On Henrico County Geodetic Control.



SCALE
0 10' 20' 40'

ACQUISITION PLAT SHOWING
PERMANENT SLOPE AND DRAINAGE EASEMENT
ON THE PROPERTY OF

CENTEX HOMES

THREE CHOPT MAGISTERIAL DISTRICT
HENRICO COUNTY, VIRGINIA



RND Engineers, Surveyors
Construction Managers
114 east cary street, suite 200
richmond, virginia 23219
(804) 644-1600

FILE NAME	SCALE	DATE	JOB NO.	SHEET NO.
063	1"=20'	Dec. 12, 2009	0710007L	1 of 1

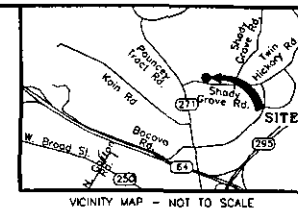
GPIN	LAND OWNER	D.B./PG.	Right-of-Way Acquisition	Permanent Slope & Drainage Easements	Temporary Construction Easements
740-769-8296	CENTEX HOMES	4020/2351	96 sq. ft.	4,283 sq. ft.	0 sq. ft.
		4020/2355			

EXHIBIT "A-5"

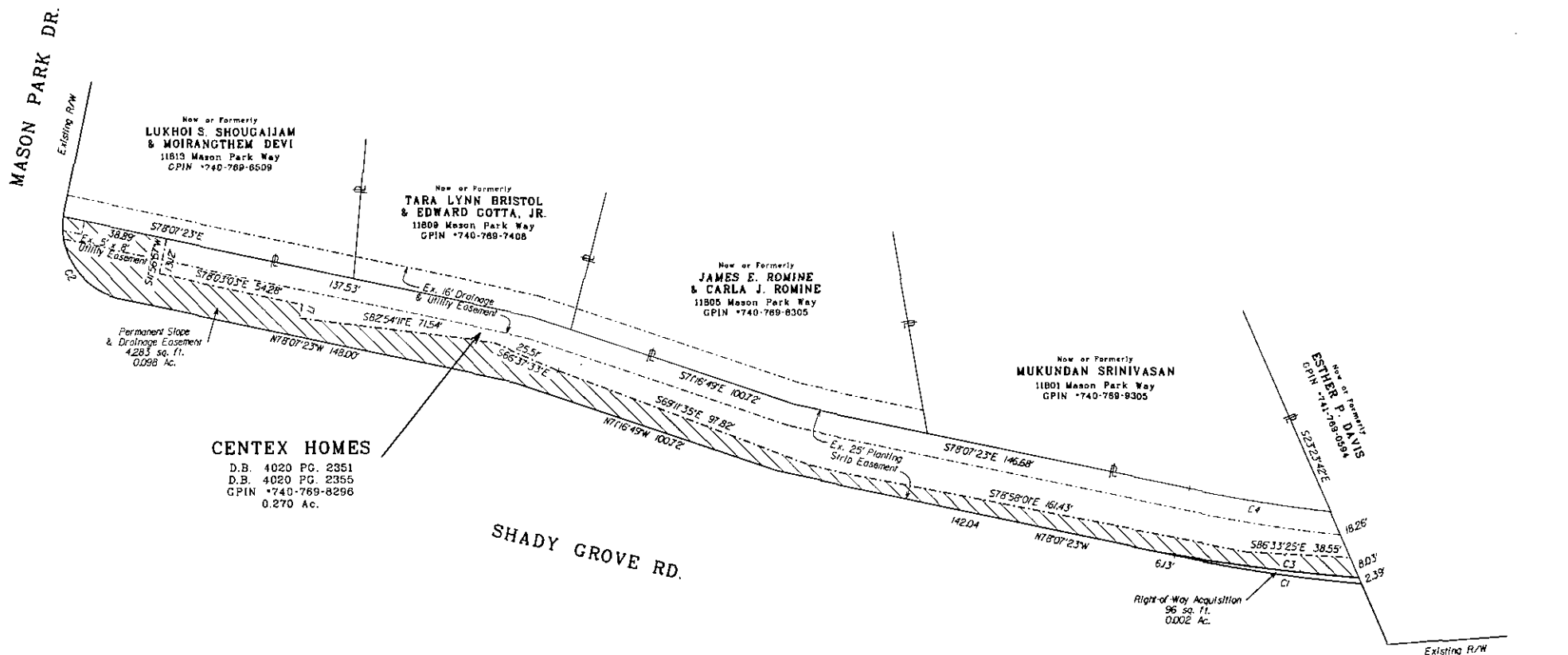
Curve Table					
Delta	Radius	Length	Tangent	Chord	Chord Bearing
C1	06°37'09"	594.4'	68.67'	34.37'	58°25'58"E
C2	85°45'10"	27.00'	40.4'	25.01'	N35°14'50"W
C3	04°44'00"	890.00'	73.53'	36.78'	S82°44'05"E
C4	05°14'07"	569.4'	52.03'	26.03'	S80°44'27"E

Line Table	
U	S1°56'57"W 5.07'

Meridian Source:
Virginia State Plane
South Zone Grid North

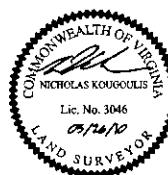


VICINITY MAP - NOT TO SCALE



Notes:

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- Acres tabulations, if provided, are based on information provided by Henrico County Real Estate assessments and may not necessarily agree with computed areas or recorded deeds.
- Meridian Source: Virginia State Coordinate System South Zone, Grid North, Based On Henrico County Geodetic Control.



SCALE
0 12.5' 25' 50'

ACQUISITION PLAT SHOWING RIGHT-OF-WAY
AND PERMANENT SLOPE & DRAINAGE EASEMENT
ON THE PROPERTY OF

CENTEX HOMES

THREE CHOPT MAGISTERIAL DISTRICT
HENRICO COUNTY, VIRGINIA



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

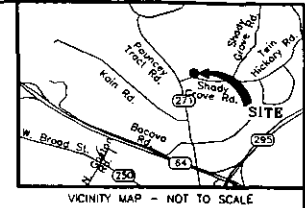
FILE NAME	SCALE	DATE	JOB NO.	SHEET NO.
064	1"=25'	Jan 11, 2010	0710007L	1 of 1

GPIN	LAND OWNER	D.B./PG.	Right-of-Way Acquisition	Permanent Slope & Drainage Easements	Temporary Construction Easements
739-770-7715	CENTEX HOMES	4445/2102	87 sq. ft.	4,316 sq. ft.	0 sq. ft.

Curve Table

	Delta	Radius	Length	Tangent	Chord	Chord Bearing
C1	171°44'	969.96'	189.53'	95.07'	189.23'	N86°54'08"W
C2	121°18'24"	969.96'	208.34'	104.57'	207.94'	S87°20'48"W
C3	121°18'14"	970.00'	208.58'	104.69'	208.18'	N87°34'07"E

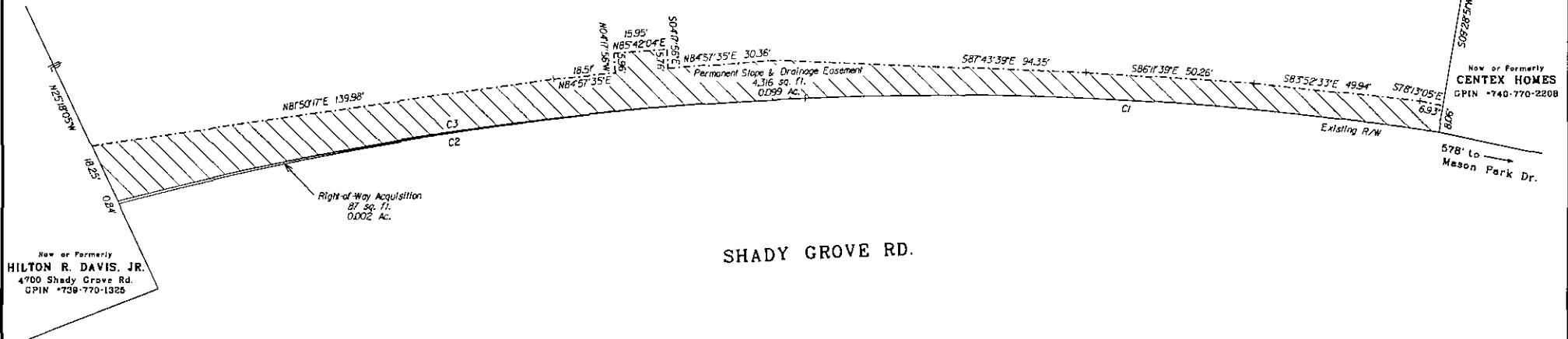
EXHIBIT "A-6"



Meridian Source:
Virginia State Plane
South Zone Grid North

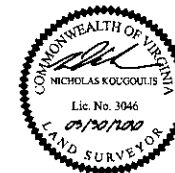
CENTEX HOMES

Shady Grove Rd.
D.B. 4445 PGS. 2102, 2111, & 2432
D.B. 4020 PG. 2351
GPIN #739-770-7715
0.327 Ac.



Notes:

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- Proposed right-of-way, permanent easements, and temporary construction easements are based on files provided by AECOM received: 03/22/10.
- Acreage tabulations, if provided, are based on information provided by Henrico County Real Estate assessments and may not necessarily agree with computed areas or recorded deeds.
- Meridian Source: Virginia State Plane Coordinate System South Zone, Grid North, Based On Henrico County Geodetic Control.



SCALE
0 10' 20' 40'

ACQUISITION PLAT SHOWING RIGHT-OF-WAY
AND PERMANENT SLOPE & DRAINAGE EASEMENT
ON THE PROPERTY OF

CENTEX HOMES

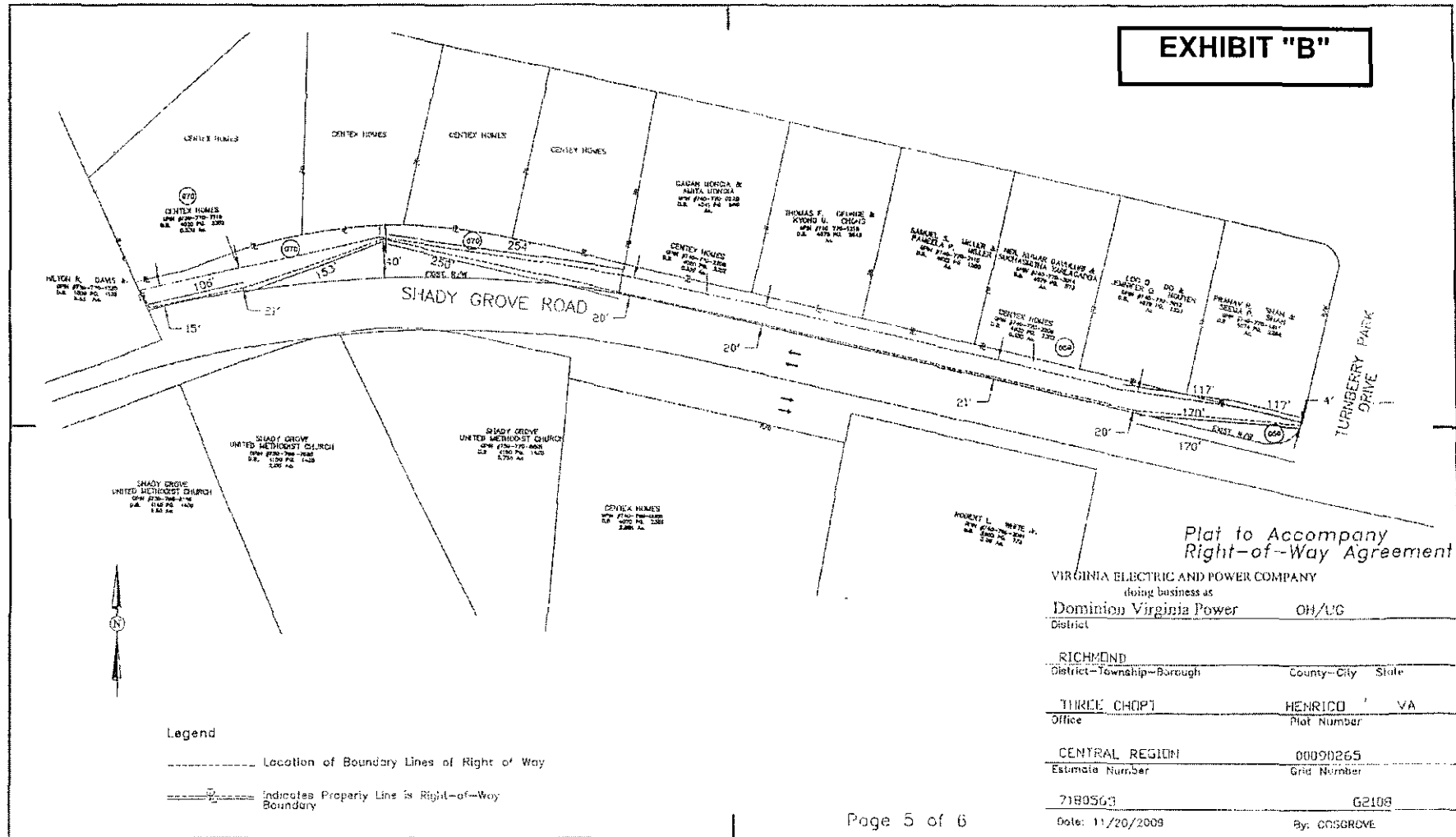
THREE CHOPT MAGISTERIAL DISTRICT
HENRICO COUNTY, VIRGINIA



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

FILE NAME	SCALE	DATE	JOB NO.	SHEET NO.
070	1"=20'	Mar 23, 2010	0710007L	1 of 1

EXHIBIT "B"



Plat to Accompany Right-of-Way Agreement

VIRGINIA ELECTRIC AND POWER COMPANY
doing business as
Dominion Virginia Power OH/UG
District

RICHMOND
District-Township-Borough County-City State

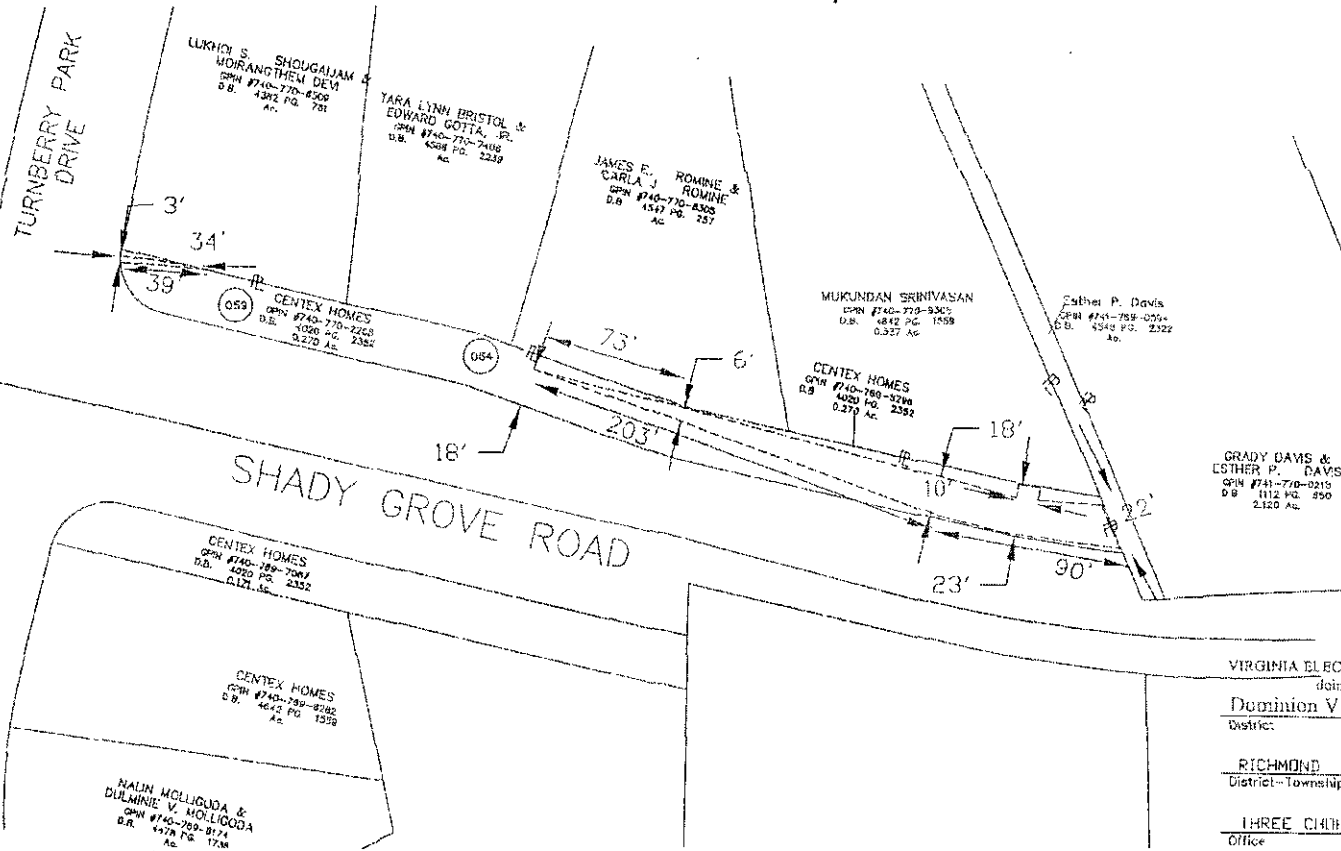
THREE CHOPI HENRICO VA
Office Plot Number

CENTRAL REGION 00090265
Estimate Number Grid Number

7180563 G2108

Date: 11/20/2009 By: CDSGROVE

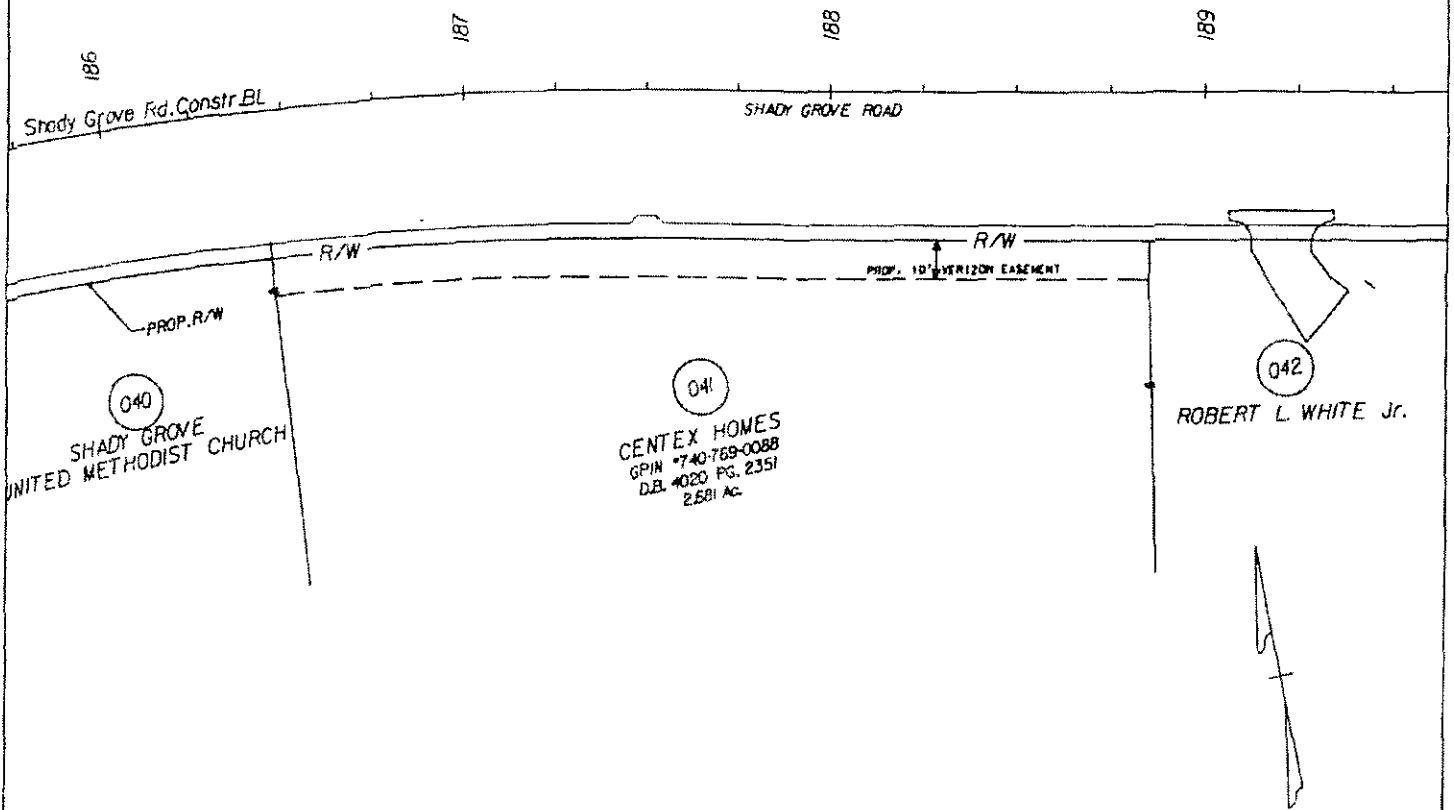
EXHIBIT "B-1"



Plat to Accompany Right-of-Way Agreement

VIRGINIA ELECTRIC AND POWER COMPANY doing business as		
Dominion Virginia Power		OH/UG
District:		
RICHMOND		
District-Township-Parish	County-City	State
THREE CHIMNEY	HENRICO	VA
Office	Plot Number	
CENTRAL REGION	00090265	
Estimate Number	Grid Number	
7180563	G2108	
Date: 11/20/2009	By: COSGROVE	

EXHIBIT "C"

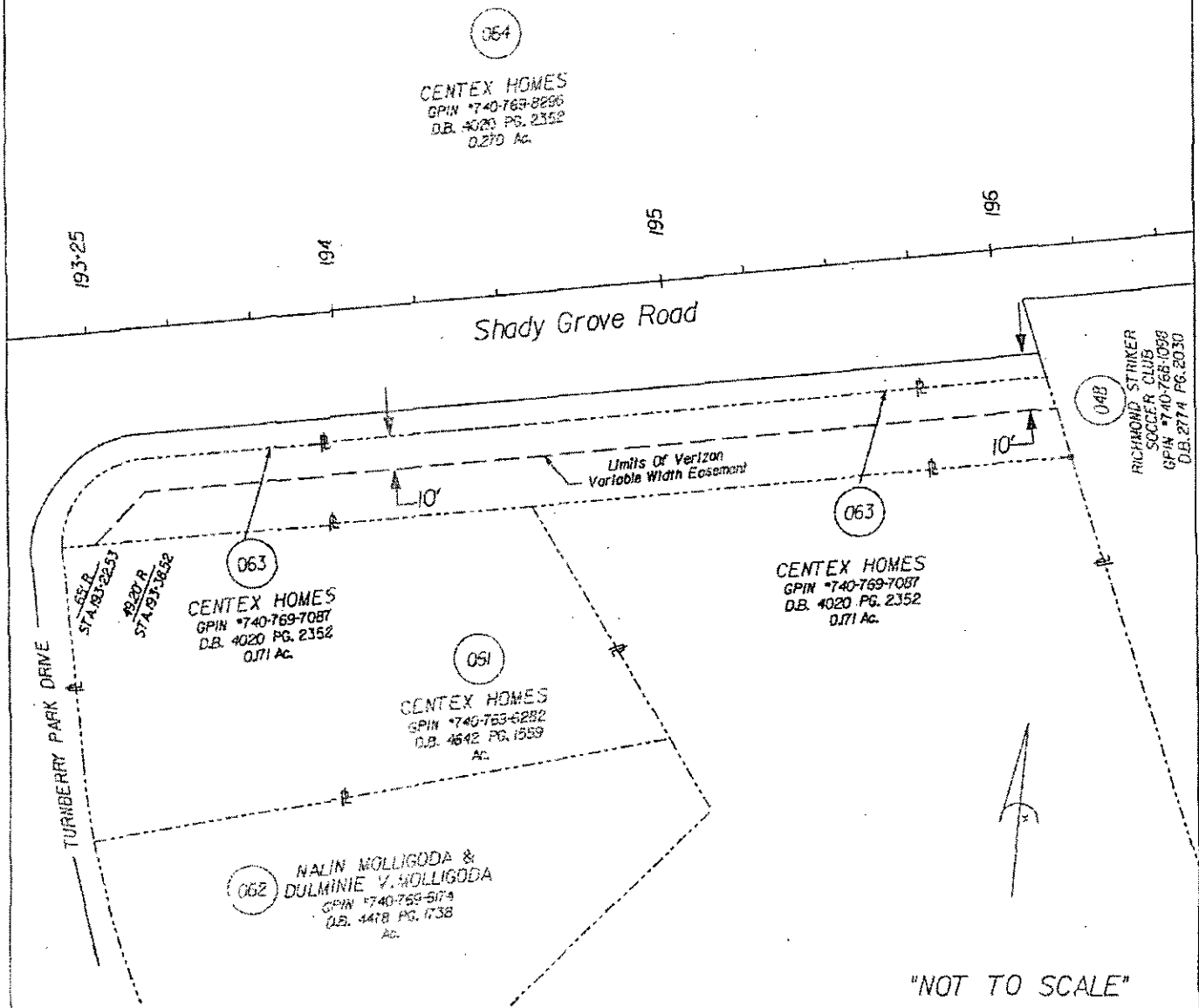


SITE PLAN REFERENCE:

SHADY GROVE ROAD

VERIZON VIRGINIA INC.	GRANTOR/OWNER: CENTEX HOMES	COUNTY: HENRICO MAGISTERIAL DIST.: THREE CHOPT
---R--- DENOTES R AND/OR R/W ---- LIMITS OF RIGHT-OF-WAY	ADDRESS:	TAX MAP NO.: 740-769-0088
E.A.: KEN GILBERT PHONE NO.: 772-5963	CONTACT TEL. NO.:	PROPERTY ID . . . DEED BOOK: 4020 PAGE: 2351
CENTRAL OFFICE: GAYTON VZ ROW NUMBER: 267337 COVER SHEET NUMBER:	GRANTOR:	GRSM
		SH 1700 E-W 4 N-S K PG 4 OF 4
	GRANTOR:	PLAT BOOK: ROUTE: WORK ORDER . . . 4A18546

EXHIBIT "C-1"



SITE PLAN REFERENCE:

ADDRESS : N/A

VERIZON VIRGINIA INC.	GRANTOR/OWNER. CENTEX HOMES	COUNTY: HENRICO MAGISTERIAL DIST.: THREE CHOPT
---R--- DENOTES R AND/OR R/W ---LIMITS OF RIGHT-OF-WAY	ADDRESS:	TAX MAP NO.: N/A
E.A.: KEN E. GILBERT	CONTACT TEL. NO.:	PROPERTY ID #: 740-769-7087
PHONE NO.: (804) 772-5963	GRANTOR:	DEED BOOK: 4020 PAGE: 2352
CENTRAL OFFICE: GAYTON	GRANTOR:	GRSM SH E-W N-S PG 4 1700 4 K OF 4
VZ ROW NUMBER: 267717-R		PLAT BOOK: ROUTE: WORK ORDER #: 4A18546


 County Of Harris Department of Public Works	
FILE NO.	SHEET NO. 15

EXHIBIT "D-1"

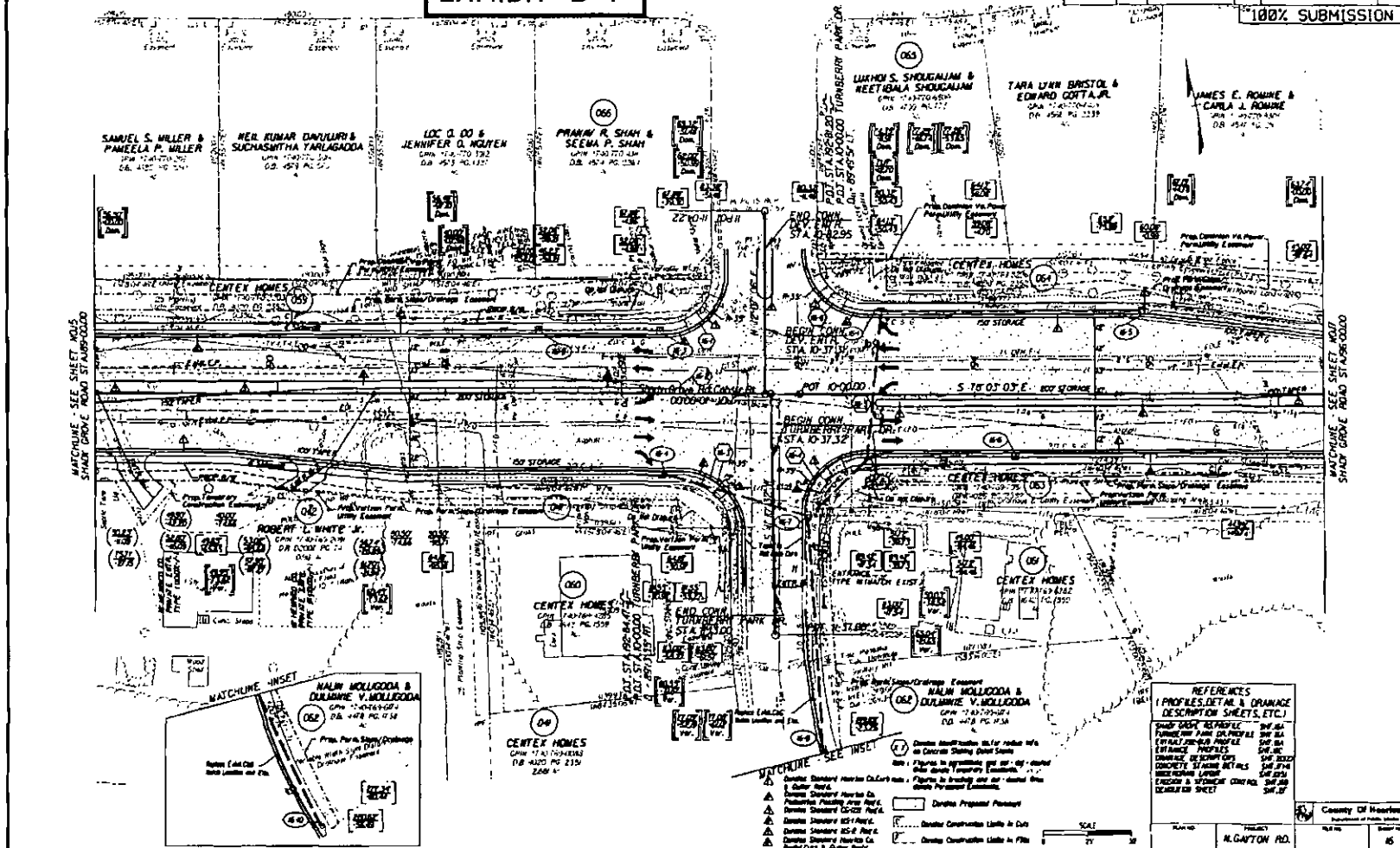
DESIGNED BY: ACOM
 CHECKED BY: J. J. JONES
 DATE: 11/06/2013

The information shown on this page is project information.

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

STATE	PROJECT	DATE	BY
VA	202250701280040H52	11/06/2013	J. J. JONES

100% SUBMISSION



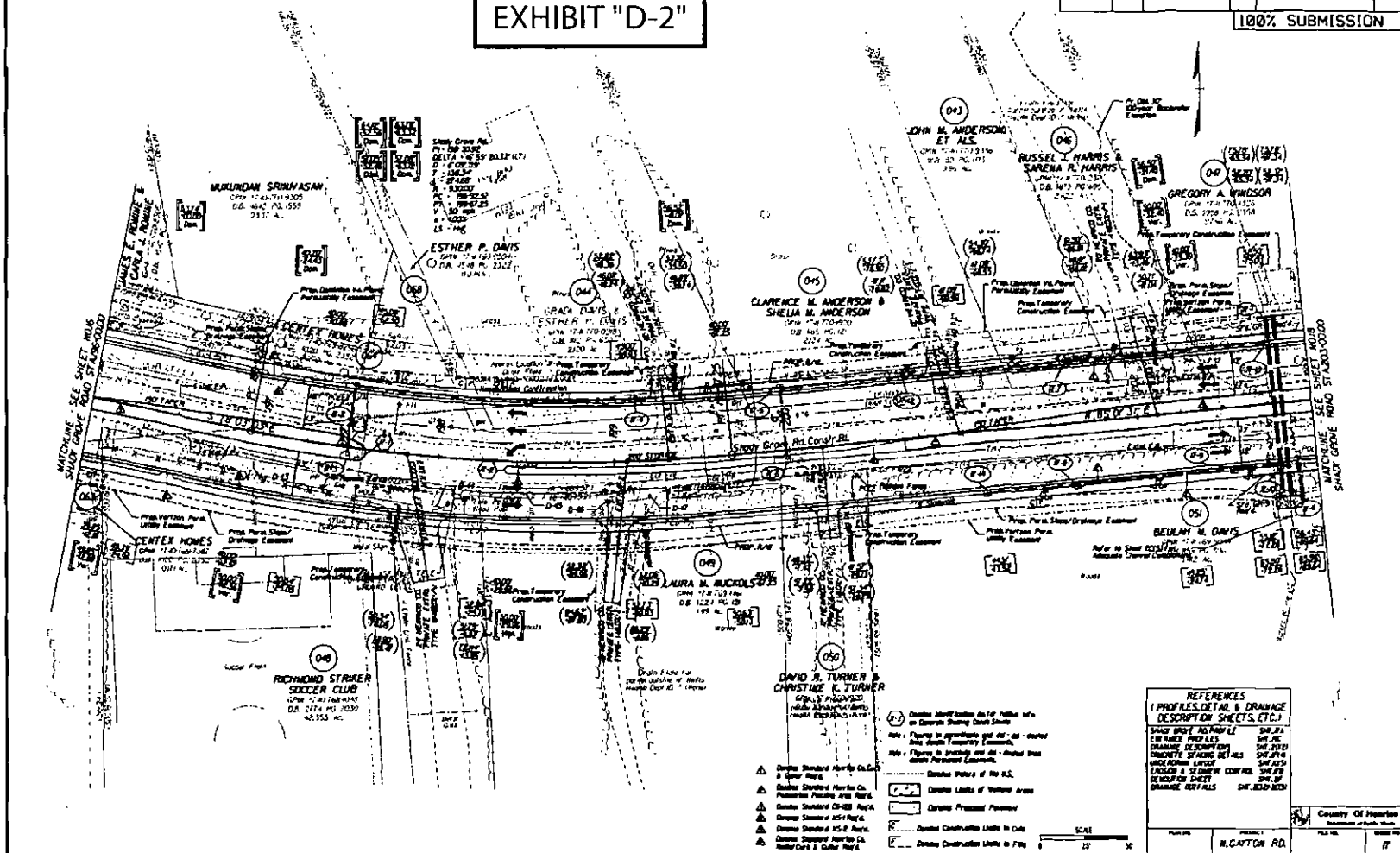
REFERENCES
 (PROFILES, DETAIL & DRAINAGE
 DESCRIPTION SHEETS, ETC.)
 SHADY CREEK REPROFILE SHEET 100
 FURNACE CREEK DRAINAGE SHEET 100
 EXISTING PROFILES SHEET 100
 DRAINAGE DESCRIPTION SHEET 100
 CONCRETE STAINING DETAILS SHEET 100
 EROSION & SEDIMENT CONTROL SHEET 100

PLAN NO.	PROJECT	DATE	BY
11/06/2013	202250701280040H52	11/06/2013	J. J. JONES

100% SUBMISSION
 100% SUBMISSION
 100% SUBMISSION

The construction shown on this page is not to be construed as a

EXHIBIT "D-2"



REFERENCES	
1. PROFILES, DETAIL & DRAINAGE DESCRIPTION SHEETS, ETC.	
2. SHED DRIVE IMPROVEMENT	
SHED DRIVE IMPROVEMENT	SHEET 100
SHED DRIVE IMPROVEMENT	SHEET 101
SHED DRIVE IMPROVEMENT	SHEET 102
SHED DRIVE IMPROVEMENT	SHEET 103
SHED DRIVE IMPROVEMENT	SHEET 104
SHED DRIVE IMPROVEMENT	SHEET 105
SHED DRIVE IMPROVEMENT	SHEET 106
SHED DRIVE IMPROVEMENT	SHEET 107
SHED DRIVE IMPROVEMENT	SHEET 108
SHED DRIVE IMPROVEMENT	SHEET 109
SHED DRIVE IMPROVEMENT	SHEET 110

County Of Hamilton
 Department of Public Works

PRELIMINARY
RIGHT OF WAY DATA SHEET

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

[illegible]

PARCEL NO	LANDOWNER	SHEET NO	FEE REMAINDER																PERM. SLOPE/DRAINAGE/ACCESS/SIGHT DISTANCE		EASEMENTS								PROFFERS
			TOTAL		FEE TAKING		FEE REMANDER		BISECTED PROPERTIES N.GAYTON RD. (LT.)		BISECTED PROPERTIES N.GAYTON RD. (RT.)		AREA BISECTED PROPERTIES BACOYA DR. (LT.)		BISECTED PROPERTIES BACOYA DR. (RT.)		ACRES	SO. FEET	UTILITY		TEMPORARY								
			ACRES	SO. FEET	ACRES	SO. FEET	ACRES	SO. FEET	ACRES	SO. FEET	ACRES	SO. FEET	ACRES	SO. FEET	ACRES	SO. FEET			ACRES	SO. FEET	ACRES	SO. FEET	YES / NO						
041	Centex Homes	15,16	2,681	0.003	141	2,678	116653.68									0.73	7557			0.089	3887.39	0.078	3378						
042	Robert L. White Jr.	15,16	0.98	0.136	5938	0.844	36764.64									0.052	2267			0.048	2119.33	0.015	668						
043	John M. Anderson, Et Als.	17	9,960	0.023	1008	9,937	432855.72									0.012	503	0.022	961.06										
044	Grady Davis & Esther P. Davis	17	2,120	0.056	2447	2,064	89907.84									0.023	1005	0.066	2889.63			0.003	127						
045	Clarence M. Anderson & Shelia M. Anderson	17	2,124	0.054	2337	2,070	90169.20									0.025	1079	0.057	2507.74			0.003	134						
046	Russel J. Harris & Sorena R. Harris	17	2,722	0.022	965	2,700	117612.00									0.012	542	0.019	862.71			0.008	350						
047	Gregory A. Windsor	17,18	2,796	0.074	3237	2,722	118570.32									0.042	1821	0.059	2612.49	0.036	1581.19	0.017	748						
048	Richmond Striker Soccer Club	17	42,355	0.118	5124	42,237	1839843.72									0.052	2245		0.050	2187.96	0.017	760							
049	Laura M. Nuckols	17	1,89	0.093	4063	1,797	78277.32									0.045	1951		0.039	1711.20	0.015	667							
050	David R. Turner & Christine K. Turner	17	2,086	0.029	1262	2,057	89602.92									0.009	403		0.011	501.37	0.005	200							
051	Beulah M. Davis	17,18	3,412	0.204	8876	3,208	139740.48									0.094	4104		0.000	4362.13	0.009	413							
052	Islamic WAOF of Virginia, Inc.	18	5.00	0.187	8154	4,813	209697.84									0.093	4057	0.158	6908.00	0.093	4078.78								
053	Twin Hickory Homeowners Association, Inc.	18	5.00	0.002	78	4,998	217712.88									0.060	2601												
054	Channing P. Perkins	10D	1.00													0.008	343												
055	Sirani Roteem	14D	0.083																0.007	326.39									
056	Trust of Blanche C. Aylis, Et Al.	7	39.5													0.023	1004				0.036	1559							
057	Katherine F. White	10D	0.46													0.007	290				0.033	1450							
058	Boone Homes, Inc.	14B														0.007	299				0.002	92							
059	Centex Homes	15,16	0.330	0.003	128	0.327	14244.12									0.118	5131	0.201	8758.45										
060	Centex Homes	16														0.008	333												
061	Centex Homes	16														0.016	681												
062	Nalini Malligoda & Dulminie V. Malligoda	16														0.018	793												
063	Centex Homes	16,17	0.171													0.056	2421			0.072	3146.79								
064	Centex Homes	16,17	0.270	0.002	96	0.268	11674.08									0.098	4283	0.078	3401.49										
065	Lukhol S. Shaugoljam & Neelbala Shaugoljam	16														0.003	120												
066	Pranav R. Shah & Saema P. Shah	16														0.007	224	0.002	107.42										
067	DELETED	17																											
068	Esther P. Davis	17	0.048	0.006	255	0.042	1829.52									0.002	82	0.005	223.16										
069	Henrico County School Board	19	60.29	0.008	354	60.282	2625883.92																						
070	Centex Homes	15	0.327	0.002	87	0.325	14157.00									0.099	4316	0.099	4324.41										
100	County Of Henrico	-																											
101	Commonwealth of Virginia	-																											
102	Commonwealth of Virginia	-																											

County Of Henrico

Registered in Public Records

FILE NO

H.GAYTON RD.

FILE NO

10121

RESOLUTION — Condemnation — Right-of-Way and Easements — North Gayton Road Extension Project — Richmond Strikers Soccer Club, Inc. — Three Chopt District

This Board paper authorizes condemnation proceedings for property owned by Richmond Strikers Soccer Club, Inc., that is needed for the construction of the North Gayton Road Extension Project.

The County needs to acquire right-of-way containing 5,124 sq. ft., a permanent slope and drainage easement containing 2,245 sq. ft., a temporary construction easement containing 760 sq. ft., and a permanent easement for Verizon Virginia Inc., containing 2,187.96 sq. ft. across the property at 4801 Pouncey Tract Road identified as Tax Map Parcel 740-768-1098. Based on an independent appraisal, a bona fide offer of \$18,624 was made to and rejected by the owner.

This Board paper directs the County Manager to take the necessary steps to acquire the right-of-way and easements with the right to enter the property upon the filing of a certificate of take and the deposit of \$18,624 in the Clerk's Office of the Henrico County Circuit Court.

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



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

Agenda Item No. 170-10

Page No. 1 of 2

Agenda Title

RESOLUTION — Condemnation — Right-of-Way and Easements — North Gayton Road Extension Project — Richmond Strikers Soccer Club, Inc. — Three Chopt District

For Clerk's Use Only:

JUL 13 2010

Date

- ☐ Approved
☐ Denied
☐ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

Moved by (1) _____ Seconded by (1) _____
(2) _____ (2) _____

REMARKS: _____

YES NO OTHER

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

WHEREAS, it is necessary for construction of the North Gayton Road Extension Project (the "Project") to acquire right-of-way containing 5,124 sq. ft., a permanent slope and drainage easement containing 2,245 sq. ft., a temporary construction easement containing 760 sq. ft., and a permanent easement containing 2,187.96 ft. for Verizon Virginia Inc., a Virginia corporation, (collectively, the "Right-of-Way and Easements") across the property at 4801 Pouncey Tract Road owned by Richmond Strikers Soccer Club, Inc., a Virginia nonstock corporation, ("Owner"), and identified as Tax Map Parcel 740-768-1098 in the Three Chopt District; and,

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

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

NOW, THEREFORE, BE IT RESOLVED that:

- (1) The Board directs the County Manager to take the necessary steps to acquire the Right-of-Way and Easements over, under, upon, across and through the property of the Owner, shown as "**RICHMOND STRIKERS SOCCER CLUB, INC.**" on two plats; one made by NXL, dated December 22, 2009, sealed on December 23, 2009, by David L. Jones, Land Surveyor, a reduced size copy of which is attached and marked Exhibit "A," and one made by Verizon Virginia Inc., a copy of which is attached and marked Exhibit "B," or shown as parcel "048" on Sheet No. 17 and further described on Sheet No. 1C(2) of the plans for North Gayton Road Extension, Project No. 2122.50701.28004.01152, reduced size copies of which are attached and marked as Exhibit "B-1" and "B-2";

By Agency Head _____

By County Manager _____

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. 170-10
Page No. 2 of 2

Agenda Title **RESOLUTION — Condemnation — Right-of-Way and Easements — North Gayton Road Extension Project — Richmond Strikers Soccer Club, Inc. — Three Chopt District**

- (2) The Board deems it necessary to enter upon the property and take possession of the Right-of-Way and Easements in order to construct the Project prior to the time in which a condemnation case can be filed and heard in accordance with the Code;
- (3) The County Manager shall send by certified mail a notice dated July 14, 2010, advising the Owner that the County intends to enter upon and take the Right-of-Way and Easements prior to the conclusion of condemnation proceedings, setting forth the compensation and damages offered by the County, and informing the Owner of the 30 days within which to contest the taking;
- (4) The Board finds a necessity exists to institute condemnation proceedings pursuant to the Code to acquire the Right-of-Way and Easements for the public use of constructing, operating, and maintaining the Project and to determine the amount of compensation and damages, if any, caused by the taking, possession and acquisition of the Right-of-Way and Easements;
- (5) After the 30-day period for the Owner to contest the taking has run, the County Attorney shall file in the Clerk's Office of the Circuit Court a certificate signed by the Chairman and Clerk of the Board in accordance with the Code and shall deposit with the Clerk the amount of the bona fide offer listed below that has not been accepted by the Owner:

**RICHMOND STRIKERS SOCCER CLUB, INC.
AS TO 4801 POUNCEY TRACT ROAD - \$18,624**

and,

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

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

GPIN	LAND OWNER	D.B./PG.	Right-of-Way Acquisition	Permanent Slope & Drainage Easements	Temporary Construction Easements
740-768-1098	RICHMOND STRIKERS SOCCER CLUB, INC.	2774/2030	5124 sq. ft.	2,245 sq. ft.	760 sq. ft.

Curve Table

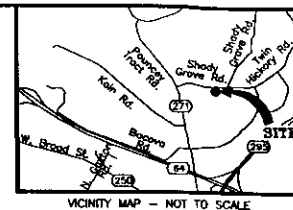
	Delta	Radius	Length	Tangent	Chord	Chord Bearing
C1	08°08'31"	629.07'	97.92'	49.04'	97.84'	S82°03'54"E
C2	08°13'44"	970.00'	139.31'	69.78'	139.19'	N82°09'55"W

Line Table

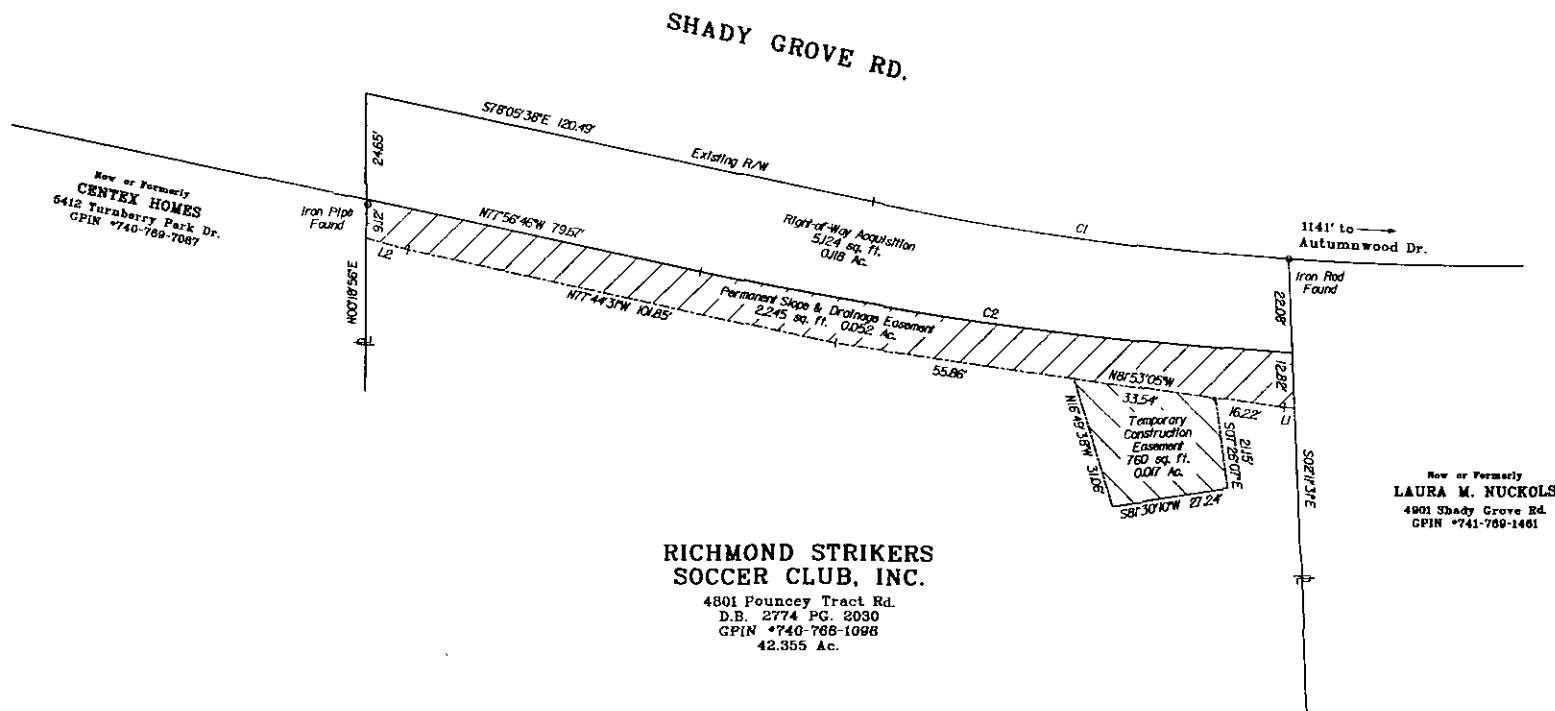
L1	N88°36'04"W	2.39'
L2	N7°42'27"W	10.23'

EXHIBIT "A"

Meridian Source:
Virginia State Plane
South Zone Grid North



VICINITY MAP - NOT TO SCALE



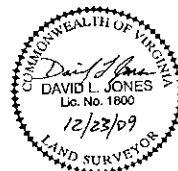
RICHMOND STRIKERS SOCCER CLUB, INC.

4801 Pouncey Tract Rd.
D.B. 2774 PG. 2030
GPIN #740-768-1098
42.355 Ac.

Now or Formerly
LAURA M. NUCKOLS
4901 Shady Grove Rd.
GPIN #741-769-1461

Notes:

- This plot has been prepared for the purpose of defining the right-of-way and easements noted, and is not to be considered a boundary survey. No structures or utilities have been located by this survey.
- Proposed right-of-way, permanent easements, and temporary construction easements are based on files provided by AECOM received: 11/16/09.
- Acres tabulations, if provided, are based on information provided by Henrico County Real Estate assessments and may not necessarily agree with computed areas or recorded deeds.
- Meridian Source: Virginia State Plane Coordinate System South Zone, Grid North, Based On Henrico County Geodetic Control.



SCALE
0 10' 20' 40'

ACQUISITION PLAT SHOWING RIGHT-OF-WAY, TEMP. CONSTRUCTION EASEMENT, AND PERM. SLOPE & DRAINAGE EASEMENT ON THE PROPERTY OF

RICHMOND STRIKERS SOCCER CLUB, INC.

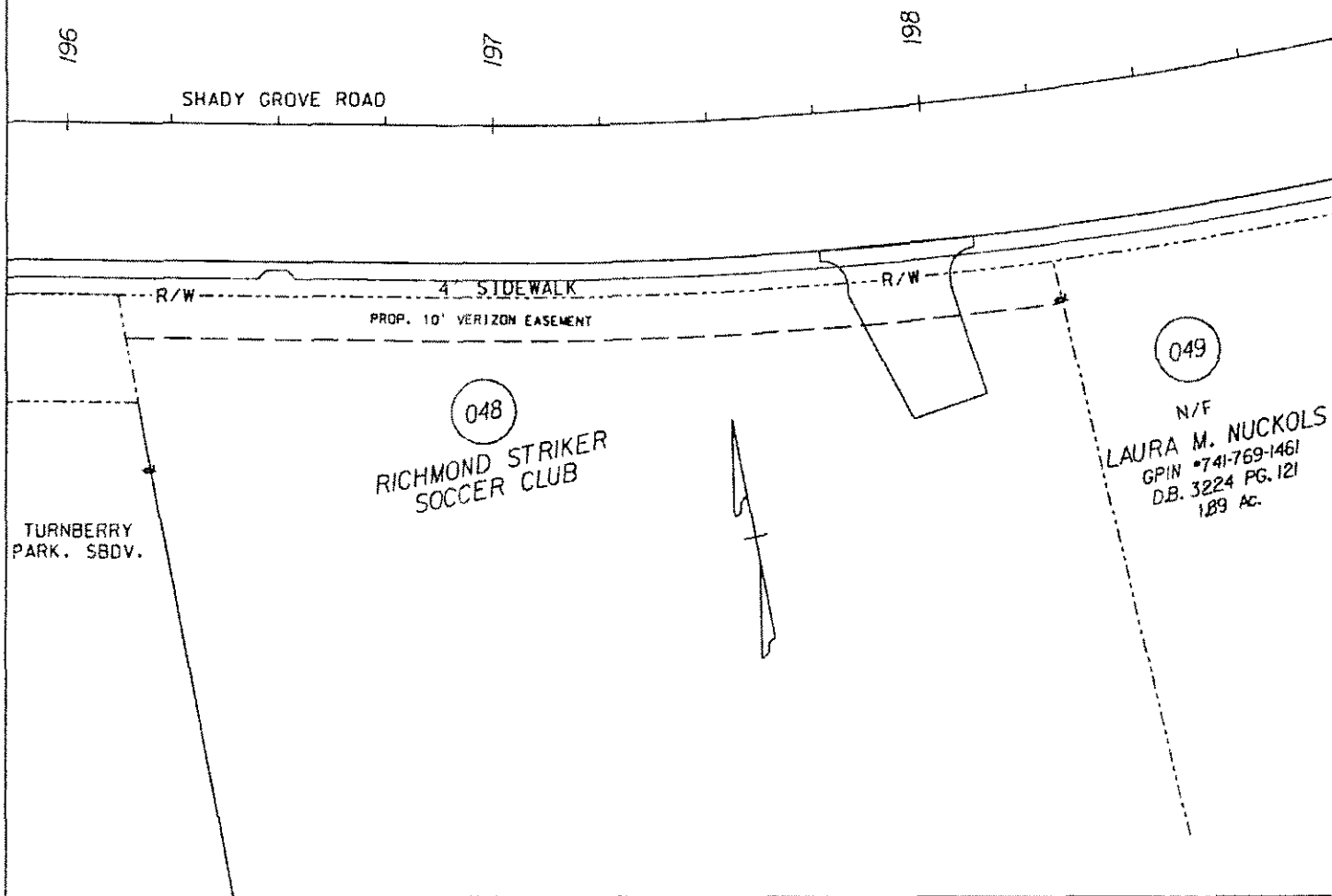
THREE CHOPT MAGISTERIAL DISTRICT
HENRICO COUNTY, VIRGINIA



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

FILE NAME	SCALE	DATE	JOB NO.	SHEET NO.
048	1"=20'	Dec. 22, 2009	0710007L	1 of 1

EXHIBIT "B"

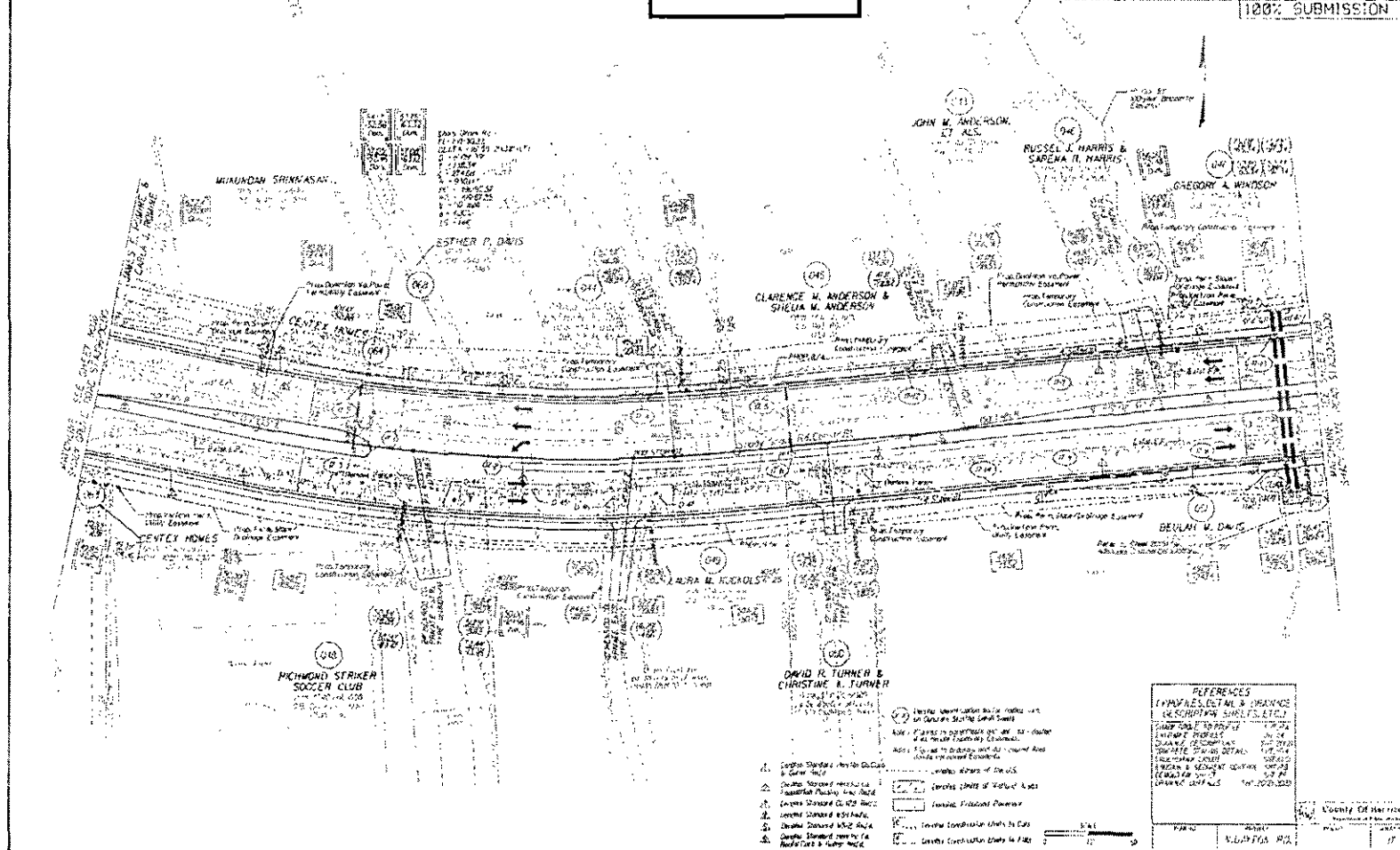


SITE PLAN REFERENCE:

4801 SHADY GROVE ROAD, GLEN ALLEN, VA. 23059

VERIZON VIRGINIA INC.	GRANTOR/OWNER. RICHMOND STRIKER SOCCER CLUB	COUNTY: HENRICO MAGISTERIAL DIST.: THREE CHOPT
---R---DENOTES R AND/OR R/W ----LIMITS OF RIGHT-OF-WAY	ADDRESS: 4801 SHADY GROVE ROAD GLEN ALLEN, VA. 23059	TAX MAP NO.: 740-768-1098
E.A.: KEN GILBERT	CONTACT TEL. NO.:	PROPERTY ID *:
PHONE NO.: 772-5963	GRANTOR:	DEED BOOK: 2774 PAGE: 2030
CENTRAL OFFICE: GAYTON VZ ROW NUMBER: 267340 COVER SHEET NUMBER:	GRANTOR:	GRSM SH 1700 E-W 4 N-S K PG 4 OF 4
		PLAT BOOK: ROUTE: WORK ORDER *: 4A18546

100% SUBMISSION



100% SUBMISSION

ID# IC	REVISED	DATE	FROM AND		DATE		EXT IN
	REVISION		PROJECT	RELATE	PROJECT		
	REVISN 1/15/2000 REVISN 3/23/2000	NA			2122.50701.28004.D1152		IC12

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

PRELIMINARY
RIGHT OF WAY DATA SHEET

EXHIBIT "B-2"

3/30/2010 14:35:06

INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 2-87 of the Code of the County of Henrico Titled "Service charge on returned payments," to Add Another Reason for the Charge

This Board paper introduces, for advertisement and public hearing on August 10, an ordinance relating to the existing \$35 service charge on returned payments. Currently, this charge is imposed when a payment is returned because: (1) there are insufficient funds in the account; (2) there is no account; or (3) the account has been closed. The proposed ordinance results from 2010 state legislation and also allows the charge to be imposed when a stop-payment order is placed in bad faith and causes the payment to be returned.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 17-10
Page No. 1 of 1

Agenda Title: INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 2-87 of the Code of the County of Henrico Titled "Service charge on returned payments," to Add Another Reason for the Charge

For Clerk's Use Only:

Date: JUL 13 2010

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

BOARD OF SUPERVISORS ACTION

Moved by (1) _____ Seconded by (1) _____
(2) _____ (2) _____

REMARKS: _____

YES NO OTHER

Donati, J. _____
Glover, R. _____
Kacchele, D. _____
O'Bannon, P. _____
Thornton, F. _____

The Clerk is directed to advertise, in the Richmond Times-Dispatch on July 20, 2010 and July 27, 2010, the following ordinance for a public hearing to be held at the Board Room on August 10, 2010, at 7:00 p.m.

"AN ORDINANCE to amend and reordain Section 2-87 of the Code of the County of Henrico titled "Service charge on returned payments," to add another reason for the charge. A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

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

By Agency Head _____

By County Manager _____

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

BLACKLINE

ORDINANCE - To Amend and Reordain Section 2-87 of the Code of the County of Henrico Titled "Service charge on returned payments," to Add Another Reason for the Charge

AN ORDINANCE to amend Section 2-87 of the Code of the County of Henrico titled "Service charge on returned payments," to add another reason for the charge.

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

1. That Section 2-87 be amended and reordained as follows:

Sec. 2-87. Service charge on returned payments.

If A person who tenders any check, draft, order, credit card, debit card, electronic funds transfer or other means of payment ~~tendered~~ for the payment of taxes or any other sums due the county which is subsequently returned unpaid ~~for~~ because of insufficient funds, ~~or~~ because there is no account, or because the account has been closed, ~~the person by whom such check, draft, credit card, debit card, electronic funds transfer or other means of payment was tendered~~ shall be subject to a service charge of \$35.00 for the processing of the returned check, draft, order, credit card, debit card, electronic funds transfer or other means of payment. A drawer shall be charged a fee of \$35.00 for return of a check, draft or order on which the drawer placed a stop-payment order in bad faith.

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

INTRODUCTION OF ORDINANCE - To Add Section 20-605 to the Code of the County of Henrico Titled "Prerequisite to issuance or renewal of license," Relating to the Issuance or Renewal of a Business License for Contractors

This Board paper introduces for advertisement and public hearing on August 10 an ordinance that would require contractors to furnish the County the number of their state license or certificate, or an affidavit setting out their exemption from the licensure or certification requirement, in order to obtain an initial or renewal business license. This amendment is mandated by 2010 state legislation. It was discussed with the Board in a work session on June 22.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 172-10
Page No. 1 of 1

Agenda Title: **INTRODUCTION OF ORDINANCE - To Add Section 20-605 to the Code of the County of Henrico Titled "Prerequisite to issuance or renewal of license," Relating to the Issuance or Renewal of a Business License for Contractors**

For Clerk's Use Only:

Date: **JUL 13 2010**

- ☐ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) _____ Seconded by (1) _____
(2) _____ (2) _____

REMARKS: _____

YES NO OTHER

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

The Clerk is directed to advertise in the Richmond Times- Dispatch on July 20, 2010 and July 27, 2010, the following ordinance for a public hearing to be held at the Board Room on August 10, 2010, at 7:00 p.m.:

"AN ORDINANCE to add Section 20-605 to the Code of the County of Henrico titled "Prerequisite to issuance or renewal of license," relating to the issuance or renewal of a business license for contractors. A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

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

By Agency Head _____

By County Manager _____

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

BLACKLINE COPY

ORDINANCE - To Add Section 20-605 to the Code of the County of Henrico Titled "Prerequisite to issuance or renewal of license," Relating to the Issuance or Renewal of a Business License for Contractors

AN ORDINANCE to add Section 20-605 to the Code of the County of Henrico titled "Prerequisite to issuance or renewal of license," relating to the issuance or renewal of a business license for contractors.

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

1. That Section 20-605 be added to the Code of the County of Henrico as follows:

Sec. 20-605. Prerequisite to issuance or renewal of license.

(a) Any person applying for or renewing a license under this division shall furnish prior to the issuance or renewal of the license either (i) satisfactory proof that he is duly licensed or certified under the terms of Code of Virginia, tit. 54.2, ch. 11 or (ii) a written statement, supported by an affidavit that he is not subject to licensure or certification as a contractor or subcontractor pursuant to Code of Virginia, tit. 54.1, ch. 11.

(b) No license shall be issued or renewed under this division unless the contractor has furnished his license or certificate number issued pursuant to Code of Virginia, tit. 54.1, ch. 11 or evidence of being exempt from the provisions of Code of Virginia, tit. 54.1, ch. 11.

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

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

INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 20-411 of the Code of the County of Henrico Titled "Enumerated; amount of license tax" and to Add Section 20-414 Titled "Exclusion from gross receipts – Security brokers and dealers," Relating to Business License Taxation of Security Brokers and Dealers.

This Board paper introduces for advertisement and public hearing on August 10 an ordinance that would exclude, from the taxable gross receipts of security brokers and dealers, amounts paid to independent contractors as commissions on the sale or purchase of a security. This amendment is mandated by 2010 state legislation. It was discussed with the Board in a work session on June 22.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 173-10
Page No. 1 of 1

Agenda Title: **INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 20-411 of the Code of the County of Henrico Titled "Enumerated; amount of license tax" and to Add Section 20-414 Titled "Exclusion from gross receipts – Security brokers and dealers," Relating to Business License Taxation of Security Brokers and Dealers**

For Clerk's Use Only: Date: JUL 13 2010 () Approved () Denied () Amended () Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) _____ Seconded by (1) _____ (2) _____ (2) _____ REMARKS: _____ _____ _____	YES NO OTHER Donati, J. _____ Glover, R. _____ Kaechele, D. _____ O'Bannon, P. _____ Thornton, F. _____
---	---	---

The Clerk is directed to advertise in the Richmond Times-Dispatch on July 20, 2010 and July 27, 2010, the following ordinance for a public hearing to be held at the Board Room on August 10, 2010, at 7:00 p.m.:

"AN ORDINANCE to amend and reordain Section 20-411 of the Code of the County of Henrico titled "Enumerated; amount of license tax" and to add Section 20-414 titled "Exclusion from gross receipts – Security brokers and dealers," relating to business license taxation of security brokers and dealers. A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

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

By Agency Head _____

By County Manager _____

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

BLACKLINE COPY

ORDINANCE - To Amend and Reordain Section 20-411 of the Code of the County of Henrico Titled "Enumerated; amount of license tax" and to Add Section 20-414 Titled "Exclusion from gross receipts – Security brokers and dealers," Relating to Business License Taxation of Security Brokers and Dealers

AN ORDINANCE to amend and reordain Section 20-411 of the Code of the County of Henrico titled "Enumerated; amount of license tax" and to add Section 20-414 titled "Exclusion from gross receipts – Security brokers and dealers," relating to business license taxation of security brokers and dealers.

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

1. That Section 20-411 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-411. Enumerated; amount of license tax.

(a) Every person engaged in one or more of the following businesses and having a definite place of business in the county, provided that the gross receipts of the business exceed \$100,000.00, shall pay a license tax equal to the greater of: (i) \$30.00 or (ii) 0.20 percent of the difference between the gross receipts of the business and \$100,000.00.

(b) If the gross receipts of the business are \$100,000.00 or less, an application shall be required to be filed, but no tax shall be due or paid.

Accountant (other than certified public accountant).

Administration and management of health care plans.

Adult educational services, except those provided by religious or nonprofit organizations.

Appraiser or evaluator of personal property or damages to personal property.

Appraiser or evaluator of real estate for others for compensation.

Arboriculturist or pruner of trees and shrubs.

Assayer.

Auctioneer.

Auditing company or firm.

Blueprinter.
Bookkeeper, public.
Botanist.
Business management.
Claims adjustor.
Collection agent or agency.
Commercial artist.
Common crier.
Computer consultant or programmer.
Conductor of seminars.
Consulting or consultant service.
Custom house broker or freight forwarder.
Draftsman.
Ecologist.
Erection or improvement of buildings, furnisher of plans or specifications for or persons employed in consulting capacity in connection with architect.
Interpreter.
Investment broker, consultant or advisor.
Lumber measurer.
Manufacturer's agent.
Marriage or business counselor.
Merchandise broker.
Paralegal or legal assistant.
Photostater.
Public relations counselor and furnisher of publicity.
Recorder of proceedings in any court, commission or organization.
Recorder of securities transactions.
Sales agent or agency.
Sign painter or service.
Social counselor.
Speech therapist.

Security broker, dealer.

Tax return preparer or tax consultant.

Taxidermist.

Technician, including dental or medical.

Telecommunications services, including, but not limited to, telephone and cellular mobile radio communication services, provided by persons not subject to tax under section 20-814 of this article.

Title abstract or guaranty.

2. That Section 20-414 be added to the Code of the County of Henrico as follows:

Sec. 20-414. Exclusion from gross receipts – Security brokers and dealers.

(a) For purpose of computing the tax under this division, the gross receipts of a security broker or security dealer shall not include amounts received by the broker or dealer that arise from the sale or purchase of a security to the extent that such amounts are paid to an independent registered representative as a commission on any sale or purchase of a security. The broker or dealer claiming the exclusion shall identify on its business license application each independent registered representative to whom the excluded receipts have been paid and, if applicable, the localities in the Commonwealth to which the independent registered representative is subject to business license taxes.

(b) For the purpose of this division:

(1) "Security broker" means a "broker" as that term is defined under the Securities Exchange Act of 1934 (15 U.S.C. § 78a et seq.), or any successor law to the Securities Exchange Act of 1934, who is registered with the United States Securities and Exchange Commission.

(2) "Security dealer" means a "dealer" as that term is defined under the Securities Exchange Act of 1934 (15 U.S.C. § 78a et seq.), or any successor law to the Securities Exchange Act of 1934, who is registered with the United States Securities and Exchange Commission.

(3) "Independent registered representative" means an independent contractor registered with the United States Securities and Exchange Commission.

3. That this ordinance shall be in full force and effect on and after its passage.

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

INTRODUCTION OF ORDINANCE – To Amend and Reordain Sections 20-312, 20-313, and 20-691 of the Code of the County of Henrico Titled, Respectively, “Levy; amount,” “Taxation of rental property other than daily rental property,” and “License and payment of tax required; ‘retail merchant’ defined,” All Relating to Short-Term Rental Property Tax

This Board paper introduces for advertisement and public hearing on August 10 an ordinance that would: (1) clarify that short-term rental property is classified as merchants’ capital, not tangible personal property; (2) permit the County to continue to levy BPOL tax on persons engaged in the short-term rental business; and (3) require such persons be classified as retail merchants for BPOL purposes. This amendment is mandated by 2010 state legislation. It was discussed with the Board in a work session on June 22.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 174-10
Page No. 1 of 1

Agenda Title: INTRODUCTION OF ORDINANCE – To Amend and Reordain Sections 20-312, 20-313, and 20-691 of the Code of the County of Henrico Titled, Respectively, "Levy; amount," "Taxation of rental property other than daily rental property," and "License and payment of tax required; 'retail merchant' defined," All Relating to Short-Term Rental Property Tax.

For Clerk's Use Only:

JUL 19 2010

Date: _____

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

BOARD OF SUPERVISORS ACTION

Moved by (1) _____ Seconded by (1) _____
(2) _____ (2) _____

REMARKS: _____

YES NO OTHER

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

The Clerk is directed to advertise, in the Richmond Times-Dispatch on July 20, 2010 and July 27, 2010 the following ordinance for a public hearing to be held at the Board Room on August 10, 2010, at 7:00 p.m.:

"AN ORDINANCE to amend and reordain Sections 20-312, 20-313, and 20-691 of the Code of the County of Henrico Titled, Respectively, "Levy; amount," "Taxation of rental property other than daily rental property," and "License and payment of tax required; 'retail merchant' defined," All Relating to Short-Term Rental Property Tax. A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

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

By Agency Head _____

By County Manager _____

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

BLACKLINE COPY

Ordinance – To Amend and Reordain Sections 20-312, 20-313, and 20-691 of the Code of the County of Henrico Titled, Respectively, "Levy; amount," "Taxation of rental property other than daily rental property," and "License and payment of tax required; 'retail merchant' defined," All Relating to Short-Term Rental Property Tax

AN ORDINANCE to amend and reordain Sections 20-312, 20-313 and 20-691 of the Code of the County of Henrico titled respectively "Levy; amount," "Taxation of rental property other than daily rental property," and "License and payment of tax required; 'retail merchant' defined," all relating to the short-term rental property tax.

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

1. That Section 20-312 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-312. Levy; amount.

Pursuant to Code of Virginia, § 58.1-3510.6A, as amended, for each tax year, there is hereby levied and imposed a tax of one percent on the gross proceeds arising from rentals of every person engaged in the short-term rental business. Such tax shall be in addition to the tax levied pursuant to Code of Virginia, § 58.1-605, as amended. "Gross proceeds" means the total amount charged to each person for the rental of short-term rental property, excluding any state and local sales tax paid under the provisions of Code of Virginia, Title 58.1, Chapter 6. ~~The imposition and collection of a short-term rental property tax under this article with respect to rental property shall be in lieu of taxation of such rental property as tangible business personal property in the same tax year.~~

2. That Section 20-313 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-313. Taxation of rental property other than daily short-term rental property.

Except for daily rental vehicles pursuant to Code of Virginia, § 58.1-3510 and short-term rental property, rental property shall be classified, assessed and taxed as tangible personal property, ~~if such property (i) is owned and rented by a person not engaged in the short-term rental business, as defined in § 20-311; or (ii) has acquired situs in the Commonwealth and is owned and rented by a person who does not collect and remit to a locality within the Commonwealth a short-term rental property tax with respect to the rental of such property.~~

3. That Section 20-691 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-691. License and payment of tax required; "retail merchant" defined.

Every person engaged in the business of a retail merchant shall obtain a license for the privilege of doing business in the county and shall pay a license tax therefor. The term "retail merchant," as used in this division, shall include every merchant who sells to others at retail only and not for resale. **The term "retail merchant," as used in this division, shall also include any person engaged in the short-term rental business as defined in § 20-311.**

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

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

Resolution – Authorization to Accept Grant Funding from the FY2009 State Homeland Security Grant, National Preparedness Directorate, United States Department of Homeland Security, as Managed by the Virginia Department of Emergency Management, for Equipment Purchases

This Board paper authorizes the County Manager to accept grant funding totaling \$50,000, which does not require any local match, from the FY2009 State Homeland Security Grant, National Preparedness Directorate, U. S. Department of Homeland Security, as managed by the Virginia Department of Emergency Management, to purchase equipment to detect, respond to, and recover from chemical, biological, radiological, nuclear, or explosive incidents.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 175-10

Page No. 1

Agenda Title: **RESOLUTION – Authorization to Accept Grant Funding from the FY2009 State Homeland Security Grant, National Preparedness Directorate, United States Department of Homeland Security, as Managed by the Virginia Department of Emergency Management, for Equipment Purchases**

For Clerk's Use Only:

JUL 13 2010

BOARD OF SUPERVISORS ACTION

YES NO OTHER

Date: _____

Moved by (1) _____ Seconded by (1) _____
(2) _____ (2) _____

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

- ☐ Approved
☐ Denied
☐ Amended
☐ Deferred to: _____

REMARKS: _____

WHEREAS, the Division of Fire wishes to accept a \$50,000 grant from the FY2009 State Homeland Security Grant, National Preparedness Directorate, United States Department of Homeland Security, as managed by the Virginia Department of Emergency Management; and

WHEREAS, this funding will be used to purchase equipment to detect, respond to, and recover from chemical, biological, radiological, nuclear, or explosive ("CBRNE") incidents.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County authorizes the County Manager to accept grant funding totaling \$50,000, which does not require a local match, from the FY2009 State Homeland Security Grant, National Preparedness Directorate, U. S. Department of Homeland Security, as managed by the Virginia Department of Emergency Management, for the purchase of equipment to detect, respond to, and recover from CBRNE incidents.

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

By Agency Head

Robert A. Smith

By County Manager

David A. Hays

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

INTRODUCTION OF ORDINANCE – To Amend and Reordain Sections 4-112 and 4-113 of the Code of the County of Henrico Titled “Application” and “Annual Permit,” Respectively, Relating to Applications for a Music Festival Permit

This Board paper introduces for advertisement and public hearing on July 13, 2010, an ordinance to allow the Director of Public Safety to consider applications for music festival permits submitted less than 45 days before the date of the festival.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 176-10
Page No. 1 of 1

Agenda Title: **INTRODUCTION OF ORDINANCE – To Amend and Reordain Sections 4-112 and 4-113 of the Code of the County of Henrico Titled “Application” and “Annual Permit,” Respectively, Relating to Applications for a Music Festival Permit**

For Clerk's Use Only:

JUL 13 2010

Date: _____

- ☐ Approved
☐ Denied
☐ Amended
☐ Deferred to: _____

BOARD OF SUPERVISORS ACTION

Moved by (1) _____ Seconded by (1) _____
(2) _____ (2) _____

REMARKS: _____

YES NO OTHER

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

The Clerk is directed to advertise, in the Richmond Times-Dispatch on July 20, 2010 and July 27, 2010, the following ordinance for a public hearing to be held at the Board Room on August 10, 2010 at 7:00 p.m.:

"AN ORDINANCE to amend and reordain Sections 4-112 and 4-113 of the Code of the County of Henrico Titled “Application” and “Annual Permit,” Respectively, Relating to Applications for a Music Festival Permit. A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

Comments: The Director of Public Safety recommends approval of this Board paper.

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

Routing:
Yellow to: _____

Copy to: _____

Certified:
A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

BLACKLINE COPY

ORDINANCE - To Amend and Reordain Sections 4-112 and 4-113 of the Code of the County of Henrico Titled "Application" and "Annual Permit," Respectively, Relating to Applications for a Music Festival Permit

AN ORDINANCE to amend and reordain Sections 4-112 and 4-113 of the Code of the County of Henrico titled "Application" and "Annual Permit," respectively, relating to applications for a music festival permit.

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

1. That Section 4-112 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 4-112. Application.

Application for a special entertainment permit required by this division shall be in writing on forms provided for the purpose and filed in duplicate with the director of public safety at least 45 days before the date of such festival. Such application shall have attached thereto and made a part thereof the plans, statements, approvals and other documents required by this division. A nonrefundable fee of \$200.00 shall accompany each application. **The director of public safety may, at his discretion and upon an applicant's showing of good cause, consider an application submitted less than 45 days before the date of the festival.**

2. That Section 4-113 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 4-113. Annual permit.

(a) Eligibility. The director of public safety may issue an annual permit under this division for multiple festivals at a site which is the subject of an approved plan of development, has a structure previously used for outdoor concerts, and has previously satisfied the requirements of this article.

(b) Application; fee. Application for an annual permit shall be in writing on forms provided for the purpose and filed in duplicate with the director of public safety at least 45 days before the date of the first festival to be held under the permit. **The director of public safety may, at his discretion and upon an applicant's showing of good cause, consider an application submitted less**

than 45 days before the date of the festival. Except as provided in this subsection, the application shall have attached thereto and made a part thereof the plans, statements, approvals and other documents required by this division. An application for an annual permit need not contain the information described in section 4-115(a)(1) and (2), provided such information is submitted to the chief of police at least 15 days prior to each festival or as soon thereafter as such information becomes available. If such information is not submitted, the annual permit shall be null and void as to that particular festival. A nonrefundable fee of \$2,000.00 shall accompany each application for an annual permit.

(c) Duration. Annual permits shall be issued for the period January 1 to December 31 of the same calendar year, except that, when the application is filed after January 1, the permit shall be effective from the date issued until December 31 of that same year.

3. That this ordinance shall be in full force and effect on and after its passage.

INTRODUCTION OF ORDINANCE - To Amend and Reordain Sections 2-51, 5-1, 5-2, 5-3, 5-4, 5-31, 5-32, 5-36, 5-53, 5-59, 5-61, 5-81, 5-102, 5-133, 5-136, 5-140, 5-141, 5-173, 5-174, 5-175, and 5-179 of the Code of the County of Henrico Titled, Respectively, "Bonds," "Definitions," "Appointment of animal protection supervisor; powers and duties generally," "Animal protection officers," "Disposal of dead animals," "Dogs killing or injuring livestock or poultry," "Compensation for livestock and poultry killed by dogs; false claims," "Control of dangerous or vicious dogs," "Failure to pay tax," "Display of receipt; wearing of collar and tag," "Display of kennel tags; allowing dogs out of kennel," "[Rabies vaccination] Required; certificate," "Sterilization required," "Impoundment generally; holding period," "Redemption of animals," "Voluntary delivery of animal by owner; surrender of owner's rights in animal," "Seizure and impoundment of stolen or unlawfully held dogs or cats," "Confinement or destruction of dogs and cats suspected of having rabies," "Confinement or destruction of biting animals," "Confinement or destruction of dogs or cats bitten by rabid animals," and "Enforcement measures on noncompliance by owner of dog or cat," All to Change the Name of "Animal Protection Officer" to "Animal Protection Police Officer."

This Board paper introduces for advertisement and public hearing on August 10 an ordinance that would change the name of Animal Protection Officers to Animal Protection Police Officers ("APPOs") in several sections of the County Code. The APPOs, who are certified by the State Department of Criminal Justice Services, would be able to enforce State game laws as well as the Comprehensive Animal Laws regarding companion animals, and would have full law-enforcement powers. The ordinance is the result of 2010 legislation that the Board requested.



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

Agenda Item No. 107-10
Page No. 1 of 1

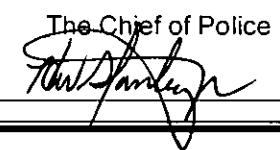
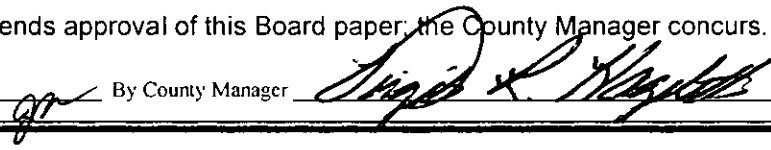
Agenda Title: INTRODUCTION OF ORDINANCE - To Amend and Reordain Sections 2-51, 5-1, 5-2, 5-3, 5-4, 5-31, 5-32, 5-36, 5-53, 5-59, 5-61, 5-81, 5-102, 5-133, 5-136, 5-140, 5-141, 5-173, 5-174, 5-175, and 5-179 of the Code of the County of Henrico Titled, Respectively, "Bonds," "Definitions," "Appointment of animal protection supervisor; powers and duties generally," "Animal protection officers," "Disposal of dead animals," "Dogs killing or injuring livestock or poultry," "Compensation for livestock and poultry killed by dogs; false claims," "Control of dangerous or vicious dogs," "Failure to pay tax," "Display of receipt; wearing of collar and tag," "Display of kennel tags; allowing dogs out of kennel," "[Rabies vaccination] Required; certificate," "Sterilization required," "Impoundment generally; holding period," "Redemption of animals," "Voluntary delivery of animal by owner; surrender of owner's rights in animal," "Seizure and impoundment of stolen or unlawfully held dogs or cats," "Confinement or destruction of dogs and cats suspected of having rabies," "Confinement or destruction of biting animals," "Confinement or destruction of dogs or cats bitten by rabid animals," and "Enforcement measures on noncompliance by owner of dog or cat," All to Change the Name of "Animal Protection Officer" to "Animal Protection Police Officer."

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES NO OTHER
Date: JUL 13 2010	Moved by (1) _____ Seconded by (1) _____ (2) _____ (2) _____	Donati, J. _____ Glover, R. _____ Kaechele, D. _____ O'Bannon, P. _____ Thornton, F. _____
<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	REMARKS: _____ _____ _____	

The Clerk is directed to advertise, in the Richmond Times-Dispatch on July 20, 2010 and July 27, 2010, the following ordinance for a public hearing to be held at the Board Room on August 10, 2010, at 7:00 p.m.:

"AN ORDINANCE to amend and reordain Sections 2-51, 5-1, 5-2, 5-3, 5-4, 5-31, 5-32, 5-36, 5-53, 5-59, 5-61, 5-81, 5-102, 5-133, 5-136, 5-140, 5-141, 5-173, 5-174, 5-175, and 5-179 of the Code of the County of Henrico Titled, Respectively, "Bonds," "Definitions," "Appointment of animal protection supervisor; powers and duties generally," "Animal protection officers," "Disposal of dead animals," "Dogs killing or injuring livestock or poultry," "Compensation for livestock and poultry killed by dogs; false claims," "Control of dangerous or vicious dogs," "Failure to pay tax," "Display of receipt; wearing of collar and tag," "Display of kennel tags; allowing dogs out of kennel," "[Rabies vaccination] Required; certificate," "Sterilization required," "Impoundment generally; holding period," "Redemption of animals," "Voluntary delivery of animal by owner; surrender of owner's rights in animal," "Seizure and impoundment of stolen or unlawfully held dogs or cats," "Confinement or destruction of dogs and cats suspected of having rabies," "Confinement or destruction of biting animals," "Confinement or destruction of dogs or cats bitten by rabid animals," and "Enforcement measures on noncompliance by owner of dog or cat," All to Change the Name of "Animal Protection Officer" to "Animal Protection Police Officer." A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

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

By Agency Head  By County Manager 

Routing:
Yellow to: _____
Copy to: _____

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

ORDINANCE - To Amend and Reordain Sections 2-51, 5-1, 5-2, 5-3, 5-4, 5-31, 5-32, 5-36, 5-53, 5-59, 5-61, 5-81, 5-102, 5-133, 5-136, 5-140, 5-141, 5-173, 5-174, 5-175, and 5-179 of the Code of the County of Henrico Titled, Respectively, "Bonds," "Definitions," "Appointment of animal protection supervisor; powers and duties generally," "Animal protection officers," "Disposal of dead animals," "Dogs killing or injuring livestock or poultry," "Compensation for livestock and poultry killed by dogs; false claims," "Control of dangerous or vicious dogs," "Failure to pay tax," "Display of receipt; wearing of collar and tag," "Display of kennel tags; allowing dogs out of kennel," "[Rabies vaccination] Required; certificate," "Sterilization required," "Impoundment generally; holding period," "Redemption of animals," "Voluntary delivery of animal by owner; surrender of owner's rights in animal," "Seizure and impoundment of stolen or unlawfully held dogs or cats," "Confinement or destruction of dogs and cats suspected of having rabies," "Confinement or destruction of biting animals," "Confinement or destruction of dogs or cats bitten by rabid animals," and "Enforcement measures on noncompliance by owner of dog or cat," All to Change the Name of "Animal Protection Officer" to "Animal Protection Police Officer."

AN ORDINANCE to amend and reordain Sections 2-51, 5-1, 5-2, 5-3, 5-4, 5-31, 5-32, 5-36, 5-53, 5-59, 5-61, 5-81, 5-102, 5-133, 5-136, 5-140, 5-141, 5-173, 5-174, 5-175, and 5-179 of the Code of the County of Henrico titled, respectively, "Bonds," "Definitions," "Appointment of animal protection supervisor; powers and duties generally," "Animal protection officers," "Disposal of dead animals," "Dogs killing or injuring livestock or poultry," "Compensation for livestock and poultry killed by dogs; false claims," "Control of dangerous or vicious dogs," "Failure to pay tax," "Display of receipt; wearing of collar and tag," "Display of kennel tags; allowing dogs out of kennel," "[Rabies vaccination] Required; certificate," "Sterilization required," "Impoundment generally; holding period," "Redemption of animals," "Voluntary delivery of animal by owner; surrender of owner's rights in animal," "Seizure and impoundment of stolen or unlawfully held dogs or cats," "Confinement or destruction of dogs and cats suspected of having rabies," "Confinement or destruction of biting animals," "Confinement or destruction of dogs or cats bitten by rabid animals," and "Enforcement measures on noncompliance by owner of dog or cat," all to change the name of "Animal Protection Officer" to "Animal Protection Police Officer."

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

1. That Section 2-51 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 2-51. Bonds.

...

(c) *Other persons.* Persons holding the following positions shall give bond with corporate surety in the amount of \$100,000.00, payable to the county, conditioned on the faithful discharge of their duties and the proper account for all funds coming into their possession:

- (1) The county manager and all deputy county managers;
- (2) The director of general services;
- (3) All employees of the department of social services duly authorized to certify payments to be made or authorized to draw warrants;
- (4) The chief of police and all police officers, animal protection **police** officers, police aides, crossing guards, property technicians and identification technicians;
- (5) The chief of fire, fire marshal and all deputy fire marshals;
- (6) The supervisor of licenses and all deputies of that position; and
- (7) The registrar.

...

2. That Section 5-1 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-1. Definitions.

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

...

Vicious dog means a canine or canine crossbreed which has (i) killed a person; (ii) inflicted serious injury to a person, including multiple bites, serious disfigurement, serious impairment of health, or serious impairment of a bodily function; or (iii) continued to exhibit the behavior which resulted in a previous finding by a court or, on or before July 1, 2006, by an animal protection **police** officer that it is a dangerous dog, provided that its owner has been given notice of that finding.

3. That Section 5-2 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-2. Appointment of animal protection police officer supervisor; powers and duties generally.

An animal protection police officer supervisor shall be appointed by the county manager. The animal protection police officer supervisor shall have all the powers and duties of an animal warden provided for in Code of Virginia, title 3.2, ch. 65 (Code of Virginia § 3.2-6500 et seq.) in the enforcement of the provisions of this chapter and the animal laws of the county and state and such other duties as may be prescribed by this Code, the Code of Virginia, or other ordinances or laws of the county or State.

4. That Section 5-3 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-3. Animal protection police officers.

The county manager shall appoint as many animal protection police officers as may be necessary in the enforcement of this chapter. Animal protection police officers shall have all the powers and duties of the animal protection police officer supervisor.

5. That Section 5-4 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-4. Disposal of dead animals.

The owner of any companion animal which has died from disease or other cause shall forthwith cremate, bury or sanitarily dispose of the animal. If, after notice, any owner fails to do so, the animal protection police officer supervisor or other officer shall bury or cremate the companion animal, and he may recover on behalf of the county from the owner his cost for this service. It shall be unlawful for any owner to fail to dispose of the body of his companion animal in violation of this section. Violation of this section shall be punishable as a class 4 misdemeanor.

6. That Section 5-31 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-31. Dogs killing or injuring livestock or poultry.

It shall be the duty of the animal protection police officer supervisor or other officer who may find a dog in the act of killing or injuring livestock or poultry to kill such dog forthwith whether such dog bears a tag or not. Any person finding a dog committing any of the depredations mentioned in this section shall have the right to kill such dog on

sight, as shall any owner of livestock or his agent finding a dog chasing livestock on land utilized by the livestock when the circumstances show that such chasing is harmful to the livestock. Any court shall have the power to order the animal protection **police officer** or other officer to kill any dog known to be a confirmed livestock or poultry killer, and any dog killing poultry for the third time shall be considered a confirmed poultry killer. The court, through its contempt powers, may compel the owner, custodian or harbinger of the dog to produce the dog. If the animal protection **police officer** supervisor has reason to believe that a dog is killing livestock or poultry, he is empowered to seize such dog solely for the purpose of examining such dog in order to determine whether it committed any of the depredations mentioned in this section. The animal protection **police officer** supervisor or any other person who has reason to believe that any dog is killing livestock or committing any of the depredations mentioned in this section shall apply to any magistrate of the county, who shall issue a warrant requiring the owner or custodian, if known, to appear before the county general district court at a time and place named therein, at which time evidence shall be heard. If it shall appear that such a dog is a livestock killer or has committed any of the depredations mentioned in this section, the district court shall order that the dog be killed immediately by the animal protection **police officer** supervisor or other officer designated by the court, or removed to another state which does not border on this state and prohibited from returning to this state.

7. That Section 5-32 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-32. Compensation for livestock and poultry killed by dogs; false claims.

(a) Any person who has any livestock or poultry killed or injured by any dog not his own shall be entitled to receive as compensation the fair market value of such livestock or poultry, not to exceed \$400.00 per animal or \$10.00 per fowl; provided that the claimant has furnished evidence within 60 days of discovery of the quantity and value of the dead or injured livestock and the reasons the claimant believes that the death or injury was caused by dogs and the animal protection **police officer** supervisor has conducted an investigation and his investigation supports the claim.

8. That Section 5-36 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-36. Control of dangerous or vicious dogs.

(a) Any law enforcement officer or animal protection **police** officer who has reason to believe that a canine or canine crossbreed is a dangerous or vicious dog, shall apply to a county magistrate for the issuance of a summons requiring the owner or custodian, if known, to appear before the general district court at a specified time. The

summons shall advise the owner of the nature of the proceeding and the matters at issue. If a law enforcement officer successfully makes an application for the issuance of a summons, he shall contact an animal protection police officer and inform him of the location of the dog and the relevant facts pertaining to his belief that the dog is dangerous or vicious. The animal protection police officer shall confine the animal until a verdict is rendered on the summons. If the animal protection police officer determines that the owner or custodian can confine the animal in a manner that protects public safety, he may permit the owner or custodian to confine the animal until such time as evidence shall be heard and a verdict rendered. The court, through its contempt powers, may compel the owner, custodian or harbinger of the animal to produce the animal. If, after hearing the evidence, the court finds that the animal is a dangerous dog, the court shall order the animal's owner to comply with the provisions of this section. If, after hearing the evidence, the court finds that the animal is a vicious dog, the court shall order the animal euthanized in accordance with section 5-142. The procedure for appeal and trial shall be the same as provided by law for misdemeanors. Trial by jury shall be as provided in Article 4 of Chapter 15 of Title 19.2 of the Code of Virginia. The Commonwealth shall be required to prove its case beyond a reasonable doubt.

...

(d) Within ten days of a finding that an animal is a dangerous dog, the owner of the animal shall obtain a dangerous dog registration certificate from the animal protection unit of the division of police or the director of finance for a fee of \$50. This fee is in addition to other fees required by this chapter. The animal protection police officer or the director of finance shall provide the owner with a tag which identifies the animal as a dangerous dog. The owner shall affix the tag to the animal's collar and ensure that the animal wears the collar and tag at all times. All certificates obtained pursuant to this subsection shall be renewed annually for the same fee and in the same manner as the initial certificate was obtained. The animal protection police officer shall provide a copy of the dangerous dog registration certificate and verification of compliance to the State Veterinarian.

...

9. That Section 5-53 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-53. Failure to pay tax.

(a) Any person convicted of failure to pay the dog license tax prior to February 1 of any year, or as otherwise provided in this division, on any dog owned by him shall be guilty of a class 4 misdemeanor. Such person shall be required to obtain the proper license forthwith. Unless the fine and license tax are paid immediately, the court shall order the proper disposition of such dog by the animal protection police officer

supervisor or some other officer, but the disposition of such dog shall not relieve its owner of the payment of the fine and the license tax already due.

...

10. That Section 5-59 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-59. Display of receipt; wearing of collar and tag.

(a) Dog license receipts shall be carefully preserved by the licensees and exhibited promptly on request for inspection by any animal protection police officer or other law enforcement officer. Dog license tags shall be securely fastened to a substantial collar by the owner or custodian and worn by such dog. It shall be unlawful for any person to permit any licensed dog, four months of age or over, to be off the premises of the owner at any time without wearing the license tag; except that the owner of the dog may remove the collar and license tag required by this section when the dog:

- (1) Is engaged in lawful hunting;
- (2) Is competing in a dog show;
- (3) Has a skin condition which would be exacerbated by the wearing of a collar;
- (4) Is confined; or
- (5) Is under the immediate control of the owner.

...

11. That Section 5-61 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-61. Display of kennel tags; allowing dogs out of kennel.

(a) The owner of a kennel in the county shall securely fasten the license tag to the kennel enclosure in full view and keep one of the identification plates provided therewith attached to the collar of each dog authorized to be kept enclosed in the kennel. Any identification plates not so in use must be kept by the owner or custodian and promptly shown to the animal protection police officer supervisor or other officer upon request. A kennel dog shall not be permitted to stray beyond the limits of the enclosure, but this shall not prohibit removing dogs therefrom temporarily while under the control of the owner or custodian for the purpose of exercising, hunting, breeding, trial or show. The animal protection police officer supervisor may, in his discretion,

issue a permit allowing kennel dogs to run at large during such months as he may deem proper; provided that such permit shall not authorize such dogs to run at large contrary to any other provisions of this Code or other ordinance of the county. Every permit shall state the months that such dogs may run at large and the rules and regulations that must be complied with, and the animal protection police officer supervisor may revoke any such permit at any time. Forms of application blanks and permits shall be supplied by the animal protection police officer supervisor. A kennel shall not be operated in such a manner as to defraud the county of the license tax applying to dogs which cannot be legally covered thereunder or to in any manner violate other provisions of this chapter.

...

12. That Section 5-81 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-81. Required; certificate.

...

(d) The certificate issued pursuant to subsection (b) of this section shall be preserved by the owner of the dog or cat and exhibited promptly on request for inspection by any animal protection police officer or other law enforcement officer.

...

13. That Section 5-102 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-102. Sterilization required.

...

(e) *Order to comply.* Upon the petition of the animal protection police officer supervisor, an investigator or the state veterinarian or his designee to the district court where a violation of this division occurs, the court may order the new owner to take any steps necessary to comply with the requirements of this division. This remedy shall be exclusive of and in addition to any civil penalty which may be imposed under this division.

...

14. That Section 5-133 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-133. Impoundment generally; holding period.

(a) The animal protection police officer supervisor or other officer who finds a dog without the tags required by this chapter, or a dog running at large in violation of section 5-34(7), or any other animal in violation of the provisions of this chapter shall impound such animal in the pound.

...

15. That Section 5-136 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-136. Redemption of animals.

Either a custodian of an animal or an individual who has found an animal may qualify as owner and may claim the animal by expressing his desire in writing to claim the animal at the expiration of the period set out in section 5-133(a) after payment of required fees. The rightful owner may redeem any animal confined pursuant to this article by producing an authorized current valid vaccination certificate, if required by this chapter, and a current dog license receipt or tag, if required by this chapter, and by paying to the animal protection police officer supervisor the board and redemption fees set out in section 5-143. Payment of the charges provided for in this section shall not relieve any person from prosecution for a violation of this chapter.

16. That Section 5-140 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-140. Voluntary delivery of animal by owner; surrender of owner's rights in animal.

Nothing in this article shall prohibit the immediate euthanasia or disposal by the methods listed in subdivisions (1) through (5) of section 5-137 of an animal that has been released to the pound or animal protection police officer supervisor by the animal's rightful owner after the rightful owner has read and signed a statement (i) surrendering all property rights in such animal, (ii) certifying that no other person has a right of property in the animal, and (iii) acknowledging that the animal may be immediately euthanized or disposed of in accordance with subdivisions (1) through (5) of section 5-137.

17. That Section 5-141 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-141. Seizure and impoundment of stolen or unlawfully held dogs or cats.

The animal protection police officer supervisor or other officer finding a stolen dog or cat or a dog or cat held or detained contrary to the law shall have the authority to seize and hold such animal pending court action. If no such action is instituted within seven days, the animal protection police officer supervisor or other officer shall deliver the animal to its owner. The presence of a dog or a cat on the premises of a person other than its legal owner shall raise no presumption of theft against the owner of the property, and the animal protection police officer supervisor may take such animal in charge and notify its legal owner to remove it. The legal owner shall pay to the animal protection police officer supervisor a fee in the amount of \$5.00 for each day that such animal has been confined.

18. That Section 5-173 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-173. Confinement or destruction of dogs and cats suspected of having rabies.

(a) Dogs or cats found within the county reasonably suspected of having rabies or exhibiting the common symptoms of such disease shall be taken into custody immediately by the animal protection police officer or any police officer and confined in the county pound or at a private veterinarian's establishment approved by the county health director in solitary confinement and kept under competent observation for such time as may be necessary to determine whether they are afflicted with rabies.

...

(c) The animal protection police officer may cause to be destroyed humanely any dog or cat which, in the opinion of a veterinarian, has rabies, or any dog or cat which is in need of confinement pursuant to subsection (a) of this section but for which such confinement is impossible or impracticable because there apparently is no owner or for other reasons. In such event the animal protection police officer shall arrange to have the head of such dog or cat examined for the purpose of confirming rabies. If the opinion of a veterinarian as to whether an animal has rabies is not reasonably obtainable, the animal protection police officer may act on his own opinion.

...

19. That Section 5-174 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-174. Confinement or destruction of biting animals.

(a) Upon information to the county division of police or any animal protection police officer that a dog or cat has bitten a person, it shall be the duty of the animal protection police officer, upon ascertaining the identity of such dog or cat, to direct it to be confined for a period of ten days from the date the bite occurred, such confinement to be either with a veterinarian approved by the county health director or in a kennel or enclosure approved by the animal protection police officer as the person who owns or controls such dog or cat shall select, provided that the person who owns or controls such dog or cat shall bear the cost of such confinement. It shall further be the duty of the animal protection police officer to assume the responsibility of supervising such confinement and ordering the dog or cat to be released if it is safe to do so at the end of the confinement period required by this subsection.

(b) A wild, nondomestic or feral domestic animal biting or otherwise injuring a human being, and suspected of being rabid by the county health director or animal protection police officer, shall be humanely destroyed and its head sent to the state laboratory for evaluation.

20. That Section 5-175 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-175. Confinement or destruction of dogs or cats bitten by rabid animals.

Any dog or cat bitten by an animal believed to be afflicted with rabies shall be destroyed immediately and humanely or confined under strict quarantine, at the expense of the owner, in a kennel or enclosure approved by the animal protection police officer for a period not to exceed six months. If the owner of the bitten animal has proof of a valid rabies vaccination, the animal shall be revaccinated immediately by a licensed veterinarian at the expense of the owner and the period of confinement shall be 90 days. If the owner of the bitten animal does not have proof of a valid rabies vaccination, the animal shall be destroyed humanely immediately, or confined for six months. In the event of a six-month confinement, the dog or cat shall receive a rabies vaccination at the expense of the owner four weeks prior to release.

21. That Section 5-179 of the Code of the County of Henrico shall be amended and reordained as follows:

Sec. 5-179. Enforcement measures on noncompliance by owner of dog or cat.

If any person who owns or controls a dog or cat fails or refuses to comply with any of the provisions of this article or with any instructions given by an animal protection

police officer, a veterinarian, a health department representative or other appropriate official pursuant to this article, the animal protection police officer may take such dog or cat immediately into custody and confine it in the county pound. The person owning or controlling such dog or cat shall then be summoned immediately by the animal protection police officer to appear in the general district court, where the matter shall be heard as all other matters are heard on criminal warrants. Upon finding that such person either owns or controls a dog or cat and has failed or refused to comply with any provision of this article or with instructions properly given pursuant to this article, the judge, in addition to any sentence which he may impose for conviction of a class 4 misdemeanor, shall order any confinement or destruction of the animal appropriate under the circumstances and pursuant to this article, and shall order the convicted person to pay for any required vaccination, license and confinement-related expenses.

22. That this ordinance shall be in effect on and after its passage as provided by law.

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

RESOLUTION — Signatory Authority — Right-of-Way and Easements — North Gayton Road Extension Project — Robert L. White, Jr. — Three Chopt District

This resolution will authorize and direct the County Manager to execute a Road Project Agreement and Deed and Easement Agreement for the conveyance of right-of-way containing 5,938 sq. ft., a permanent slope and drainage easement containing 2,267 sq. ft., and temporary construction easements containing 668 sq. ft. from Robert L. White, Jr. The right-of-way and easements are needed for the construction of the North Gayton Road Extension Project. The Directors of Public Works and Real Property recommend approval of this resolution.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 178-10

Page No.

1 of 1

Agenda Title RESOLUTION — Signatory Authority — Right-of-Way and Easements — North Gayton Road Extension Project — Robert L. White, Jr. — Three Chopt District

For Clerk's Use Only:

JUL 13 2010

Date

- ☐ Approved
☐ Denied
☐ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

Moved by (1) _____ Seconded by (1) _____
(2) _____ (2) _____

REMARKS:

YES NO OTHER

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

WHEREAS, it is necessary for construction of the North Gayton Road Extension Project (the "Project") to acquire right-of-way containing 5,938 sq. ft., a permanent slope and drainage easement containing 2,267 sq. ft., and temporary construction easements containing 668 sq. ft., across the property at 4821 Shady Grove Road owned by Robert L. White, Jr. and identified as Tax Map Parcel 740-769-2091 in the Three Chopt District.

NOW, THEREFORE, BE IT RESOLVED that the Henrico County Board of Supervisors authorizes and directs the County Manager to execute the Road Project Agreement and Deed and Easement Agreement from Robert L. White, Jr., in a form approved by the County Attorney, for the sum of Forty Thousand Dollars (\$40,000).

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

By Agency Head

[Signature]

By County Manager

[Signature]

Routing:

Yellow to:

Real Property

Copy to:

Certified:

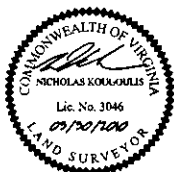
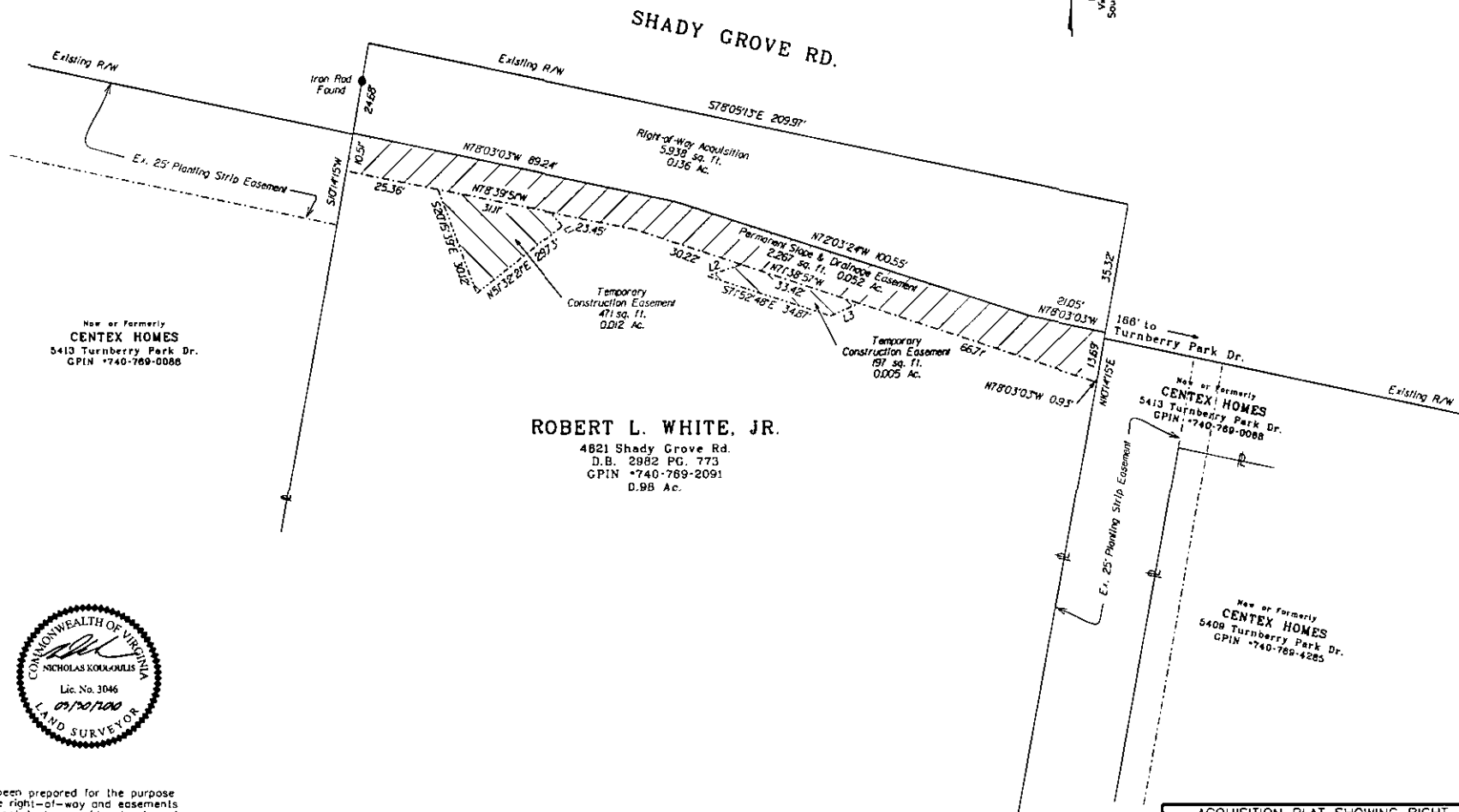
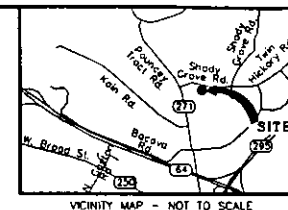
A Copy Teste:

Clerk, Board of Supervisors

Date:

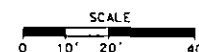
GPIN	LAND OWNER	D.B./PG.	Right-of-Way Acquisition	Permanent Slope & Drainage Easements	Temporary Construction Easements
740-769-2091	ROBERT L. WHITE, JR.	2982/773	5,938 sq. ft.	2,267 sq. ft.	668 sq. ft.

Line Table		
L1	N4°16'30"W	4.85'
L2	S77°32'09"W	9.75'
L3	N66°28'05"E	8.54'



Notes.

- This plat has been prepared for the purpose of defining the right-of-way and easements noted, and is not to be considered a boundary survey. No structures or utilities have been located by this survey.
- Proposed right-of-way, permanent easements, and temporary construction easements are based on files provided by AECOM received: 03/22/10
- Acres calculations, if provided, are based on information provided by Henrico County Real Estate assessments and may not necessarily agree with computed areas or recorded deeds.
- Meridian Source: Virginia State Plane Coordinate System South Zone, Grid North, Based On Henrico County Geodetic Control.



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

ROBERT L. WHITE, JR.

THREE CHOPT MAGISTERIAL DISTRICT
HENRICO COUNTY, VIRGINIA



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

FILE NAME	SCALE	DATE	JOB NO.	SHEET NO.
042	1"=20'	March 30, 2010	0710007L	1 of 1

RESOLUTION – Signatory Authority - Right-of-Way and Easements – North Gayton Road Extension Project – Raleigh R. Cook and Carolyn A. Cook – Three Chopt District

This resolution will authorize and direct the County Manager to execute a Road Project Agreement and Deed and Easement Agreement for the conveyance of right-of-way containing 2,174 sq. ft., a permanent slope and drainage easement containing 5,262 sq. ft., and a temporary construction easement containing 3,266 sq. ft., from Raleigh R. Cook and Carolyn A. Cook. The right of way and easements are needed for the construction of the North Gayton Road Extension Project. Carolyn A. Cook is employed by the Henrico County Public Library and has not participated, nor will she participate, in her official capacity in this acquisition. The Directors of Public Works and Real Property Department recommend approval of this resolution.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 179-10

Page No.

1 of 1

Agenda Title RESOLUTION — Signatory Authority — Right-of-Way and Easements — North Gayton Road Extension Project — Raleigh R. Cook and Carolyn A. Cook — Three Chopt District

For Clerk's Use Only:

Date JUL 13 2010

- ☐ Approved
☐ Denied
☐ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

Moved by (1) _____ Seconded by (1) _____
(2) _____ (2) _____

REMARKS: _____

YES NO OTHER

Donati, J. _____
Glover, R. _____
Kaschele, D. _____
O'Bannon, P. _____
Thornton, F. _____

WHEREAS, it is necessary for construction of the North Gayton Road Extension Project (the "Project") to acquire right-of-way containing 2,174 sq. ft., a permanent slope and drainage easement containing 5,262 sq. ft., and a temporary construction easement containing 3,266 sq. ft., across the property at 4900 Pouncey Tract Road owned by Raleigh R. Cook and Carolyn A. Cook and identified as Tax Map Parcel 738-769-4425 in the Three Chopt District; and,

WHEREAS, Carolyn A. Cook is employed by the Henrico County Public Library; and,

WHEREAS, Carolyn A. Cook has not participated, nor will she participate in any way in her official capacity in this transaction.

NOW, THEREFORE, BE IT RESOLVED that the Henrico County Board of Supervisors authorizes and directs the County Manager to execute the Road Project Agreement and Deed and Easement Agreement from Raleigh R. Cook and Carolyn A. Cook, in a form approved by the County Attorney, for the sum of Twenty-Four Thousand Nine Hundred Seventy-Seven Dollars (\$24,977).

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

By Agency Head

[Signature]

By County Manager

[Signature]

Routing:

Yellow to:

Real Property

Copy to:

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Date:

GPIN	LAND OWNER	D.B./PG.	Right-of-Way Acquisition	Permanent Slope & Drainage Easements	Temporary Construction Easements
738-789-4425	RALEIGH R. COOK & CAROLYN A. COOK	1840/229	274 sq. ft.	5,262 sq. ft.	3,266 sq. ft.

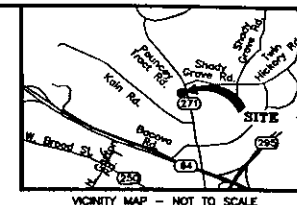
Now or Formerly
COMMONWEALTH FOUNDATION I-V
Pouncey Tract Rd.
GPIN #737-789-4467

RALEIGH R. COOK
& CAROLYN A. COOK
4800 Pouncey Tract Rd.
D.B. 1840 PG. 229
GPIN #738-789-4425
10.25 Ac.

Now or Formerly
BARBARA W. CHAMBERLAIN, TRUSTEE
4820 Pouncey Tract Rd.
GPIN #738-788-6389

POUNCEY TRACT RD.

Meridian Source:
Virginia State Plane
South Zone Grid North



Curve Table

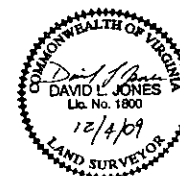
	Delta	Radius	Length	Tangent	Chord	Chord Bearing
C1	0603709	2256.00	238.40	119.37	238.29	S1609101°E
C2	0603717	2467.00	260.70	130.47	260.58	N185945°W

Line Table

U	S82°04'27"E	10.33
L2	S73°46'14"W	13.29
L3	N26°21'16"W	12.97

Notes:

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



ACQUISITION PLAT SHOWING RIGHT-OF-WAY,
TEMPORARY CONSTRUCTION EASEMENT, AND
PERMANENT SLOPE AND DRAINAGE EASEMENT
ON THE PROPERTY OF
RALEIGH R. COOK
& CAROLYN A. COOK
THREE CHOPT MAGISTERIAL DISTRICT
HENRICO COUNTY, VIRGINIA



R&M Engineers, Surveyors
Construction Managers
114 east cary street, suite 200
richmond, virginia 23219
(804) 644-4600

FILE NAME	SCALE	DATE	JOB NO.	SHEET NO.
034	1"=30'	Oct. 27, 2009	0710007L	1 of 1

SCALE
0 15' 30' 60'

RESOLUTION – Conveyance of Site Development Easements Providing Necessary Services to County-Owned Facilities

This Board paper authorizes the Board Chairman and Clerk to execute appropriate instruments, in a form approved by the County Attorney, to convey site development easements across County-owned property, including, but not limited to, easements for ingress, egress, utilities, cable, telecommunications, storm water management, and other similar conveyances, that are consistent with the County capital improvement program, involving improvement of County-owned property and that are exempt from the public hearing requirement as set forth in Section 15.2-1800(B) of the Code of Virginia.

On July 22, 1987, the Board approved, by unanimous vote, a similar resolution concerning the conveyance of easements to Virginia Electric & Power Company.

The Directors of Real Property and General Services recommend approval of this Board paper; the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 180-10

Page No.

1 of 1

Agenda Title RESOLUTION — Conveyance of Site Development Easements Providing Necessary Services to County-Owned Facilities

For Clerk's Use Only:

Date JUL 13 2010

- ☐ Approved
☐ Denied
☐ Amended
☐ Deferred to

BOARD OF SUPERVISORS ACTION

Moved by (1) _____ Seconded by (1) _____
(2) _____ (2) _____

REMARKS: _____

YES NO OTHER

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

WHEREAS, from time to time it is necessary to grant site development easements across real property owned by the County of Henrico, Virginia, in order to provide necessary services to facilities owned by the County; and,

WHEREAS, Section 15.2-1800(B) of the Code of Virginia provides that no public hearing is required for "conveyance of site development easements across public property, including...easements for ingress, egress, utilities, cable, telecommunications, storm water management, and other similar conveyances, that are consistent with the local capital improvement program, involving improvement of property owned by the locality"; and,

WHEREAS, in order to facilitate the expeditious handling of these routine easements, it is the desire of the Board of Supervisors of Henrico County, Virginia, to grant authority to its Chairman and Clerk to execute the above-mentioned easements.

NOW, THEREFORE, BE IT RESOLVED that the Chairman and Clerk are authorized and directed to execute the appropriate instruments, in a form approved by the County Attorney, conveying site development easements necessary to provide services to County-owned facilities and that are exempt from the public hearing requirement as set forth in Section 15.2-1800(B) of the Code of Virginia.

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

By Agency Head

[Signature]

By County Manager

[Signature]

Routing:

Yellow to: *Real Property*

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

RESOLUTION — Award of Construction Contract — Lydell Drive and Jewett Drive Water Main Rehabilitation — Brookland District

This Board Paper awards a construction contract to R. R. Snipes Construction Co., Inc. in the amount of \$204,788 to replace approximately 1,700 linear feet of 6-inch water piping located along Lydell Drive and Jewett Drive in the Brookland District.

The purpose of the project is to maintain the reliability of the drinking water system by replacing deteriorated cast iron water piping installed in 1968 with ductile iron water piping. The work will begin in August 2010 and will be completed by February 2011. Funding to support the contract is available within the Water and Sewer Enterprise Fund.

Bids were received on June 9, 2010. The bidders and bid amounts are as follows:

Bidders	<u>Bid Amounts</u>
R.R. Snipes Construction Co., Inc. Ashland, VA	\$204,788.00
Piedmont Construction Company, Inc. Oilville, VA	\$230,717.09
Henry S. Branscome LLC Williamsburg, VA	\$251,971.35
Johnson & Glazier Construction Company, Inc. Prince George, VA	\$257,800.00
Toano Contractors, Inc. Toano, VA	\$268,775.00
Simons Hauling Co., Inc. Richmond, VA	\$269,750.00
Castle Equipment Corporation Richmond, VA	\$271,605.00
Underground Services First Richmond, VA	\$279,183.00
Perkinson Construction, LLC Prince George, VA	\$289,110.00
J. Sanders Construction Company West Point, VA	\$334,050.00
Walter C. Via Enterprises, Inc. West Point, VA	\$485,000.00

The Directors of Public Utilities and General Services recommend the Board award the contract to R. R. Snipes Construction Co., Inc., the lowest responsive and responsible bidder, in the amount of \$204,788.00 and authorize the County Manager, or the Director of General Services as his designee, to execute the contract and change orders not to exceed 15% of the original contract amount. The County Manager concurs.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 181-10

Page No. 1 of 2

Agenda Title: **RESOLUTION — Award of Construction Contract — Lydell Drive and Jewett Drive
Water Main Rehabilitation — Brookland District**

For Clerk's Use Only:

Date: **JUL 13 2010**

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

BOARD OF SUPERVISORS ACTION

Moved by (1) _____ Seconded by (1) _____
(2) _____ (2) _____

REMARKS: _____

YES NO OTHER

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

WHEREAS, eleven bids were received on June 9, 2010 in response to Bid Request No. 10-8843-5CE for the Lydell Drive and Jewett Drive Water Main Rehabilitation project located in the Brookland District; and,

WHEREAS, the project includes replacement of approximately 1,700 linear feet of 6-inch cast iron water piping with 6-inch ductile iron water piping; and,

WHEREAS, the bids were as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
R.R. Snipes Construction Co., Inc.	\$204,788.00
Piedmont Construction Company, Inc.	\$230,717.09
Henry S. Branscome LLC	\$251,971.35
Johnson & Glazier Construction Company Inc.	\$257,800.00
Toano Contractors Inc.	\$268,775.00
Simons Hauling Co. Inc.	\$269,750.00
Castle Equipment Corporation	\$271,605.00
Underground Services First	\$279,183.00
Perkinson Construction, LLC	\$289,110.00
J. Sanders Construction Company	\$334,050.00
Walter C. Via Enterprises, Inc.	\$485,000.00

WHEREAS, after a review and evaluation of all bids received, it was determined that R. R. Snipes Construction Co., Inc. is the lowest responsive and responsible bidder.

For By Agency Head

W. T. Mawyer, Jr.

By County Manager

David S. Hays

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 181-10

Page No. 2 of 2

**Agenda Title: RESOLUTION — Award of Construction Contract — Lydell Drive and Jewett Drive
Water Main Rehabilitation — Brookland District**

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

1. The contract is awarded to R. R. Snipes Construction Co., Inc., the lowest responsive and responsible bidder, in the amount of \$204,788 pursuant to Bid Request No. 10-8843-5CE, Addendum No.1, and the bid submitted by R. R. Snipes Construction Co., Inc.
2. The County Manager and Clerk are authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Director of General Services as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

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

RESOLUTION — To Permit Additional Fine of \$200 for Speeding on Snowmass Road and a Portion of Alvarado Road

Section 46.2-878.2 of the Code of Virginia provides for the imposition of a \$200 fine for speeding, in addition to other penalties provided by law, when a locality has established a maximum speed limit for a highway in a residence district and the speed limit is indicated by appropriately placed signs. The law requires the Board of Supervisors to develop criteria for the overall applicability for the installation of the signs and to specify application of the law to particular streets before the additional fine may be imposed.

On February 10, 2004, the Board approved criteria for the County's Traffic Calming Program.

The County's Traffic Engineer has collected traffic data and has determined that Snowmass Road between Nuckols Road and Village Run Drive and a portion of Alvarado Road between Michael Road and Anoka Road in the County are experiencing speeding problems and meet the criteria for traffic calming measures set forth in the Traffic Calming Program.

The citizens in the area of these roads requesting the increased fine have collected signatures from 75% of the residents on Snowmass Road and 85% of the residents on Alvarado Road.

The Board paper authorizes the County Manager to place appropriate signs on Snowmass Road between Nuckols Road and Village Run Drive, and a portion of Alvarado Road between Michael Road and Anoka Road warning of an additional fine of \$200 for speeding.

The Director of Public Works recommends approval of this Board paper; the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda 182-10
Page No. 1 of 2

Agenda Title: **RESOLUTION — To Permit Additional Fine of \$200 for Speeding on Snowmass Road and a Portion of Alvarado Road**

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES	NO	OTHER
Date: JUL 13 2010	Moved by (1) _____ Seconded by (1) _____ (2) _____ (2) _____			
() Approved () Denied () Amended () Deferred to: _____	REMARKS: _____ _____ _____	Donati, J. _____ Glover, R. _____ Kaechele, D. _____ O'Bannon, P. _____ Thornton, F. _____		

WHEREAS, Section 46.2-878.2 of the Code of Virginia provides for the imposition of a \$200 fine for speeding, in addition to other penalties provided by law, when a locality has established a maximum speed limit for a highway in a residence district and the speed limit is indicated by appropriately placed signs; and,

WHEREAS, the statute also requires the Board of Supervisors (the "Board"), because Henrico County maintains its own roads, to develop criteria for the overall applicability for the installation of the signs and to request the application of the statute to certain residential streets in the County before the additional fine may be imposed; and,

WHEREAS, the Board approved detailed criteria (the "Criteria") for the County's Traffic Calming Program on February 10, 2004; and,

WHEREAS, increased fines for speeding on residential streets in Henrico County which meet the Criteria and are designated by the Board are part of the Traffic Calming Program; and,

WHEREAS, the County's Traffic Engineer has collected traffic data and has determined that Snowmass Road between Nuckols Road and Village Run Drive and a portion of Alvarado Road between Michael Road and Anoka Road in the County are experiencing speeding problems and meet the Criteria for traffic calming measures set forth in the Traffic Calming Program; and,

By Agency Head

By County Manager

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. 182-10

Page No. 2 of 2

Agenda Title: RESOLUTION — To Permit Additional Fine of \$200 for Speeding on Snowmass Road and a Portion of Alvarado Road

WHEREAS, the citizens in the area of these roads requesting the increased fine have collected signatures from 75% of the residents on Snowmass Road and 85% of the residents on Alvarado Road; and,

WHEREAS, these roads are local residential streets with a posted speed limit of 25 mph.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County that the County Manager is authorized and directed to install signs on Snowmass Road between Nuckols Road and Village Run Drive and a portion of Alvarado Road between Michael Road and Anoka Road advising citizens of an additional fine of \$200 for exceeding the posted speed limit on these roads.

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

RESOLUTION - Acceptance of Roads

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

- 1) 0.42 miles of Hillcrest Farms, Section 1. Fairfield District.
- 2) 0.04 miles of Glen Cove – A Resubdivision of Glen Allen Park, Lot 11. Brookland District.

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



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 183-10

Page No. 1 of 1

Agenda Title: RESOLUTION - ACCEPTANCE OF ROADS

For Clerk's Use Only: Date: JUL 13 2010 () Approved () Denied () Amended () Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) _____ Seconded by (1) _____ (2) _____ (2) _____ REMARKS: _____ _____ _____	YES NO OTHER Donati, J. _____ Glover, R. _____ Kaechele, D. _____ O'Bannon, P. _____ Thornton, F. _____
--	---	---

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

Hillcrest Farms, Section 1 - Fairfield District

Hillcrest Farms Drive from Creighton Road to 0.21 Mi. N. of Creighton Road	0.21 Mi.
Palomill Circle from Hillcrest Farms Drive to 0.05 Mi. W. of Hillcrest Farms Drive	0.05 Mi.
Dapple Grey Drive from 0.10 Mi. W. of Hillcrest Farms Drive to 0.04 Mi. E. of Hillcrest Farms Drive	0.14 Mi.
Winding Trail Lane from Dapple Grey Drive to 0.02 Mi. N. of Dapple Grey Drive	0.02 Mi.
Total Miles	0.42 Mi.

Glen Cove - A Resubdivision of Glen Allen Park, Lot 11 - Brookland District

Glen Cove Court from Purcell Road to 0.04 Mi. W. of Purcell Road	0.04 Mi.
Total Miles	0.04 Mi.

By Agency Head _____

By County Manager _____

Routing:

Yellow to: _____

Copy to: _____

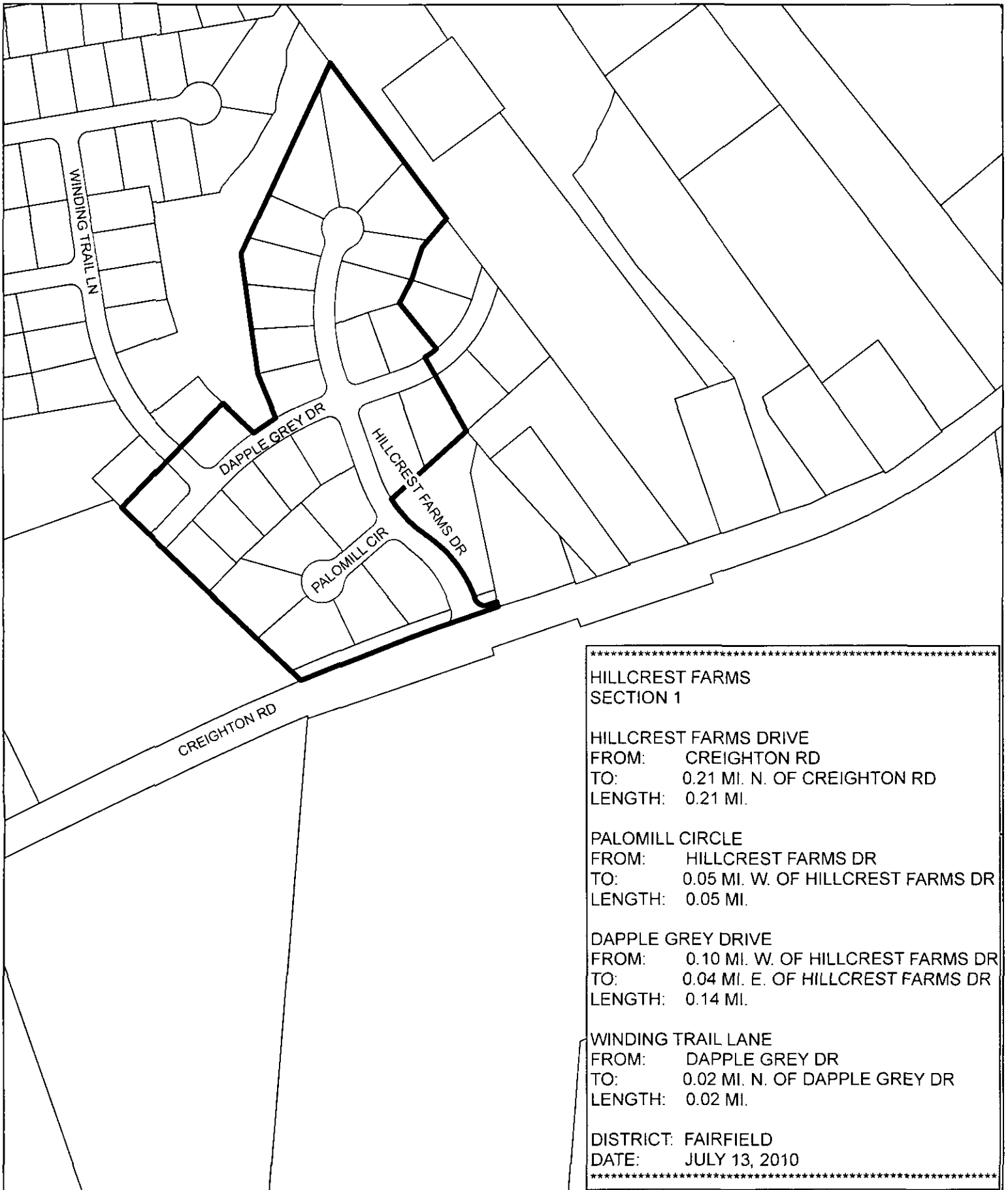
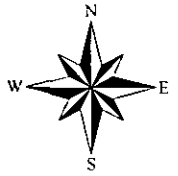
Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

HILLCREST FARMS SECTION 1



GLEN COVE A RESUBDIVISION OF GLEN ALLEN PARK, LOT 11

