

COUNTY OF HENRICO, VIRGINIA
Board of Supervisors' Agenda
January 26, 2010
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION – Rev. Travis Branch, Gospel Jail Ministry

APPROVAL OF MINUTES – January 12, 2010 Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PUBLIC HEARINGS - REZONING CASE AND PROVISIONAL USE PERMIT

- | | |
|---------------------------------|---|
| 24-10
C-34-09
Three Chopt | George M. Urban: Request to rezone from B-2C Business District (Conditional) to A-1 Agricultural District, Parcel 746-770-9777, containing approximately 5.52 acres, located between the south line of Hickory Park Drive and the north line of New Wade Lane approximately 725 feet southwest of Nuckols Road. The A-1 District allows a maximum gross density of 1.0 unit per acre. The use will be controlled by zoning ordinance regulations. The Land Use Plan recommends Office. The Planning Commission voted to recommend the Board of Supervisors <u>grant</u> the request. |
| 25-10
P-13-09
Three Chopt | The Innsbrook Foundation: Request for a Provisional Use Permit under Sections 24-62.2(f), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to renew an existing provisional use permit to continue to operate a temporary outdoor entertainment pavilion (Snag-A-Job Pavilion), on part of Parcel 750-768-4593, located approximately 750' northeast of the intersection of Nuckols Road and Interstate 295. The existing zoning is M-1C Light Industrial District (Conditional). The Land Use Plan recommends Office. The Planning Commission voted to recommend the Board of Supervisors <u>grant</u> the request. |

PUBLIC HEARINGS - OTHER ITEMS

- | | |
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| 26-10 | Ordinance – To Amend and Reordain Sections 10-71 Titled “Complaints” and 10-73 Titled “Prohibited noises enumerated” of the Code of the County of Henrico, to Repeal and Reserve Section 10-72 Titled “Prohibited noise generally,” and to Add Section 10-74 Titled “Exemptions,” All Relating to the Regulation of Noise. |
| 27-10 | Ordinance – Vacation of Portion of Unimproved Brilland Court – Brilland - Fairfield District. |

- 28-10 Ordinance – Vacation of Unimproved Portion of Alley – Larchmont - Varina District.
- 29-10 Resolution – Signatory Authority – Easement Agreement for Virginia Electric and Power Company – Brookland District.
- 30-10 Resolution – Signatory Authority – First Amendment to Lease of County Property – 3017 Irisdale Avenue - Brookland District.
- 31-10 Resolution – Condemnation - Right-of-Way and Easements - North Gayton Road Improvements Project - Darrell H. Bowman and Marsha S. Morgan - Three Chopt District.
- 32-10 Resolution - Signatory Authority - Quitclaim of Portions of Drainage and Utility Easement – Gayton Terrace - Tuckahoe District.

PUBLIC COMMENTS

GENERAL AGENDA

- 33-10 Resolution - Authorization to Apply to Amend the Boundaries of the City of Richmond North Enterprise Zone within Henrico County to Add and Delete Properties and Various Rights-of-Way and to Amend the Paving Grant Incentive.
- 34-10 Resolution – Authorization to Accept Grant Funding in the Amount of \$2,870 through the Virginia Department of Fire Programs Training Mini-Grant Program.
- 35-10 Resolution – Authorization to Accept \$700 in Grant Funding from the Radiological Preparedness and Response Program Administered through the Virginia Department of Emergency Management.
- 36-10 Concurrent Resolution – Approval of Name Change: Henrico Area Mental Health & Retardation Services Board to Henrico Area Mental Health & Developmental Services Board.
- 37-10 Resolution – Approval of Name Change of the Department Providing Mental Health, Mental Retardation and Substance Abuse Services to Henrico Area Mental Health & Developmental Services.
- 38-10 Resolution - Signatory Authority - Acquisition of Real Property – Bacova Drive – Three Chopt District.
- 39-10 Resolution – Signatory Authority – Encroachment Letter Agreement – Virginia Electric and Power Company - Varina District.

- 40-10 Resolution - Award of Construction Contract - Henrico County Water Reclamation Facility Primary Settling Basin Nos. 1 - 6 Rehabilitation - Shaw Construction Corporation.
- 41-10 Resolution - Award of Construction Contract - Route 5 Interceptor Sewer Rehabilitation.
- 42-10 Resolution - Acceptance of Roads.
- 43-10 Resolution - Settlement of *HCA Health Services of Virginia, Inc. v. County of Henrico, Virginia*.

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
January 12, 2010

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, January 12, 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:

David A. Kaechele, Chairman, Three Chopt District
Patricia S. O'Bannon, Vice-Chairman, Tuckahoe District
James B. Donati, Jr., Varina District
Richard W. Glover, Brookland District
Frank J. Thornton, Fairfield 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
George T. Drumwright, Jr., Deputy County Manager County Manager for Human Services
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

Mr. Kaechele called the meeting to order at 7:03 p.m.

Mr. Kaechele led recitation of the Pledge of Allegiance.

Dr. Michael J. Clingenpeel, Pastor of River Road Church, Baptist, delivered the invocation.

On motion of Mrs. O'Bannon, seconded by Mr. Donati, the Board approved the minutes of the December 8, 2009 Regular and Special Meetings.

The vote of the Board was as follows:

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

No: None

MANAGER'S COMMENTS

There were no comments from the Manager.

BOARD OF SUPERVISORS' COMMENTS

Mr. Kaechele recognized Jack Sauer from Boy Scout Troop 705, sponsored by Derbyshire Baptist Church, who was observing the meeting to fulfill a requirement for the Citizenship in the Community Merit Badge.

RECOGNITION OF NEWS MEDIA

No media representatives were present.

APPOINTMENTS/ORGANIZATIONAL ITEMS

1-10 Resolution – Election of Chairman.

Mr. Rapisarda assumed the Chair to conduct the election of the new Chairman of the Board of Supervisors. He called for nominations for the office of Chairman and Mr. Donati nominated Mrs. O'Bannon. Mr. Thornton seconded the nomination. Mr. Rapisarda asked if there were any further nominations. Mr. Kaechele moved that the nominations be closed and Mr. Donati seconded the motion.

On motion of Mr. Donati, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 1-10 – see attached resolution.

Mrs. O'Bannon expressed appreciation to Mr. Kaechele for his service as Chairman and presented him with a gift on behalf of the Board. Mr. Kaechele thanked the Board, County Manager, and appointed board and commission members for their support throughout 2009 and referred to difficult budgetary challenges that continue to face the County.

Mrs. O'Bannon offered Henrico state of the union remarks. After alluding to how the struggling national economy and state financial troubles are impacting the County, she pointed to the Board's long term approach to planning, growth, and finance and elaborated on the Board's prudent financial management. Mrs. O'Bannon thanked Varina citizens for voting in favor of the address name change to Henrico, Virginia. She also commented on the County's 399-year history of good decisions and the outstanding services provided to Henrico citizens within a low tax environment. Mrs. O'Bannon concluded by reciting the County's motto, "Proud of Our Progress, Excited About Our Future" within the context of the County's 400th commemoration year in 2011.

2-10 Resolution – Election of Vice-Chairman.

Mrs. O'Bannon assumed the Chair and conducted the election of the new Vice-Chairman of the Board of Supervisors. She called for nominations for the office of Vice-Chairman and Mr. Kaechele nominated Mr. Thornton. Mr. Glover seconded the nomination. Mrs. O'Bannon asked if there were any further nominations. Mr. Kaechele moved that the nominations be closed and Mr. Donati seconded the motion.

On motion of Mr. Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board nominated Mr. Thornton for the office of Vice-Chairman and approved Agenda Item No. 2-10 – see attached resolution.

Mr. Thornton thanked his colleagues for their support and confidence.

3-10 Resolution - Establishment of Dates, Times and Location of Regular Meetings of the Board of Supervisors for 2010.

On motion of Mr. Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 3-10 – see attached resolution.

4-10 Resolution – Appointment of Member - Association of Volunteer Rescue Squads.

On motion of Mr. Donati, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 4-10 – see attached resolution.

5-10 Resolution – Appointment of Members – Board of Building Code Appeals.

On motion of Mr. Glover, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 5-10 – see attached resolution.

6-10 Resolution - Appointment of Members – Board of Real Estate Review and Equalization.

On motion of Mr. Donati, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 6-10 – see attached resolution.

7-10 Resolution – Appointment of Members – Board of The Shops at White Oak Village Community Development Authority.

On motion Mr. Thornton, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 7-10 – see attached resolution.

8-10 Resolution - Appointment of Members - Cable Television Advisory Committee.

On motion Mr. Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 8-10 – see attached resolution.

- 9-10 Resolution – Appointment of Persons Eligible to Serve as Third Member of Employee Grievance Panels.

On motion of Mr. Donati, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 9-10 – see attached resolution.

- 10-10 Resolution – Appointment of Members – Henrico Area Mental Health and Mental Retardation Services Board.

On motion of Mr. Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board approved Agenda Item No. 10-10 – see attached resolution.

- 11-10 Resolution – Appointment of Members – Henrico County Planning Commission.

On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 11-10 – see attached resolution.

- 12-10 Resolution - Appointment of Members - Historic Preservation Advisory Committee.

On motion of Mr. Donati, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 12-10 – see attached resolution.

- 13-10 Resolution - Appointment of Members - Keep Henrico Beautiful Committee.

On motion of Mr. Glover, seconded by Mr. Kaechele, and by unanimous vote, the Board approved Agenda Item No. 13-10 – see attached resolution.

- 14-10 Resolution - Appointment of Members - Library Advisory Board.

On motion of Mr. Glover, seconded by Mr. Kaechele, and by unanimous vote, the Board approved Agenda Item No. 14-10 – see attached resolution.

- 15-10 Resolution – Appointment of Member – Maymont Foundation Board of Directors.

On motion of Mr. Thornton, seconded by Mr. Kaechele, and by unanimous vote, the Board approved Agenda Item No. 15-10 – see attached resolution.

- 16-10 Resolution - Appointment of Members - Parks and Recreation Advisory Commission.

On motion of Mr. Kaechele, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 16-10 – see attached resolution.

- 17-10 Resolution – Appointment of Members and Alternates – Richmond Area Metropolitan Planning Organization.
- On motion of Mr. Glover, seconded by Mr. Kaechele, and by unanimous vote, the Board approved Agenda Item No. 17-10 – see attached resolution.
- 18-10 Resolution – Appointment of Member – Richmond Metropolitan Convention and Visitors Bureau Board of Directors.
- On motion of Mr. Donati, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 18-10 – see attached resolution.
- 19-10 Resolution – Appointment of Members – Richmond Regional Planning District Commission.
- On motion of Mr. Glover, seconded by Mr. Thornton, and by unanimous vote, the Board approved Agenda Item No. 19-10 – see attached resolution.
- 20-10 Resolution - Nomination of Member – Stadium Operating Committee of the Richmond Metropolitan Authority.
- On motion of Mr. Glover, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 20-10 – see attached resolution.
- 21-10 Resolution - Appointment of Members - Transportation Safety Commission.
- On motion of Mr. Kaechele, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 21-10 – see attached resolution.
- 22-10 Resolution – Appointment of Member – 2011 Commemoration Advisory Commission.
- On motion of Mr. Thornton, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 22-10 – see attached resolution.
- 23-10 Resolution - Confirming the Appointment of Member - Capital Region Workforce Partnership Consortium Board.
- On motion of Mr. Glover, seconded by Mr. Donati, and by unanimous vote, the Board approved Agenda Item No. 23-10 – see attached resolution.

PUBLIC COMMENTS

There were no comments from the public.

There being no further business, the meeting was adjourned at 8:20 p.m.

Chairman, Board of Supervisors
Henrico County, Virginia

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
January 12, 2010

The Henrico County Board of Supervisors convened a special meeting on Tuesday, January 12, 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 County, Virginia.

Members of the Board Present:

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

Other Officials Present:

Virgil R. Hazelett, P.E., County Manager
Joseph P. Rapisarda, Jr., County Attorney
Karen M. Adams, Senior 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
George T. Drumwright, Jr., Deputy County Manager for Community Services
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
Tamra McKinney, Director of Public Relations & Media Services
John A. Vithoulkas, Director of Finance/Special Economic Advisor

Mr. Kaechele called the meeting to order at 5:33 p.m.

Mr. Hazelett noted that the special meeting agenda included two items, both of which would be presented by the County Attorney's Office in closed session. After consultation with Mr. Rapisarda, Mrs. O'Bannon informed the Board that she would be excusing herself from the discussion of the first closed meeting item in light of her husband's appointed position on the Henrico Doctors' Hospital Board of Trustees. She noted that neither she nor her husband have a financial interest in the case.

On motion by Mr. Glover, seconded by Mr. Thornton, the Board approved going into a Closed Meeting at 5:35 p.m. for the following purpose:

Discussion of the Following: (1) Actual Litigation Styled *HCA Health Services of Virginia, Inc. v. County of Henrico, Virginia*; and (2) Probable Litigation Concerning a Personal Injury Claim, Both Pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as Amended.

The vote of the Board was as follows:

<u>Aye</u>	<u>Nay</u>
David A. Kaechele	
Patricia S. O'Bannon	
James B. Donati, Jr.	
Richard W. Glover	
Frank J. Thornton	

Mrs. O'Bannon left the meeting at 5:37 p.m. immediately following the preceding vote and prior to discussion of actual litigation styled *HCA Health Services of Virginia, Inc. v. County of Henrico, Virginia*. She returned at 5:50 p.m. and participated in the discussion of probable litigation concerning a personal injury claim.

On motion of Mr. Glover, seconded by Mr. Donati, the Board approved going out of the Closed Meeting at 6:11 p.m.

The vote of the Board was as follows:

<u>Aye</u>	<u>Nay</u>
David A. Kaechele	
Patricia S. O'Bannon	
James B. Donati, Jr.	
Richard W. Glover	
Frank J. Thornton	

In open session, Mrs. O'Bannon stated for the record that she was present only for the second item of the closed meeting, i.e. discussion of probable litigation concerning a personal injury claim, and was not present for the first item of the closed meeting, i.e. discussion of actual litigation styled *HCA Health Services of Virginia, Inc. v. County of Henrico, Virginia*. Consequently, her vote on the certification resolution would only be applicable to that portion of the closed meeting for which she was present. On motion of Glover, seconded Mr. Donati, the Board approved the attached Certificate of Closed Meeting.

The vote of the Board was as follows:

<u>Aye</u>	<u>Nay</u>
David A. Kaechele	
Patricia S. O'Bannon	
James B. Donati, Jr.	
Richard W. Glover	

Frank J. Thornton

On motion by Mr. Glover, seconded by Mrs. O'Bannon, the Board consented to the institution of an action by Robin M. Mason against the County, as permitted by Section 15.2-1247 of the Code of Virginia, 1950, as amended. This motion shall in no way be construed as a waiver of sovereign immunity or any other legally available defense to such an action.

The vote of the Board was as follows:

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

No: None

The Board recessed for dinner at 6:15 p.m. and reconvened at 6:25 p.m.

There was considerable discussion by Mr. Hazelett and the Board regarding the Governor's proposal to increase the state income tax by one percent to offset a proposed elimination of the local personal property tax, the impact of state budget reductions on local governments, and the status of Virginia Retirement System contribution rates. Mr. Hazelett then briefly reviewed the agenda for the evening's regular meeting, including pending board and commission appointments held by members of the Board of Supervisors and those for which oaths of office are not administered. There was also some discussion of the status of the Capital Region Workforce Partnership Consortium Board.

Mr. Hazelett responded to questions from the Board pertaining to whether the County will need to consider service reductions and employee salary reductions or layoffs. He referred to surveys conducted by other school divisions and localities in the region to solicit feedback from employees and citizens on proposed budget cuts. Mr. Hazelett also responded to questions from the Board relating to Chesterfield County's possible withdrawal from the regional Governor's School, the status of the County's real estate and sales tax revenues, and the County's real estate assessment trends. With the assistance of Mr. Vithoulkas, he responded to questions concerning the status of the state's bond rating and the County's hiring freeze.

Mr. Rapisarda advised Mrs. O'Bannon that it would be legally permissible under the Code of Virginia for her to be present during open session at a Board meeting at such time as the Board may discuss and consider a resolution for settlement of the case styled *HCA Health Services of Virginia, Inc. v. County of Henrico, Virginia*.

There being no further business, the meeting was adjourned at 6:56 p.m.

Chairman, Board of Supervisors
Henrico County, Virginia

24-10
C-34-09
Three Chopt

George M. Urban: Request to rezone from B-2C Business District (Conditional) to A-1 Agricultural District, Parcel 746-770-9777, containing approximately 5.52 acres, located between the south line of Hickory Park Drive and the north line of New Wade Lane approximately 725 feet southwest of Nuckols Road. The A-1 District allows a maximum gross density of 1.0 unit per acre. The use will be controlled by zoning ordinance regulations. The Land Use Plan recommends Office. Acting on a motion by Mr. Jernigan seconded by Mr. Vanarsdall, the Planning Commission voted 4-0 (two absent) to recommend the Board of Supervisors grant the request because it would not be expected to adversely affect the pattern of zoning and land use in the area.

25-10
P-13-09
Three Chopt

The Innsbrook Foundation: Request for a Provisional Use Permit under Sections 24-62.2(f), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to renew an existing provisional use permit to continue to operate a temporary outdoor entertainment pavilion (Snag-A-Job Pavilion), on part of Parcel 750-768-4593, located approximately 750' northeast of the intersection of Nuckols Road and Interstate 295. The existing zoning is M-1C Light Industrial District (Conditional). The Land Use Plan recommends Office. Acting on a motion by Mr. Jernigan seconded by Mr. Vanarsdall, the Planning Commission voted 4-0 (two absent) to recommend the Board of Supervisors grant the request because it is reasonable, and when properly developed and regulated by the recommended special conditions, it would not be detrimental to the public health, safety, welfare, and values in the area.

Ordinance – To Amend and Reordain Sections 10-71 Titled “Complaints” and 10-73 Titled “Prohibited noises enumerated” of the Code of the County of Henrico, to Repeal and Reserve Section 10-72 Titled “Prohibited noise generally,” and to Add Section 10-74 Titled “Exemptions,” All Relating to the Regulation of Noise.

This Board paper proposes an ordinance to amend Henrico Code sections 10-71 and 10-73, to repeal section 10-72 and to add section 10-74 all relating to the regulation of noise.

These Code changes result from a decision of the Virginia Supreme Court in *Tanner v. Virginia Beach* in April 2009 and from a desire to modernize the County's noise ordinance.

The proposed ordinance was discussed during work sessions on November 10 & 24, 2009, and introduced on December 8, 2009.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 26-10
Page No. 1 of 6

Agenda Title: Ordinance – To Amend and Reordain Sections 10-71 Titled “Complaints” and 10-73 Titled “Prohibited noises enumerated” of the Code of the County of Henrico, to Repeal and Reserve Section 10-72 Titled “Prohibited noise generally,” and to Add Section 10-74 Titled “Exemptions,” All Relating to the Regulation of Noise.

For Clerk's Use Only: Date: JAN 26 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. _____
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AN ORDINANCE to Amend and Reordain Sections 10-71 Titled “Complaints” and 10-73 Titled “Prohibited noises enumerated” of the Code of the County of Henrico, to Repeal and Reserve Section 10-72 Titled “Prohibited noise generally,” and to Add Section 10-74 Titled “Exemptions,” All Relating to the Regulation of Noise.

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

1. That Section 10-71 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 10-71. Complaints. Penalty and enforcement.

- (a) No person shall be charged with a violation of the provisions of section 10-73 unless the a (1) complainant appears before a magistrate and requests a summons to be issued or (2). ~~However, when a violation is committed in the presence of a police officer, he shall proceed as provided by section 1-13.~~
- (b) Any person convicted of violating any of the provisions of section 10-73 shall be punished by a fine not to exceed \$500. Any person convicted of a second offense within less than five years after a first offense under this article shall be punished by a fine not to exceed \$1000. Any person convicted of a third offense within less than 10 years after a first offense under this article shall be punished by a fine not to exceed \$2500.

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. 26-10
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Agenda Title: Ordinance – To Amend and Reordain Sections 10-71 Titled “Complaints” and 10-73 Titled “Prohibited noises enumerated” of the Code of the County of Henrico, to Repeal and Reserve Section 10-72 Titled “Prohibited noise generally,” and to Add Section 10-74 Titled “Exemptions,” All Relating to the Regulation of Noise.

- (c) Each day a violation continues unabated shall constitute a separate offense.**
- (d) Criminal enforcement against a person violating this article shall not be a bar against, or a prerequisite for, taking any other action permitted by this Code or the Code of Virginia to abate the violation.**

2. That Section 10-72 of the Code of the County of Henrico be repealed and reserved as follows:

Sec. 10-72. Prohibited noise generally Reserved.

~~It shall be unlawful for any person to create any unreasonably loud, disturbing and unnecessary noise in the county. Noise of such character, intensity and duration as to be detrimental to the life or health of any person or to unreasonably disturb or annoy the quiet, comfort or repose of any person is hereby prohibited.~~

3. That Section 10-73 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 10-73. Prohibited noises enumerated.

~~The following acts are declared to be loud, disturbing and unnecessary noises in violation of section 10-72, but such enumeration shall not be deemed to be exclusive~~ **It shall be unlawful for any person to cause or permit to be caused any of the following prohibited sounds or noises:**

- (1) *Horns and signaling devices on vehicles.* ~~The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle while not in motion, except as a danger signal if any other vehicle is approaching apparently out of control, or if in motion only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended,~~ **or other evasive action is taken;** ~~the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for any unnecessary and unreasonable period of time.~~

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 26-10
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Agenda Title: Ordinance – To Amend and Reordain Sections 10-71 Titled “Complaints” and 10-73 Titled “Prohibited noises enumerated” of the Code of the County of Henrico, to Repeal and Reserve Section 10-72 Titled “Prohibited noise generally,” and to Add Section 10-74 Titled “Exemptions,” All Relating to the Regulation of Noise.

- (2) ~~Radios, phonographs and musical instruments~~ **Sound-producing and sound-reproducing devices.** The **use, operation or** playing of any radio, phonograph, television, record, compact disc, tape, digital music, MP3 or DVD player, or musical instrument, **loudspeaker, sound amplifier or other machine or device capable of producing or reproducing sound, regardless of whether such sound-producing or sound-reproducing machine or device is located inside of a structure, outside of or on a structure or in or on a motor vehicle located on private property,** in such a manner or with such volume **or duration that it is plainly audible,** particularly during the hours between 12:00 midnight **11:00 p.m.** and 7:00 a.m., **(i) inside the confines of the dwelling unit, house or apartment of another person or (ii) at 50 or more feet from the device,** as to annoy or disturb the quiet, comfort or repose of persons in any dwelling, hotel or other type of residence.
- (3) ~~Noisy animals.~~ The ~~Allowing~~ keeping of any animal or bird which by ~~to~~ causing **any sound or noise such that it is plainly audible (i) inside the confines of the dwelling unit, house or apartment of another person at least once a minute for 10 consecutive minutes or (ii) at 100 or more feet from the animal at least once a minute for 10 consecutive minutes** frequent or long continued noise shall disturb the quiet, comfort or repose of any person in the vicinity to such an extent as shall constitute a nuisance.
- (4) ~~Defect in vehicle or load.~~ The use of any automobile, motorcycle or vehicle so out of repair, so loaded or operated in such manner as to create loud and unnecessary grating, grinding, rattling or other noises.
- (5) ~~Steam whistles.~~ The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of danger or other emergency.
- (6) ~~Noisy exhausts.~~ The discharge of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or motorboat engine into the open air except through a muffler or other device which will effectively prevent loud and explosive noises therefrom.
- (7) ~~Creation of noise near schools, courts or hospitals.~~ The creation of any excessive sound on any street adjacent to any school, institution of learning or court while such

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No.
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Agenda Title: Ordinance – To Amend and Reordain Sections 10-71 Titled “Complaints” and 10-73 Titled “Prohibited noises enumerated” of the Code of the County of Henrico, to Repeal and Reserve Section 10-72 Titled “Prohibited noise generally,” and to Add Section 10-74 Titled “Exemptions,” All Relating to the Regulation of Noise.

~~institution is in session, or adjacent to any hospital, which unreasonably interferes with the workings of such institution or disturbs or unduly annoys patients in the hospital; provided that conspicuous signs are displayed in such streets indicating that such street is a school, hospital or court street.~~

- (4) **Trash and recycling collection.** ~~The creation of any sound or noise between 12:00 midnight and 6:00 a.m. that is plainly audible in a residential area, except those areas zoned for Urban Mixed Use, when the sound or noise is produced in connection with the loading or unloading of refuse, waste or recycling collection vehicles.~~
- (85) **Street cleaning and construction.** ~~Loading, unloading or opening boxes.~~ The creation of **any sound or noise between 11:00 p.m. and 6:00 a.m. that is plainly audible in a residential area, except those areas zoned for Urban Mixed Use, when the sound or noise is produced in connection with (i) the cleaning of streets or parking lots or (ii) construction or demolition activities** ~~loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.~~
- (96) **Peddlers and hawkers.** ~~The Yelling, shouting, whistling, screaming or and crying for the purpose of attracting attention to a performance, show, sale or display of merchandise between the hours of 11:00 p.m. and 7:00 a.m. on any public street, sidewalk or parking lot or any privately-owned street, sidewalk or parking lot open to the public, except to summon aid in an emergency of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.~~
- (10) ~~Drums, loudspeakers and other attention-attracting devices.~~ ~~The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale or display of merchandise.~~
- (117) **Amplified sound from vehicles.** ~~The P~~**playing, using** ~~or operating~~**ion,** or permitting the playing, use or operation of, any radio, **stereo,** tape player, compact disc player, loud speaker or other electronic device **or mechanical equipment** used for the amplification of sound, which is located **on or** within a motor vehicle being operated on a public street or alley, and which is **plainly** audible from outside the motor vehicle at a distance of 50 feet or more. The provisions of this subsection shall not apply to

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 26-10
Page No. 5 of 6

Agenda Title: Ordinance – To Amend and Reordain Sections 10-71 Titled “Complaints” and 10-73 Titled “Prohibited noises enumerated” of the Code of the County of Henrico, to Repeal and Reserve Section 10-72 Titled “Prohibited noise generally,” and to Add Section 10-74 Titled “Exemptions,” All Relating to the Regulation of Noise.

~~motor vehicle alarms or other security devices, nor to the emission of sound for the purpose of alerting persons to the existence of an emergency, or the emission of sound in the performance of emergency work~~ the playing of music or jingles by an ice cream truck or similar mobile food-service vehicle, provided such vehicle may emit sounds otherwise prohibited by this subsection only between the hours of 7:00 a.m. and 9:00 p.m.

- (8) Lawn care activities. Creating any sound or noise plainly audible in residential areas between 11:00 p.m. and 7:00 a.m. in connection with lawn care, leaf removal, gardening, tree maintenance or removal or other landscaping, lawn or timbering activities.

4. That Section 10-74 be added to the Code of the County of Henrico as follows:

Sec. 10-74. Exemptions.

The prohibitions of section 10-73 of this article shall not apply to any sound or noise generated by any of the following:

- (1) Sound or noise which is necessary for the protection or preservation of property or the health, safety, life or limb of any person, including sound or noise caused by restoration of utility service after an interruption.
- (2) Sound or noise which is necessary for the maintenance or construction of roads and highways.
- (3) Radios, sirens, horns and bells on police, fire or other emergency response vehicles.
- (4) Parades, fireworks displays, school-related activities and other such public special events or public activities.
- (5) Band performances or practices, athletic contests or practices and other school-sponsored activities on the grounds of public or private schools, colleges or universities.

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 26-10
Page No. 6 of 6

Agenda Title: Ordinance – To Amend and Reordain Sections 10-71 Titled “Complaints” and 10-73 Titled “Prohibited noises enumerated” of the Code of the County of Henrico, to Repeal and Reserve Section 10-72 Titled “Prohibited noise generally,” and to Add Section 10-74 Titled “Exemptions,” All Relating to the Regulation of Noise.

- (6) Athletic contests and other officially-sanctioned activities in county parks.
- (7) Fire alarms, burglar alarms and car alarms, prior to the giving of notice and a reasonable opportunity for the owner or person in possession of the premises or vehicle served by any such alarm to turn off the alarm.
- (8) Religious services, religious events or religious activities or expressions, including, but not limited to music, singing, bells, chimes and organs which are part of such service, event, activity or expression.
- (9) Locomotives and other railroad equipment, and aircraft.
- (10) Military activities of the state or of the United States of America.
- (11) Agricultural operations, as defined in Code of Virginia § 3.2-300, provided such operations comply with all applicable laws, regulations and ordinances.
- (12) Amateur and professional motorsports competitions and competition-related events such as time trials and practices, provided the competition is sanctioned by a nationally-recognized motorsports racing organization and complies with all applicable laws, regulations and ordinances, including permit terms and conditions, if any.
- (13) Political gatherings and other activities protected by the First Amendment to the United States Constitution.
- (14) Activities for which the regulation of noise has been preempted by federal law.

5. That this ordinance shall be effective on and after its passage.

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

ORDINANCE – Vacation of Portion of Unimproved Brilland Court – Brilland - Fairfield District

Approval of this Ordinance will vacate an unimproved portion of Brilland Court, abutting Lot 24, Block C, of Brilland Subdivision. The owner of this lot, Mr. Anthony M. Wright, has an agreement with Robert P. Bain, LLC, developer of proposed Brilland West Subdivision, that a part of the vacated right-of-way will be conveyed to Robert P. Bain, LLC, to fulfill conditional approval requirements for the Brilland West Subdivision whereby right-of-way dedication with Brilland West Subdivision will serve to connect Greenstone Place with Brilland Court. If this ordinance is approved, a permanent utility easement for existing County facilities will be reserved on, under, over and across that portion of the vacated area designated and shown as “PARCEL C” on Exhibit “A.” The Real Property Department has processed this requested vacation through the Departments of Planning, Public Works and Public Utilities without objection. **(Public Hearing)**



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 27-10

Page No.

1 of 2

Agenda Title

ORDINANCE - Vacation of Portion of Unimproved Brilland Court –
Brilland – Fairfield District

For Clerk's Use Only:

JAN 26 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, Mr. Anthony M. Wright, owner of Lot 24, Block C, of Brilland Subdivision, which subdivision plat is recorded in the Clerk's Office of the Circuit Court of the County of Henrico, Virginia ("Clerk's Office") in Plat Book 122, pages 225-227, has requested the Board of Supervisors of the County of Henrico, Virginia vacate the unimproved portion of Brilland Court lying adjacent to his lot and shown as Parcels A, B & C on the attached Exhibit "A"; and,

WHEREAS, this Ordinance was advertised pursuant to Section 15.2-2204 of the Code of Virginia, 1950, as amended, ("Va. Code") and a public hearing was held on January 26, 2010 by the Board; and,

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

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

(1) the unimproved portion of Brilland Court shown as Parcels A, B & C on Exhibit "A" is vacated in accordance with the provisions of Va. Code § 15.2-2272(2), subject to the reservation by the County of Henrico, Virginia of a permanent utility easement on, under, over and across that portion of the vacated area designated and shown as "PARCEL C" on Exhibit "A";

By Agency Head

By County Manager

Routing:

Yellow to:

Copy to:

Certified:

A Copy Tests:

Clerk, Board of Supervisors

Date:

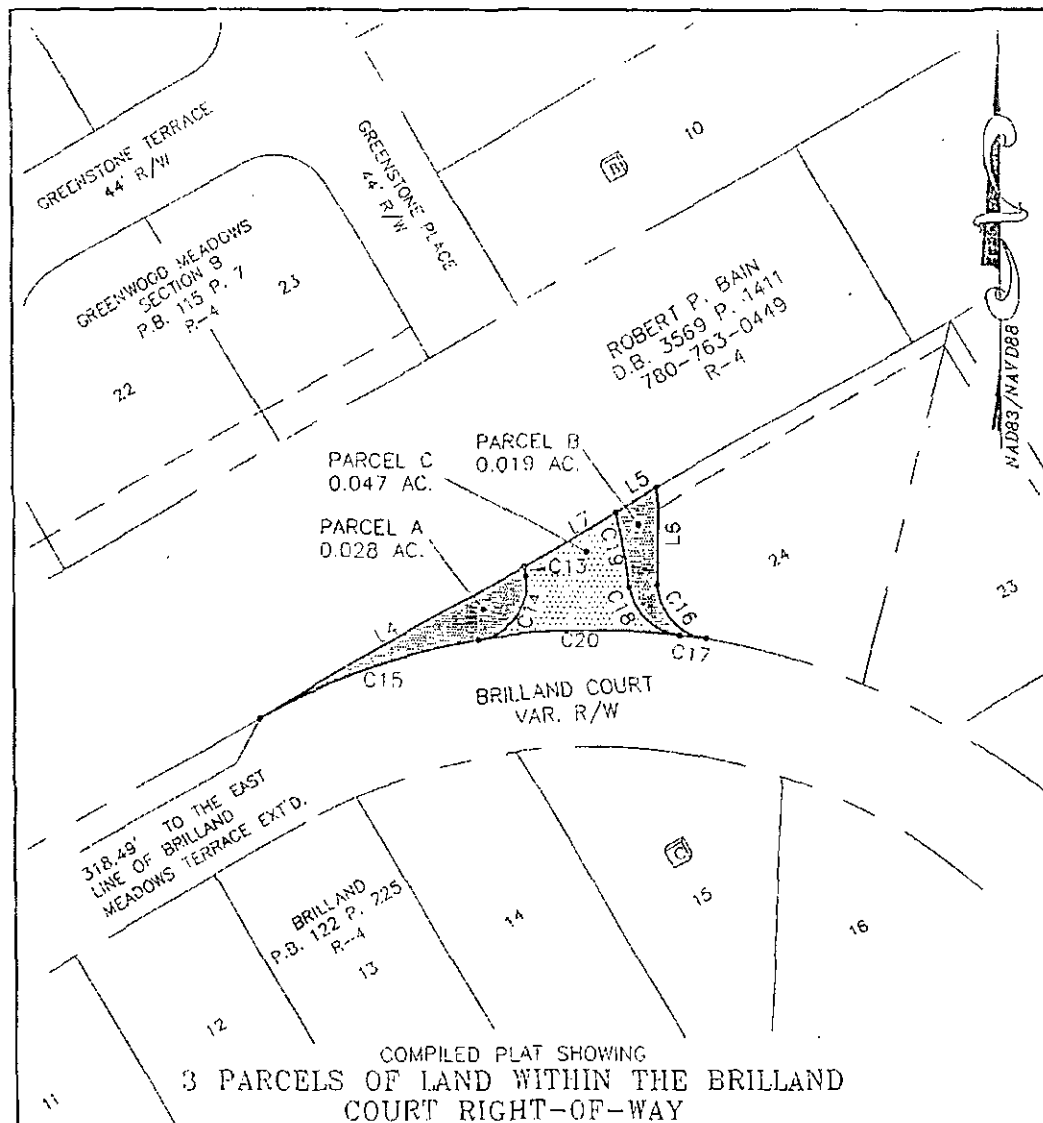
**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. **27-10**
Page No. **2 of 2**

**Agenda Title ORDINANCE - Vacation of Portion of Unimproved Brilland Court –
Brilland – Fairfield District**

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

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



COMPILED PLAT SHOWING
3 PARCELS OF LAND WITHIN THE BRILLAND
COURT RIGHT-OF-WAY
FAIRFIELD DISTRICT, HENRICO COUNTY, VIRGINIA

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD	CHORD BEARING
C13	203.00	4.60	1°17'55"	4.60	S10°04'54"E
C14	25.00	39.15	89°43'09"	35.27	S35°25'38"W
C15	300.00	100.72	19°14'13"	100.25	S70°40'06"W
C16	25.00	35.40	81°07'51"	32.52	S40°11'46"E
C17	300.00	11.58	2°12'43"	11.58	N81°52'03"W
C18	25.00	33.31	76°20'48"	30.90	N44°48'01"W
C19	247.00	33.08	7°40'22"	33.05	N10°27'48"W
C20	300.00	87.65	16°44'23"	87.34	S88°39'24"W

LINE TABLE		
LINE	LENGTH	BEARING
L4	132.16	N59°48'44"E
L5	21.43	N59°48'44"E
L6	42.01	S00°22'09"W
L7	46.16	N59°48'44"E

GRAPHIC SCALE

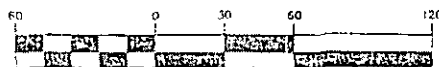
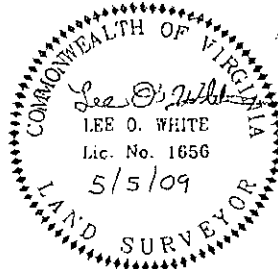


Exhibit "A"

(IN FEET)
1 inch = 60 ft.



Draper Aden Associates
Engineering • Surveying • Environmental Services
8050 Villa Park Drive
Richmond, VA 23228
804-264-2229 Fax: 804-264-6773
Blacksburg, VA
Charlottesville, VA
Hampton Roads, VA

DRAWN	EEH	SCALE	1" = 60'
CHECKED	LOW	DATE	5-05-09
PLAN NO. R07307-01S			

ORDINANCE – Vacation of Unimproved Portion of Alley – Larchmont - Varina District

Approval of this Ordinance will vacate the unimproved portion of an alley lying between a portion of Lot 37 through Lot 50, owned by Brenda P. Moore, and Lot 9 through a portion of Lot 19, owned by Frank D. and Cheryl L. Clayton, in Block 15 of Larchmont subdivision. There are no County facilities in the alley and none are planned. The area is overgrown with bushes and trees preventing the alley from providing access to lots in Block 15. The Real Property Department has processed this requested vacation through the Departments of Planning, Public Works and Public Utilities without objection. **(Public Hearing)**



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 28-10

Page No.

1 of 2

Agenda Title

ORDINANCE - Vacation of Unimproved Portion of Alley - Larchmont -
Varina District

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES NO OTHER
Date <u>JAN 26 2010</u>	Moved by (1) _____ Seconded by (1) _____	Donati, J. _____
<input type="checkbox"/> Approved	(2) _____ (2) _____	Glover, R. _____
<input type="checkbox"/> Denied	REMARKS: _____	Kaechele, D. _____
<input type="checkbox"/> Amended	_____	O'Bannon, P. _____
<input type="checkbox"/> Deferred to _____	_____	Thornton, F. _____

WHEREAS, Brenda P. Moore, owner of Lots 37 through 50, and Frank D. Clayton and Cheryl L. Clayton, owners of Lots 9 through 19, Block 15 in Larchmont Subdivision, have requested that the Board of Supervisors of the County of Henrico, Virginia vacate the unimproved portion of the alley lying between a portion of Lot 37 through Lot 50 and Lot 9 through a portion of Lot 19, as shown shaded on the attached copy of the subdivision plat of Larchmont, marked as Exhibit "A," which plat is recorded in the Clerk's Office of the Circuit Court of the County of Henrico, Virginia ("Clerk's Office") in Plat Book 13, page 45; and,

WHEREAS, this Ordinance was advertised pursuant to Section 15.2-2204 of the Code of Virginia, 1950, as amended, ("Va. Code") and a public hearing was held on January 26, 2010 by the Board; and,

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

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

(1) the unimproved portion of the alley as shown shaded on Exhibit "A" is vacated in accordance with the provisions of Va. Code § 15.2-2272(2);

By Agency Head

[Signature]

By County Manager

[Signature]

Routing:

Yellow to:

Real Property

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Copy to:

Date:

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

Agenda Item No. 28-10
Page No. 2 of 2

Agenda Title

**ORDINANCE - Vacation of Unimproved Portion of Alley – Larchmont -
Varina District**

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

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



AREA TO BE VACATED

LARCHMONT

SCALE 1"=100'
PLAT BOOK 13 PAGE 45

EXHIBIT "A"

SECTION 10-15-
FAIRFAC
9-B2-25

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

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 underground electric line across County land near the intersection of Hungary Spring Road with Shrader Road. The land is a former well lot acquired from Sydnor Hydrodynamics in 2007. The easement will allow VEPCO to provide a second source of electric power to the area to increase reliability of its services. The easement will not interfere with any potential use of the County’s land. Public Utilities and Real Property recommend approval of this action. **(Public Hearing)**



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 29-10
Page No. 1 of 1

Agenda Title **RESOLUTION - Signatory Authority - Easement Agreement for Virginia Electric and Power Company - Brookland District**

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES NO OTHER
JAN 26 2010	Moved by (1) _____ Seconded by (1) _____	Donati, J. _____
Date _____	(2) _____ (2) _____	Glover, R. _____
<input type="checkbox"/> Approved	REMARKS: _____	Kaechele, D. _____
<input type="checkbox"/> Denied	_____	O'Bannon, P. _____
<input type="checkbox"/> Amended	_____	Thornton, F. _____
<input type="checkbox"/> Deferred to _____	_____	

WHEREAS, the County of Henrico, Virginia is the owner of a parcel of land near the intersection of Hungary Spring Road with Shrader Road (the "Property"); and,

WHEREAS, Virginia Electric and Power Company ("VEPCO") has requested that the County convey an underground electric line easement across a portion of the Property, as shown on the attached Exhibit "A," to provide a second source of electric power to the area to increase reliability of its services; and,

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

WHEREAS, on January 26, 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 underground electric line easement across the Property, as shown on Exhibit "A."

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

By Agency Head _____

By County Manager _____

Routing:

Yellow to: _____

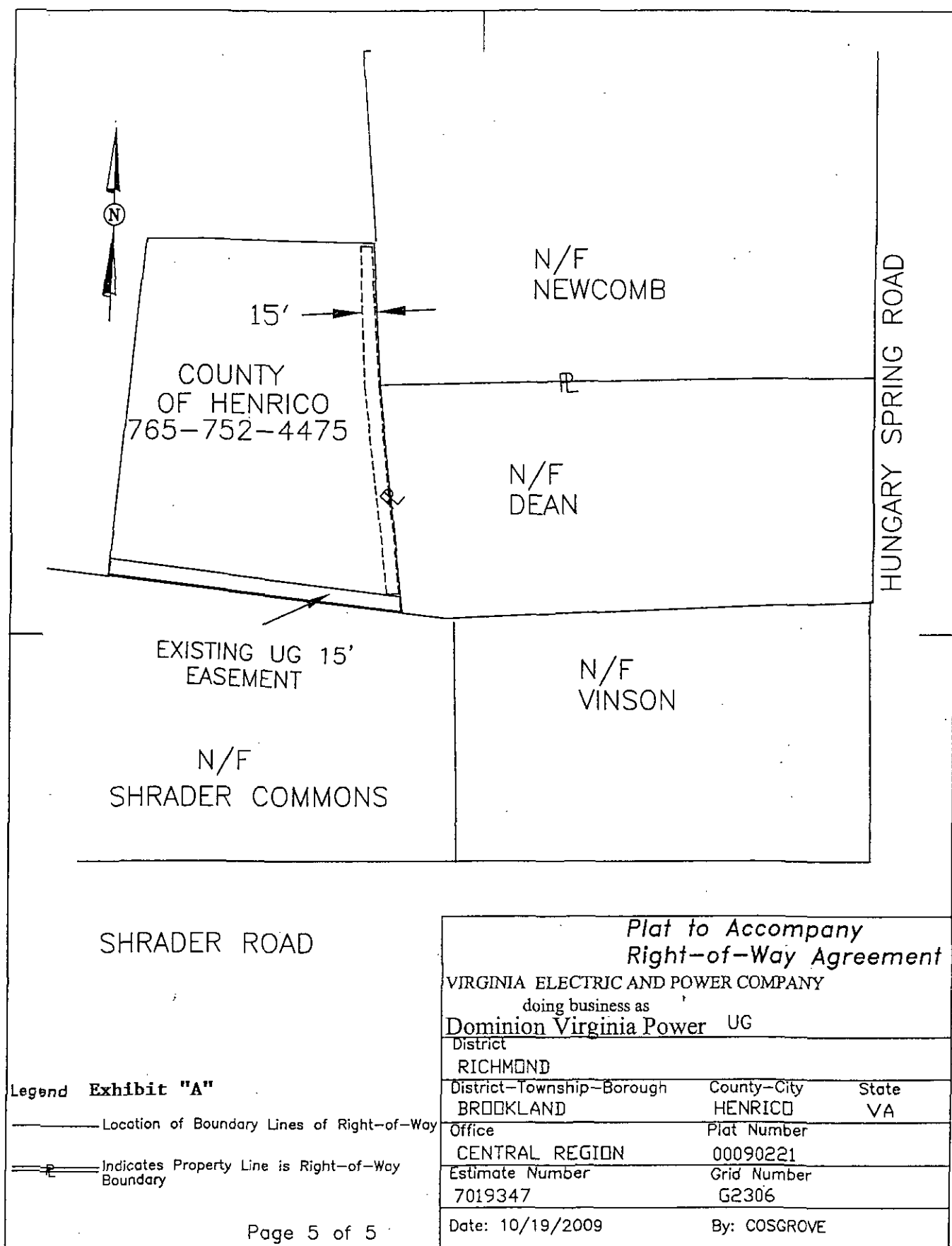
Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____



SHRADER ROAD

Legend Exhibit "A"

- 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 UG		
District RICHMOND		
District-Township-Borough BROOKLAND	County-City HENRICO	State VA
Office CENTRAL REGION	Plat Number 00090221	
Estimate Number 7019347	Grid Number G2306	
Date: 10/19/2009	By: COSGROVE	

RESOLUTION – Signatory Authority – First Amendment to Lease of County Property – 3017 Irisdale Avenue - Brookland District

The purpose of this Board Paper is to authorize the County Manager to execute a First Amendment to Lease (the “Amendment”), in a form approved by the County Attorney, for the purpose of amending a lease dated January 29, 2009, that renews for one year commencing February 1, 2010. The lease is for a County-owned home located at 3017 Irisdale Avenue and is between the County and its tenant, a *qualified applicant of the Section 8 Housing Choice Voucher Program (“Voucher Program”)* of the U.S. Department of Housing and Urban Development (“HUD”). The County has recently implemented a new one-year lease form for use with County-owned residences it leases under the Voucher Program of HUD. The County and its tenant have agreed to the Amendment that will substitute and replace the existing lease with a new one-year lease containing the new HUD lease terms (the “2010 Lease”). The 2010 Lease will have an initial one-year term to commence on February 1, 2010, with a rental payable to the County at the rate of \$1,250.00 per month. If neither party gives at least 60 days written notice prior to the end of a term, the 2010 Lease shall renew for an additional year under the terms and conditions as permitted under the 2010 Lease. The County Manager is further authorized to execute the necessary lease-related forms required by HUD. The Directors of MH/MR and Real Property recommend approval of this resolution. **(Public Hearing)**



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 30-10

Page No. 1 of 2

Agenda Title

RESOLUTION - Signatory Authority – First Amendment to Lease of County
Property - 3017 Irisdale Avenue – Brookland District

For Clerk's Use Only:

Date **JAN 26 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 and its tenant are parties to that certain lease dated January 29, 2009 (the "Lease"), for a County-owned home located at 3017 Irisdale Avenue that the County leases to its tenant with assistance under the Section 8 Housing Choice Voucher Program ("Voucher Program") of the U.S. Department of Housing and Urban Development ("HUD"), whereby the rights and obligations of the parties are established; and,

WHEREAS, the Lease automatically renews for one year commencing February 1, 2010; and,

WHEREAS, the County has recently implemented a new one-year lease form for use with County-owned residences it leases under the Voucher Program of HUD; and,

WHEREAS, the parties have agreed to amend the Lease (the "First Amendment to Lease") by substituting and replacing the Lease with a new lease containing the new HUD lease terms (the "2010 Lease"), whereby the new rights and obligations of the parties are to be established, and all those rights and obligations of the parties established under the Lease shall automatically terminate upon the execution and delivery of the 2010 Lease between the parties; and,

WHEREAS, the parties have agreed to have the initial one-year lease term for the 2010 Lease commence on February 1, 2010, at a rental of \$1,250.00 per month; and,

By Agency Head

[Signature]

By County Manager

AKIN

[Signature]

Routing:

Yellow to:

Real Property

Certified:

A Copy Tests:

Clerk, Board of Supervisors

Copy to:

Date:

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

Agenda Item No. 30-10

Page No.

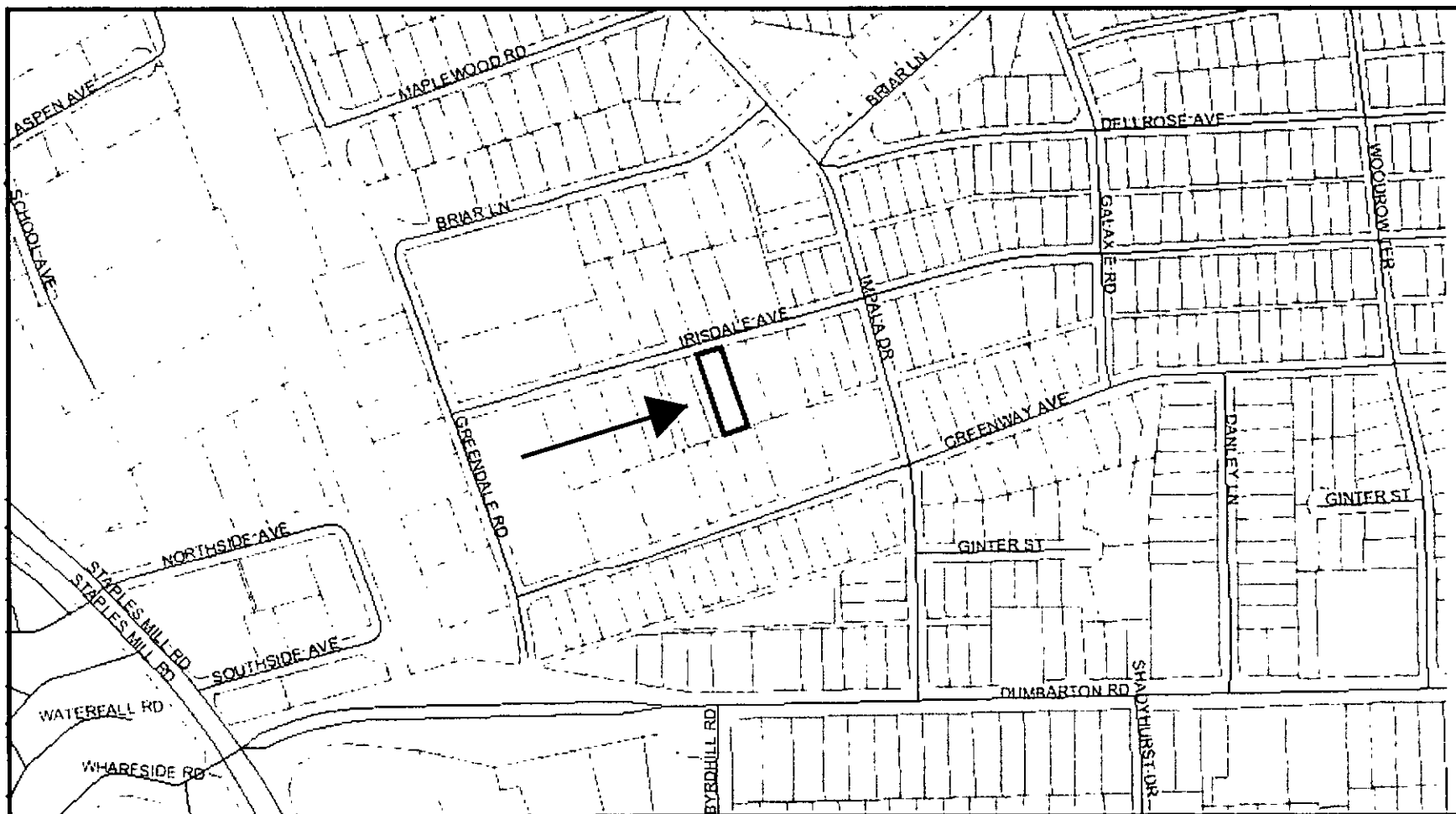
2 of 2

**Agenda Title RESOLUTION - Signatory Authority – First Amendment to Lease of County
Property – 3017 Irisdale Avenue – Brookland District**

WHEREAS, on January 26, 2010, the Board of Supervisors of Henrico County, Virginia held an advertised public hearing on this Resolution pursuant to Sections 15.2-1800 and 15.2-1813 of the Code of Virginia, 1950, as amended.

NOW, THEREFORE, BE IT RESOLVED by the Board that the County Manager is authorized to execute: (1) a First Amendment to Lease on behalf of the County, in a form approved by the County Attorney, for 3017 Irisdale Avenue for a period of one year, commencing on February 1, 2010, at a rental of \$1,250.00 per month, and (2) the necessary forms required of the County by HUD.

Comments: If neither party gives at least 60 days written notice prior to the end of a term, the 2010 Lease shall renew for an additional year under the terms and conditions as permitted under the 2010 Lease. The Directors of MH/MR and Real Property recommend approval of this action; the County Manager concurs.



VICINITY MAP
3017 IRISDALE AVENUE

RESOLUTION – Condemnation - Right-of-Way and Easements - North Gayton Road Improvements Project - Darrell H. Bowman and Marsha S. Morgan - Three Chopt District

This Board paper authorizes condemnation proceedings for property owned by Darrell H. Bowman and Marsha S. Morgan that is needed for the construction of the North Gayton Road Improvements Project.

The County needs to acquire 39,601 sq. ft. of right-of-way and 34,368 sq. ft. of permanent slope and drainage easement across the property at 12520 Bacova Drive identified as Tax Map Parcel 735-766-2261, and 470 sq. ft. of right-of-way and 1,334 sq. ft. of permanent slope and drainage easement across the property at 12416 Bacova Drive identified as Tax Map Parcel 735-766-0319. The County has made a bona fide offer of \$291,524 that has been rejected by the owners.

The Board paper directs the County Manager to take the necessary steps to acquire the necessary right-of-way and easements with the right to enter the property upon the deposit of \$291,524 in the Clerk's Office of the Henrico County Circuit Court.

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. 31-10
Page No. 1 of 2

Agenda Title **RESOLUTION – Condemnation - Right-of-Way and Easements - North Gayton Road Improvements Project - Darrell H. Bowman and Marsha S. Morgan - Three Chopt District**

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES NO OTHER
JAN 26 2010	Moved by (1) _____ Seconded by (1) _____	Donati, J. _____
Date _____	(2) _____ (2) _____	Glover, R. _____
<input type="checkbox"/> Approved	REMARKS: _____	Kaechele, D. _____
<input type="checkbox"/> Denied	_____	O'Bannon, P. _____
<input type="checkbox"/> Amended	_____	Thornton, F. _____
<input type="checkbox"/> Deferred to _____	_____	

WHEREAS, it is necessary for the construction of the North Gayton Road Improvements Project (the "Project") for the County to acquire 39,601 sq. ft. of right-of-way and 34,368 sq. ft. of permanent slope and drainage easement across the property at 12520 Bacova Drive identified as Tax Map Parcel 735-766-2261, and 470 sq. ft. of right-of-way and 1,334 sq. ft. of permanent slope and drainage easement across the property at 12416 Bacova Drive identified as Tax Map Parcel 735-766-0319 (the "Right-of-Way and Easements") in the Three Chopt District owned by Darrell H. Bowman and Marsha S. Morgan (the "Owners"); and,

WHEREAS, the Board of Supervisors of Henrico County, Virginia (the "Board") 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 referred to above, and to construct the Project before the institution of condemnation proceedings; and,

WHEREAS, after advertisement in the *Richmond Times-Dispatch*, a public hearing was held by the Board 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 Owners' 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, upon, across and through the property of the Owners, as shown on a plat dated September 24, 2009, a reduced size copy of which is attached and marked Exhibit "A" and a plat dated September 29, 2009, a reduced size copy of which is attached and marked Exhibit "B";

By Agency Head _____

By County Manager _____

Routing:

Yellow to: Real Property

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. 31-10
Page No. 2 of 2

**Agenda Title RESOLUTION – Condemnation - Right-of-Way and Easements - North Gayton Road
Improvements Project - Darrell H. Bowman and Marsha S. Morgan - 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 dated January 27, 2010, a notice advising the Owners 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 Owners they have 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 amounts 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 Owners to contest the taking has run, the County Attorney shall file in the Clerk's Office of the Circuit Court a certificate signed by the Chairman and Clerk of the Board in accordance with the Code and shall deposit with the Clerk the amounts of the bona fide offers listed below that have not been accepted by the Owners:

DARRELL H. BOWMAN AND MARSHA S. MORGAN

AS TO 12416 BACOVA DRIVE - \$2,023

AS TO 12520 BACOVA DRIVE - \$289,501;

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.

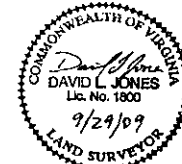
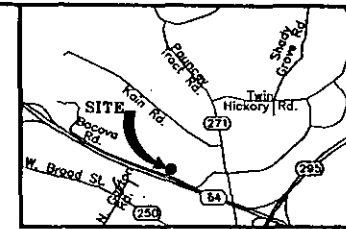
Comments: The Real Property Department has been unsuccessful in negotiating a settlement for the acquisition of the Right-of-Way and Easements. Therefore, the Directors of Public Works and Real Property recommend approval of this Board paper, and the County Manager concurs.

GPIN	LAND OWNER	D.B./PG.	Right-of-Way Acquisition	Permanent Slope & Drainage Easement	Temporary Construction Easement
736-766-0319	DARRELL H. BOWMAN & MARSHA S. MORGAN	3668/2368	470 sq. ft.	1,334 sq. ft.	0 sq. ft.

Now or Formerly
BLANCHE N. ALVIS
 12456 Bacova Dr.
 GPIN #736-766-7333

**DARRELL H. BOWMAN
 & MARSHA S. MORGAN**
 12416 Bacova Dr.
 D.B. 3668 PG. 2368
 GPIN #736-766-0319
 3.5 Ac.

Now or Formerly
BLANCHE C. ALVIS et al. TRUST
 12390 Bacova Dr.
 GPIN #736-765-2998



Notes:

1. 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.
2. Proposed right-of-way, permanent easements, and temporary construction easements are based on files provided by AECOM received: 09/15/09.
3. Acreage tabulations, if provided, are based on information provided by Henrico County Real Estate assessments and may not necessarily agree with computed areas or recorded deeds.
4. Meridian Source: Virginia State Plane Coordinate System South Zone, Grid North, Based On Henrico County Geodetic Control.

ACQUISITION PLAT SHOWING RIGHT-OF-WAY
 AND PERMANENT SLOPE & DRAINAGE EASEMENT
 ON THE PROPERTY OF
**DARRELL H. BOWMAN
 & MARSHA S. MORGAN**
 THREE CHOPT MAGISTERIAL DISTRICT
 HENRICO COUNTY, VIRGINIA



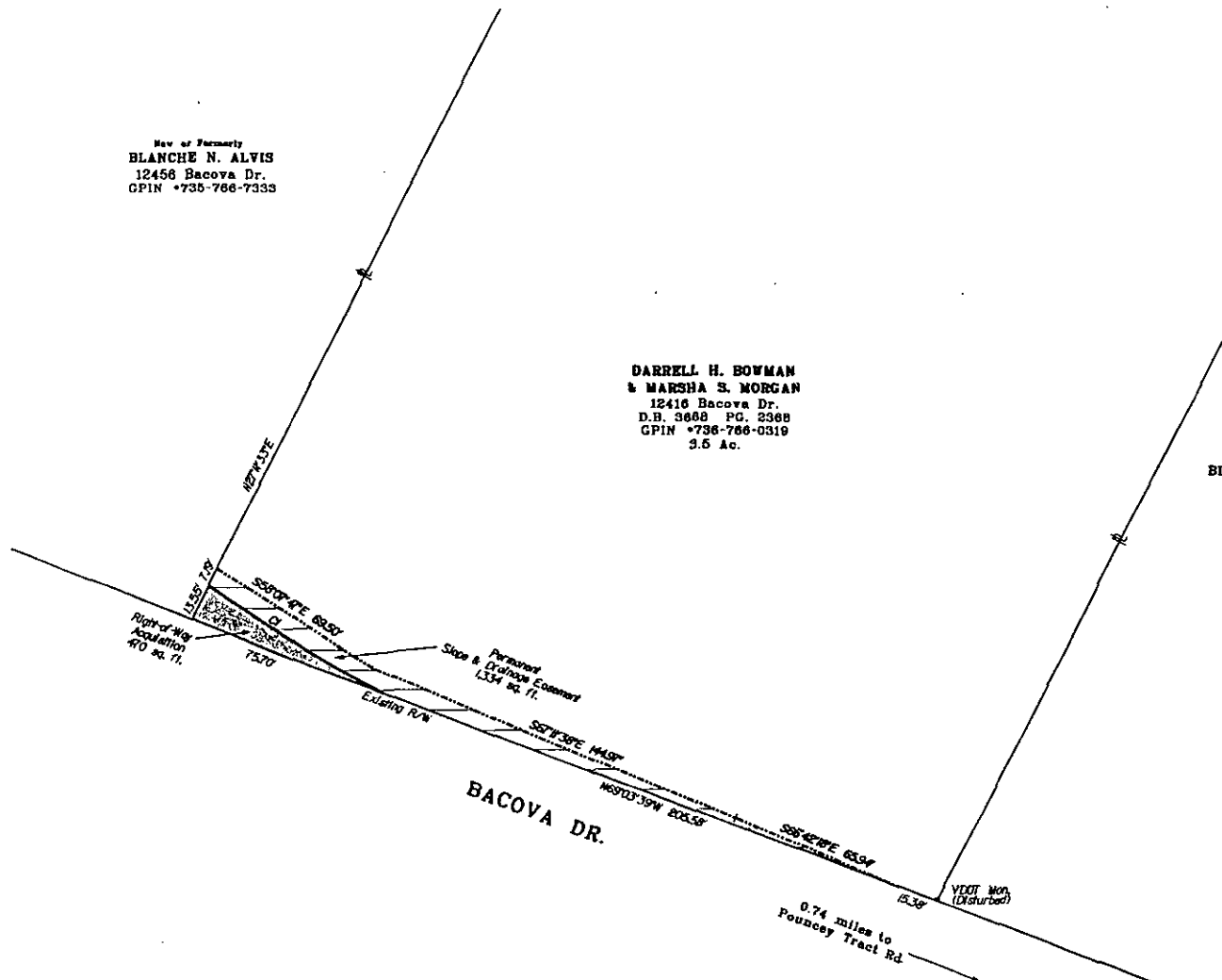
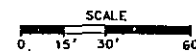
RMD Engineers, Surveyors
 & Construction Managers
 114 east cary street, suite 200
 richmond, virginia 23219
 (804) 644-4600

FILE NAME	SCALE	DATE	JOB NO.	SHEET NO.
015	1"=30'	Sept. 24, 2009	0710007L	1 of 1

Exhibit "A"

Delta	Radius	Length	Tangent	Chord	Chord Bearing
CI 04°4'26"	902.50'	75.46'	37.75'	75.44'	S58°46'38"E

- Right-of-Way Acquisition
- Permanent Slope & Drainage Easement



GPIN	LAND OWNER	D.B./PG.	Right-of-Way Acquisition	Permanent Slope & Drainage Easements
735-766-2261	DARRELL H. BOWMAN & MARSHA MORGAN	3791/310	39,601 sq. ft.	34,368 sq. ft.

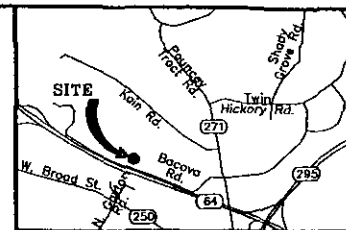
Curve Table

Curve	Delta	Radius	Length	Tangent	Chord	Chord Bearing
C1	08°23'08"	969.50'	141.89'	71.07'	141.77'	S59°37'43"E
C2	08°11'49"	902.50'	129.12'	64.67'	129.00'	N58°02'14"W

Now or Formerly
BOYD C. JONES
 12540 Bacova Dr.
 GPIN #734-786-9874

**DARRELL H. BOWMAN
 & MARSHA MORGAN**
 12520 Bacova Dr.
 D.B. 3791 PG. 310
 GPIN #735-766-2261
 3.98 Ac.

Now or Formerly
BLANCHE N. ALVIS
 12500 Bacova Dr.
 GPIN #735-766-4550



VICINITY MAP - NOT TO SCALE

Exhibit "B"

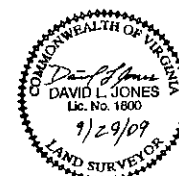
Notes:

- 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.
- 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.

BACOVA DR.

- Right-of-Way Acquisition
- Permanent Slope & Drainage Easement

SCALE
 0 20' 40' 80'



ACQUISITION PLAT SHOWING RIGHT-OF-WAY AND
 PERMANENT SLOPE & DRAINAGE EASEMENTS
 ON THE PROPERTY OF
**DARRELL H. BOWMAN
 & MARSHA MORGAN**
 THREE CHOPT MAGISTERIAL DISTRICT
 HENRICO COUNTY, VIRGINIA



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

FILE NAME	SCALE	DATE	JOB NO.	SHEET NO.
011	1"=40'	Sept. 29, 2009	0710007L	1 of 1

RESOLUTION - Signatory Authority - Quitclaim of Portions of Drainage and Utility Easement – Gayton Terrace - Tuckahoe District

Approval of this resolution will authorize the Chairman and Clerk of the Board of Supervisors to execute a Quitclaim Deed, in a form approved by the County Attorney, releasing the County's interest in portions of a drainage and utility easement acquired in 1986 at the present site of Gayton Terrace. The County facilities in the existing easement were relocated to allow for construction of a building and parking lot. The owner of the land, CSH-ING Gayton Terrace, LP, a Delaware limited partnership, previously conveyed to the County, at no cost, a replacement easement for the relocated facilities. The owner has now requested the original portion of the easement be quitclaimed. The Real Property Department has processed this request through the Departments of Public Works, Public Utilities and Planning without objection. The Directors of Public Works, Public Utilities and Real Property recommend approval of this action. **(Public Hearing)**



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 32-10
Page No.

1 of 2

Agenda Title

RESOLUTION - Signatory Authority - Quitclaim of Portions of Drainage and Utility Easement - Gayton Terrace - Tuckahoe District

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES NO OTHER
Date: JAN 26 2010	Moved by (1) _____ Seconded by (1) _____	Donati, J. _____
<input type="checkbox"/> Approved	(2) _____ (2) _____	Glover, R. _____
<input type="checkbox"/> Denied	REMARKS: _____	Kaechele, D. _____
<input type="checkbox"/> Amended	_____	O'Bannon, P. _____
<input type="checkbox"/> Deferred to _____	_____	Thornton, F. _____

WHEREAS, by Deed of Easement dated December 30, 1986, and recorded in Deed Book 2048, page 891, in the Clerk's Office of the Circuit Court of the County of Henrico, Virginia (the "Clerk's Office") Hearthstone Associates, LTD, a Virginia limited partnership, conveyed to the County of Henrico, Virginia a permanent drainage and utility easement (the "Easement") across land at Gayton Terrace; and,

WHEREAS, because additional improvements were made to Gayton Terrace which encroached within areas of the Easement, the current owner of the land, CSH-ING Gayton Terrace LP, a Delaware limited partnership, (the "Owner"), at no cost to the County in 2007 conveyed a new easement and relocated portions of the drainage and utility facilities; and,

WHEREAS, the County no longer needs the portions of the original Easement as shown cross-hatched and labeled "Exist. 16' Easement for Drainage & Utilities To County Of Henrico To Be Quitclaimed, D.B. 2048, Pg. 891" on the plat attached and marked as Exhibit "A" and the Owner has requested they be quitclaimed to Owner; and,

WHEREAS, this resolution was advertised pursuant to Section 15.2-1813 of the Code of Virginia, 1950, as amended, and a public hearing was held on January 26, 2010.

By Agency Head

By County Manager

Routing:

Yellow to: Real Property

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. 32-10
Page No. 2 of 2

Agenda Title **RESOLUTION - Signatory Authority - Quitclaim of Portions of Drainage and
Utility Easement - Gayton Terrace - Tuckahoe District**

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the Chairman and Clerk are authorized to execute a Deed of Quitclaim, in a form approved by the County Attorney, releasing unto the Owner, its successors or assigns, all claims or interests of the County in and to the portions of the Easement as shown cross-hatched and labeled "Exist. 16' Easement For Drainage & Utilities To County Of Henrico To Be Quitclaimed, D.B. 2048, Pg. 891" on the attached Exhibit "A."

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

RESOLUTION — Authorization to Apply to Amend the Boundaries of the City of Richmond North Enterprise Zone within Henrico County to Add and Delete Properties and Various Rights-of-Way and to Amend the Paving Grant Incentive

This resolution authorizes the County Manger to submit an application to the Virginia Department of Housing and Community Development to amend the City of Richmond North Enterprise Zone boundaries within the County to add areas generally along Quioccasin Road, North Parham Road, Starling Drive, Villa Park Drive, South Laburnum Avenue, Eastport Boulevard, and Byron Street, and to delete residential properties along Hilliard Road and various rights-of-way. The proposed amendment would also permit the County to revise the existing Paving Grant Incentive to allow for the sealing and striping of existing parking areas.

The City of Richmond is expected to adopt a resolution on February 22, 2010, in support of the application, as required by Virginia Enterprise Zone Program requirements.

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



1

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

Agenda Item No. **33-10**
Page No. 1 of 2

Agenda Title: RESOLUTION — Authorization to Apply to Amend the Boundaries of the City of Richmond North Enterprise Zone within Henrico County to Add and Delete Properties and Various Rights-of-Way and to Amend the Paving Grant Incentive

For Clerk's Use Only:

Date **JAN 26 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, E. _____

WHEREAS, the Virginia Enterprise Zone Act (the "Act") authorizes the creation of enterprise zones in the Commonwealth of Virginia (the "Commonwealth") to stimulate economic development; and,

WHEREAS, the Act defines an enterprise zone as an economically distressed, distinct geographical area of a county, city or town designated by the Commonwealth; and,

WHEREAS, the City of Richmond North Enterprise Zone (the "Zone") was created on January 1, 1995, to include portions of the City of Richmond (the "City") in the Zone; and,

WHEREAS, the Commonwealth subsequently re-designated the Zone to add areas along Broad Street and Nine Mile Road in the County, effective April 15, 2003; and,

WHEREAS, the Commonwealth subsequently re-designated the Zone to add areas along Lakeside Avenue, Staples Mill Road, Hilliard Road, and Brook Road in the County, effective July 20, 2004; and,

WHEREAS, the Commonwealth subsequently re-designated the Zone to add areas along Staples Mill Road, Laburnum Avenue, Mechanicsville Turnpike, Nine Mile Road, Audubon Drive, and Williamsburg Road, and added a County incentive for Off-Site Improvements, effective June 20, 2006; and,

WHEREAS, the Commonwealth subsequently re-designated the Zone to add areas along East Laburnum Avenue, South Laburnum Avenue, Richmond-Henrico Turnpike, Hungary Road, Woodman Road, Quioccasin Road, and the Regency Square area, and added new County incentives for paving, landscaping, demolition, and façade improvements for existing businesses, effective March 3, 2008; 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. **33-10**
Page No. 2 of 2

Agenda Title: RESOLUTION — Authorization to Apply to Amend the Boundaries of the City of Richmond North Enterprise Zone within Henrico County to Add and Delete Properties and Various Rights-of-Way and to Amend the Paving Grant Incentive

WHEREAS, each participating locality in joint enterprise zones may amend the application relating specifically to the locality within twelve months of its last amendment application; and,

WHEREAS, the County wishes to change the Zone in the County by adding properties generally along Quioccasin Road, North Parham Road, Starling Drive, Villa Park Drive, South Laburnum Avenue, Eastport Boulevard and Byron Street and deleting properties along Hilliard Road along with various rights-of-way; and,

WHEREAS, the County also wishes to amend the existing County paving incentive to include the sealing and striping of existing parking areas; and,

WHEREAS, the County must apply for Zone amendments jointly with the City; and,

WHEREAS, County staff has advertised and conducted a public hearing on December 3, 2009, as required by the Act's program requirements.

NOW, THEREFORE, BE IT RESOLVED that the Henrico County Board of Supervisors (1) endorses and approves the submission of an application to the Virginia Department of Housing and Community Development for amendment of the Zone areas within the County and to amend the County paving grant incentive and (2) authorizes the County Manager to submit the application and all necessary supporting information and to carry out all program administrative and reporting requirements.

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

Resolution – Authorization to Accept Grant Funding in the Amount of \$2,870 through the Virginia Department of Fire Programs Training Mini-Grant Program

This Board paper authorizes the County Manager, on behalf of the County of Henrico Division of Fire, to accept grant funding totaling \$2,870.00 through the Virginia Department of Fire Programs Training Mini-Grant program. The grant, which does not require a local match, will be used for the purchase of one fire service grade artificial smoke generator for the purpose of enhancing the Division's Fire Training Section's ability to offer realistic and cost effective low visibility fire service training.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 34-10

Page No. 1

Agenda Title: **RESOLUTION – Authorization to Accept Grant Funding in the Amount of \$2,870 through the Virginia Department of Fire Programs Training Mini-Grant Program**

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES	NO	OTHER
Date: <u>JAN 23 2010</u>	Moved by (1) _____ Seconded by (1) _____ (2) _____ (2) _____			
() Approved () Denied () Amended () Deferred to: _____	REMARKS: _____ _____ _____			

	YES	NO	OTHER
Donati, J.	_____	_____	_____
Glover, R.	_____	_____	_____
Kaechele, D.	_____	_____	_____
O'Bannon, P.	_____	_____	_____
Thornton, F.	_____	_____	_____

WHEREAS, the Division of Fire wishes to accept \$2,870 in grant funding from the Virginia Department of Fire Programs Training Mini-Grant program which is administered by the Commonwealth of Virginia through the Virginia Department of Fire Programs; and

WHEREAS, the grant, which requires no local match, will be used by the Division of Fire's Training Section for the purchase of one fire service grade artificial smoke generator for the purpose of enhancing the Division's Fire Training Section's ability to offer realistic and cost effective low visibility fire service training.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County authorizes the County Manager to accept \$2,870.00 in grant funding from the Virginia Department of Fire Programs Training Mini-Grant program as administered by the Commonwealth of Virginia through the Virginia Department of Fire Programs.

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

By Agency Head

John H. Smith

By County Manager

Annab
Pat K. R.

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

RESOLUTION – Authorization to Accept \$700 in Grant Funding from the Radiological Preparedness and Response Program Administered through the Virginia Department of Emergency Management

This Board paper authorizes the County Manager to accept \$700 in grant funding from the Radiological Preparedness and Response Program administered through the Virginia Department of Emergency Management. The grant, which requires no local match, will be used by the Division of Fire to purchase amateur radio equipment for placement in key fire station locations to augment and support existing communications capability in the County during emergencies.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 35-10

Page No. 1

Agenda Title: RESOLUTION – Authorization to Accept \$700 in Grant Funding from the Radiological Preparedness and Response Program Administered through the Virginia Department of Emergency Management

or Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES	NO	OTHER
JAN 26 2010 Date:	Moved by (1) _____ Seconded by (1) _____ (2) _____ (2) _____			
<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	REMARKS: _____ _____ _____			

	YES	NO	OTHER
Donati, J.	_____	_____	_____
Glover, R.	_____	_____	_____
Kaechele, D.	_____	_____	_____
O'Bannon, P.	_____	_____	_____
Thornton, F.	_____	_____	_____

WHEREAS, the Division of Fire wishes to accept a grant provided by Virginia Dominion Power and administered by the Virginia Department of Emergency Management's Radiological Preparedness and Response Program; and

WHEREAS, this grant, which requires no local match, will be used by the Division of Fire to purchase amateur radio equipment for placement in key fire station locations to augment and support existing communications capability in the County during emergencies.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County authorizes the County Manager to accept grant funding totaling \$700 from the Virginia Department of Emergency Management's Radiological Preparedness and Response Program.

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

By Agency Head

Edmund M. Smith

By County Manager

Paul K. [Signature]

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

CONCURRENT RESOLUTION – Approval of Name Change: Henrico Area Mental Health & Retardation Services Board to Henrico Area Mental Health & Developmental Services Board

Over the last few years, there has been a nationwide effort to address concerns raised by consumers and family members about the negative connotation and stigmatizing nature of the term “mental retardation.” The national group, the American Association on Mental Retardation, changed its name to the American Association of Intellectual and Developmental Disabilities. The Associations of Retarded Citizens around the country became simply the “ARC” and, as of July 1, 2009, the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services became the Virginia Department of Behavioral Health and Developmental Services.

The Henrico Area Mental Health & Retardation Services Board has been working to recommend a new name which will eliminate the word “retardation.” After consulting various stakeholders, the Henrico Area Mental Health & Retardation Services Board voted at its September 17, 2009 meeting to recommend to the Boards of Supervisors in Henrico, New Kent and Charles City that the name of the Services Board be changed to Henrico Area Mental Health & Developmental Services Board. The Executive Director of Henrico Area Mental Health & Retardation Services recommends that the name change become effective March 1, 2010.

The Henrico County Attorney has indicated that the recommendation is compatible with the applicable sections of the Code of Virginia.

The Charles City Board of Supervisors adopted the Resolution on November 24, 2009; the New Kent Board of Supervisors adopted it on December 14, 2009.



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

Agenda Item No. **36-16**

Page No. 1 of 1

Agenda Title: CONCURRENT RESOLUTION – Approval of Name Change: Henrico Area Mental Health & Retardation Services Board to Henrico Area Mental Health & Developmental Services Board

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES NO OTHER
Date: JAN 26 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: _____ _____ _____	

WHEREAS, on June 11, 1969, the Board of County Supervisors of Henrico County, Virginia established the Henrico County Community Mental Health and Mental Retardation Services Board, pursuant to Chapter 10 of Title 37.1 of the Code of Virginia, 1950, as amended; and

WHEREAS, on June 27, 1973, the Boards of Supervisors of Henrico, New Kent and Charles City Counties (the "three Boards") established a Community Mental Health and Mental Retardation Services Board to serve the needs of the three counties, pursuant to Chapter 10 of Title 37.1 of the Code of Virginia, 1950, as amended; and

WHEREAS, on May 26, 1982, the three Boards, by resolution, changed the name of the Services Board to the Henrico Area Mental Health & Retardation Services Board; and

WHEREAS, the Henrico Area Mental Health & Retardation Services Board recommends to the three Boards that the name of the Services Board be changed to Henrico Area Mental Health & Developmental Services Board.

NOW, THEREFORE, BE IT RESOLVED by the three Boards, in separate meetings, that effective March 1, 2010, Henrico Area Mental Health & Developmental Services Board be established as the name of the citizens' board which was established pursuant to Chapter 10 of Title 37.1 of the Code of Virginia and continued pursuant to Chapter 5 of Title 37.2 of the Code of Virginia.

Comments: The Executive Director of Henrico Area Mental Health & Retardation Services 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: _____

RESOLUTION – Approval of Name Change of the Department Providing Mental Health, Mental Retardation and Substance Abuse Services to Henrico Area Mental Health & Developmental Services

The Boards of Supervisors of New Kent and Charles City Counties recently approved a concurrent resolution to change the name of Henrico Area Mental Health & Retardation Services Board to Henrico Area Mental Health & Developmental Services Board effective March 1, 2010. The concurrent resolution will be considered by the Henrico County Board of Supervisors at its January 26 meeting. The Services Board has also recommended to the Board of Supervisors that the name of the County department providing mental health, mental retardation and substance abuse services be changed to Henrico Area Mental Health & Developmental Services. This Resolution establishes Henrico Area Mental Health & Developmental Services as the name of the County department providing mental health, mental retardation and substance abuse services.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 37-10
Page No. 1 of 1

Agenda Title: **RESOLUTION – Approval of Name Change of the Department Providing Mental Health, Mental Retardation and Substance Abuse Services to Henrico Area Mental Health & Developmental Services**

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES	NO	OTHER
JAN 26 2010	Moved by (1) _____ Seconded by (1) _____			
Date: _____	(2) _____ (2) _____			
<input type="checkbox"/> Approved	REMARKS: _____	Donati, J. _____		
<input type="checkbox"/> Denied		Glover, R. _____		
<input type="checkbox"/> Amended		Kaechele, D. _____		
<input type="checkbox"/> Deferred to: _____		O'Bannon, P. _____		
		Thornton, F. _____		

WHEREAS, the Boards of Supervisors of Henrico, New Kent and Charles City Counties approved a concurrent resolution changing the name of Henrico Area Mental Health & Retardation Services Board to Henrico Area Mental Health & Developmental Services Board effective March 1, 2010; and

WHEREAS, under the County Manager Act, the Board of Supervisors of Henrico County (the "Board of Supervisors") has the power to establish all necessary departments of the County government; and

WHEREAS, the Services Board recommends to the Board of Supervisors that the name of the County department providing mental health, mental retardation and substance abuse services be changed to Henrico Area Mental Health & Developmental Services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that effective March 1, 2010, the name of the County department providing mental health, mental retardation and substance abuse services be Henrico Area Mental Health & Developmental Services.

Comments: The Executive Director of Henrico Area Mental Health & Retardation Services 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: _____

RESOLUTION - Signatory Authority - Acquisition of Real Property – Bacova Drive – Three Chopt District

Approval of this resolution will authorize the County Manager to execute an agreement, in a form approved by the County Attorney, between Boyd C. Jones and the County of Henrico, Virginia for the acquisition of the real property containing 6.8 acres, more or less, located at 12540 Bacova Drive for the North Gayton Road Improvements Project lying in the County's Three Chopt District. The Directors of Public Works and Real Property recommend approval of this action.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 38-10
Page No. 1 of 1

Agenda Title

RESOLUTION - Signatory Authority - Acquisition of Real Property - Bacova Drive - Three Chopt District

For Clerk's Use Only:

Date **JAN 26 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 needs to acquire a portion of land containing 6.8 acres, more or less, owned by Boyd C. Jones (the "Seller") for the North Gayton Road Improvements Project lying in the Three Chopt Magisterial District; and,

WHEREAS, the acquisition of this portion of land and permanent easements for slope and drainage will leave the Seller with uneconomic remnants on both sides of the proposed road; and,

WHEREAS, the Seller has agreed to convey all the land containing 6.8 acres, more or less (the "Property") to the County for the sum of \$525,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County, Virginia that: (1) the County Manager is authorized and directed to execute an agreement, in a form approved by the County Attorney, by and between the Seller and the County, for the purchase of the Property for the sum of \$525,000.00 and other considerations and conditions as specified in the agreement; (2) the County Attorney is directed to cause title to the Property to be examined; (3) the County Manager is authorized, upon approval of the title to the Property by the County Attorney, to accept the deed to the Property, in a form approved by the County Attorney; and (4) the County Manager and the County Attorney are authorized to undertake all additional administrative and legal actions necessary to acquire title to the Property.

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

By Agency Head

[Signature]

By County Manager

[Signature]

Routing:

Yellow to:

Real Property

Copy to:

Certified:

A Copy Tests:

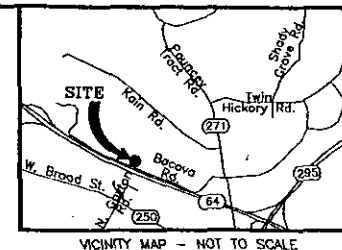
Clerk, Board of Supervisors

Date:



VICINITY MAP
12540 BACOVA
DRIVE

GPN	LAND OWNER	D.B./P.G.	Right-of-Way Acquisition	Permanent Slope & Drainage Easements	Temporary Construction Easements
734-766-9974	BOYD C. JONES	2796/48	9,626 sq. ft. +/-	11,730 sq. ft. +/-	15,254 sq. ft. +/-



Line Table

L1	N59°24'33"E	3.37'
L2	S41°34'43"E	5.53'
L3	S41°34'43"E	25.97'
L4	S41°34'43"E	31.43'
L5	S69°48'09"E	7.00'
L6	S35°18'40"W	29.54'
L7	S00°03'12"E	26.89'
L8	S00°03'12"E	19.99'
L9	S00°03'12"E	45.84'
L10	N69°42'23"W	15.89'
L11	N69°42'23"W	33.51'
L12	N69°42'23"W	49.40'
L13	S81°32'52"W	16.00'
L14	S68°42'23"E	33.30'
L15	S68°42'23"E	16.17'
L16	S68°42'23"E	49.41'
L17	S87°08'21"W	29.85'
L18	S87°08'21"W	24.32'
L19	S27°03'30"E	42.83'
L20	S27°03'30"E	21.93'
L21	S62°40'49"E	25.51'
L22	S16°52'27"W	13.93'
L23	N62°40'49"W	19.77'

Curve Table

Delta	Radius	Length	Tangent	Chord	Chord Bearing
C1	0738'18"	902.50'	25.81'	25.81'	S78°26'04"E
C2	0555'49"	890.50'	92.15'	46.12'	S65°31'25"E
C3	1438'53"	951.50'	244.79'	244.13'	N69°34'43"W

Now or Formerly
HELEN LONG PAYNE
12800 Bacova Rd.
GPN #734-767-2531

BOYD C. JONES
12540 Bacova Rd.
D.B. 2796, P.G. 48
GPN #734-766-9974.
6.6 Ac.

Now or Formerly
DARRELL H. BOWMAN & MARSHA MORGAN
12820 Bacova Rd.
GPN #734-766-2281

Now or Formerly
BLANCHE N. ALVIS & ROBERT C. JOHNSON, TRUSTEES
GPN #736-766-7185

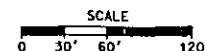
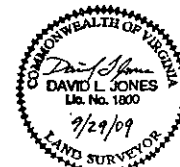
Notes:

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

ACQUISITION PLAT SHOWING RIGHT-OF-WAY, TEMPORARY CONSTRUCTION EASEMENTS, AND PERMANENT SLOPE AND DRAINAGE EASEMENTS ON THE PROPERTY OF
BOYD C. JONES
THREE CHOPT MAGISTERIAL DISTRICT
HENRICO COUNTY, VIRGINIA

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

FILE NAME	SCALE	DATE	JOB NO.	SHEET NO.
010	1"=60'	Sept. 24, 2009	0710007L	1 of 1



- Right-of-Way Acquisition
- Permanent Slope & Drainage Easement
- Temporary Construction Easement

**RESOLUTION – Signatory Authority – Encroachment Letter Agreement –
Virginia Electric and Power Company - Varina District**

Approval of this resolution will authorize the County Manager to execute, in a form approved by the County Attorney, an encroachment letter agreement with Virginia Electric and Power Company (“VEPCO”) allowing the County to maintain a sewer line in a VEPCO transmission line easement. A portion of the sewer line easement to be dedicated to the County by the Four Mile Run, Section I, subdivision plat, crosses the transmission line easement. The developer, Fon-Saw, LLC, has previously executed an encroachment letter agreement with VEPCO; however, the agreement is not assignable and a separate agreement is needed for the County to maintain the sewer line once it is accepted into the County’s sewer system. The Directors of Public Utilities and Real Property recommend approval of this paper, and the County Manager Concurs.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 39-10

Page No.

1 of 1

Agenda Title

RESOLUTION - Signatory Authority - Encroachment Letter Agreement - Virginia Electric & Power Company - Varina District

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES NO OTHER
Date JAN 26 2010	Moved by (1) _____ Seconded by (1) _____	Donati, J. _____
<input type="checkbox"/> Approved	(2) _____ (2) _____	Glover, R. _____
<input type="checkbox"/> Denied	REMARKS: _____	Kaechele, D. _____
<input type="checkbox"/> Amended	_____	O'Bannon, P. _____
<input type="checkbox"/> Deferred to _____	_____	Thornton, F. _____

WHEREAS, Fon-Saw, LLC, a Virginia limited liability company, is the owner of a parcel of land being developed as Four Mile Run, Section I; and,

WHEREAS, a portion of the sewer easement to be dedicated to the County of Henrico, Virginia by the subdivision plat for Four Mile Run, Section I, will cross an electric transmission line easement owned by Virginia Electric and Power Company ("VEPCO") as shown on the attached exhibit; and,

WHEREAS, VEPCO requires that the County enter into an Encroachment Letter Agreement in order for the County to maintain the sewer facilities after installation by the developer and acceptance into the County's sewer system.

NOW, THEREFORE, BE IT RESOLVED that the County Manager is authorized and directed to execute the Encroachment Letter Agreement, in a form approved by the County Attorney, for the maintenance of the proposed sewer facilities.

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

By Agency Head

[Signature]

By County Manager

[Signature]

Routing:

Yellow to:

Real Property

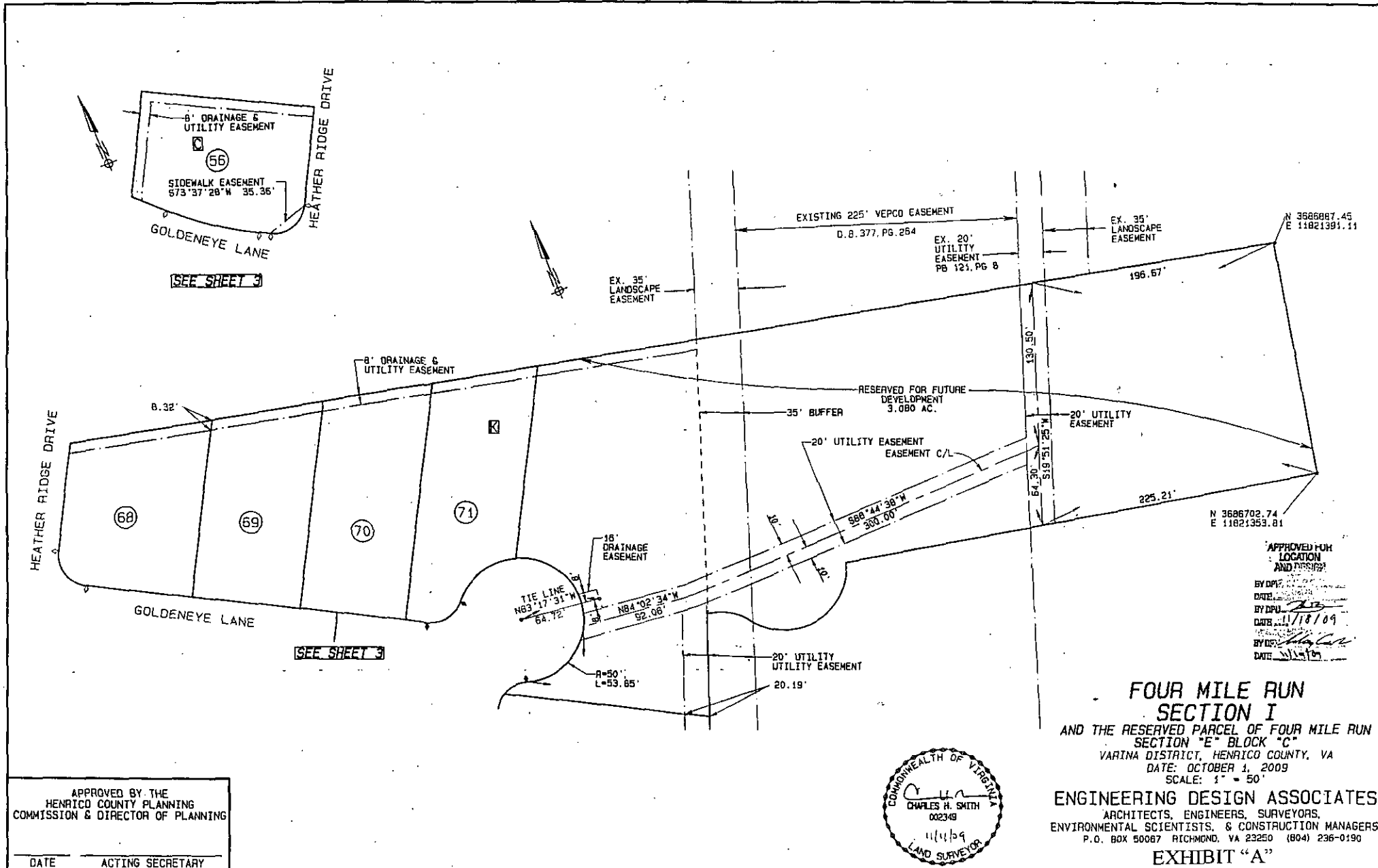
Copy to:

Certified:

A Copy Tests:

Clerk, Board of Supervisors

Date:



APPROVED FOR LOCATION AND PLACING
 BY DPT
 DATE
 BY DPT
 DATE 11/18/09
 BY DPT
 DATE

FOUR MILE RUN SECTION I
 AND THE RESERVED PARCEL OF FOUR MILE RUN SECTION "E" BLOCK "C"
 VARINA DISTRICT, HENRICO COUNTY, VA
 DATE: OCTOBER 1, 2009
 SCALE: 1" = 50'
ENGINEERING DESIGN ASSOCIATES
 ARCHITECTS, ENGINEERS, SURVEYORS,
 ENVIRONMENTAL SCIENTISTS, & CONSTRUCTION MANAGERS
 P.O. BOX 50087 RICHMOND, VA 23250 (804) 236-0190
EXHIBIT "A"

APPROVED BY THE
 HENRICO COUNTY PLANNING
 COMMISSION & DIRECTOR OF PLANNING
 DATE _____ ACTING SECRETARY _____

**RESOLUTION — Award of Construction Contract — Henrico County Water Reclamation Facility
Primary Settling Basin Nos. 1 - 6 Rehabilitation – Shaw Construction Corporation**

This resolution would award a contract in the amount of \$428,500 to Shaw Construction Corporation for the Water Reclamation Facility Primary Settling Basin Nos. 1 - 6 Rehabilitation Project located in the Varina District.

The project includes rehabilitation of six primary clarifiers by replacing the flow regulating weirs as well as repairing and re-coating the concrete wall sections of the effluent channel. The project also includes installation of an access ladder and roof top fall protection system at the Solids Handling Building.

The purpose of the project is to extend the service life of the existing primary settling basins and to provide necessary safety facilities on the Solids Handling Building. The work will begin in April 2010 and be completed by April 2011. Funding to support the contract is available within the Water and Sewer Revenue Fund.

Bids were opened on November 13, 2009. The bidders and bid amounts are as follows:

<u>BIDDERS</u>	<u>TOTAL BID AMOUNT</u>
Shaw Construction Corporation Williamsburg, VA	\$ 428,580.00
T A Loving Company Goldsboro, NC	\$ 460,000.00
Qualicon Corp. Virginia Beach, VA	\$ 568,251.00
MEB General Contractors Chesapeake, VA	\$ 608,500.00
Southwood Builders, Inc. Ashland, VA	\$ 632,265.00
Superior Industrial Maintenance Company, Inc. Concord, NC	\$ 722,479.50
Spensieri Painting, LLC Haines City, FL	\$ 870,700.00
Jireh Construction Company Richmond, VA	\$1,223,848.00

The Directors of Public Utilities and General Services recommend the Board award the contract to Shaw Construction Corporation, the lowest responsive and responsible bidder, and authorize the County Manager, or the Director of General Services as his designee, to execute change orders not to exceed 15% of the original contract amount, and the County Manager concurs.



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

Agenda Item No. 40-10

Page No.

Agenda Title: RESOLUTION – Award of Construction Contract – Henrico County Water Reclamation Facility Primary Settling Basin Nos. 1 - 6 Rehabilitation – Shaw Construction Corporation

For Clerk's Use Only:

Date: **JAN 26 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, eight bids were received on November 12, 2009 in response to Bid Request No. 09-8720-10CE for the Henrico County Water Reclamation Facility Primary Settling Basin Nos. 1 - 6 Rehabilitation Project located in the Varina District; and,

WHEREAS, the project includes rehabilitation of six primary clarifiers to replace the weirs, repair and coat the concrete wall sections of the effluent channel, and installation of an access ladder and roof top fall protection system at the Solids Handling Building; and,

WHEREAS, the bids were as follows:

<u>BIDDERS</u>	<u>TOTAL BID AMOUNT</u>
Shaw Construction Corporation	\$ 428,580.00
T A Loving Company	\$ 460,000.00
Qualicon Corp.	\$ 568,251.00
MEB General Contractors	\$ 608,500.00
Southwood Builders, Inc.	\$ 632,265.00
Superior Industrial Maintenance Company, Inc.	\$ 722,479.50
Spensieri Painting, LLC	\$ 870,700.00
Jireh Construction Company	\$1,223,848.00

WHEREAS, after a review and evaluation of all bids, the Department of Public Utilities determined Shaw Construction Corporation is the lowest responsive and responsible bidder with a bid of \$428,580.00.

By Agency Head

Arthur O. Petriani

By County Manager

[Signature]

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. 40-10

Page No. 2

Agenda Title: RESOLUTION - Award of Construction Contract Henrico County Water Reclamation Facility Primary Settling Basin Nos. 1 - 6 Rehabilitation - Shaw Construction Corporation

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

1. The contract is awarded to Shaw Construction Corporation, the lowest responsive and responsible bidder, in the amount of \$428,580.00.
2. The County Manager and Clerk are authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Director of General Services as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

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

RESOLUTION — Award of Construction Contract — Route 5 Interceptor Sewer Rehabilitation

This resolution would award a contract to Tri-State Utilities Company to rehabilitate approximately 9,800 linear feet of 15- to 27- inch diameter sewer main using the cured-in-place lining method. The sewer main is located along Route 5 (New Market Road) between the I-295 interchange and Mill Road in the Varina District.

The purpose of the project is to repair the existing sewer main by lining the interior of the pipe with a cured-in-place plastic liner. The work will begin in March 2010 and will be completed by August 2010. Funding to support the contract is available within the Water and Sewer Enterprise Fund.

Bids were opened on December 16, 2009. The bidders and bid amounts are as follows:

Bidders	<u>Bid Amounts</u>
Tri-State Utilities Company Chesapeake, VA	\$ 897,177.04
Spiniello Companies Fairfield, NJ	\$1,192,000.00
AM-Liner East, Inc. Berryville, VA	\$1,269,000.00
Insituform Technologies, Inc. Chesterfield, MO	\$1,486,231.00
Reynolds Inliner, LLC Charlotte, NC	\$1,619,347.00

The Directors of Public Utilities and General Services recommend the Board award the contract to Tri-State Utilities Company, the lowest responsive and responsible bidder, in the amount of \$897,177.04 and authorize the County Manager, or the Director of General Services as his designee, to execute change orders not to exceed 15% of the original contract amount, and the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 41-10

Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Construction Contract — Route 5 Interceptor Sewer Rehabilitation

For Clerk's Use Only:

BOARD OF SUPERVISORS ACTION

YES NO OTHER

Date: JAN 26 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, five bids were received on December 15, 2009 in response to Bid Request No. 09-8740-11CE for the Route 5 Interceptor Sewer Rehabilitation project, located in the Varina District; and,

WHEREAS, the project consists of rehabilitating, by using the cured-in-place lining method, approximately 9,800 linear feet of existing 15- through 27- inch diameter sewer main along Route 5 (New Market Road), from approximately 1,000 feet west of Mill Road eastward to the I-295 interchange; and,

WHEREAS, the bids were as follows:

Bidders

Bid Amounts

Tri-State Utilities Company	\$ 897,177.04
Spiniello Companies	\$1,192,000.00
AM-Liner East, Inc.	\$1,269,000.00
Insituform Technologies, Inc.	\$1,486,231.00
Reynolds Inliner, LLC	\$1,619,347.00

WHEREAS, after a review and evaluation of all bids received, the Department of Public Utilities determined that Tri-State Utilities Company is the lowest responsive and responsible bidder with a bid of \$897,177.04.

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

1. The contract is awarded to Tri-State Utilities Company, the lowest responsive and responsible bidder, in the amount of \$897,177.04.
2. The County Manager and Clerk are authorized to execute the contract in a form approved by the County Attorney.

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.

Page No. 2 of 2

Agenda Title: RESOLUTION — Award of Construction Contract — Route 5 Interceptor Sewer Rehabilitation

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 project budget. The Directors of Public Utilities and General Services recommend approval of this Board paper, and 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) 0.25 miles of The Oaks at Crossridge, Section 2. Brookland District.
- 2) 0.26 miles of Candlelight Estates, Section A. Fairfield 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. 42-10
Page No. 1 of 1

Agenda Title: RESOLUTION - ACCEPTANCE OF ROADS

For Clerk's Use Only: Date JAN 26 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.

The Oaks at Crossridge, Section 2 - Brookland District

Smith Point Way from 0.02 Mi. S. of Topping Lane to 0.18 Mi. S. of Topping Lane	0.16 Mi.
Hawks Beak Court from Smith Point Way to 0.06 Mi. N. of Smith Point Way	0.06 Mi.
Fleeton Court from 0.04 Mi. S. of Topping Lane to 0.07 Mi. S. of Topping Lane	<u>0.03 Mi.</u>
Total Miles	0.25 Mi.

Candlelight Estates, Section A - Fairfield District

Hussey Lane from 0.10 Mi. E. of Harris Avenue to 0.20 Mi. E. of Harris Avenue	0.10 Mi.
Candlegrove Court from Hussey Lane to 0.08 Mi. S. of Hussey Lane	0.08 Mi.
Candletree Court from Hussey Lane to 0.08 Mi. S. of Hussey Lane	<u>0.08 Mi.</u>
Total Miles	0.26 Mi.

By Agency Head _____

By County Manager _____

Routing:

Yellow to: _____

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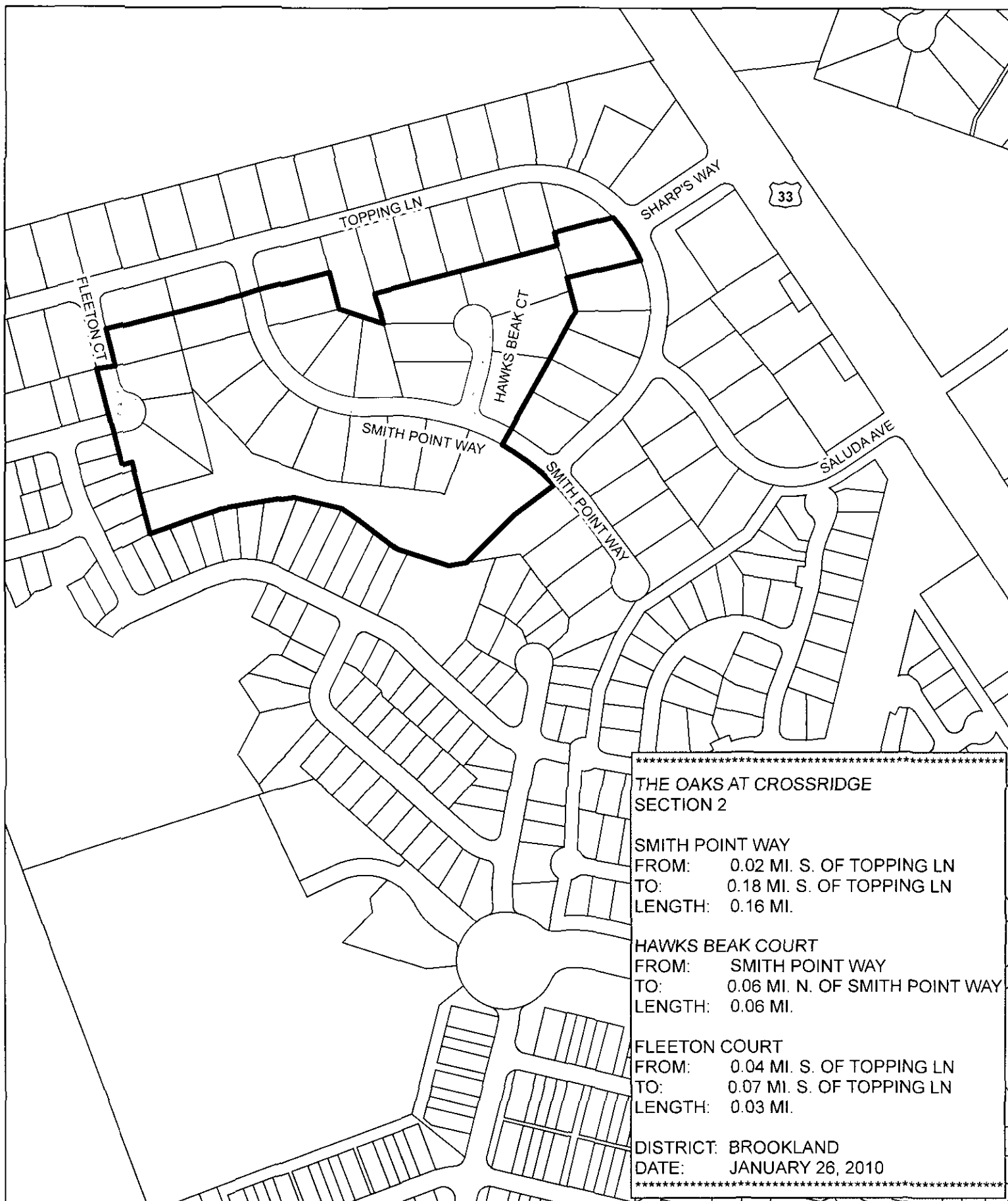
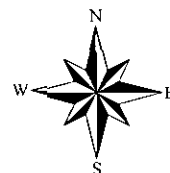
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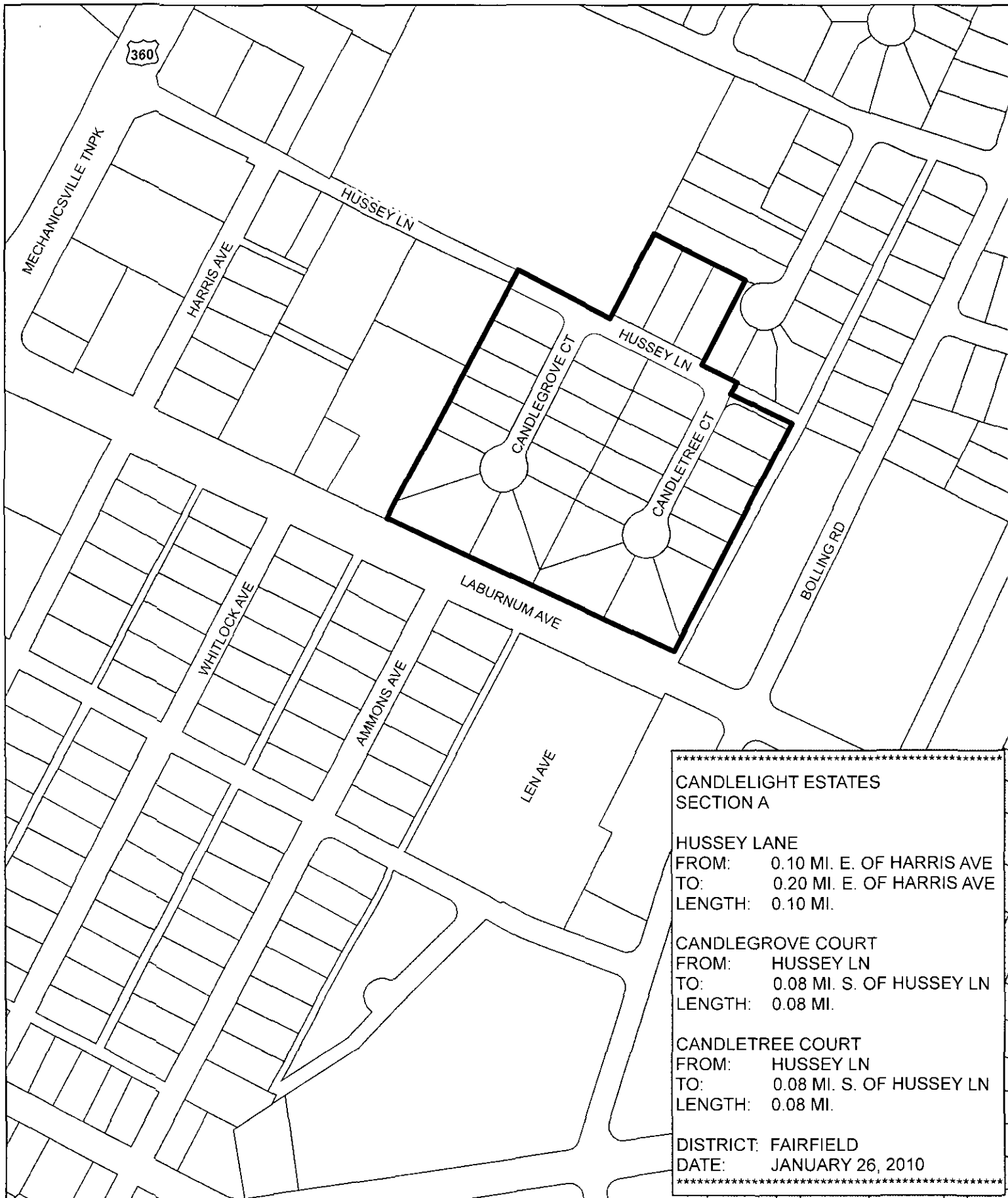
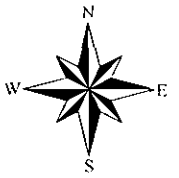
Clerk, Board of Supervisors

Date: _____

THE OAKS AT CROSSRIDGE SECTION 2



CANDLELIGHT ESTATES SECTION A



RESOLUTION – Settlement of *HCA Health Services of Virginia, Inc. v. County of Henrico, Virginia*

The purpose of this Board paper is to authorize settlement of the case styled *HCA Health Services of Virginia, Inc. v. County of Henrico, Virginia*. The case is pending in the Circuit Court of Henrico County.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 43-10
Page No. 1 of 1

Agenda Title

RESOLUTION – Settlement of *HCA Health Services of Virginia, Inc. v. County of Henrico, Virginia*

<p>For Clerk's Use Only:</p> <p>Date <u>JAN 26 2010</u></p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Amended</p> <p><input type="checkbox"/> Deferred to</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) _____ Seconded by (1) _____</p> <p>(2) _____ (2) _____</p> <p>REMARKS: _____</p> <p>_____</p> <p>_____</p>	<table><thead><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr></thead><tbody><tr><td>Donati, J.</td><td>___</td><td>___</td><td>___</td></tr><tr><td>Glover, R.</td><td>___</td><td>___</td><td>___</td></tr><tr><td>Kaechele, D.</td><td>___</td><td>___</td><td>___</td></tr><tr><td>O'Bannon, P.</td><td>___</td><td>___</td><td>___</td></tr><tr><td>Thornton, F.</td><td>___</td><td>___</td><td>___</td></tr></tbody></table>		YES	NO	OTHER	Donati, J.	___	___	___	Glover, R.	___	___	___	Kaechele, D.	___	___	___	O'Bannon, P.	___	___	___	Thornton, F.	___	___	___
	YES	NO	OTHER																							
Donati, J.	___	___	___																							
Glover, R.	___	___	___																							
Kaechele, D.	___	___	___																							
O'Bannon, P.	___	___	___																							
Thornton, F.	___	___	___																							

BE IT RESOLVED by the Board of Supervisors of Henrico County that:

- (1) it authorizes settlement of the case styled *HCA Health Services of Virginia, Inc. v. County of Henrico, Virginia*, Case No CL09-642, now pending in the Circuit Court of Henrico County, on terms as recommended by the Director of Finance, the County Manager and the County Attorney; and
- (2) the Director of Finance, County Manager and County Attorney are authorized to execute all documents, in forms satisfactory to the County Attorney, necessary to conclude this case and implement the terms of the settlement.

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: _____