

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
November 13, 2012**

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, November 13, 2012, 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:

Richard W. Glover, Chairman, Brookland District
David A. Kaechele, Vice Chairman, Three Chopt District
Tyrone E. Nelson, Varina District
Patricia S. O'Bannon, Tuckahoe 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
Jane D. Crawley, Deputy County Manager for Community Services
Randall R. Silber, Deputy County Manager for Community Development

Mr. Glover called the meeting to order at 7:07 p.m.

Mr. Glover led recitation of the Pledge of Allegiance, which was followed by a moment of silence.

On motion of Mr. Nelson, seconded by Mr. Kaechele, the Board approved the minutes of the October 23, 2012, Regular and Special Meetings.

The vote of the Board was as follows:

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

No: None

MANAGER'S COMMENTS

Terry Brady was introduced as the 2012 Henrico Christmas Mother. Joining her were the Chair and Co-Chair of the Henrico County Government Christmas Mother Program, Lisa Orlosky of the Department of Information Technology and Tanya Harding of the County Manager's Office. Mrs. Brady thanked the County for the many ways it helps the program,

acknowledged the wonderful job that Mrs. Orlosky and Mrs. Harding do in keeping her on schedule, noted the large number of applications for assistance that the program has received, and reminded the Board of the County government's Christmas Mother kick-off on November 14 and 15.

Henrico County's general government has earned Silver Certification in the Virginia Municipal League's (VML) Fifth Annual Green Government Challenge, a friendly competition designed to encourage implementation of specific environmental policies and actions that reduce the carbon emissions generated by both local government and the broader community. The County's elevation this year from Green Certification to Silver Certification was triggered by the opening and operation of its first three Leadership in Energy and Environmental Design (LEED) certified public facilities -- Glen Allen High School, Holman Middle School, and Glen Allen Branch Library. Jerry Walker, who serves as Energy Manager for the Department of General Services' Facilities Management Section, is a founding member of the Virginia Go Green Program and a charter member of its advisory committee. Mrs. O'Bannon presented an award plaque to Mr. Walker and General Services Director Chris Winstead that the County received on September 25 during a special recognition ceremony at the 2012 VML Annual Conference.

BOARD OF SUPERVISORS' COMMENTS

There were no comments from the Board.

RECOGNITION OF NEWS MEDIA

Mr. Glover recognized Randy Hallman of the Richmond Times-Dispatch, who was briefly present at the outset of the meeting.

APPOINTMENTS

262-12 Resolution - Appointment of Members to Board of Directors - Economic Development Authority.

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

PUBLIC HEARING - REZONING CASES AND PROVISIONAL USE PERMITS

263-12 Crown RIB, LLC: Request to conditionally rezone from O-2C Office
C-25C-12 District (Conditional) to B-3C Business District (Conditional) part of Parcel
Brookland 760-756-7631 consisting of 1.498 acres located at the western terminus of
Lynn Avenue approximately 550' north of W. Broad Street (U.S. Route
250). The applicant proposes an expansion of the adjacent auto dealership
including the storage of motor vehicles, parts, and supplies.

Joe Emerson, Director of Planning, responded to a question from Mr. Glover.

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

On motion of Mr. Kaechele, seconded by Mr. Thornton, the Board followed the recommendation of the Planning Commission and approved this item subject to the following proffered conditions:

1. **Use of Property.** The Property shall only be used for (i) the outside storage of fully operative inventory for the business conducted on the property adjacent to the Property to the south (the "Dealership Property"), (ii) the enclosed storage of parts inventory, office equipment, files and supplies, and (iii) employee parking for employees of the business conducted on the Dealership Property.
2. **Access to Property.** Vehicular access to the Property shall only be from the Dealership Property.
3. **Exterior Lighting.** Parking lot lighting shall be limited to a level necessary for security purposes on the Property, and shall be produced by concealed sources of light. Parking lot lighting standards shall not exceed twelve (12) feet in height.
4. **Outside Speakers.** Outside loud speakers shall not be permitted on the Property.
5. **Trash Dumpster Restriction.** No trash dumpster shall be located on the Property.
6. **Storm Water Management.** If a wet pond is installed on the Property for storm water management purposes, the pond shall be aerated.
7. **Building Matters.**
 - a. Only one new building may be constructed on the Property, and such building shall not exceed one story in height and three thousand (3,000) square feet of floor area. Any building on the Property shall be used only for storage of office equipment, supplies, files and parts inventory.
 - b. The visible portions of exterior building walls of a new building constructed on the Property shall be constructed of materials which are architecturally compatible with the visible portions of the exterior walls of buildings on the Dealership Property.

- c. Access to any building on the Property shall be between 7:00 a.m. and 10:00 p.m.
- d. Mechanical equipment located on the rooftop of a new building on the Property shall be screened from view offsite at ground level with opaque material architecturally compatible with the exterior building material, and shall include material intended to suppress the impact of sound from such equipment on adjacent residents.

8. **Screening Wall.** A decorative precast concrete screening wall approximately ten (10) feet in height shall be constructed within the transitional buffer area adjacent to the western boundary of the Property. The area between the screening wall and the eastern edge of the transitional buffer area shall be landscaped with Japanese Cedar trees planted ten (10) feet on center, as approved at the time of Landscape Plan Review.

The vote of the Board was as follows:

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

No: None

264-12
C-19C-12
Three Chopt

Bacova, LLC: Request to conditionally rezone from A-1 Agricultural District and O-2C Office District (Conditional) to R-5AC General Residence District (Conditional) Parcels 738-766-9367 and 739-766-3768 and part of Parcel 739-766-2504 containing 28.662 acres located on the west line of Pouncey Tract Road (State Route 271) approximately 300' north of its intersection with Bacova Drive. The applicant proposes no more than 95 zero-lot-line homes and a potential recreation center. The R-5A District allows a minimum lot size of 5,625 square feet and a potential maximum density of 6.0 units per acre.

Mr. Emerson responded to questions from Mr. Kaechele, who commented that the community was very pleased with the proposed development and that the development would be a good addition to the Pouncey Tract Road area.

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

On motion of Mr. Kaechele, seconded by Mrs. O'Bannon, the Board followed the recommendation of the Planning Commission and approved this item subject to the following proffered conditions:

1. **Development Plan.** The Property shall be developed generally consistent with that certain development plan entitled "BOWLES CROSSING AT BACOVA, THREE CHOPT DISTRICT, HENRICO COUNTY, CONCEPTUAL PLAN", prepared by Youngblood, Tyler & Associates P.C., dated October 11, 2012, and attached hereto as Exhibit 1 (see case file) (the "Development Plan"). The exact locations, footprints, configurations, sizes and details of the lots, drives, roads and other improvements shown on the Development Plan are illustrative and may be subject to change and revised and updated from time to time as required for final engineering design, compliance with governmental regulations, or as otherwise approved at the time of Plan of Development or subdivision review of the Property.
2. **Architectural Features.** All dwellings shall have an architectural style and use design elements similar to those images portrayed on "BOWLES CROSSING AT BACOVA, CHARACTER IMAGES, R-5A ZONING" Youngblood, Tyler & Associates P.C., dated October 11, 2012, and attached hereto as Exhibit 3 (see case file). Such renderings are conceptual in nature and are provided only as an illustration of the quality of the design and architectural style of such buildings. Various design elements shall be incorporated to provide variety amongst individual dwelling units including, but not limited to the following: varying colors of brick, brick accents (including, but not limited to, arches with or without keystones, soldier courses, quoin corners, and accent coloring different from any main brick coloring), varying colors of siding, varying window designs, and varying doorway designs. No two homes adjoining each other side by side shall be identical in exterior architectural features and colors. The side of any dwelling that is on the opposite side of the zero lot line side of the dwelling shall include at least two windows; provided, however, the two windows on the side of the dwellings located on the Pouncey Tract Side Yard Lots, as hereinafter defined, shall face the Pouncey Tract Buffer. Any porch (which shall not include front access stoops) shall be a minimum of five feet (5') in depth as measured from the front of the home.
3. **Density.** No more than ninety-five (95) residential dwelling units shall be constructed on the Property.
4. **Home Details.** Any new home constructed on the Property shall have a minimum of 1,700 square feet of finished floor area and shall be located on a lot with a minimum width of fifty (50) feet. Any home constructed on a lot shown on the Development Plan along the 24' alley along Pouncey Tract Road shall face Pouncey Tract Road. When any more than four lots are placed together consecutively in a

row without interruption by a common area, street or alley, at least one (1) of every four (4) such consecutive lots shall have a minimum of five (5) foot front yard setback variation from the other such lots.

5. **Recreational Facility.** At least one recreational facility (the "Recreational Facility") consisting of at least 2.5 acres and containing a pool of at least 5,000 square feet and a clubhouse of at least 2,000 square feet shall be provided for the benefit of the residents of the Property as well as their guests. The Recreational Facility may be located on (a) the Property, (b) the property subject to case C-9C-11 and as constructed pursuant to the development of such property or (c) on such other property as may be approved by the Planning Commission at the time of Plan of Development or subdivision review of the Property. The Recreational Facility shall also be for the benefit of the residents of the portions of the property subject to case C-9C-11 and identified therein as Tracts B, C and F (see case file), as well as their guests. The Recreational Facility shall be in place of, not in addition to, the recreational facility required in Case C-9C-11. The Recreational Facility shall be constructed no later than as is required for construction of the Recreation Facility in case C-9C-11.

6. **Streets.** If any roads within the Property are not public, prior to the issuance of any Certificate of Occupancy for the first building on the Property accessed by such private road, the applicant shall provide the Planning Department with certification from a licensed engineer that such private road was constructed according to the approved subdivision plan, and in compliance with County road design standards and specifications (except as to pavement width and turning radii (centerline curvature), to include proper compaction of the sub-base soils, utility trenches, base stone, and asphalt surface. All new streets within the Property shall be constructed pursuant to Henrico County standards. Any right-of-way dedication required at the time of Plan of Development or subdivision review shall be from the ultimate right-of-way as defined by the County Department of Public Works.

7. **Foundations.** All new dwelling units on the Property shall be constructed on slabs at grade, elevated slabs or crawl space foundations except for basements and garages. The exterior portion of the foundations below the first floor level which is visible above grade shall be finished with full standard brick or stone unless otherwise approved by the Director of Planning. Dwelling units not built on a crawl space foundation shall have a minimum one (1) foot full standard brick or stone foundation. Dwelling units built on a crawl space foundation, with steps to the main entrance, including

front access stoops or porches, but not including homes with country porches, shall be faced with full standard brick or stone with a finished concrete or exposed aggregate landing for any such steps, stoops or porches and any visible piers on porches shall be constructed of brick.

8. **Exterior Materials.** Any dwelling, including any garage (whether attached or detached) accessory to such dwelling upon the same lot, whether attached or detached, shall have exposed exterior walls (above finished grade) of full standard brick, stone, cementitious siding, or a combination of the foregoing, unless otherwise approved by the Director of Planning. Each dwelling unit shall have *full standard brick or stone on their front elevations*, as follows:
 - a. At least fifty percent (50%) of all units shall have such material on a minimum twenty percent (20%) or more of each of their front elevations; and
 - b. At least fifty percent (50%) of all units shall have such material on a minimum sixty percent (60%) or more of each of their front elevations, which shall include at least four (4) of the ten (10) units on the lots shown on the *Landscape Plan* (see case file), as hereinafter defined, as having their front or side yards adjoining the Pouncey Tract Buffer, as hereinafter defined.
9. **Roof Material.** Any home shall be constructed with a roof that has a minimum certified twenty-five (25) year warranty.
10. **Garages.** Every dwelling shall be constructed with no less than a one (1) car garage that shall have a minimum interior clear area of eighteen (18) feet in length by ten (10) feet in width at the time of construction. Any detached garage shall include at least one pedestrian access door and one window.
11. **Driveways.** All new driveways shall be constructed of either cobblestone, brick, pre-cast pavers, concrete or other similar materials approved by the Director of Planning or the Planning Commission at the time of Plan of Development or subdivision review of the Property. No individual lots shall have direct access to Pouncey Tract Road.
12. **Fireplace Chimneys.** The exposed portions of all fireplace chimneys shall be of full standard brick, stone, or cementitious siding. The exposed bases of all chimneys shall be of the same material as the building foundations. The exposed portion of a flue for a direct-vent gas fireplace shall be constructed of the same

material used on the adjacent siding and shall be built on a foundation that is constructed of the same material that is used on the adjacent foundation.

13. **Cantilevering.** No cantilevered features will be allowed, except for direct gas vents and second story bay windows which will be designed and constructed with decorative corbels.

14. **Landscaping, Buffer and Fencing Requirements.**

a. **Overall.** Any buffer within the Property required herein shall be retained as natural and may also be landscaped, and may include supplemental plantings, signage, berms and/or fencing and other purposes as approved by the Planning Commission at the time of landscape plan review. Best tree preservation practices shall be followed to minimize large tree clearing within any buffer along the perimeter of the Property. Buffer areas with installed landscaping shall be irrigated unless otherwise approved at the time of Plan of Development or subdivision review. Roads, sidewalks, utility easements (including drainage), common owned fencing/walls adjacent to any roads or drives, and signage shall be permitted within such buffer; provided, any such road or utility easements shall be extended generally perpendicular through such buffer. All buffers, whether in common area or a lot, shall be maintained by the Association, hereinafter defined. No fencing and walls for an individual lot may be located within a buffer. Landscaping features and buffers for the entire Property shall be provided as generally shown on the plan entitled "BOWLES CROSSING AT BACOVA, THREE CHOPT DISTRICT, HENRICO COUNTY, CONCEPTUAL LANDSCAPE PLAN" dated October 11, 2012, prepared by Youngblood, Tyler & Associates P.C. and attached hereto as Exhibit 2 (see case file) (the "Landscape Plan"). No chain link fencing or stockade fencing shall be permitted on the Property.

b. **Concept Road.** A natural and landscaped buffer a minimum of at least twenty-five (25) feet in width and planted to the level of a transitional buffer 25 shall be provided on the boundary of the Property adjoining the Concept Road (as defined in Case C-9C-11), as more particularly shown on the Landscape Plan (see case file). Spacing for street trees along or within the Concept Road shall be a maximum of thirty-five (35) feet on center, and no more than fifteen (15) feet

from the edge of the right-of-way for the Concept Road. Such buffer shall include (i) a fence substantially similar to the fence for the Glen Allen Cultural Arts Center, as shown on the photograph on Exhibit 8 of Case C-9C-11 (see case file), and (ii) a berm similar to the berm as shown on Exhibit 8 of Case C-9C-11 (see case file).

- c. Pouncey Tract. A minimum thirty-five (35) foot wide natural and landscaped buffer, planted to the level of a transitional buffer 35, shall be provided on the boundary of the Property adjoining Pouncey Tract Road, as more particularly shown on the Landscape Plan (see case file) (the "Pouncey Tract Buffer"). Such buffer shall include a fence substantially similar to the wrought iron ornamental fencing as shown on Exhibit 9 of Case C-9C-11 (see case file) and a berm substantially similar to the berm shown on Exhibit 8 of Case C-9C-11 (see case file). No wooden fence shall be permitted within (i) the side yard of any lot within the Property adjacent to the Pouncey Tract Buffer, including the two lots shown on the Development Plan (see case file) as having their side yards adjoining the Pouncey Tract Buffer (the "Pouncey Tract Side Yard Lots"), or (ii) the rear yard of the Pouncey Tract Side Yard Lots. Any fence within (a) the side yard of any lot within the Property adjacent to the Pouncey Tract Buffer, including the Pouncey Tract Side Yard Lots, or (b) the rear yard of the Pouncey Tract Side Yard Lots shall be similar in appearance or type with the fence within the Pouncey Tract Buffer.
- d. Kain Road. A natural and landscaped buffer a minimum of at least twenty-five (25) feet in width and planted to the level of a transitional buffer 25 shall be provided on the boundary of the Property adjoining Kain Road, as more particularly shown on the Landscape Plan (see case file). Such buffer shall include a fence substantially similar to the fence for the Glen Allen Cultural Arts Center, as shown on the photograph on Exhibit 8 of Case C-9C-11 (see case file).
- e. 10' Buffer. A natural and landscaped buffer a minimum of at least ten (10) feet in width and planted to the level of a transitional buffer 10 shall be provided on the eastern boundary of the Property adjoining that certain parcel currently designated by the County as GPIN 739-767-2818, as more particularly shown on the Landscape Plan (see case file). A natural and landscaped buffer a minimum of at least ten (10) feet in width and planted to the level of a transitional

buffer 10 shall be provided upon the portion of the Property containing the Recreational Facility, if any, such buffer to be planted along or within any lots on the Property adjoining the Recreational Facility, and such buffer may be located all or in part upon the lots that adjoin the Recreational Facility.

15. **Sidewalks and Internal Walkways.**

- a. **Concept Road.** A minimum five (5) foot wide sidewalk shall be provided along the entire northern line of the Concept Road, within the public right-of-way, as adjacent and contiguous portions of the Property are developed along such sidewalk. A two (2) foot grass strip shall be provided between the Concept Road and the sidewalk along the Concept Road. The sidewalk along the Concept Road shall be constructed in compliance with the County's standards and specifications for sidewalks.
- b. **Pouncey Tract Road.** A minimum five (5) foot wide sidewalk shall be provided along the entire western line of Pouncey Tract Road, within the public right-of-way, as adjacent and contiguous portions of the Property are developed along such sidewalk. A two (2) foot grass strip shall be provided between Pouncey Tract Road and the sidewalk along Pouncey Tract Road. The sidewalk along Pouncey Tract Road shall be constructed in compliance with the County's standards and specifications for sidewalks.
- c. **Kain Road.** A minimum five (5) foot wide sidewalk shall be provided along the entire southern line of Kain Road, within the public right-of-way, as adjacent and contiguous portions of the Property are developed along such sidewalk. A two (2) foot grass strip shall be provided between Kain Road and the sidewalk along Kain Road. The sidewalk along Kain Road shall be constructed in compliance with the County's standards and specifications for sidewalks.
- d. **Internal.** Sidewalks and pedestrian walkways shall be provided within the Property as more particularly shown on the Landscape Plan (see case file), including, without limitation, the five (5) foot sidewalks shown thereon, unless otherwise approved at the time of Plan of Development or subdivision review of the Property.
- e. **VEPCO Easement.** A pedestrian walkway shall be constructed through the Property within the area shown on the Landscape Plan as "120' VEPCO EASEMENT" (the "Easement Area"),

(see case file). Such pedestrian walkway shall be constructed of all-weather surface material, such as asphalt, and shall be a minimum width of five (5) feet. The location, construction material and width of the pedestrian walkway within the Easement Area shall be subject to the approval of the easement holder, Dominion Power, final engineering design, compliance with governmental regulations, or as otherwise approved at the time of Plan of Development or subdivision review.

16. **Entrance Feature and Access.** An entrance feature from the Concept Road into the Property shall be constructed, which entrance feature shall be constructed of either full standard brick or stone or a combination thereof and shall be provided as generally shown on Exhibits 5(i-iv) of Case C-9C-11 (see case file), unless otherwise approved at the time of Plan of Development or subdivision review of the Property. There shall be no access from the Property to Kain Road. No individual lot shall access the Concept Road or Pouncey Tract Road.
17. **Protective Covenants.** Prior to or concurrent with the plat recordation of the final subdivision plat for any portion of the Property, a document setting forth covenants (the "Covenants") shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia (the "County"), setting forth controls on the development and maintenance of the Property and establishing an owners' association (the "Association"). A master Association may be established for the entire Property, provided a separate Association may, but shall not be required, to be applicable to any portion of the Property. The Covenants shall provide for high standards of uniform maintenance (consistent with high end residential projects) of individual sites, common areas, open space, landscaping and private streets. The Association shall establish uniform rules related to the standards for approval by the Association of improvements within the Property, including, but not limited to, construction of any buildings and other structures and signage.
18. **Lot Landscaping.** A minimum of one (1) tree measuring a minimum of 2.5" shall be retained or planted in the front yard of each lot and two (2) such trees in the side yards on corner lots, all as more particularly shown on the Landscape Plan (see case file). The front and side yards of any lot and the rear yards of corner lots shall be irrigated and planted with sod. Each home shall have prototypical plantings (shrubs and ornamental ground cover) along the entire front foundation as approved by the Planning Commission at the time of Plan of Development or subdivision review of the

Property, such prototypical plantings to be submitted to and approved by the Planning Commission at the time of Plan of Development or subdivision review of the Property.

19. **Lighting.** Uniform pedestrian scale residential lighting shall be provided throughout the Property. Such lighting shall be nonglare, decorative in style, residential in character and shall be provided within the streets or lots within the Property. A lighting plan providing for such lighting shall be submitted and reviewed at the time of Plan of Development or subdivision review of the Property.
20. **Underground Utility Lines.** All utility lines on the Property shall be underground, except for already existing utilities, junction boxes, meters, utility lines in wetland areas and utility lines required to be above ground by the utility company. Electrical junction boxes and meters shall be screened from public view at ground level at the perimeter of the Property with use of a wall, fencing, landscaping, or such other method as may be approved at the time of Plan of Development or subdivision review of the Property.
21. **Best Management Practice.** Best Management Practice structures shall be located outside of any landscaped buffer within the Property, except as a landscaping amenity or water-related feature and if requested and specifically permitted by the Director of Planning or the Planning Commission at the time of Plan of Development or subdivision review of the Property. Any above-ground Best Management Practice structure shall include an aeration feature to move water within such structure.
22. **C-1 Zoning.** Applicant shall file an application for C-1 zoning for the areas within the Property that are within the 100 year flood plain, unless such areas are needed for roads, access ways or other purposes approved or required by the Director of Planning or the Planning Commission or any other governmental body or official at the time of Plan of Development or subdivision review of the Property. Such rezoning application shall be filed as soon as reasonably practical, but in no case later than the final subdivision approval for the last subdivision plat for the Property. The acreage then zoned C-1 may or may not be included in any subdivision or lot on the Property, at the sole discretion of the Applicant.
23. **Hours of Construction.** During the construction of the development on the Property the hours of exterior construction shall be limited to 7:00 a.m. to 8:00 p.m., Monday through Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections. Exceptions shall require the Director of

Planning's approval. Construction signs shall be posted in English and in Spanish and shall state the hours of construction.

24. **Existing Home.** If the existing home on the property is not able to be retained on the Property or safely moved, the Applicant will take and offer to the County photo documentation of the home and salvage any architectural features that are representative of the post-Civil War era.
25. **Compliance Certification.** Upon request by the Director of Planning, the Applicant shall provide the County with the necessary calculations that illustrate that the dwellings and lots constructed on the Property are in compliance with all of the allowable and required percentages set forth in these proffers.
26. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

The vote of the Board was as follows:

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

No: None

265-12
P-15-12
Varina

Cook-Out Restaurants: Request for a Provisional Use Permit under Section 24-58.2(a), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to allow extended hours of operation for a restaurant (Cook-Out) on parts of Parcels 813-718-6145 and 813-718-3037 located on the west line of S. Laburnum Avenue at its intersection with Interstate 64 eastbound.

Jean Moore, Assistant Director of Planning, responded to a question from Mr. Glover.

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

Mr. Nelson remarked that this proposed development would help attract other businesses to the area.

On motion of Mr. Nelson, seconded by Mr. Kaechele, the Board followed the recommendation of the Planning Commission and approved this item subject to the following conditions:

1. All proffered conditions accepted with case C-32C-86 and C-24C-00 shall be made a part of this Provisional Use Permit.

2. Hours of operation shall be between the hours of 5:00 a.m. and 2:00 a.m.
3. This Provisional Use Permit shall be applicable only to the Cook-Out restaurant and is nontransferable to subsequent owners or users.
4. Cook-Out at Laburnum Park Shopping Center shall not serve alcohol.
5. *The installation of pay phones on site shall be prohibited.*
6. Any outside speakers and/or sound system shall comply with the following standards:
 - a. Sound systems shall be equipped with controls that permit full and complete volume control;
 - b. Sound(s) emitted from the system shall not be audible beyond a distance of one hundred (100) feet measured from the source.
7. Prior to operation, the applicant shall consult with the Special Services Unit within the Division of Police to discuss crime prevention recommendations and conduct a security survey of the property and restaurant operations. The applicant shall implement mutually agreed upon security recommendations. Any outstanding issues shall be addressed by the applicant prior to a certificate of occupancy being issued.
8. The owner or operator shall install a security camera and video system designed by a security specialist. This security system shall include the following items:
 - a. Exterior surveillance cameras monitoring the entrance(s), parking area(s), drive through windows and any other areas deemed necessary by the Division of Police. Such security cameras shall provide clear imagery of the establishment's patrons and their vehicles.
 - b. Recordings of all activities under surveillance shall be preserved for a period of four (4) months by the applicant. Authorized representatives of the Henrico County Division of Police shall have full and complete access to all recordings upon request.
9. The facility's windows shall not be tinted or obscured by posters, advertisements, or similar materials in order to permit surveillance opportunities both from within and from the outside of the building.

This shall not prevent blinds from being used during daylight hours.

10. The owner or operator shall provide adequate lighting for the entrances, exits, and parking areas serving the use or location. "Adequate lighting" means lighting sufficient for clear visual and security camera surveillance.
11. The owner or operator shall require customers to leave the premises and parking areas immediately after the close of business.
12. The owner or operator shall not permit loitering, criminal assaults or public nuisances on the premises during hours of operation.
13. Should evidence (i.e. police calls to the premises or complaints from other businesses) indicate that the hours of operation are having an adverse effect (i.e. increased public nuisance, loitering, excessive noise outside the building, criminal assault, etc.) on the surrounding area, the Board of Supervisors may hold a public hearing to consider revoking the provisional use permit.

The vote of the Board was as follows:

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

No: None

266-12
P-16-12
Three Chopt

Perretz and Young Architects, P.C.: Request for a Provisional Use Permit under Sections 24-58.2(d), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to allow outside dining for a restaurant on part of Parcel 736-762-7338 located on the north line of Three Chopt Road approximately 500' west of its intersection with Lauderdale Drive.

Ms. Moore responded to questions from Mr. Kaechele.

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

On motion of Mr. Kaechele, seconded by Mrs. O'Bannon, the Board followed the recommendation of the Planning Commission and approved this item subject to the following conditions:

1. The outdoor dining area shall not be in operation between 10:00 p.m. and 7:00 a.m.
2. Any outside speakers or sound system shall comply with the following standards:

- a. Sound systems shall be equipped with controls permitting full volume adjustment.
 - b. Sound from the system shall not be audible beyond the property lines of the development.
 - c. Sound systems may be used only when outside dining is permitted.
3. The operator shall not permit food preparation outside the enclosed building.
4. The fence enclosing the outdoor dining area shall be limited in height to 36 inches.
5. A clear, continuous, and unobstructed pedestrian path not less than 54 inches in width shall be required for pedestrian circulation between the outdoor dining area and the sidewalk curb.
6. Outdoor lighting fixtures shall complement the style of the building. Lighting fixtures shall not produce glare for motorists or pedestrians on the adjacent rights-of-way and parking areas and shall illuminate only the outdoor dining area.
7. Access to the outdoor dining area shall be available only through the interior of the restaurant, except during an emergency when the patio fence exit gate may be utilized.
8. This permit shall apply only to Q Barbeque and shall not apply to any other business in The Corner at Short Pump.
9. Prior to the operation of the outdoor dining area, the applicant shall submit a site plan of the outdoor dining area and obtain administrative approval from the Planning Department. The site plan shall show the design and layout of the outdoor dining area. Proffered conditions of rezoning case C-65C-07 shall apply.
10. Trash receptacles shall be provided and properly serviced to control litter generated by this use.
11. Outdoor dining furniture, fencing, and canopies shall be of durable material and complementary to exterior features of the building.
12. The outdoor dining area shall be constructed in general conformance with the floor plan attached as "Exhibit A" (see case file).
13. Televisions and other video display devices shall not be allowed in the outdoor dining area.

14. Prior to operation, the applicant shall consult with the Special Services Unit within the Division of Police to discuss crime prevention recommendations and conduct a security survey of the property and restaurant operations. The applicant shall implement mutually agreed upon security recommendations.

The vote of the Board was as follows:

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

No: None

PUBLIC HEARING – OTHER ITEMS

- 267-12 Ordinance - To Amend and Reordain Section 16-46 of the Code of the County of Henrico Titled "Modification of contracts" to Clarify the Approval Process for Modification of Fixed-Price Contracts.

Chris Winstead, Director of General Services, responded to a question from Mr. Kaechele.

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

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

- 268-12 Ordinance - Vacation of Portion of Unimproved Right-of-Way - Jefferson Street - E. S. Read Subdivision - Varina District.

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

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

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

PUBLIC COMMENTS

Bernice B. Newell, a resident of the Varina District, expressed the view that panhandlers are a nuisance to the community and should be required to work and pay taxes.

GENERAL AGENDA

- 269-12 Resolution - Approving Issuance of Bonds for Bon Secours Health System, Inc. by the Economic Development Authority of Henrico County, Virginia.
- Gary McLaren, Executive Director of the Economic Development Authority, responded to questions from Mrs. O'Bannon and Mr. Kaechele.
- Mr. McLaren and Melinda Hancock, Chief Financial Officer for Bon Secours, responded to a question from Mr. Kaechele.
- On motion of Mr. Nelson, seconded by Mr. Kaechele, and by unanimous vote, the Board approved this item – see attached resolution.
- 270-12 Resolution - End of Declared Local Emergency.
- Tony McDowell, Chief of Fire, responded to questions from Mrs. O'Bannon.
- On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.
- 271-12 Resolution – Authorization to Apply for and Accept an Allocation of Grant Funding from the Virginia Department of Emergency Management's Local Emergency Management Performance Grant (LEMPG) Program.
- On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.
- 272-12 Resolution – Authorization to Accept Federal Grant Funding from the 2012 Citizen Corps Program and the State Homeland Security Program Administered by the Commonwealth of Virginia through the Virginia Department of Emergency Management.
- On motion of Mrs. O'Bannon, seconded by Mr. Kaechele, and by unanimous vote, the Board approved this item – see attached resolution.
- 273-12 Resolution – Award of Annual Contract for Designating and Locating Subsurface Utilities.
- Mr. Winstead and Mr. Hazelett responded to questions from Mrs. O'Bannon. Art Petrini, Director of Public Utilities, and Mr. Winstead responded to questions from Mr. Kaechele.
- On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.

- 274-12 Resolution - Award of Annual Contract for Engineering and Related Services – Geotechnical, Quality Control and Special Inspections.
- Mr. Winstead responded to questions from Mr. Glover, Mr. Kaechele, and Mrs. O'Bannon.
- On motion of Mr. Kaechele, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached resolution.
- 275-12 Resolution - Adoption of New Facility Reservation Guides for the Henrico Theatre – Varina District.
- Neil Luther, Director of Recreation and Parks, responded to questions from Mr. Thornton, Mr. Nelson, and Mr. Kaechele.
- On motion of Mr. Nelson, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.
- 276-12 Resolution - To Accept Virginia Dam Safety, Flood Prevention and Protection Assistance Fund Grant.
- Steve Yob, Director of Public Works, responded to a question from Mrs. O'Bannon. Mr. Hazelett clarified that the resume for this item erroneously stated that the funds from this grant would be used for the Wellesley Dam rather than the Pump Road Dam as properly stated in the resolution.
- On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.
- 277-12 Resolution - Award of Annual Contract for Engineering Services – Bridge and Facility Design and Repair Projects.
- Mr. Yob responded to questions from Mrs. O'Bannon, Mr. Glover, and Mr. Thornton.
- On motion of Mr. Kaechele, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.
- 278-12 Resolution - Signatory Authority - Agreement with Virginia Department of Transportation for State Funded Projects - Woodman Road Turn Lane, from 225 Feet South of Jesse Chavis Drive to 100 Feet North of Woodman Hills Court (Approximately 325 Feet) - Project #7663-043-R62, N501 (UPC 103015) - Fairfield District.
- On motion of Mr. Thornton, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

There being no further business, the meeting was adjourned at 8:18 p.m.

A handwritten signature in black ink, appearing to read "Richard W. Brown", written over a horizontal line.

Chairman, Board of Supervisors
Henrico County, Virginia



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

Agenda Item No. 262-12
Page No. 1 of 1

Agenda Title: RESOLUTION – Appointment of Members to Board of Directors – Economic Development Authority

For Clerk's Use Only: NOV 13 2012 Date: _____ <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Kacchule</u> Seconded by (1) <u>Thornton</u> (2) _____ (2) _____ REMARKS: APPROVED	<table style="width:100%; border: none;"> <tr> <th style="border: none;"></th> <th style="border: none;">YES</th> <th style="border: none;">NO</th> <th style="border: none;">OTHER</th> </tr> <tr> <td style="border: none;">Glover, D.</td> <td style="border: none; text-align: center;">✓</td> <td style="border: none;"></td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">Kecbele, D.</td> <td style="border: none; text-align: center;">✓</td> <td style="border: none;"></td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">Nelson, T.</td> <td style="border: none; text-align: center;">✓</td> <td style="border: none;"></td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">O'Bannon, P.</td> <td style="border: none; text-align: center;">✓</td> <td style="border: none;"></td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">Thornton, F.</td> <td style="border: none; text-align: center;">✓</td> <td style="border: none;"></td> <td style="border: none;"></td> </tr> </table>		YES	NO	OTHER	Glover, D.	✓			Kecbele, D.	✓			Nelson, T.	✓			O'Bannon, P.	✓			Thornton, F.	✓		
	YES	NO	OTHER																							
Glover, D.	✓																									
Kecbele, D.	✓																									
Nelson, T.	✓																									
O'Bannon, P.	✓																									
Thornton, F.	✓																									

BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia, appoints the following persons to the Board of Directors of the Economic Development Authority for four-year terms expiring November 13, 2016, or thereafter, when their successors shall have been appointed and qualified:

- | | |
|----------------------|----------------------|
| Brookland District | David L. Maiden |
| Fairfield District | Benjamin B. Miles |
| Three Chopt District | Patrick R. Liverpool |

By Agency Head _____ By County Manager David L. Hayden

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Cenified: _____
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Clerk, Board of Supervisors

 Date: _____



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

Agenda Item No. 267-12
Page No. 1 of 1

Agenda Title: ORDINANCE – To Amend and Reordain Section 16-46 of the Code of the County of Henrico Titled "Modification of contracts" to Clarify the Approval Process for Modification of Fixed-Price Contracts.

For Clerk's Use Only: NOV 13 2012 Date: _____ <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS: APPROVED	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <tr> <td>Glover, R.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Nelson, T.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>		YES	NO	OTHER	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

AN ORDINANCE to amend and reordain Section 16-46 of the Code of the County of Henrico Titled "Modification of contracts" to Clarify the Approval Process for Modification of Fixed-Price Contracts.

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

1. That Section 16-46 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 16-46. Modification of contracts.

A public contract may include provisions for modification of the contract during performance, but no fixed-price contract may be increased by more than 15 percent of the amount of the contract or \$10,000.00, whichever is greater, without the advance written approval of the board of supervisors or school board, as appropriate awarding authority.

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

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

By Agency Head By County Manager

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 Clerk, Board of Supervisors
 Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 268-12

Page No. 1 of 2

Agenda Title:

**ORDINANCE — Vacation of Portion of Unimproved Right-of-Way —
Jefferson Street — E. S. Read Subdivision — Varina District**

<p>For Clerk's Use Only:</p> <p>Date: NOV 13 2012</p> <p><input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Nelson</u> Seconded by (1) <u>Kaechele</u> (2) _____ (2) _____</p> <p>REMARKS: <u style="font-size: 2em; font-weight: bold;">APPROVED</u></p>	<p align="center">YES NO OTHER</p> <p>Glover, R. <input checked="" type="checkbox"/> _____</p> <p>Kaechele, D. <input checked="" type="checkbox"/> _____</p> <p>Nelson, T. <input checked="" type="checkbox"/> _____</p> <p>O'Rnnnon, P. <input checked="" type="checkbox"/> _____</p> <p>Thornton, F. <input checked="" type="checkbox"/> _____</p>
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WHEREAS, Anita Johnston and ETCH Investments, LLC ("Owners") have requested that the County vacate a portion of unimproved right-of-way for Jefferson Street adjacent to the Owners' lots in the E. S. Read Subdivision; and,

WHEREAS, this ordinance was advertised pursuant to Va. Code § 15.2-2204, and the Board held a public hearing on November 13, 2012; and,

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

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

(1) the portion of the unimproved right-of-way for Jefferson Street shown on the attached Exhibit "A-1" labeled "FORMER R/W 3,204 S. F. 0.074 ACRES" is vacated in accordance with Va. Code § 15.2-2272(2), subject to the reservation of a permanent utility easement by the County of Henrico, Virginia on, over, under and across the area shown on the attached Exhibit "A-2" labeled "PROPOSED VARIABLE WIDTH UTILITY EASEMENT 2,943 SQUARE FEET 0.068 ACRES";

(2) this ordinance shall become effective 30 days after the time of its passage as provided by law;

(3) the Clerk of the Circuit Court of the County of Henrico, Virginia is authorized, upon receipt of payment as provided by law, to record a certified copy of this Ordinance in the Clerk's Office after 30 days from its passage, provided no appeal has been taken to the Circuit Court;

By Agency Head [Signature]

By County Manager [Signature]

Routing:
Yellow to: Real Property

Certified:
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Clerk, Board of Supervisors

Copy to: _____

Date: _____

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 208-12
Page No. 2 of 2

Agenda Title: **ORDINANCE — Vacation of Portion of Unimproved Right-of-Way —
Jefferson Street — E. S. Read Subdivision — Varina District**

(4) the Clerk is further authorized to index the Ordinance on the grantor and grantee sides of the general index to deeds in the names of **ANITA JOHNSTON** and **ETCH INVESTMENTS, LLC**, a Virginia limited liability company, or their successors or assigns; and,

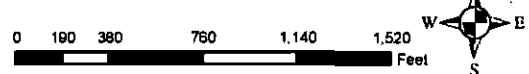
(5) the Clerk shall note this vacation as provided in Va. Code § 15.2-2276.

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

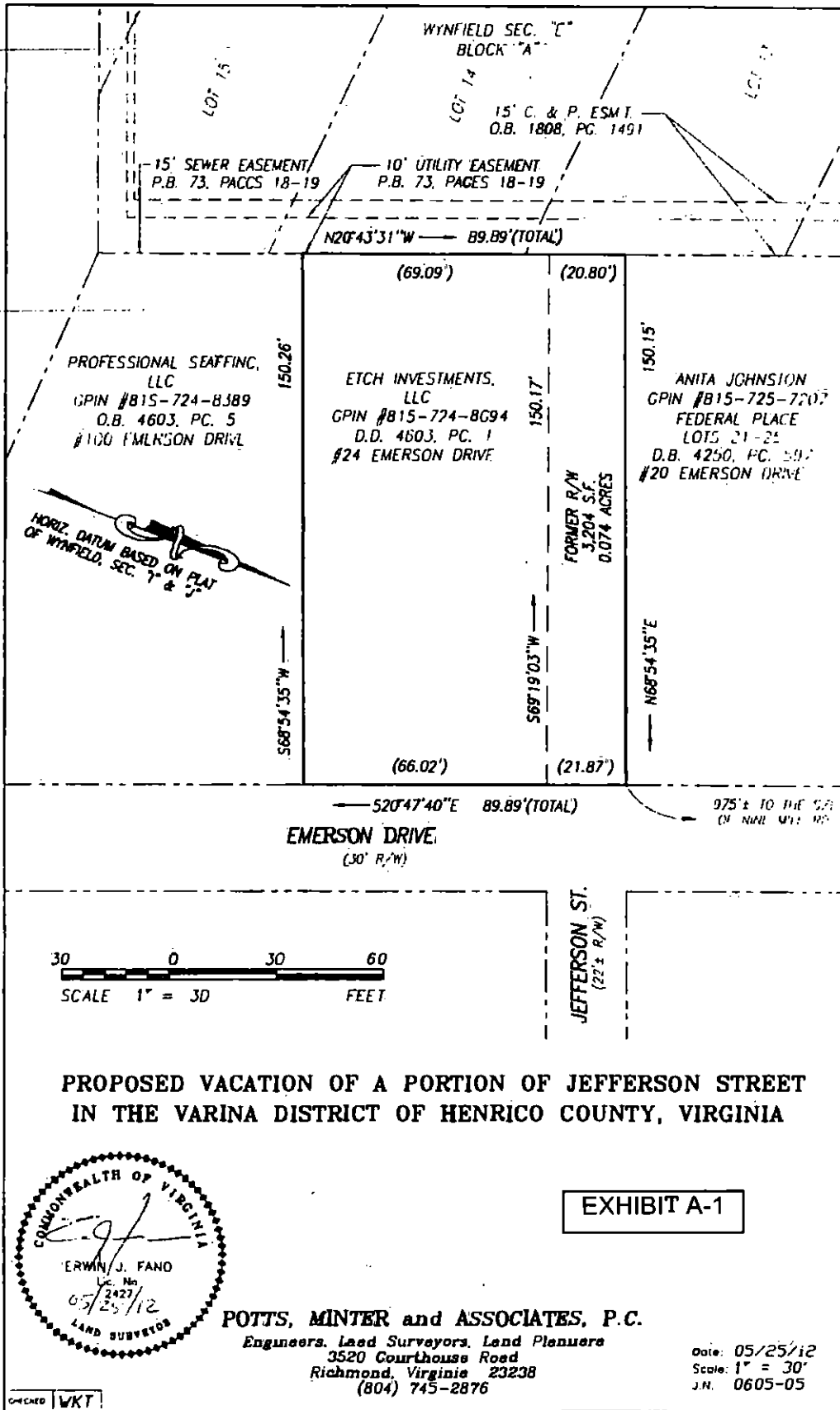
Vicinity Map: Jefferson Street

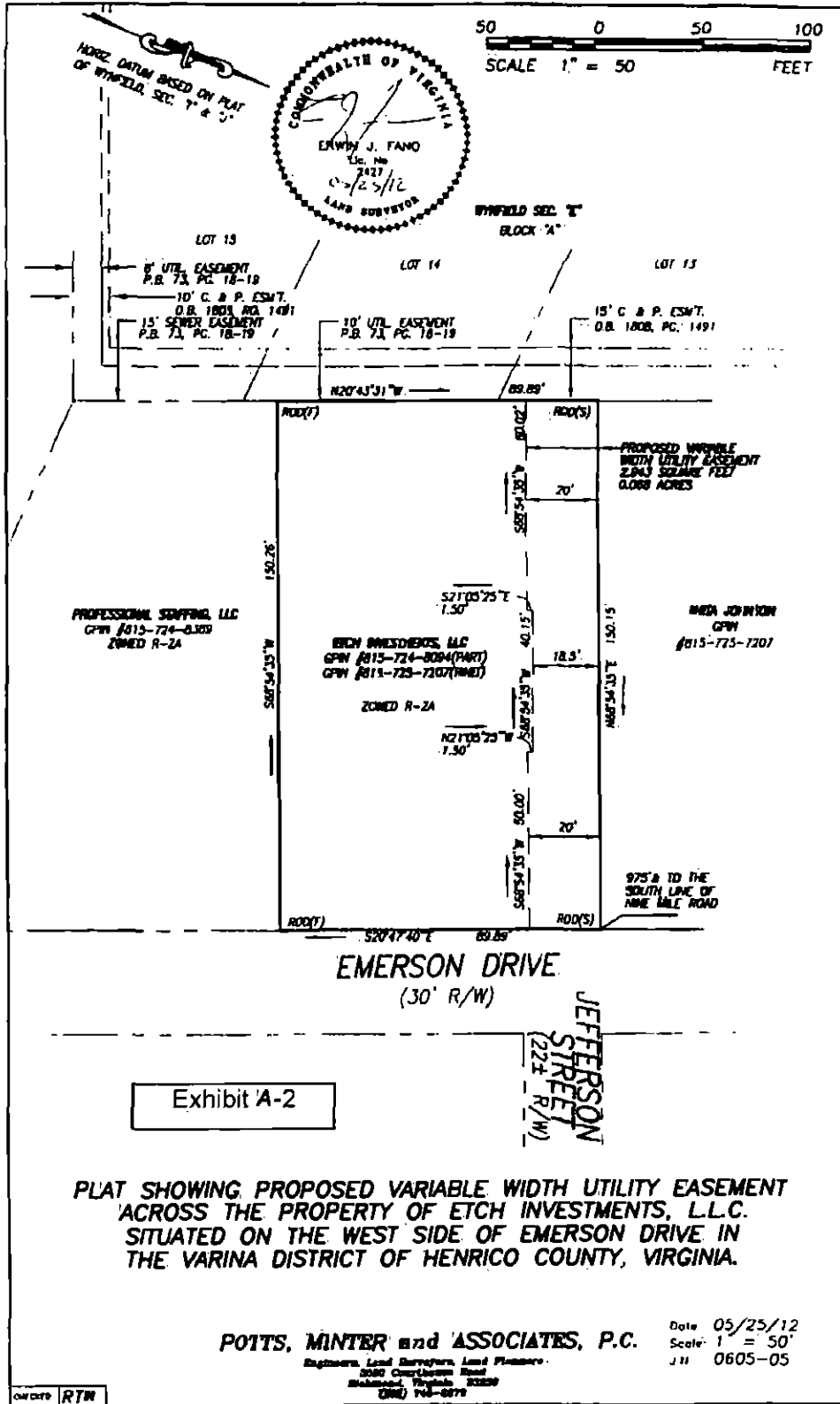


County of Henrico, Virginia Date: 10/29/2012



This map has been produced on Henrico County's Geographical Information System using the best data available to the County. This map is to be used for reference purposes only and the County of Henrico makes no warranty as to its completeness or accuracy. Any determination of topography or contours, or any depiction of physical improvements, are party lines or boundary lines is for general information only and shall not be used for the design, modification, or construction of improvements to real property without proper chain determination.







COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 269-12

Page No. 1 of 4

Agenda Title: RESOLUTION -- APPROVING ISSUANCE OF BONDS FOR BON SECOURS HEALTH SYSTEM, INC. BY THE ECONOMIC DEVELOPMENT AUTHORITY OF HENRICO COUNTY, VIRGINIA

For Clerk's Use Only:

NOV 18 2012

Date: _____

Approved

Denied

Amended

Deferred to: _____

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

YES NO OTHER

Glover, R.

Kacchale, D.

Nelson, T.

O'Bannon, P.

Thornton, F.

WHEREAS, the Economic Development Authority of Henrico County, Virginia (the "Authority") has considered the application of Bon Secours Health System, Inc. (the "Applicant" or "BSHSI") requesting the issuance of the Authority's revenue bonds in a principal amount not to exceed \$74,000,000 (the "Bonds"), the proceeds of which will be used for the benefit of the Applicant, Bon Secours - St. Mary's Hospital of Richmond, Inc., an affiliate of the Applicant with facilities located in Henrico County, Virginia ("St. Mary's Hospital"), Maryview Hospital, an affiliate of the Applicant with facilities located in the City of Portsmouth, Virginia ("Maryview Hospital"), and Bon Secours-Memorial Regional Medical Center, Inc., an affiliate of the Applicant with facilities located in Hanover County, Virginia ("MRMC" and, together with St. Mary's Hospital and Maryview Hospital, the "Hospitals"), to (i) refund all or a portion of the Economic Development Authority of Henrico County, Virginia Revenue Bonds, Series 2002A (Bon Secours Health System, Inc.) (the "Prior Bonds"), proceeds of which benefitted St. Mary's Hospital and Maryview Hospital, (ii) pay or reimburse, or refinance certain indebtedness the proceeds of which were used by, one or more of the Hospitals for the payment of the costs of acquiring, constructing, equipping, expanding, enlarging and improving certain of their medical facilities, (iii) pay a portion of the interest on the Bonds, if deemed necessary, (iv) establish a debt

By Agency Head

[Signature]

By County Manager

[Signature]

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Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. 269-12

Page No. 2 of 4

Agenda Title: RESOLUTION -- APPROVING ISSUANCE OF BONDS FOR BON SECOURS HEALTH SYSTEM, INC. BY THE ECONOMIC DEVELOPMENT AUTHORITY OF HENRICO COUNTY, VIRGINIA

service reserve fund, if deemed necessary, and (v) pay certain expenses incurred in connection with the issuance of the Bonds and the refunding of the Prior Bonds (collectively, the "Financing Purposes"), all as permitted by the Virginia Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the "Act"); and

WHEREAS, the Applicant is a Maryland nonstock, nonprofit corporation that has its principal place of business at 1505 Marriottsville Road, Marriottsville, Maryland; St. Mary's Hospital is a Virginia nonstock, nonprofit corporation with its principal place of business at 5801 Bremo Road, Henrico, Virginia; Maryview Hospital is a Virginia nonstock, nonprofit corporation with its principal place of business at 3636 High Street, Portsmouth, Virginia; and MRMC is a Virginia nonstock, nonprofit corporation with its principal place of business at 8260 Atlee Road, Mechanicsville (Hanover County), Virginia; and

WHEREAS, the Applicant and the Hospitals are each exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the facilities to be financed or refinanced with the proceeds of the Bonds are or will be located at the following addresses: 5801, 5855, 5875, 5906 and 5908 Bremo Road, 8550 and 8580 Magellan Parkway, 5902, 5904, 5905 and 5906 Hampstead Avenue, 1006, 1008, 1100 and 1104 Libbie Avenue, 1004, 1007, 1301, 1303, 1305, 1307 and 1403 Maple Avenue, 5810, 5813, 5815 and 5816 Paxton Street, 5804, 5806 and 5808 Park Avenue, 4620 and 4630 Labumum Avenue and 5803 Pratt Street in Henrico, Virginia; the intersection of Atlee Road and Meadowbridge Road, 7041 Lee Park Road, 8220 Meadowbridge Road and 8260 Atlee Road in Mechanicsville (Hanover County), Virginia; and 3636 High Street in Portsmouth, Virginia; and

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

Agenda Item No. 209-12
Page No. 3 of 4

**Agenda Title: RESOLUTION -- APPROVING ISSUANCE OF BONDS FOR BON
SECOURS HEALTH SYSTEM, INC. BY THE ECONOMIC
DEVELOPMENT AUTHORITY OF HENRICO COUNTY, VIRGINIA**

WHEREAS, the Bonds will be issued pursuant to the Act, and will be limited obligations of the Authority payable solely from the revenues and receipts derived from payments provided by BSHSI.

WHEREAS, on October 18, 2012, pursuant to the requirements of Section 147(f) of the Code, the Authority held a public hearing concerning the proposed issuance of the Bonds.

WHEREAS, Section 147(f) of the Code and Section 15.2-4906 of the Act provide that the highest elected governmental unit of the locality having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of the bonds.

WHEREAS, the Authority issues its bonds on behalf of the County of Henrico, Virginia (the "County") and the Board of Supervisors of the County (the "Board") constitutes the highest elected governmental unit of the County.

WHEREAS, as described above, certain of the facilities to be financed with the proceeds of the Bonds are located within the boundaries of Hanover County, Virginia and the City of Portsmouth, Virginia, and Section 15.2-4905 of the Act permits the issuance of the Bonds by the Authority if the respective governing bodies of Hanover County, Virginia, and the City of Portsmouth, Virginia concur in the Inducement Resolution adopted by the Authority, which concurrence has or will be obtained prior to the issuance of the Bonds.

WHEREAS, the Authority has recommended and requested that the Board approve the issuance of the Bonds to comply with Section 147(f) of the Code and Section 15.2-4906 of the Act.

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

Agenda Item No. 209-12
Page No. 4 of 4

Agenda Title: **RESOLUTION -- APPROVING ISSUANCE OF BONDS FOR BON SECOURS HEALTH SYSTEM, INC. BY THE ECONOMIC DEVELOPMENT AUTHORITY OF HENRICO COUNTY, VIRGINIA**

WHEREAS, the Authority adopted a resolution (the "Inducement Resolution") on October 18, 2012 in which it recommended and requested that the Board approve the issuance of the Bonds by the Authority and in support thereof the Authority filed with the Board copies of the Inducement Resolution, the notice of public hearing published once a week for two consecutive weeks, a reasonably detailed summary of the comments expressed at the Authority's public hearing and the Applicant's Fiscal Impact Statements.

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

1. The Board approves the issuance of the Bonds by the Authority in a principal amount not to exceed \$74,000,000 for the benefit of the Applicant and the Hospitals, as required by Section 147(f) of the Code and Section 15.2-4906 of the Act, to permit the Authority to assist in the financing of the Financing Purposes.

2. The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of facilities to be financed or refinanced with the proceeds of the Bonds, the Applicant or the Hospitals. Further, as required by Section 15.2-4909 of the Act, the Bonds shall provide that neither the Authority nor the County shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor and neither the faith and credit nor the taxing power of the Commonwealth of Virginia nor any political subdivision thereof, including the Authority and the County, shall be pledged thereto.

3. The Board hereby authorizes and directs the Clerk of the Board to forward a certified copy of this resolution to the Authority.

4. This resolution shall take effect immediately upon its adoption.

Comments: The Executive Director of the Economic Development Authority recommends approval of this Board paper; the County Manager concurs.

**Inducement
Resolution With
Respect to the Proposed Issuance of
Revenue Bonds by the
Economic Development Authority of
Henrico County, Virginia for
Bon Secours-St. Mary's Hospital of Richmond, Inc.,
Bon Secours-Memorial Regional Medical Center, Inc. and Maryview Hospital**

WHEREAS, Bon Secours-St. Mary's Hospital of Richmond, Inc. ("St. Mary's Hospital"), with facilities located in Henrico County, Virginia, is a Virginia nonstock, nonprofit corporation and an organization described under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), affiliated with Bon Secours Health System, Inc., a Maryland nonstock, nonprofit corporation ("BSHSI"); and

WHEREAS, Bon Secours-Memorial Regional Medical Center, Inc. ("MRMC"), with facilities located in Hanover County, Virginia, is a Virginia nonstock, nonprofit corporation and an organization described under Section 501(c)(3) of the Code, affiliated with BSHSI; and

WHEREAS, Maryview Hospital ("Maryview Hospital" and, together with St. Mary's Hospital and MRMC, the "Hospitals"), with facilities located in Portsmouth, Virginia, is a Virginia nonstock, nonprofit corporation and an organization described under Section 501(c)(3) of the Code, affiliated with BSHSI; and

WHEREAS, BSHSI has requested that the Economic Development Authority of Henrico County, Virginia (the "Authority") issue one or more series of its Revenue Bonds (Bon Secours Health System, Inc.) in an aggregate principal amount not to exceed \$74,000,000 (the "Bonds") in order to (i) refund all or a portion of the Economic Development Authority of Henrico County, Virginia Revenue Bonds, Series 2002A (Bon Secours Health System, Inc.) (the "Prior Bonds"), proceeds of which benefitted St. Mary's Hospital and Maryview Hospital, (ii) pay or reimburse, or refinance certain indebtedness the proceeds of which were used by, one or more of the Hospitals for the payment of the costs of acquiring, constructing, equipping, expanding, enlarging and improving certain of their medical facilities, (iii) pay a portion of the interest on the Bonds, if deemed necessary, (iv) establish a debt service reserve fund, if deemed necessary, and (v) pay certain expenses incurred in connection with the issuance of the Bonds and the refunding of the Prior Bonds (collectively, the "Financing Purposes"); and

WHEREAS, the Bonds will be issued pursuant to the Virginia Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the "Act"), and will be limited obligations of the Authority payable solely from the revenues and receipts derived from payments by BSHSI and related entities; and

WHEREAS, pursuant to Section 15.2-4905 of the Act, if a locality other than Henrico County, Virginia has created an industrial development authority pursuant to the Act, the Act does not permit the Authority to finance facilities within the boundaries of such locality unless

the governing body of the locality where the facilities are located concurs with the inducement resolution of this Authority and shows its concurrence in a duly adopted resolution; and

WHEREAS, Hanover County, Virginia, and Portsmouth, Virginia, have each created an industrial development authority pursuant to the Act; and

WHEREAS, the issuance of the Bonds is contingent upon the adoption of concurring resolutions by the Board of Supervisors of the County of Hanover and the City Council of the City of Portsmouth pursuant to the Act; and

WHEREAS, in materials submitted to the Authority, and in its appearance before the Authority, BSHSI has described, on behalf of the Hospitals, the Financing Purposes and the benefit thereof to BSHSI and the Hospitals in providing quality medical care to the residents of Henrico County, Hanover County and the City of Portsmouth and surrounding environs; and

WHEREAS, the Authority has determined that financing the costs of the Financing Purposes by the Authority for the Hospitals and BSHSI will protect and promote the health and welfare of the inhabitants of the Commonwealth of Virginia and in particular of Henrico County, Hanover County, the City of Portsmouth and surrounding environs, will reduce the cost of providing medical care to residents of the Commonwealth of Virginia and in particular Henrico County, Hanover County and the City of Portsmouth, will be in the public interest and will be consistent with and serve the purposes of the Act; and

WHEREAS, representatives of BSHSI and the Hospitals have appeared before the Authority at a public hearing (as to which proper notice was given by publication in a newspaper of general circulation on October 3 and October 10, 2012) held on this date, such public hearing being that required by Section 15.2-4906 of the Act and Section 147(f) of the Code; and

NOW, THEREFORE, BE IT RESOLVED by the Economic Development Authority of Henrico County, Virginia:

(1) It is hereby found and determined that financing the costs of the Financing Purposes will reduce the cost of providing medical care to residents of the Commonwealth of Virginia and in particular Henrico County, Hanover County and the City of Portsmouth and surrounding environs, will be in the public interest, will protect and promote the health and welfare of the inhabitants of the area served by the Authority, and will be consistent with and serve the purposes of the Act.

(2) In order to finance the costs of the Financing Purposes, the Authority hereby agrees to issue its Bonds in a principal amount (excluding original issue discount) not to exceed \$74,000,000, upon terms and conditions to be mutually agreed upon among the Authority, the Hospitals, BSHSI and the purchasers of the Bonds, and subject to the requirements of the Act.

(3) Payment of the Bonds shall be secured by an assignment, for the benefit of the holders thereof, of the Authority's rights (excluding the Authority's rights to indemnification, fees, expenses and notice) under notes or other obligations of BSHSI and other related entities requiring payments sufficient in the aggregate to pay all principal of, premium, if any, and interest on the Bonds.

(4) The Bonds may be issued in one or more series issued on one or more dates, shall bear such title or designation, shall bear interest at such rate or rates, shall be in such denominations, shall be subject to such terms of redemption, shall be in such form, and shall contain such other terms and conditions as may be approved by the Authority.

(5) It having been represented to the Authority that it is necessary to proceed immediately with the Financing Purposes, the Authority hereby authorizes BSHSI and the Hospitals to proceed with their plans for the Financing Purposes and to take steps as they may deem appropriate in connection therewith, provided that nothing herein shall be deemed to authorize BSHSI and the Hospitals to obligate the Authority without its consent in each instance to the payment of any moneys or the performance of any acts in connection with the Financing Purposes. The Authority agrees that BSHSI and the Hospitals may be reimbursed from the proceeds of the Bonds for all such costs they so incur or have so incurred to the extent permitted by the Act and applicable Federal law.

(6) The Authority hereby agrees to the recommendation of BSHSI that Jones Day, Chicago, Illinois, be appointed as bond counsel, and hereby appoints such firm to supervise the proceedings and approve the issuance of the Bonds.

(7) At the request of BSHSI, the Authority hereby appoints Citigroup Global Markets Inc., New York, New York, and JPMorgan Securities LLC, as underwriters for the purchase and sale of the Bonds pursuant to terms to be mutually agreed upon.

(8) If requested by BSHSI or bond counsel, the Authority shall, at the expense of BSHSI, make application to the Internal Revenue Service for such tax rulings as may be necessary or desirable in connection with the issuance of all or part of the Bonds, and the Chairman and the Vice Chairman of the Authority are hereby authorized to execute an appropriate power of attorney naming such counsel as BSHSI may request for the purposes of seeking such ruling.

(9) The Assistant Secretary of the Authority is directed to forward a copy of this Resolution to the Board of Supervisors of Henrico County, Virginia. The Authority hereby recommends that the Board of Supervisors of Henrico County, Virginia, approve the issuance of the Bonds in accordance with the provisions of Section 147(f) of the Code and Section 15.2-4906 of the Act.

(10) Nothing contained in this resolution shall require the expenditure of any funds of the Authority for any purpose whatsoever except such as may be derived from the proceeds of the Bonds issued pursuant hereto, it being understood that BSHSI and the Hospitals will reimburse the Authority for all reasonable and necessary direct out-of-pocket expenses that the Authority may incur arising from the adoption of this resolution and the performance by the Authority of its obligations hereunder and that are not paid with the proceeds of the Bonds, including the Authority's fees and expenses, including counsel fees. In addition, BSHSI shall pay to the Authority its annual fee of \$500 per \$1,000,000 principal amount of the Bonds actually issued prorated to the extent such Bonds are not issued in an integral multiple of \$1,000,000, payable upon the issuance of the Bonds and on each anniversary date of the issuance of the Bonds thereafter until payment of the Bonds in full. If for any reason such Bonds are not

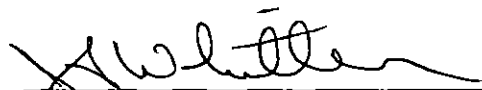
issued, it is understood that all such expenses shall be paid by BSHSI and that the Authority shall have no responsibility therefor.

(11) This resolution shall take effect immediately and shall expire one year from the date hereof unless the Bonds are issued within such time.

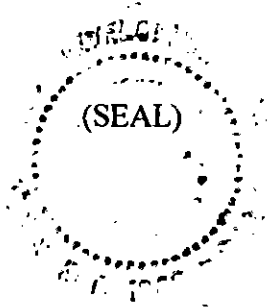
Certificate

The undersigned Assistant Secretary of the Economic Development Authority of Henrico County, Virginia hereby certifies that the foregoing is a true, correct, and complete copy of a resolution duly adopted by the Board of Directors of the Economic Development Authority of Henrico County, Virginia present and voting at a meeting duly called and held on October 18, 2012, and that such resolution has not been repealed, revoked, rescinded, or amended, but is in full force and effect on the date hereof

WITNESS my hand and the seal of the Authority this 18th day of October, 2012.



Assistant Secretary
Economic Development Authority of
Henrico County, Virginia



Richmond Times-Dispatch

Advertising Affidavit

Account Number

3515354

P.O. Box 85333
 Richmond, Virginia 23293-0001
 (804) 649-6208

Date

October 10, 2012

JONES DAY C/O MILLER ADVERTISING
 JONES DAY
 77 W. WACKER DR.
 NEW YORK, NY 10003

Date	Category	Description	Ad Size	Total Cost
10/10/2012	Meetings and Events	NOTICE OF PUBLIC HEARING	2 x 11.00 IN	4,060.76

NOTICE OF PUBLIC HEARING

Public Notice is hereby given that a public hearing will be held on October 18, 2012, at 6:30 p.m., in the conference room in the offices of the Economic Development Authority of Henrico County, Virginia (the "Authority"), 4300 East Parham Road, Henrico, Virginia, 23228 by the Authority, regarding a plan of finance to issue one or more series of the Authority's Revenue Bonds (the "Bonds") in an aggregate principal amount not to exceed \$100,000,000. The proceeds of the Bonds will be loaned to Bon Secours Health System, Inc. ("BSHS"), a Maryland non-profit corporation, which is a Maryland non-profit corporation, non-profit membership corporation ("BSHS"), with its principal place of business located at 1505 Mechanicsville Road, Mechanicsville, Maryland 21104. The proceeds of the Bonds will be used for the benefit of BSHS and its affiliated subsidiaries (each of which is a Virginia non-profit corporation): (i) Bon Secours - St. Mary's Hospital of Richmond, Inc. ("St. Mary's"), which operates St. Mary's Hospital of Richmond, an acute care hospital located at 5501 Brevoort Road, Henrico, Virginia; (ii) Bon Secours-Memorial Regional Medical Center, Inc. ("MRMC"), which operates Memorial Regional Medical Center, an acute care hospital located at 5200 Atlas Road, Mechanicsville (Hanover County), Virginia; (iii) Maryview Hospital ("Maryview"), which operates Maryview Hospital, an acute care hospital located at 3636 High Street, Portsmouth, Virginia; and (iv) Bon Secours - Richmond Community Hospital, Incorporated ("Richmond Community Hospital") as well as together with St. Mary's, MRMC and Maryview, the "Hospitals", which operates Richmond Community Hospital, an acute care hospital located at 1500 North 25th Street, Richmond, Virginia.

The proceeds of the Bonds will be used, together with certain other moneys, to (i) refund all or a portion of the Economic Development Authority of Henrico County, Virginia Revenue Bonds, Series 2002A (Bon Secours Health System, Inc.) (the "Series 2002A Bonds"), (ii) refund all or a portion of the Economic Development Authority of Henrico County, Virginia Revenue Refunding Bonds, Series 2005B-1 (Bon Secours Health System, Inc.) (the "Series 2005B-1 Bonds") and, together with the Series 2002A Bonds, the "Prior Bonds", (iii) pay or reimburse, or refinance certain indebtedness the proceeds of which were used by one or more of the Hospitals for the payment of the costs of acquiring, constructing, equipping, expanding, enlarging and improving certain of their medical facilities, including, without limitation, (a) the renovation and equipping of the emergency department at St. Mary's Hospital of Richmond located at 5501 Brevoort Road, Henrico, Virginia, (b) the construction and equipping of an angiography suite at Memorial Regional Medical Center located at 5200 Atlas Road, Mechanicsville (Hanover County), Virginia, (c) the construction, renovation and equipping of an angiography suite, cardiac catheterization lab, mammography unit and DCA/JCI at Maryview Hospital located at 3636 High Street, Portsmouth, Virginia and (d) the costs of acquiring certain pieces of surgical, diagnostic, computer and other hospital equipment for the benefit of MRMC, St. Mary's and Maryview (collectively, the "Projects"), (iv) pay a portion of the interest on the Bonds, if deemed necessary, (v) establish a debt service reserve fund, if deemed necessary, and (e) pay certain expenses incurred in connection with the issuance of the Bonds and the refunding of the Prior Bonds (collectively, the "Financing Purposes"), as permitted under Title 15.2, Chapter 49, Section 15.2-4300 of the Code of Virginia of 1950, as amended (the "Act").

The proceeds of the Series 2002A Bonds were loaned to BSHS and were used, together with certain other moneys, to (i) refund the Economic Development Authority of Henrico County, Virginia Revenue Bonds, Series 2006 (Bon Secours Health System, Inc.) (the "Series 2006 Bonds"), (ii) establish a debt service reserve fund and (iii) pay certain costs incurred in connection with the issuance of the Series 2002A Bonds and the refunding of the Series 2006 Bonds. The proceeds of the Series 2006 Bonds were loaned to BSHS and were used, together with certain other moneys, to (i) pay or reimburse St. Mary's and Maryview for the payment of the costs of acquiring, constructing, equipping, expanding, enlarging and improving certain of their medical facilities, (ii) provide working capital for St. Mary's and Maryview, (iii) refund a portion of the \$65,500,000 Bon Secours Health System, Inc. Master Notes, Series 60, proceeds of which were used to pay the costs of acquiring, constructing, equipping, expanding, enlarging and improving certain medical facilities of St. Mary's and Maryview, (iv) establish a debt service reserve fund and (v) pay certain expenses incurred in connection with the issuance of the Series 2006 Bonds.

The proceeds of the Series 2005B-1 Bonds were loaned to BSHS and were used, together with certain other moneys, to (i) refund the Economic Development Authority of Henrico County, Virginia Variable Rate Revenue Bonds, Series 2002S (Bon Secours Health System, Inc.) (the "Series 2002S Bonds"), (ii) refund the Economic Development Authority of Henrico County, Virginia Variable Rate Revenue Refunding Bonds, Series 2005A (Bon Secours Health System, Inc.) (the "Series 2005A Bonds") and, together with the Series 2002S Bonds, the "Prior Bonds", (iii) pay or reimburse, or refinance certain indebtedness the proceeds of which were used by one or more of the Hospitals for the payment of the costs of acquiring, constructing, equipping, expanding, enlarging and improving certain of their medical facilities, including, without limitation, (a) the renovation and equipping of the emergency department at St. Mary's Hospital of Richmond located at 5501 Brevoort Road, Henrico, Virginia, (b) the construction and equipping of an angiography suite at Memorial Regional Medical Center located at 5200 Atlas Road, Mechanicsville (Hanover County), Virginia, (c) the construction, renovation and equipping of an angiography suite, cardiac catheterization lab, mammography unit and DCA/JCI at Maryview Hospital located at 3636 High Street, Portsmouth, Virginia and (d) the costs of acquiring certain pieces of surgical, diagnostic, computer and other hospital equipment for the benefit of MRMC, St. Mary's and Maryview (collectively, the "Projects"), (iv) pay a portion of the interest on the Bonds, if deemed necessary, (v) establish a debt service reserve fund, if deemed necessary, and (e) pay certain expenses incurred in connection with the issuance of the Bonds and the refunding of the Prior Bonds (collectively, the "Financing Purposes"), as permitted under Title 15.2, Chapter 49, Section 15.2-4300 of the Code of Virginia of 1950, as amended (the "Act").

Publisher of the Richmond Times-Dispatch

This is to certify that the attached NOTICE OF PUBLIC HEARING was published by the Richmond Times-Dispatch, Inc. in the City of Richmond, State of Virginia, on the following dates:

10/03, 10/10/2012

The First Insertion being given ... 10/03/2012

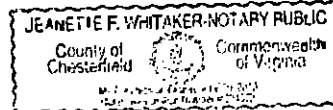
Newspaper reference: 0002786934

Sworn to and subscribed before me this

10/10/2012

Jeanette F. Whitaker
 Notary Public

[Signature]
 Supervisor



State of Virginia
 City of Richmond
 My Commission expires _____

IT A BILL. PLEASE PAY FROM INVOICE. THANK YOU

**ECONOMIC DEVELOPMENT AUTHORITY
OF HENRICO COUNTY, VIRGINIA
RECORD OF PUBLIC HEARING
OCTOBER 18, 2012, AT 6:30 PM**

Summary of Statements

Amy Curran, of the law firm of Jones Day in Chicago, Bond Counsel, Melinda Hancock, BSHS, Richmond CFO, Dougal Hewitt, BSHS, Mission Department, and Mary Catherine Kolbert, Healthy Communities Liaison of Bon Secours of St Mary's Hospital of Richmond, Inc., appeared before the Economic Development Authority of Henrico County, Virginia during its advertised public hearing on October 18, 2012 and described the proposed bond issue for Bon Secours Health System, Inc., a Maryland nonprofit nonstock membership corporation and its affiliated facilities in Henrico, the City of Portsmouth, and Hanover County, and explained that the financing will be used to (i) refund all or a portion of the Economic Development Authority of Henrico County, Virginia Revenue Bonds, Series 2002A (Bon Secours Health System, Inc.) (the "Series 2002A Bonds"), (ii) pay or reimburse, or refinance certain indebtedness the proceeds of which were used by, one or more of the Hospitals for the payment of the costs of acquiring, constructing, equipping, expanding, enlarging and improving certain of their medical facilities, (iii) pay a portion of the interest on the Bonds, if deemed necessary, (iv) establish a debt service reserve fund, if deemed necessary, and (v) pay certain related expenses.

The public was invited to speak. No public comments were given. Following the closing of the public hearing, a resolution approving the issuance of the Bonds by the Authority and recommending that the Board of Supervisors of Henrico County, Virginia concur in the issuance by the Authority of the Bonds was moved, seconded and unanimously adopted by the Authority.

FISCAL IMPACT STATEMENT

October 1, 2012
DATE

Bon Secours Health System, Inc.
NAME OF APPLICANT

Bon Secours-Memorial Regional Medical Center, Inc.
FACILITY

- | | | |
|----|---|----------------------|
| 1. | Maximum amount of financing sought | \$ <u>74,000,000</u> |
| 2. | Estimated taxable value of the facility's real property to be constructed in the locality | \$ <u>-0-</u> |
| 3. | Estimated real property tax per year using present tax rates | \$ <u>16,830</u> |
| 4. | Estimated personal property tax per year using present tax rates | \$ <u>-0-</u> |
| 5. | Estimated merchants' capital tax per year using present tax rates | \$ <u>-0-</u> |
| 6. | a. Estimated dollar value per year of goods that will be purchased from Virginia companies within the locality | \$ <u>2,326,700</u> |
| | b. Estimated dollar value per year of goods that will be purchased from non-Virginia companies within the locality | \$ <u>44,207,300</u> |
| | c. Estimated dollar value per year of services that will be purchased from Virginia companies within the locality | \$ <u>9,359,360</u> |
| | d. Estimated dollar value per year of services that will be purchased from non-Virginia companies within the locality | \$ <u>16,639,360</u> |
| 7. | Estimated number of regular employees on year round basis | <u>1,737</u> |
| 8. | Average annual salary per employee | \$ <u>45,550</u> |



AUTHORITY CHAIRMAN

(SIGNATURE)
Economic Development Authority
of Henrico County, Virginia

NAME OF AUTHORITY

FISCAL IMPACT STATEMENT

October 1, 2012

DATE

Bon Secours Health System, Inc.

NAME OF APPLICANT

Maryview Hospital

FACILITY

- | | | |
|----|---|----------------------|
| 1. | Maximum amount of financing sought | \$ <u>74,000,000</u> |
| 2. | Estimated taxable value of the facility's real property to be constructed in the locality | \$ <u>-0-</u> |
| 3. | Estimated real property tax per year using present tax rates | \$ <u>66,000</u> |
| 4. | Estimated personal property tax per year using present tax rates | \$ <u>13,000</u> |
| 5. | Estimated merchants' capital tax per year using present tax rates | \$ <u>-0-</u> |
| 6. | a. Estimated dollar value per year of goods that will be purchased from Virginia companies within the locality | \$ <u>3,024,743</u> |
| | b. Estimated dollar value per year of goods that will be purchased from non-Virginia companies within the locality | \$ <u>33,475,256</u> |
| | c. Estimated dollar value per year of services that will be purchased from Virginia companies within the locality | \$ <u>13,307,712</u> |
| | d. Estimated dollar value per year of services that will be purchased from non-Virginia companies within the locality | \$ <u>31,051,328</u> |
| 7. | Estimated number of regular employees on year round basis | <u>1,777</u> |
| 8. | Average annual salary per employee | \$ <u>45,440</u> |



AUTHORITY CHAIRMAN

(SIGNATURE)

**Economic Development Authority
of Henrico County, Virginia**

NAME OF AUTHORITY

FISCAL IMPACT STATEMENT

October 1, 2012

DATE

Bon Secours Health System, Inc.

NAME OF APPLICANT

Bon Secours - St. Mary's Hospital of Richmond, Inc.

FACILITY

- | | | |
|----|---|---------------|
| 1. | Maximum amount of financing sought | \$ 74,000,000 |
| 2. | Estimated taxable value of the facility's real property to be constructed in the locality | \$ -0- |
| 3. | Estimated real property tax per year using present tax rates | \$ 51,000 |
| 4. | Estimated personal property tax per year using present tax rates | \$ -0- |
| 5. | Estimated merchants' capital tax per year using present tax rates | \$ -0- |
| 6. | a. Estimated dollar value per year of goods that will be purchased from Virginia companies within the locality | \$ 4,805,100 |
| | b. Estimated dollar value per year of goods that will be purchased from non-Virginia companies within the locality | \$ 75,279,900 |
| | c. Estimated dollar value per year of services that will be purchased from Virginia companies within the locality | \$ 10,865,700 |
| | d. Estimated dollar value per year of services that will be purchased from non-Virginia companies within the locality | \$ 25,353,300 |
| 7. | Estimated number of regular employees on year round basis | 3,723 |
| 8. | Average annual salary per employee | \$ 46,005 |



AUTHORITY CHAIRMAN

(SIGNATURE)
Economic Development Authority
of Henrico County, Virginia



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

Agenda Item No. 270-12

Page No. 1 of 1

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

<p>For Clerk's Use Only:</p> <p>NOV 13 2012</p> <p>Date: _____</p> <p><input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____</p>	<p align="center">BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Thornton</u> (2) _____ (2) _____</p> <p>REMARKS: APPROVED</p>	<table border="0"> <tr> <td></td> <td align="center">YES</td> <td align="center">NO</td> <td align="center">OTHER</td> </tr> <tr> <td>Glover, R.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Kacchela, D.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Nelson, T.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>		YES	NO	OTHER	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kacchela, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	YES	NO	OTHER																							
Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
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Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

WHEREAS, on November 7, 2012 the Board of Supervisors approved a resolution consenting to the County Manager's declaration on October 28, 2012 of a local emergency relating to Hurricane Sandy; and

WHEREAS, such declaration was made and consent given pursuant to §44-146.21(a) of the Code of Virginia, 1950, as amended; and,

WHEREAS, the state statute also requires the Board to "take appropriate action to end the declared emergency" when, in the Board's judgment, "all emergency actions have been taken;" and,

WHEREAS, the County Manager, in consultation with the Fire Chief, has advised that all emergency actions relating to Hurricane Sandy have been taken.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that it finds the declared local emergency occasioned by Hurricane Sandy has ended.

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

By Agency Head Anthony E. McDonnell By County Manager Doris E. Hightower

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. 271-12

Page No. 1 of 1

Agenda Title: RESOLUTION – Authorization to Apply for and Accept an Allocation of Grant Funding From the Virginia Department of Emergency Management’s Local Emergency Management Performance Grant (LEMPG) Program

For Clerk Use Only
NOV 13 2012

Date: _____

Approved

Denied

Amended

Deferred to: _____

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Shamba
 (2) _____ (2) _____

REMARKS: **APPROVED**

YES NO OTHER

Glover, R.	<input checked="" type="checkbox"/>	_____
Kaechele, D.	<input checked="" type="checkbox"/>	_____
Nelson, T.	<input checked="" type="checkbox"/>	_____
O'Bannon, P.	<input checked="" type="checkbox"/>	_____
Thornton, F.	<input checked="" type="checkbox"/>	_____

WHEREAS, the Division of Fire wishes to apply for and accept an allocation of grant funding from the local Emergency Management Performance Grant (LEMPG) Program as administered through the Virginia Department of Emergency Management; and

WHEREAS, this grant, which requires a 1:1 local match, will be used by the Division of Fire to supplement the salary of the position of the Deputy Coordinator of Emergency Management (Emergency Manager).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County authorizes the county Manager to accept an allocation of grant funding totaling \$17,504.00 from the Virginia Department of Emergency Management’s Local Emergency Management Performance Grant (LEMPG) Program.

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

By Agency Head

Anthony E. McDaniel

By County Manager

Douglas R. [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. 272-12

Page No. 1 of 1

Agenda Title: RESOLUTION – Authorization to Accept Federal Grant Funding From the 2012 Citizen Corps Program and the State Homeland Security Program Administered by the Commonwealth of Virginia through the Virginia Department of Emergency Management

For Clerk's Use Only: NOV 13 2012 Date: _____ <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Kacchale</u> (2) _____ (2) _____ REMARKS: <div style="font-size: 2em; font-weight: bold; text-align: center;">APPROVED</div>	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <tr> <td>Glover, R.</td> <td align="center">—</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Kacchale, D.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Nelson, T.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Thornton, F.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> </table>		YES	NO	OTHER	Glover, R.	—	—	—	Kacchale, D.	✓	—	—	Nelson, T.	✓	—	—	O'Bannon, P.	✓	—	—	Thornton, F.	✓	—	—
	YES	NO	OTHER																							
Glover, R.	—	—	—																							
Kacchale, D.	✓	—	—																							
Nelson, T.	✓	—	—																							
O'Bannon, P.	✓	—	—																							
Thornton, F.	✓	—	—																							

WHEREAS, the Division of Fire wishes to accept \$13,000 in federal grant funding from the 2012 Citizen Corps Program and the State Homeland Security Program administered by the Commonwealth of Virginia through the Virginia Department of Emergency Management; and

WHEREAS, the grant, which requires no local match, will be administered by the Division of Fire's Office of Emergency Management for the County's Citizen Corps training programs, including Community Emergency Response Team (CERT) training, Fire Corps (FC), Medical Reserve Corps (MRC), Volunteers in Police Service (VIPS), and Neighborhood Watch (NW).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County authorizes the County Manager to accept \$13,000 in federal grant funding from the Citizen Corps Program and the State Homeland Security Program administered by the Commonwealth of Virginia through the Virginia Department of Emergency Management.

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

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

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



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

Agenda Item No. 273-12
Page No. 1 of 2

Agenda Title: RESOLUTION - Award of Annual Contract for Designating and Locating Subsurface Utilities

For Clerk's Use Only: Date: NOV 13 2012 <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Thornton</u> (2) _____ (2) _____ REMARKS: APPROVED	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <tr> <td>Glover, R. .</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Nelson, T.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>		YES	NO	OTHER	Glover, R. .	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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WHEREAS, on September 14, 2012, the County received three proposals in response to RFP #12-9307-8CS for an annual contract to provide subsurface utility designating and locating; and

WHEREAS, based upon review and evaluation of the written proposals, the selection committee interviewed the following firms:

Accumark, Inc.
Johnson, Mirmiran and Thompson, Inc.
InfraMap Corporation

WHEREAS, the selection committee selected Accumark, Inc. as the top-ranked firm and negotiated hourly and unit cost rate schedules.

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

1. An annual contract to provide subsurface utility designating and locating is awarded to Accumark, Inc. for the period November 13, 2012 to November 12, 2013, with the option to renew for two additional one-year terms, all in accordance with RFP #12-9307-8CS and the proposal submitted by Accumark, Inc.
2. Compensation for services rendered pursuant to the contract will be based on the agreed-upon hourly rate schedules contained in the contract.
3. The fees shall not exceed \$300,000 for any single project, nor \$1,500,000 per one-year term of the contract.

By Agency Head By County Manager

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

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

Agenda Item No. 273-12
Page no. 2 of 2

Agenda Title: RESOLUTION - Award of Annual Contract for Designating and Locating Subsurface Utilities

4. The County Manager is authorized to execute the contract in a form approved by the County Attorney.

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



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

Agenda Item No. 274-12
Page No. 1 of 2

Agenda Title: RESOLUTION - Award of Annual Contract for Engineering and Related Services - Geotechnical, Quality Control and Special Inspections

For Clerk's Use Only: NOV 13 2012 Date: _____ <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Kaechele</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS: APPROVED	<table border="1"> <thead> <tr> <th></th> <th>YES</th> <th>NO</th> <th>OTHER</th> </tr> </thead> <tbody> <tr> <td>Glover, R. .</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Nelson, T.</td> <td align="center">✓</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	Glover, R. .	✓			Kaechele, D.	✓			Nelson, T.	✓			O'Bannon, P.				Thornton, F.			
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WHEREAS, on September 14, 2012, the County received nine proposals in response to RFP #12-9308-8CS for an annual contract to provide engineering and related services for geotechnical, quality control and special inspections; and

WHEREAS, based upon review and evaluation of the written proposals, the selection committee interviewed the following firms:

- Schnabel Engineering Consultants, Inc.
- ECS Mid-Atlantic, LLC
- Froehling & Robertson, Inc.
- Atlantic Geotechnical Services, Inc.

WHEREAS, the selection committee selected Schnabel Engineering Consultants, Inc. as the top-ranked firm and negotiated hourly and unit cost rate schedules.

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

1. An annual contract to provide engineering and related services for geotechnical, quality control and special inspections is awarded to Schnabel Engineering Consultants, Inc. for the period of November 13, 2012 to November 12, 2013, with the option to renew for two additional one-year terms, all in accordance with RFP #12-9308-8CS and the proposal submitted by Schnabel Engineering Consultants, Inc.
2. Compensation for services rendered pursuant to the contract will be based on the agreed-upon hourly rate schedule contained in the contract.

By Agency Head [Signature] 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. 274-12
Page no. 2 of 2

Agenda Title: RESOLUTION - Award of Annual Contract for Engineering and Related Services – Geotechnical, Quality Control and Special Inspections

3. The fees shall not exceed \$300,000 for any single project, nor \$1,500,000 per one-year term of the contract.
4. The County Manager is authorized to execute the contract in a form approved by the County Attorney.

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

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

Agenda Item No. 275-12
Page No. 1 of 1

Agenda Title: **RESOLUTION – Adoption of New Facility Reservation Guides for the Henrico Theatre – Varina District**

<p>Clerk's Use Only:</p> <p>NOV 13 2012</p> <p>Approved <input checked="" type="checkbox"/></p> <p>Denied <input type="checkbox"/></p> <p>Amended <input type="checkbox"/></p> <p>Deferred to: <input type="checkbox"/></p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Nelson</u> Seconded by (1) <u>O'Bannon</u></p> <p style="margin-left: 100px;">(2)</p> <p>REMARKS: APPROVED</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"></th> <th style="text-align: center;">YES</th> <th style="text-align: center;">NO</th> <th style="text-align: center;">OTHER</th> </tr> </thead> <tbody> <tr> <td>Glover, R.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Kaechele, D.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Nelson, T.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </tbody> </table>		YES	NO	OTHER	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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WHEREAS, on July 24, 2007, the Board of Supervisors adopted a policy and fee schedule governing the use of the Henrico Theatre; and

WHEREAS, it is desirable to amend the current Henrico Theatre Facility Reservation Guide by creating two separate facility reservation guides, one for the auditorium and one for the reception room.

NOW, THEREFORE, BE IT RESOLVED by the Board that it adopts the Henrico Theatre Facility Reservation Guide Auditorium and the Henrico Theatre Facility Reservation Guide Reception Room attached to this resolution.

BE IT FURTHER RESOLVED that the Henrico Theatre Facility Reservation Guide Auditorium and the Henrico Theatre Reservation Guide Reception Room adopted by this resolution shall become effective for applications submitted beginning November 14, 2012.

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

By Agency Head *Edwin L. Lichtenhan* By County Manager *Debra L. Reynolds*

Routing:
Yellow to: _____

Copy to: _____

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

Date: _____



**COUNTY OF HENRICO
DIVISION OF RECREATION AND PARKS**

Henrico Theatre Facility Reservation Guide Reception Room



**305 East Nine Mile Road
Henrico, VA 23075
Phone: (804) 328-4491
Fax: (804) 328-4497**

Adopted November 13, 2012

HENRICO THEATRE POLICIES GOVERNING FACILITY USE

APPLICATION FOR USE

- For Henrico County residents, applications are accepted on a first-come, first-served basis no more than a year in advance and no less than thirty (30) days before the requested date. Proof of County residency (driver's license or voter registration card) must be provided with the application for use.
- Non-County residents may reserve the facility up to six (6) months before the desired date and no less than thirty (30) days before the requested event.
- Applications for governmental use, other than activities sponsored by the Henrico County Division of Recreation and Parks, will be accepted up to ninety (90) days before the desired date.
- All applications must be signed by an individual at least 21 years of age. Permission for groups or organizations composed of persons under the age of 21 will be granted only to individuals at least 21 years of age who accept responsibility for supervising the using group or organization. In instances where events are held with participants under the age of 21, one chaperone 21 years of age or older for every twenty-five (25) participants must be present at all times.
- The applicant or named designee must be on-site during the scheduled event.
- All rental transactions, including payments, must be made by the applicant. Completed applications and deposits may be submitted at Henrico Theatre during regular office hours, Monday through Friday, 8:00 a.m. - 4:30 p.m.
- The Director of Recreation and Parks or designee must approve all entertainment in advance.
- The Division of Recreation and Parks reserves the right to review, on a case by case basis, each event, program, or performance against the standards listed in the Division of Recreation and Parks Mission Statement.
- The order of priority for use of the facility is as follows:
 1. Any activity or use available to the public sponsored by the County of Henrico Division of Recreation and Parks.
 2. Any non-governmental activity or use.
 3. Any governmental use, other than an activity or use sponsored by the County of Henrico Division of Recreation and Parks.

The Site Manager must approve all applications for facility use before they can be confirmed. Individuals wishing to tour the facility must make an appointment with the Site Manager so as not to interfere with events in progress.

RESERVATION LOTTERY PROCESS

All reservations decided according to the procedures listed below are final.

- If one or more County residents and one or more non-County residents arrive at the same time and wish to reserve the same date, the County residents will have priority over the non-County residents.
- If two or more County residents arrive at the same time and wish to apply for the same date, a lottery drawing will be held to decide who is granted use of the facility for that date. This drawing will be held by the staff on-duty in the presence of the participating residents.
- If two or more non-County residents arrive at the same time and wish to apply for the same date, a lottery drawing will be held to decide who is granted use of the facility for that date. This drawing will be held by the staff on-duty in the presence of the non-County residents.
- Only one lottery entry is allowed per event.

FEES AND DEPOSITS

- All required fees and deposits are due thirty (30) days before the event date requested.
- If room set-up is required, a set-up request and room diagram must be filled out and submitted with the required fee thirty (30) days before the event date requested. No changes in set-up may be made the day of the event.
- Any furniture to be arranged or set-ups to be made must either be done by Recreation and Parks staff or under their supervision.
- On the day of the event, four (4) hours are given prior to the event for preparation and one (1) hour is given immediately after the event for cleanup. The four (4) hour allowance excludes Sunday events scheduled before 5:00 p.m.
- The presence of two off-duty Henrico County Police officers is required for events for youth ages 12-20. Applicants are assessed a minimum fee of \$400 for the service, which includes coverage for ½ hour before and after the scheduled event. Fees for additional hours of police coverage as required will be assessed at a flat rate of \$100 per hour.
- A security deposit of \$200, made payable to County of Henrico, must be submitted with the completed Facility Rental

Application. If the application for use is denied by Henrico County, the full security deposit will be refunded by check within thirty (30) days from the date received. If the applicant elects to cancel the scheduled event, written notice must be given to facility staff in person or by mail, email, or fax at least thirty (30) days before the event date in order for the security deposit to be refunded. This refund will be issued by check within thirty (30) days of the receipt of the written cancellation notice.

- All parties using the facility are responsible for any damage to the facility and its property. If the value of damage exceeds the \$200 deposit fee, the applicant will be assessed additional charges. The security deposit will be refunded by check issued to the applicant within thirty (30) days of the scheduled use except in the following instances:
 - a. Failure to abide by the policies and procedures stated in the Facility Reservation Guide.
 - b. Any damage is done to the building or facility property.
 - c. Applicant fails to vacate the building at the designated time. A maximum of one (1) hour after the event will be provided for completion of cleanup and removal of materials.
 - d. Applicant fails to meet the following requirements for cleanup:
 - 1. All materials and equipment brought into the facility, including food and beverages and decorations, must be removed immediately following the event. The County of Henrico and its Division of Recreation and Parks assumes no responsibility for any property placed in or on the premises.
 - 2. Materials and equipment borrowed from the facility, including audiovisual equipment, must be left in the same condition as before use.

Please remember that this is a restored historic building. In addition, many of the furnishings and objects inside the facility are antiques and reproductions. Therefore, please treat Henrico Theatre and its contents with care and respect.

RULES FOR FACILITY USAGE

- No materials or equipment, including signs or posters, shall be attached to the facility or its property. No flammable liquids or materials may be used without prior inspection and approval by the Henrico County Division of Fire. No open flames are allowed; lighted candles must be covered with globes.
- Any applicant wishing to use a private caterer for any event must submit the caterer's name with the application. The caterer must follow all state and local regulations governing the serving of food and beverages.
- No money or admission shall be collected on the premises at any time by a non-governmental user of the facility. The sale of food or drink in the facility is prohibited.
- This is a smoke free facility. Smoking is only allowed in designated outdoor areas. All cigarette butts and ashes must be disposed of properly.
- No rice, glitter, confetti, sparklers, or similar material may be thrown or used inside or outside the facility. Birdseed and bubbles may be used outside only.
- If unforeseen circumstances, such as inclement weather or electrical outages, cause the facility to be closed, the Division of Recreation and Parks reserves the right to cancel any scheduled use of the building and notify the applicant.
- The number of people in the facility and its rooms shall not exceed established and posted capacities.
- All vendors and rental contractors who provide equipment that the County does not provide must be approved in writing and in advance by the Director of Recreation and Parks or designee.
- The facility will be closed on designated Henrico County holidays and the first full week in January for annual cleaning.

County of Henrico Division of Recreation and Parks Mission Statement

The Division of Recreation and Parks exists to enhance the quality of life and to foster a sense of well-being and community for the citizens of Henrico County. This is accomplished through management of resources and by facilitating leisure services and recreational opportunities in safe and well maintained environments.

HENRICO THEATRE FEE SCHEDULE

All users of the facility must pay the established fee in full. Requesting additional hours for use requires the purchase of additional hours for each area rented.

The fee schedule for facility use of Henrico Theatre shall be as follows:

Room	3 Hour Minimum		Each Additional Hour	
	Resident	Non-resident	Resident	Non-resident
2nd Floor (Reception, Gallery Areas, Kitchen)	\$200	\$400	\$50	\$100

Program Capacity

Reception 100

*Standing: 100, Theater seating: 75, Table seating: 72

Deposits & Fees

Security Deposit: \$200

Alcoholic Beverage Security Deposit: \$125

Setup Fee: \$35

Off-Duty Police Fee (youth event: 4-Hour Minimum): \$400

Off-Duty Police Fee (each additional hour) \$100 (per hour)

Hours of Rental Operation

Monday - Thursday: 8:00 a.m. -10:00 p.m.

Friday & Saturday: 8:00 a.m. -11:00 p.m.

Sunday: 1:00 p.m. -10:00 p.m.

**HENRICO COUNTY DIVISION OF RECREATION AND PARKS
ALCOHOL POLICY FOR FACILITY RENTAL
HENRICO THEATRE**

In addition to the Facility Rental Application, a separate Application to Use Alcoholic Beverages must be completed by the applicant and returned to the Site Manager at least thirty (30) days before the requested event. The applicant signing this form must be at least 21 years of age and must accept responsibility for the use of the facility during the date and times agreed.

Anyone wishing to serve alcoholic beverages in a Henrico County Division of Recreation and Parks rental facility must obtain a valid one-day banquet license from the Virginia Department of Alcoholic Beverage Control (ABC) or submit a valid Caterer's ABC License.

A separate \$125 alcohol security deposit must be submitted with the Application to Use Alcoholic Beverages. Please make checks payable to the County of Henrico.

For additional information, please call the Henrico Theatre at (804) 328-4491.

The applicant must read and abide by the following requirements:

- The Application to Use Alcoholic Beverages must be completed and returned to the facility office at least thirty (30) days before the requested date. An additional security deposit of \$125 must be submitted with the application. This deposit will be refunded by a County of Henrico check to the applicant within thirty (30) days after the scheduled event except in the following instances:
 - Any damage is done to the building or property.
 - Applicant fails to meet facility cleanup requirements.
- The applicant, by signing the Application to Use Alcoholic Beverages, agrees to follow all rules and regulations outlined in the Henrico Theatre Facility Reservation Guide as well as all requirements for operating under a banquet license issued through the Virginia Department of Alcoholic Beverage Control.
- The applicant must obtain a banquet license from the Virginia Department of Alcoholic Beverage Control, unless the caterer of the event holds a valid Alcoholic Beverage Control Caterer's License. The applicant must present the ABC banquet license or a copy of the Caterer's ABC License to the facility office at least fourteen (14) days before the event.
- The ABC license shall be posted by facility staff before the start of the event. No alcohol may be consumed in any area other than the designated area for the event. No alcohol can be stored at the facility before the day of the event. All alcohol must be removed immediately following the event.
- The Division of Recreation and Parks reserves the right to remove any person(s) from the facility who do not follow the instructions for operating under a banquet license of the Virginia Department of Alcoholic Beverage Control.



**COUNTY OF HENRICO
DIVISION OF RECREATION AND PARKS**

Henrico Theatre Facility Reservation Guide Auditorium



**305 East Nine Mile Road
Henrico, VA 23075
Phone: (804) 328-4491
Fax: (804) 328-4497**

Adopted November 13, 2012

HENRICO THEATRE

POLICIES GOVERNING FACILITY USE

APPLICATION PROCESS

1. For Henrico County residents or businesses, applications are accepted on a first-come, first-served basis no more than a year in advance and no less than thirty (30) days before the requested date. Proof of County residency (driver's license or voter registration card) must be provided with the application for use. Proof of County business including physical address and Federal ID number must be provided with the application for use.
2. Non-County residents or businesses may reserve the facility up to six (6) months before the desired date and no less than thirty (30) days before the requested event.
3. Applications for governmental use, other than activities sponsored by the Henrico County Division of Recreation and Parks, will be accepted up to ninety (90) days before the desired date.
4. All applications must be signed by an individual at least 21 years of age. Permission for groups or organizations composed of persons under the age of 21 will be granted only to individuals at least 21 years of age who accept responsibility for supervising the using group or organization. In instances where events are held with participants under the age of 21, one chaperone 21 years of age or older for every twenty-five (25) participants must be present at all times.
5. The applicant must be on-site during the scheduled event.
6. All rental transactions, including payments, must be made by the applicant. Completed applications and deposits may be submitted at Henrico Theatre during regular office hours, Monday through Friday, 8:00 a.m. - 4:30 p.m.
7. The Division of Recreation and Parks reserves the right to review, on a case by case basis, each event, program, or performance against standards listed in the Mission Statement of the Division of Recreation and Parks.
8. The Director of Recreation and Parks or designee must approve all entertainment in advance.
9. The order of priority for use of the facility is as follows:
 - I. Any activity or use available to the public sponsored by the County of Henrico Division of Recreation and Parks.
 - II. Any non-governmental activity or use.
 - III. Any governmental use, other than an activity or use sponsored by the County of Henrico Division of Recreation and Parks.

The Site Manager must approve all applications for facility use before they can be confirmed. Individuals wishing to tour the facility must make an appointment with the Site Manager so as not to interfere with events in progress.

RESERVATION LOTTERY PROCESS

All reservations decided according to the procedures listed below are final.

1. If one or more County residents and one or more non-County residents arrive at the same time and wish to reserve the same date, the County residents will have priority over the non-County residents.
2. If two or more County residents arrive at the same time and wish to apply for the same date, a lottery drawing will be held to decide who is granted use of the facility for that date. This drawing will be held by the staff on-duty in the presence of the participating residents.
3. If two or more non-County residents arrive at the same time and wish to apply for the same date, a lottery drawing will be held to decide who is granted use of the facility for that date. This drawing will be held by the staff on-duty in the presence of the non-County residents.
4. Only one lottery entry is allowed per event.

FEES, DEPOSITS, SCHEDULE, AND INSURANCE

1. All required fees, deposits, schedule, and certificate of insurance are due thirty (30) days before the event date requested. Failure to comply will result in the cancellation of the requested date.
2. A security deposit of \$200, made payable to County of Henrico, must be submitted with the completed Facility Rental Application. If the application for use is denied by Henrico County, the full security deposit will be refunded by check within thirty (30) days from the date received. If the applicant elects to cancel the scheduled event, written notice must be given to facility staff in person or by mail, email, or fax at least thirty (30) days before the event date in order for the security deposit to be refunded. This refund will be issued by check within thirty (30) days of the receipt of the written cancellation notice.
3. All rentals of the auditorium will be required to carry one million dollars of liability insurance. The insurance policy must be in the name of the applicant or business renting the auditorium and must name the County of Henrico as an additional insured. A copy of the certificate of liability insurance is required thirty (30) days before the event date requested. Failure to provide the certificate of insurance will result in the cancellation of the requested date.
4. A schedule of rehearsals, show times, and list of performers is due thirty (30) days before the event date requested. This includes the time the doors open to the public, event start and completion times, and list of all performers and performance times.
5. Any event that is open to the public is required to have two (2) off-duty Henrico County Police officers on site from

the time the doors open to the public to ½ hour after the conclusion of the event. Applicants are assessed a fee of \$100 per hour with a three (3) hour minimum. The applicant also must complete the Henrico Theatre Application to Collect Monies thirty (30) days before the event date requested.

6. All parties using the facility are responsible for any damage to the facility and its property. If the value of damage exceeds the \$200 deposit fee, the applicant will be assessed additional charges. The security deposit will be refunded by check issued to the applicant within thirty (30) days of the scheduled use except in the following instances:
 - I. Failure to abide by the policies and procedures stated in the Facility Reservation Guide.
 - II. Any damage is done to the building or facility property.
 - III. Applicant fails to vacate the building at the designated time. A maximum of one (1) hour after the event will be provided for completion of cleanup and removal of materials.
 - IV. Applicant fails to meet the following requirements for cleanup:
 1. All materials and equipment brought into the facility, including food and beverages and decorations, must be removed immediately following the event. The County of Henrico and its Division of Recreation and Parks assumes no responsibility for any property placed in or on the premises.
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Please remember that *this is a restored historic building. In addition, many of the furnishings and objects inside the facility are antiques and reproductions. Therefore, please treat Henrico Theatre and its contents with care and respect.*

RULES FOR FACILITY USAGE

1. No materials or equipment, including signs or posters, shall be attached to the facility or its property. No flammable liquids or materials may be used without prior inspection and approval by the Henrico County Division of Fire. No open flames are allowed; lighted candles must be covered with globes.
2. This is a smoke free facility. Smoking is only allowed in designated outdoor areas. All cigarette butts and ashes must be disposed of properly.
3. If unforeseen circumstances, such as inclement weather or electrical outages, cause the facility to be closed, the Division of Recreation and Parks reserves the right to cancel any scheduled use of the building and notify the applicant.
4. Persons shall not be permitted inside Henrico Theatre in excess of capacities posted in each room. Except with the approval of County staff, additional chairs or "standing room" is expressly forbidden in the theatre due to fire regulations.
5. Use of the Marquee is prohibited. The Marquee is reserved exclusively for county events.
6. The Fire Code must be observed at all times: aisles, exits must be free and clear of obstacles at all times.
7. All vehicles, including those of guests, vendors, and contractors, must park in the lots on the rear or sides of the building. No vehicles may park in fire lanes and 'no parking' areas. A loading dock is available by the backstage theatre door. Special parking/loading arrangements may be made upon request.
8. Padding should be used during load-in and load-out of sound equipment to protect floors.
9. The Division of Recreation and Parks reserves the right to review, on a case by case basis, each event, program, or performance against standards listed in the Mission Statement of the Division of Recreation and Parks.
10. The facility will be closed on designated Henrico County holidays and the *first full week* in January for annual cleaning.
11. Additional requirements apply to applicants using the auditorium. **General Guidelines for Performances and Rehearsals**, including technical and personnel requirements, will be provided.

County of Henrico Division of Recreation and Parks Mission Statement

The Division of Recreation and Parks exists to enhance the quality of life and to foster a sense of well-being and community for the citizens of Henrico County. This is accomplished through management of resources and by facilitating leisure services and recreational opportunities in safe and well maintained environments.

HENRICO THEATRE FEE SCHEDULE

All users of the facility must pay the established fee in full. Requesting additional hours for use requires the purchase of additional hours for each area rented.

The fee schedule for facility use of Henrico Theatre shall be as follows:

Room	Daily Rate		Each Additional Hour	
	Resident	Non-resident	Resident	Non-resident
1st Floor (Auditorium, Lobby, Stage and Support Areas)	\$500 8 Hr. Minimum	\$1,000 8 Hr. Minimum	\$100 Each Additional Hour	\$200 Each Additional Hour

Program Capacity

Auditorium 400 maximum

Deposits & Fees

Security Deposit: \$200

Setup Fee: (Orchestra Pit) \$35

Off-Duty Police Fee (3-Hour Minimum): \$300

Off-Duty Police Fee (each additional hour) \$100 (per hour)

Hours of Rental Operation

Monday - Thursday: 8:00 a.m. - 10:00 p.m.

Friday & Saturday: 8:00 a.m. - 11:00 p.m.

Sunday: 1:00 p.m. - 10:00 p.m.



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

Agenda Item No. 276-12

Page No. 1 of 1

Agenda Title: Resolution — To Accept Grant from the Virginia Dam Safety, Flood Prevention and Protection Assistance Fund

For Clerk's Use Only: NOV 13 2012 Date: _____ <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Shannon</u> (2) _____ (2) _____ REMARKS: APPROVED	YES NO OTHER Glover, R. <input checked="" type="checkbox"/> _____ Kaechele, D. <input checked="" type="checkbox"/> _____ Nelson, T. <input checked="" type="checkbox"/> _____ O'Bannon, P. <input checked="" type="checkbox"/> _____ Thornton, F. <input checked="" type="checkbox"/> _____
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WHEREAS, the Department of Public Works has been awarded a grant of \$8,500 from the Virginia Dam Safety, Flood Prevention and Protection Assistance Fund; and

WHEREAS, the grant requires a 50% match from the County; and

WHEREAS, the Department will use the funds to create dam break inundation zone maps for the Pump Road Dam located near Pump Road and Waltham Drive in the Tuckahoe District; and

WHEREAS, the dam is owned by the County; and

WHEREAS, the estimated cost to complete the project is \$26,340, and the difference will be paid through a capital funds transfer.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors authorizes the County Manager to accept the grant and sign the grant documents in a form approved by the County Attorney.

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

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

Routing:
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 Clerk, Board of Supervisors

Date: _____



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

Agenda Item No. 277-12
Page No. 1 of 2

Agenda Title: RESOLUTION - Award of Annual Contract for Engineering Services – Bridge and Facility Design and Repair Projects

For Clerk's Use Only: NOV 13 2012 Date: _____ <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Kaechele</u> Seconded by (1) <u>O'Bannon</u> (2) _____ (2) _____ REMARKS: APPROVED	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <tr> <td>Glover, R. .</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Nelson, T.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>		YES	NO	OTHER	Glover, R. .	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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WHEREAS, on August 31, 2012, the County received seven proposals in response to RFP #12-9303-8CS for an annual contract to provide engineering services for bridge and facility design and repair projects; and

WHEREAS, based upon review and evaluation of the written proposals, the selection committee interviewed the following firms:

Johnson, Mirmiran & Thompson, Inc.
AECOM Technical Services, Inc.
Rummel, Klepper and Kahl, LLP

WHEREAS, the selection committee selected **Johnson, Mirmiran & Thompson, Inc.** as the top-ranked firm and an negotiated hourly rate schedule.

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

1. An annual contract to provide engineering services for bridge and facility design and repair projects is awarded to **Johnson, Mirmiran & Thompson, Inc.** for the period of November 13, 2012 to November 12, 2013, with the option to renew for two additional one-year terms, all in accordance with RFP #12-9303-8CS and the proposal submitted by **Johnson, Mirmiran & Thompson, Inc.**
2. Compensation for services rendered pursuant to the contract will be based on the agreed-upon hourly rate schedule contained in the contract.

By Agency Head _____

By County Manager _____

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Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. 277-12
Page no. 2 of 2

Agenda Title: RESOLUTION - Award of Annual Contract for Engineering Services – Bridge and Facility Design and Repair Projects

3. The fees shall not exceed \$300,000 for any single project, nor \$1,500,000 per one-year term of the contract.
4. The County Manager is authorized to execute the contract in a form approved by the County Attorney.

Comments: Funding to support the contract is available. The Directors of General Services and Public Works recommend approval of this Board paper, and the County Manager concurs.



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

Agenda Item No. 27812
Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Agreement with Virginia Department of Transportation for State Funded Projects — Woodman Road Turn Lane, from 225 Feet South of Jesse Chavis Drive to 100 Feet North of Woodman Hills Court (Approximately 325 Feet) — Project #7663-043-R62, N501 (UPC 103015) — Fairfield District

For Clerk's Use Only: NOV 13 2012 Date: _____ <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Thornton</u> Seconded by (1) <u>O'Bannon</u> (2) _____ (2) _____ REMARKS: APPROVED	<table border="1"> <thead> <tr> <th></th> <th>YES</th> <th>NO</th> <th>OTHER</th> </tr> </thead> <tbody> <tr> <td>Glover, R.</td> <td></td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>Kaechele, D.</td> <td></td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>Nelson, T.</td> <td></td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>O'Bannon, P.</td> <td></td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>Thornton, F.</td> <td></td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> </tbody> </table>		YES	NO	OTHER	Glover, R.		<input checked="" type="checkbox"/>		Kaechele, D.		<input checked="" type="checkbox"/>		Nelson, T.		<input checked="" type="checkbox"/>		O'Bannon, P.		<input checked="" type="checkbox"/>		Thornton, F.		<input checked="" type="checkbox"/>	
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WHEREAS, the Department of Public Works has negotiated an agreement with the Virginia Department of Transportation ("VDOT") under which the County will construct a southbound left turn lane approximately 325 feet long on Woodman Road at Jesse Chavis Drive; and,

WHEREAS, the estimated costs for the left turn lane are \$41,000 for preliminary engineering, \$63,000 for right-of-way and utilities, and \$164,000 for construction, for a total cost of \$268,000; and,

WHEREAS, the total project fees shall not exceed \$268,000.

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

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

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

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 Date: _____



WOODMAN ROAD

