

**HENRICO COUNTY
NOTICE OF SPECIAL MEETING
BOARD OF SUPERVISORS**

Please take notice that a special meeting of the Board of Supervisors will be held on **Tuesday, March 22, 2011 at 4:45 p.m.** in the County Manager's Conference Room located on the third floor of the Administration Building at the Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

The matters to be reviewed by the Board at this time are:

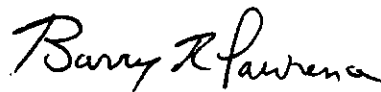
4:45 – 5:15 p.m. Greater Richmond Partnership Update

5:15 – 5:30 p.m. Yangju City Briefing

5:30 – 6:00 p.m. **Closed Meeting** for the following purposes:

1. Consultation with Outside Counsel Pertaining to Actual litigation Styled *Eric P. Kozma v. Henrico County*, Pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as Amended.
2. Discussion and Consideration of the Acquisition of Real Property in the Three Chopt District for the North Gayton Road Extension Project, Pursuant to Section 2.2-3711(A)(3) of the Code of Virginia, 1950, as Amended.

6:00 – 6:45 p.m. *Dinner*



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
March 17, 2011

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
March 22, 2011
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION – Dr. Cecil Chambers, Pastor, Skipwith Baptist Church

APPROVAL OF MINUTES – March 8, 2011 Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PROCLAMATIONS

Proclamation – Child Abuse Prevention Month – April 2011.

Proclamation – Keep Henrico Beautiful Month – April 2011.

Proclamation – Public Safety Telecommunicators Week - April 10 – 16, 2011.

Proclamation – Volunteer Week – April 10 – 16, 2011.

PUBLIC HEARING ITEM

80-11 Resolution - Hearing of Necessity - Charles City Road. Project #00984. Varina District.

PUBLIC COMMENTS

GENERAL AGENDA

81-11 Resolution – In Support of the Regional Kindergarten Registration Campaign.

82-11 Resolution - Authorization to Apply to Amend the Boundaries of the Richmond City/Henrico County Enterprise Zone to Add Properties Within Henrico County along Audubon Drive, Oakleys Court, and Staples Mill Road, and to Add a Signage Grant Incentive.

83-11 Resolution - Ratification and Confirmation of Signature – Governor's Opportunity Fund Performance Agreement – PPD Development, LP.

84-11 Resolution – Award of Construction Contract – Gayton Library Interior Renovation.

85-11 Resolution – Settlement of *Eric P. Kozma v. Henrico County*.

- 86-11 Introduction of Ordinance – To Amend and Reordain Section 9-1 of the Code of the County of Henrico Titled “Magisterial districts” to Redistrict the County Based on the 2010 Census.
- 87-11 Introduction of Ordinance – To Amend and Reordain Section 9-2 of the Code of the County of Henrico Titled “Precincts and polling places” to Make Changes Necessitated by the 2011 Redistricting.
- 88-11 Resolution - Approval of Acquisition - Right-of-Way and Easements - North Gayton Road Extension Project - Emily Leake Waller - Three Chopt District.
- 89-11 Resolution - Signatory Authority - Acquisition of Real Property - 12324 Kain Road - Three Chopt District.
- 90-11 Resolution - Award of Construction Contract - Three Chopt Water Pumping Station - Three Chopt District.
- 304-10 Resolution – Award of Construction Contract – Charles City Road Sewage Pumping Station – Varina District. **(Deferred from the February 22, 2011 meeting.)**
- 91-11 Introduction of Ordinance - To Amend and Reordain Subsections (b) and (c) of Sections 23-359 and 23-360 Titled “Water connection fees” and “Sewer connection fees,” Respectively, and Subsection (a) of Sections 23-361 and 23-362 Titled “Water service and volume charges” and “Sewer service charges and rates,” Respectively of the Code of the County of Henrico, All to Change County Utility Fees and Charges.
- 92-11 Resolution - To Permit Additional Fine of \$200 for Speeding on Peachtree Boulevard from Old Richmond Avenue to Monument Avenue.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
March 22, 2011**

INVOCATION – Dr. Cecil Chambers, Pastor, Skipwith Baptist Church

PRESENTATIONS

PROCLAMATION – Child Abuse Prevention Month – April 2011.

Greater Richmond SCAN (Stop Child Abuse Now), a local nonprofit organization dedicated to the prevention and treatment of child abuse and neglect, is coordinating efforts throughout the metropolitan area to observe National Child Abuse Prevention Month during April 2011. Effective child abuse prevention programs rely on partnerships among social service and law enforcement agencies, schools, religious and civic organizations, medical facilities, and businesses. This proclamation recognizes April 2011 as Child Abuse Prevention Month in Henrico County and calls upon Henrico citizens to participate in appropriate programs and activities that help protect children in the local community from abuse and neglect.

PROCLAMATION – Keep Henrico Beautiful Month – April 2011.

The Keep Henrico Beautiful program and the Keep Henrico Beautiful Committee of appointed volunteers were established in 1980 to develop and lead litter prevention activities and encourage participation of all Henrico County residents in litter prevention. The Keep Henrico Beautiful Committee disseminates educational materials and sponsors programs, special events, and workshops to foster public awareness of the environment. Several thousand Henrico County residents now participate in litter prevention and recycling projects, including the “Because We Care” volunteer litter pick-up program, through their community associations, churches, scout troops, school clubs, civic groups, and businesses. This proclamation recognizes April 2011 as Keep Henrico Beautiful Month and urges all residents of the County to show their environmental stewardship by not littering and by recycling materials.

PROCLAMATION - Public Safety Telecommunicators Week - April 10 – 16, 2011.

The Communications Officers of the Henrico County Division of Police serve the local community by answering calls for police, fire, and emergency medical services assistance and ensuring that the appropriate response is dispatched as efficiently as possible. This proclamation recognizes April 10 – 17, 2010 as Public Safety Telecommunicators Week and salutes the County's Communications Officers for their exemplary professionalism, service, and performance.

PROCLAMATION – Volunteer Week – April 10 – 16, 2011.

The County of Henrico has an active and viable Volunteer Services Program, and the Board of Supervisors is continually attempting to improve and expand County services to citizens at the least possible cost. This proclamation recognizes April 10 – 16, 2011 as Volunteer Week in Henrico County and salutes and thanks our volunteers, who contributed 220,352 hours during 2010 at an estimated value in excess of \$4.6 million.

PUBLIC HEARING ITEM

RESOLUTION - Hearing of Necessity - Charles City Road. Project #00984. Varina District.

On February 22, 2011, the Board of Supervisors received a Letter of Necessity and scheduled a public hearing on March 22, 2011 to consider the need for widening a portion of Charles City Road.

The proposed improvements would widen Charles City Road between Lewis Road and Lisle Road from an existing two-lane to a four-lane, divided roadway with raised median. The project will also construct left and right turn lanes; curb and gutters; a storm drainage system; and signals for vehicle and rail traffic.

The estimated total cost of this project is \$1,922,598. Funding will be provided from General Obligation Bonds and the General Fund, Project #00984.

The Director of Public Works recommends approval of the Board paper, and the County manager concurs.

PUBLIC COMMENTS

GENERAL AGENDA

RESOLUTION – In Support of the Regional Kindergarten Registration Campaign.

This resolution recognizes the importance in children’s early development and school readiness which recaps returns across different sectors - workforce, health care, education, public safety, and business - resulting in a human capital investment strategy proven to improve lives and encourage economic growth for the entire region. The Smart Beginnings Greater Richmond Coalition is an initiative of the United Way of Greater Richmond and Petersburg and the Greater Richmond Chamber in collaboration with a coalition of public and private agencies covering the following 11 local jurisdictions: the Counties of Charles City, Chesterfield, Goochland, Hanover, Henrico, New Kent, and Powhatan; the Cities of Colonial Heights, Petersburg, and Richmond; and the Town of Ashland. The Coalition has worked with each public school division to hold a metropolitan wide kindergarten registration on April 7, 2011 to ensure that every child is

registered for the coming school year. Registering on time can prevent attendance delays by ensuring that children have the required health screening and immunizations necessary to attend school. This resolution commends the region wide kindergarten registration that will be held on April 7, 2011 and encourages this effort to ensure all children are ready to learn.

RESOLUTION - Authorization to Apply to Amend the Boundaries of the Richmond City/Henrico County Enterprise Zone to Add Properties Within Henrico County along Audubon Drive, Oakleys Court, and Staples Mill Road, and to Add a Signage Grant Incentive.

This resolution authorizes the County Manager to submit an application to the Virginia Department of Housing and Community Development to amend the Richmond City/Henrico County Enterprise Zone boundaries to add properties within Henrico County along Audubon Drive, Oakleys Court, and Staples Mill Road. The amendment would also add a signage grant incentive for the demolition, replacement, or refurbishment of existing freestanding signs.

The Virginia Enterprise Zone Program requires that both jurisdictions in a joint Enterprise Zone approve an application by resolution of the governing body. The Richmond City Council is expected to adopt a similar resolution on April 25, 2011.

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

RESOLUTION - Ratification and Confirmation of Signature - Governor's Opportunity Fund Performance Agreement - PPD Development, LP.

This Board paper ratifies and confirms the County Manager's execution on February 21, 2011 of a performance agreement among the County, the County's Economic Development Authority, and PPD Development, LP. Pursuant to the agreement, which has been signed by all three parties, the County has appropriated \$300,000 to the EDA. The County will receive half of this amount as a grant from the Governor's Opportunity Fund. The EDA will then make a grant to PPD for \$300,000. In return, PPD Development, LP has agreed to construct certain improvements at its facility located at 2244 Dabney Road and to create 190 new, permanent, full-time jobs in Henrico County by December 31, 2013.

RESOLUTION - Award of Construction Contract - Gayton Library Interior Renovation.

This resolution awards a contract to **Gulf Seaboard General Contractors, Inc.** in the amount of **\$1,770,000**. The work includes a full interior renovation to the existing 12,700 sf Gayton Branch Library building including a complete replacement of all building systems. Modifications to the building envelope include adjusting the location of the main public entrance doors, installing a new aluminum storefront window in the meeting room, and installing a new rooftop mechanical relief louver. Site work includes modifications to the book drop driveway and modifications to the existing mechanical equipment enclosure to permit construction of a new dumpster enclosure.

This project is designed to achieve LEED Silver rating under the U.S. Green Building Rating System for New Construction.

The work will be substantially complete within 270 days after the date of written notice to proceed. This period includes a 60 day preconstruction phase followed by a 210 day actual construction phase. Final completion of all work will be within 30 calendar days after the date of substantial completion.

Additional, separate contracts will be awarded for furniture and library equipment, data/phone, audio-visual/CATV equipment and wiring, security systems (CCTV, door control systems, alarm).

Twelve bids were received on March 8, 2011 as follows:

<u>Bidder</u>	<u>Bid</u>
*MGT Construction, Inc.	\$1,404,884
*Prestige construction Group, Inc.	\$1,452,152
Gulf Seaboard General Contractors, Inc.	\$1,770,000
J.W. Enochs, Inc.	\$1,785,404
SRC, Inc.	\$1,810,884
Haley Builders, Inc.	\$1,825,884
HSL, Inc. dba Loudin Building Systems	\$1,852,404
Kenbridge Construction Company, Inc.	\$1,856,884
Virtexco Corporation	\$1,873,884
A. D. Whittaker Construction, Inc.	\$1,899,884
Howard Construction, Inc.	\$2,037,884
Eagle River Construction Company of Kinsale, Inc.	\$2,195,132

** MGT Construction Inc. & Prestige Construction Group, Inc. withdrew bids due to mathematical error.*

Gulf Seaboard General Contractors, Inc. has been determined to be the lowest responsive and responsible bidder.

Funding to support this contract is available within the project budget.

RESOLUTION – Settlement of *Eric P. Kozma v. Henrico County*.

The purpose of this Board paper is to authorize settlement of the case styled *Eric P. Kozma v. Henrico County*. The case is pending before the Virginia Workers' Compensation Commission.

INTRODUCTION OF ORDINANCE – To Amend and Reordain Section 9-1 of the Code of the County of Henrico Titled “Magisterial districts” to Redistrict the County Based on the 2010 Census.

The purpose of this Board paper is to introduce for advertisement and public hearings on April 12 and 26, 2011 an ordinance pertaining to the division of the County into five magisterial districts to comply with both state and federal law.

INTRODUCTION OF ORDINANCE – To Amend and Reordain Section 9-2 of the Code of the County of Henrico Titled “Precincts and polling places” to Make Changes Necessitated by the 2011 Redistricting.

The purpose of this Board paper is to introduce for advertisement and public hearings on April 12 and 26, 2011 an ordinance to make changes to precincts and polling places necessitated by the 2011 redistricting. Under state law, each voting precinct in the County must be wholly contained within a single magisterial district. Because of proposed changes to the County’s magisterial districts in the 2011 redistricting plan, some of the County’s precincts will be split over two magisterial districts. This Board paper introduces an ordinance to change several precincts and polling places within the County so that each precinct is contained wholly within a single magisterial district under the 2011 redistricting plan.

RESOLUTION - Approval of Acquisition - Right-of-Way and Easements - North Gayton Road Extension Project - Emily Leake Waller - Three Chopt District.

This Board paper authorizes the execution and filing of documents necessary to complete the acquisition of right-of-way containing 83,463 sq. ft., permanent slope and drainage easements containing 29,271 sq. ft., temporary construction easements containing 30,093 sq. ft., a permanent easement containing 165.03 sq. ft. for Virginia Electric and Power Company, a Virginia public service corporation, doing business as Dominion Virginia Power, and a permanent easement containing 6,544.44 sq. ft. for Verizon Virginia Inc., a Virginia corporation (collectively, the "Right-or-Way and Easements") across the property at 12324 Kain Road owned by Emily Leake Waller (the "Owner") and identified as Tax Map Parcel 737-768-1290 in the Three Chopt District.

On April 13, 2010, the Board authorized condemnation proceedings to acquire Right-of-Way and Easements across the Owner’s real property, and on May 18, 2010, the County filed a Certificate and deposited \$307,600 with the Clerk of the Circuit Court to acquire the Right-of-Way and Easements in accordance with state law.

Following negotiations between the parties, the Owner agreed to grant by separate conveyances the Virginia Power and Verizon easements for the project and to voluntarily convey for \$535,000 her 3.516 acre home site which adjoins the Right-of-Way and Easements. The Owner is willing to accept \$240,000 for the Right-of-Way and Easements needed for the construction of the project.

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

RESOLUTION - Signatory Authority - Acquisition of Real Property - 12324 Kain Road - Three Chopt District.

Approval of this resolution will authorize the County Manager to execute an agreement, in a form approved by the County Attorney, between Emily Leake Waller and the County for the acquisition of real property containing 3.516 acres, more or less, located at 12324 Kain Road in the Three Chopt District for \$535,000. The County is acquiring portions of the Owner’s adjoining property through a condemnation action and the Owner desired to sell this property. The owner will be permitted to retain possession of the property until August 1, 2011.

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

RESOLUTION - Award of Construction Contract - Three Chopt Water Pumping Station - Three Chopt District.

This Board Paper awards a construction contract to T.A. Loving Company in the amount of \$723,000 to replace two 7.5 million gallon per day (“mgd”) pumps with two 4 mgd pumps and to provide 400 linear feet. of 12-inch diameter ductile iron water main. The pump station is located at 1103 Horsepen Road.

The purpose of the project is to restore water pressure in the Forest Avenue, Glenside Drive, Skipwith Road, and Three Chopt Road area to service levels that were provided prior to operation of the Water Treatment Facility in 2004. The work will begin in May 2011 and will be completed by October 2012. Funding to support the contract is available within the Water and Sewer Enterprise Fund.

Bids were received on February 23, 2011. The bidders and bid amounts are as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
T.A. Loving Company Goldsboro, NC	\$723,000.00
Anderson Construction Inc. Lynchburg, VA	\$762,553.00
Waco, Inc. Sandston, VA	\$846,400.00
Shaw Construction Corp. Williamsburg, VA	\$884,848.00
Versan, Inc. Springfield, VA	\$887,206.00

After a review and evaluation of all bids received, it was determined that T.A. Loving Company is the lowest responsive and responsible bidder with a bid of \$723,000.

The Directors of Public Utilities and General Services recommend the Board award the contract to T.A. Loving Company, the lowest responsive and responsible bidder, in the amount of \$723,000 and authorize the County Manager, or the Director of General Services as his designee, to execute the contract and change orders not to exceed 15% of the original contract amount. The County Manager concurs.

RESOLUTION - Award of Construction Contract - Charles City Road Sewage Pumping Station - Varina District.

This Board Paper awards a construction contract to English Construction Company, Inc. in the amount of \$3,300,000.00 to construct a 4.0 mgd sewage pumping station and demolish the existing 2.5 mgd sewage pumping station located at 2807 Charles City Road.

The purpose of the project is to increase the capacity of the sewage pumping station to handle future wastewater flows. The work will begin in May 2011 and will be completed by May 2013. Funding to support the contract is available within the Water and Sewer Enterprise Fund.

Bids were received on September 29, 2010. The bidders and bid amounts are as follows:

Bidders	<u>Bid Amounts</u>
Southwood Builders, Inc. and Southwood Building Systems, Inc. Ashland, VA	\$3,148,860.00
English Construction Company, Inc. Lynchburg, VA	\$3,300,000.00
Mid Eastern Builders, Inc. Chesapeake, VA	\$3,417,000.00
M&W Construction Corporation Portsmouth, VA	\$3,646,770.00
Virtexco Corporation Norfolk, VA	\$4,114,700.00
Piedmont Concrete Contractors, Inc. Charlottesville, VA	\$4,122,946.00
Anderson Construction, Inc. Lynchburg, VA	\$4,227,560.00
Versar, Inc. Springfield, VA	\$4,358,656.00
Shaw Construction Corp. Williamsburg, VA	\$4,387,310.00
Waco, Inc. Sandston, VA	\$4,786,860.00

After a review and evaluation of all bids received, the Director of General Services determined that Southwood Builders, Inc. is not a responsible bidder.

The Directors of Public Utilities and General Services recommend the Board award the contract to English Construction Company, Inc., the lowest responsive and responsible bidder, in the amount of \$3,300,000.00 and authorize the County Manager, or the Director of General Services as his designee, to execute the contract and change orders not to exceed 15% of the original contract amount. The County Manager concurs.

This Board paper was deferred from the February 22, 2011 meeting.

INTRODUCTION OF ORDINANCE - To Amend and Reordain Subsections (b) and (c) of Sections 23-359 and 23-360 Titled “Water connection fees” and “Sewer connection fees,” Respectively, and Subsection (a) of Sections 23-361 and 23-362 Titled “Water service and volume charges” and “Sewer service charges and rates,” Respectively, of the Code of the County of Henrico, All to Change County Utility Fees and Charges.

The proposed ordinance would increase basic connection fees for single-family residences approximately 5% from \$3,870 to \$4,065 for water and from \$4,730 to \$4,970 for sewer when the developer installs all local facilities. Other categories, such as multi-family, hotel, hospital and nursing homes, would also increase approximately 5%. Local facilities fees would increase from \$2,160 to \$2,270 for water and from \$3,190 to \$3,350 for sewer. These changes would be effective October 1, 2011.

The proposed ordinance would also increase bimonthly service and volume charges by approximately 5% for water and 5% for sewer, including industrial strong waste charges, effective July 1, 2011. The total increase in water and sewer charges to a typical customer (4 people) using 20 Ccf of water every two months will be \$6.55 bimonthly, or approximately 11¢ per day.

These changes are recommended to support the operating and capital budgets, including water and sewer rehabilitation projects.

The Director of Public Utilities recommends approval, and the County Manager concurs.

RESOLUTION - To Permit Additional Fine of \$200 for Speeding on Peachtree Boulevard from Old Richmond Avenue to Monument Avenue.

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

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

The County's Traffic Engineer has collected traffic data and has determined that Peachtree Boulevard from Old Richmond Avenue to Monument Avenue is experiencing speeding problems and meets the criteria for traffic calming measures set forth in the Traffic Calming Program.

The citizens in the area of this road requesting the increased fine have collected signatures from 80.6% of the residents.

The Board paper authorizes the County Manager to place appropriate signs on Peachtree Boulevard from Old Richmond Avenue to Monument Avenue warning of an additional fine of \$200 for speeding.

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