

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
October 23, 2012**

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, October 23, 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
Timothy A. Foster, P.E., Deputy County Manager for Community Operations
Randall R. Silber, Deputy County Manager for Community Development
John A. Vithoukias, Deputy County Manager for Administration

Mr. Glover called the meeting to order at 7:09 p.m.

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

On motion of Mr. Kaechele, seconded by Mr. Nelson, the Board approved the minutes of the October 9, 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

Two employees from the Department of Finance's Revenue Division, Audit Supervisor Elaine Hahn and Business Section Manager Leo Marsh, have recently earned their Master Deputy

Commissioner of the Revenue designation from the University of Virginia's Weldon Cooper Center for Public Service. In attaining this achievement, Ms. Hahn and Mr. Marsh each completed over 450 hours of in-depth coursework and successfully passed multiple exams. They are only the fifth and sixth persons in the history of the County to have earned this designation.

Henrico County has received the 2012 Virginia Crisis Intervention Training (CIT) Program of the Year award, which celebrates a Virginia CIT program that upholds a strong commitment to developing and nurturing a CIT program within its community. Henrico's CIT team has shared resources and expertise with neighboring jurisdictions that are in the beginning stages of building their local programs and exemplifies the Virginia CIT Coalition motto: *Collaborate. Innovate. Transform.* The following members of the Henrico team accepted this award: Lt. Cindy Wood; Sgt. Sal Mule, Officer Dustin Eddington, and Officer Damon Grant from the Division of Police; Battalion Chief Russ Martin and Capt. Gary Samuels from the Division of Fire; Nicki Moon, Richard Edelman, Sandy Gharib, and Mary McCahill from Henrico Area Mental Health and Developmental Services (MH/DS); and Capt. Tommy Edwards from the Sheriff's Office.

Ms. Moon, who serves as an Emergency Services Clinician and Police Liaison for MH/DS, has received the 2012 Virginia CIT Coordinator of the Year Award for her exemplary leadership in the community and unmatched dedication and commitment to the CIT program. She tirelessly leads a CIT program that is considered cutting edge because it includes Emergency Medical Services and Fire personnel in its first responder training. Since 2008, Ms. Moon has coordinated exceptional and advanced training for 500 first responders who are in turn able to provide outstanding service to the community.

BOARD OF SUPERVISORS' COMMENTS

Mr. Glover recognized the following Boy Scouts who were observing the meeting to fulfill a requirement for the Citizenship in the Community Merit Badge: Scott Crowley and Pablo Williams from Troop 765, sponsored by the Church of Jesus Christ of Latter-day Saints - Innsbrook Ward; and Robby Asay and Devin Barbee from Troop 766, sponsored by the Church of Jesus Christ of Latter-day Saints - Gayton Ward. Joining them were Scoutmaster Scott Crowley from Troop 765 and Assistant Scoutmaster Wes Williams from Troop 766.

RECOGNITION OF NEWS MEDIA

Mr. Glover recognized Mark Holmberg and Phil Karstetter of WTVR-TV 6, Ava-joye Burnett of WRIC-TV 8, Sarah Bloom and Jamie Rife of WWBT-TV12, and Randy Hallman of the Richmond Times-Dispatch.

PRESENTATION

Mr. Thornton presented a proclamation recognizing November 2012 as Pancreatic Cancer Awareness Month. Accepting the proclamation were Sheryl Taylor, Coordinator of the Richmond Affiliate of the Pancreatic Cancer Action Network, and E.T. Ridley, a pancreatic

cancer survivor. Joining them were the following members, family, and friends of the Affiliate: John Rupp, Liz Rupp, Jeannie Murray, Sarah Grant, Addison Grant, Katherine Grant, Dorothy Fillmore, and Liz Furr.

PUBLIC HEARING ITEMS

256-12 Ordinance – To Amend and Reordain Subsection (b)(5) of Section 21-139 of the Code of the County of Henrico Titled “Rates” to Allow Taxicab Companies to Charge Passengers an Additional \$2.00 for Trips Originating at Richmond International Airport.

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

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

257-12 Ordinance – To Amend and Reordain Section 22-195 of the Code of the County of Henrico Titled “Distributing handbills, soliciting contributions or selling merchandise in highway” In Order to Cover Persons Not Standing in the Highway and to Prohibit the Sale or Attempted Sale of Services.

Doug Middleton, Chief of Police, reviewed the proposed ordinance and how it will be enforced, if approved by the Board. He referred to a brochure prepared for the public by the Division of Police, titled *We Want to Help!*, that explains the proposed changes to the County’s solicitation code and provides a listing and telephone numbers of various resources for individuals in need. Chief Middleton recognized Community Outreach Officer Dustin Eddington and Lt. Cynthia Wood, the Unit Commander overseeing Officer Eddington’s responsibilities, as the members of his staff who will be coordinating the Division’s response to homeless people and needy individuals. He also recognized Lt. Tom Shumate, the coordinator of the Division’s chaplain program, and two of the members of this program, Reverend Sylvia Berry and Reverend Gilbert Wilkerson. In addition, Chief Middleton recognized Jonathan Trainam, President of Napoleon Taxicab Service, whose company has offered to transport individuals in need of services at no cost to them or to the County when a request is made by a community police officer.

Following his presentation, Chief Middleton responded to questions from Mr. Kaechele.

The following persons addressed the Board during the public hearing:

- Bob Regnier, a resident of 2501 Lauderdale Drive in the Tuckahoe District, voiced support for the ordinance. He characterized panhandlers as a danger to motorists and to themselves, noted that

there are taxpayer support programs in place to help these individuals, and pointed out that panhandlers do not pay state or federal taxes on the money they collect.

- Robert Reynolds, a resident of 3013 Pinehurst Road in the Brookland District, expressed opposition to the ordinance. He contended that the ordinance as constructed would prohibit indirect solicitations from motor vehicles using the roadway as well as direct solicitations from persons in roadway medians, pointed to federal court decisions affirming that solicitation is a First Amendment right, and criticized the County for restricting private contractors from building housing developments for poor people
- Kelly Horne, Executive Director of Homeward, offered a context for homelessness and panhandling. She also spoke to how regional non-profit service providers have stepped up since 2009 to meet the needs of unsheltered persons living on the streets and how her organization is recruiting community volunteers to connect with homeless individuals. She thanked the Board for the County's partnership with Homeward.
- Bernice B. Newell, a resident of the Varina District, conveyed her feeling that panhandlers are not willing to support themselves and gave an example of a panhandler who refused her offer of work.
- Sandy Sizemore, an employee of the Courtyard by Marriott in Sandston, suggested that the ordinance should prohibit panhandling on sidewalks and at bus stops.

In response to a question from Mr. Kaechele, Mr. Rapisarda noted the long history of this ordinance and clarified the amendments made to the ordinance by the Board in 2008. Mr. Rapisarda also pointed out that while solicitation may be a First Amendment right, First Amendment rights are not absolute. He illustrated the County's long history in protecting First Amendment rights.

Mr. Nelson applauded Chief Middleton and the Division of Police for partnering with the faith community and service organizations in offering help and showing compassion to persons in need. He commented that it is not safe sitting in a median. He also commended the Division of Police for assigning officers to assist the homeless population and for coming up with a program of help.

Mr. Glover expressed appreciation to Napoleon Taxicab Service for its offer.

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

258-12 Resolution - Condemnation - Part of Lots 1-4 and Lots 5-8, Block A, Sunset Park Subdivision - Recycling Facility - Omiyah Investment Corporation - Tuckahoe District.

Jon Tracy, Director of Real Property, and Mr. Hazelett responded to questions from Mrs. O'Bannon. Mr. Hazelett also responded to a question from Mr. Kaechele.

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

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

As a point of privilege, Mr. Hazelett suggested that the Board take up the general agenda prior to the public comment period.

GENERAL AGENDA

259-12 Resolution - Award of Construction Contract - Meredith Branch Sewage Pumping Station - Brookland District.

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

Art Petrini, Director of Public Utilities, responded to questions from Mr. Glover and Mrs. O'Bannon.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved adding to the agenda a resolution numbered 260-12 and titled "Resolution – Settlement of First Claim of Attorney's Fees in *Jeffrey Carroll, et al., v. County of Henrico, Virginia*" – see attached resolution.

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

PUBLIC COMMENTS

Ms. Newell complimented Police Chief Doug Middleton on his compassion and for his treatment of juveniles. She also expressed a concern regarding young people who deal drugs and are too lazy to work.

Channing P. Perkins, Bob Holmes, and Steve Matthews of the Three Chopt District voiced concerns pertaining to a recent policy change by the Department of Public Works that will

allow only a single point of vehicular access to the proposed Westin Estates residential subdivision, which adjoins the West Ridge community and is currently under consideration by the Planning Commission. There was discussion by Mr. Glover, Mr. Nelson, Mr. Hazelett, Mr. Rapisarda, Mr. Kaechele, and the speakers regarding the specifics of the concerns brought forward, the status of the policy, and the appropriateness of the Board hearing a matter that is both in litigation and still pending before the Planning Commission.

Dale Alexander, a resident of the Brookland District, expressed concerns relating to the limited transportation options for girls participating in middle school athletics and the absence of a Police Athletic League (PAL) program in her area of the County.

William Spencer, a resident of the Three Chopt District, praised the Board and the County, noted the importance of young people going to work, and offered personal anecdotes.

There being no further business, the meeting was adjourned at 9:00 p.m.

A handwritten signature in black ink, appearing to read "Richard W. Olson". The signature is written in a cursive style with a large, looping initial "R".

Chairman, Board of Supervisors
Henrico County, Virginia

Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

PANCREATIC CANCER AWARENESS MONTH

November 2012

WHEREAS, in 2012, an estimated 43,920 people will be diagnosed with pancreatic cancer in the United States and 37,390 will die from the disease; and

WHEREAS, pancreatic cancer is one of the deadliest cancers, is the fourth leading cause of cancer death in the United States, and is the only major cancer with a five-year relative survival rate in the single digits at just six percent; and

WHEREAS, when symptoms of pancreatic cancer present themselves, it is usually too late for an optimistic prognosis, and 74 percent of pancreatic cancer patients die within the first year of their diagnosis while 94 percent of those diagnosed die within the first five years; and

WHEREAS, of all the racial and ethnic groups in the United States, African-Americans have the highest incidence rate of pancreatic cancer, between 34 percent and 67 percent higher than the other groups; and

WHEREAS, approximately 990 deaths will occur in Virginia in 2012 from pancreatic cancer; and

WHEREAS, there is no cure for pancreatic cancer and there have been no major improvements in survival rates in the last 40 years; and

WHEREAS, the federal government invests significantly less money in pancreatic cancer research than it does in any of the other leading cancer killers; and

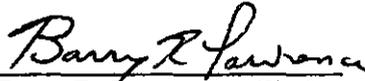
WHEREAS, this research only constitutes approximately two percent of the National Cancer Institute's federal research funding, a relatively low figure given the severity of the disease, its mortality rate, and how little is known about how to arrest it; and

WHEREAS, the Pancreatic Cancer Action Network is the only national patient advocacy organization that serves the pancreatic cancer community in Henrico County and nationwide by focusing its efforts on public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer; and

WHEREAS, this organization and its affiliates in Henrico County support those patients currently battling pancreatic cancer as well as those who have lost their lives to the disease and are committed to nothing less than a cure; and

WHEREAS, the good health and well-being of the residents of Henrico County are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Supervisors of Henrico County, Virginia, hereby recognizes November 2012 as Pancreatic Cancer Awareness Month and calls this observance to the attention of all Henrico citizens.


Barry R. Lawrence, Clerk
October 23, 2012




Richard W. Glover, Chairman
Board of Supervisors



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

Agenda Item No. 250-12
Page No. 1 of 2

Agenda Title: ORDINANCE – To Amend and Reordain Subsection (b)(5) of Section 21-139 of the Code of the County of Henrico Titled “Rates” to Allow Taxicab Companies to Charge Passengers an Additional \$2.00 for Trips Originating at Richmond International Airport

For Clerk’s Use Only:

Date: **OCT 23 2012**

- Approved
- Denied
- Amended
- Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS:

APPROVED

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AN ORDINANCE to amend and reordain subsection (b)(5) of Section 21-139 of the Code of the County of Henrico titled “Rates” to allow taxicab companies to charge passengers an additional \$2.00 for trips originating at Richmond International Airport.

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

- That Section 21-139 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 21-139. Rates.

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-

(b) *Specific rates; special contracts.*

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-
-

By Agency Head _____

gm

By County Manager _____

[Signature]

Routing:

Yellow to: _____

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Clerk, Board of Supervisors

Date: _____

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 250-12
Page No. 2 of 2

Agenda Title: **ORDINANCE - To Amend and Reordain Subsection (b)(5) of Section 21-139 of the Code of the County of Henrico Titled "Rates" to Allow Taxicab Companies to Charge Passengers an Additional \$2.00 for Trips Originating at Richmond International Airport**

(5) For a trip originating at Richmond International Airport, the rate shall be \$10.00 or the charge registered on the meter, whichever is greater, plus \$2.00.

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

Comments: This Board paper has been requested by the Capital Region Airport Commission.



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

Agenda Item No. 257-12
Page No. 1 of 2

Agenda Title: ORDINANCE – To Amend and Reordain Section 22-195 of the Code of the County of Henrico Titled “Distributing handbills, soliciting contributions or selling merchandise in highway” In Order to Cover Persons Not Standing in the Highway and to Prohibit the Sale or Attempted Sale of Services

For Clerk's Use Only:

OCT 23 2012

Date: _____

- Approved
- Denied
- Amended
- Deferred to: _____

BOARD OF SUPERVISORS ACTION

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

REMARKS

APPROVED

YES NO OTHER

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"/>	_____

AN ORDINANCE to amend and reordain Section 22-195 of the Code of the County of Henrico titled “Distributing handbills, soliciting contributions or selling merchandise in highway” in order to cover persons not standing in the highway and to prohibit the sale or attempted sale of services.

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

1. That Section 22-195 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 22-195. Distributing handbills, soliciting contributions or selling merchandise or services in highway.

(a) It shall be unlawful for any person while standing in the highway to:

- (1) Distribute handbills, leaflets, bulletins, literature, advertisements or similar material to the drivers of motor vehicles or passengers therein on highways located within the county.
- (2) Solicit contributions of any nature from the drivers of motor vehicles or passengers therein on highways located within the county.
- (3) Sell or attempt to sell merchandise or services to the drivers of motor vehicles or passengers therein on highways located within the county.

By Agency Head _____

Joseph P. S. [Signature]

By County Manager _____

[Signature]

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Yellow to: _____

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Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. 257-12
Page No. 2 of 2

Agenda Title: **ORDINANCE - To Amend and Reordain Section 22-195 of the Code of the County of Henrico Titled "Distributing handbills, soliciting contributions or selling merchandise in highway" In Order to Cover Persons Not Standing in the Highway and to Prohibit the Sale or Attempted Sale of Services**

- (b) For purposes of this section, the term "highway" means the entire width of a road or street that is improved, designed, or ordinarily used for vehicular travel and the shoulder, the median, and the area between the travel lane and the back of the curb.
2. That this ordinance shall be in full force and effect on and after its passage.

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



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

Agenda Item No. 258-12

Page No. _____
1 of 1

Agenda Title: RESOLUTION — Condemnation — Part of Lots 1-4 and Lots 5-8, Block A, Sunset Park Subdivision — Recycling Facility — Omiyah Investment Corporation — Tuckahoe District

For Clerk's Use Only:

Date OCT 23 2012

- Approved
- Denied
- Amended
- Deferred to:

BOARD OF SUPERVISORS ACTION

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

REMARKS: **APPROVED**

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"/>

WHEREAS, it is necessary for the County to acquire property owned by Omiyah Investment Corporation described as Lots 1-8, Block A, Sunset Park Subdivision, as shown on the April 19, 1941 map of "Sunset Park," a reduced size copy of which is attached and marked Exhibit "A", less and except 0.07 acres and 0.02 acres previously conveyed to the Commonwealth of Virginia for the widening of Quioccasin Road, for the public use of construction, maintenance and operation of a recycling facility; and,

WHEREAS, the owner has rejected the County's \$225,000 offer to purchase the property based upon a third-party appraisal; and,

WHEREAS, after advertisement in the *Richmond Times-Dispatch*, the Board of Supervisors held a public hearing at which time the Board declared its intent to condemn the property pursuant to §§15.2-1901.1 and 15.2-1903 of the Code of Virginia.

NOW, THEREFORE, BE IT RESOLVED that:

- (1) The Board finds a necessity exists to institute condemnation proceedings to acquire the property for the public use of constructing, maintaining and operating a recycling facility for management of the public's recyclable wastes and to determine the amount of consideration for the taking of the property.
- (2) The Board certifies that the acquisition of the property has been reviewed by the County for purposes of complying with § 1-219.1 of the Code.
- (3) The Board authorizes and directs the County Manager and the County Attorney to take all steps necessary to acquire the property for the public use by voluntary acquisition or condemnation, if necessary.

Comments: The Directors of Public Utilities and Real Property recommend this Board Paper, and the County Manager concurs.

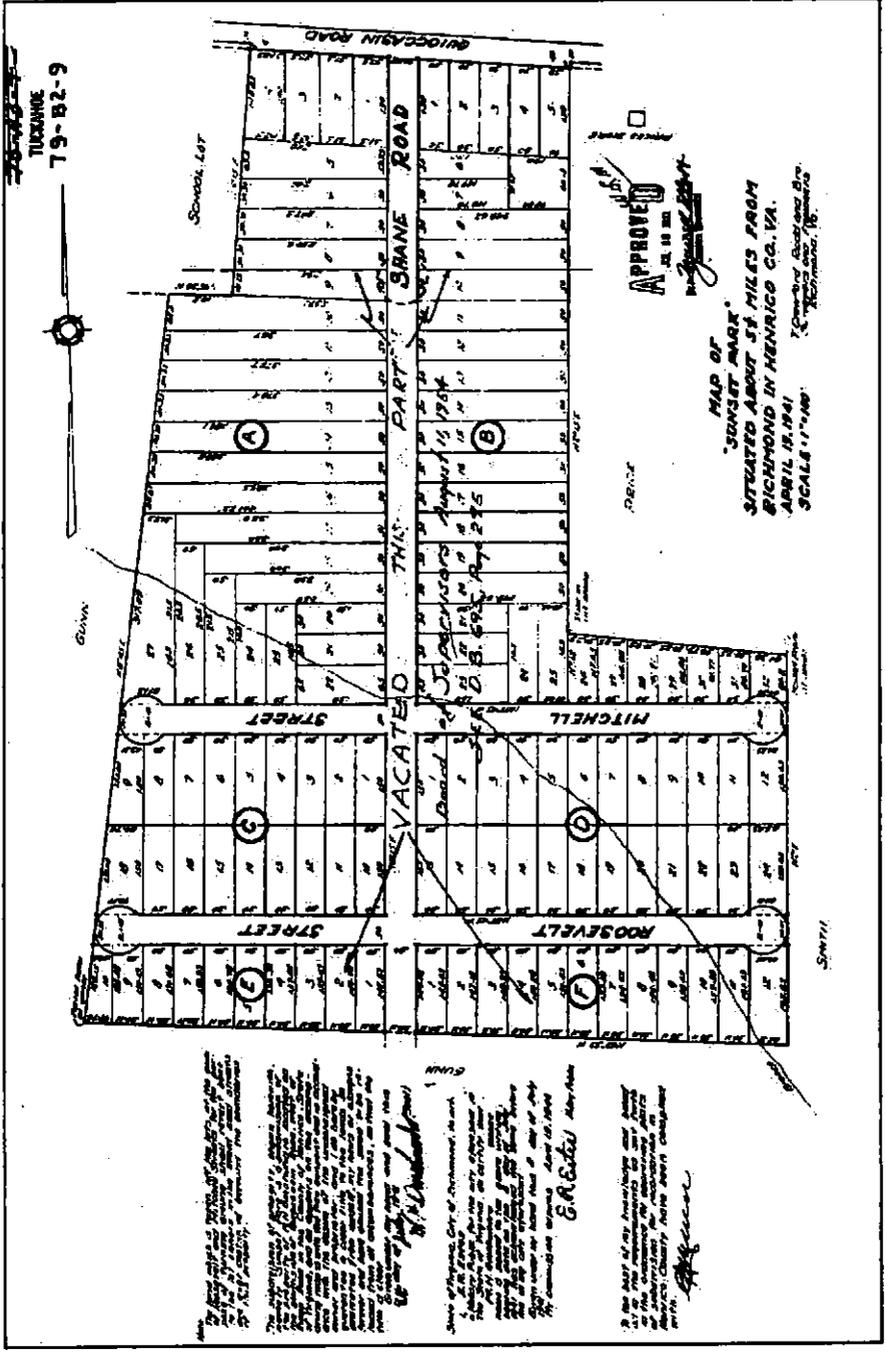
By Agency Head *Dr. B. Thomas* By County Manager *Deborah L. Mayfield*

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Yellow to: *Real Property*
Copy to: _____

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

Date: _____

EXHIBIT "A"



TICKING 79-52-9

APPROVED
JUL 10 1904

MAP OF
"JONKST MARK"
SITUATED ABOUT 5 1/2 MILES FROM
RICHMOND IN HENRICO CO. VA.
APRIL 15, 1904
SCALE 1"=400'

[Handwritten notes and signatures]

State of Virginia, City of Richmond, ss. I, the Clerk of said City, do hereby certify that the foregoing is a true and correct copy of the original map of the "Jonkst Mark" as shown to me by the City Engineer, and that the same has been filed for record in the office of the City Clerk, this 15th day of July, 1904.

[Signature]
C. R. Eaton, Clerk



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

Agenda Item No. 259-12
Page No. 1 of 2

Agenda Title: **RESOLUTION — Award of Construction Contract — Meredith Branch Sewage Pumping Station — Brookland District**

For Clerk's Use Only: OCT 23 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	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, seven bids were received on August 21, 2012 in response to Bid Request No. 12-9280-6CE and Addenda Nos. 1, 2, and 3 for the Meredith Branch Sewage Pumping Station project located in the Brookland District; and,

WHEREAS, the project includes construction of a 4.6 million gallon per day (MGD) sewage pumping station, relocation of existing utilities, and demolition of the existing 2.0 MGD station; and,

WHEREAS, the bids were as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
Allan A. Myers, LP	\$5,794,500.00
Southwood Building Systems, Inc.	\$5,879,048.00
Corman Construction	\$6,328,575.00
English Construction Company, Inc.	\$6,380,000.00
Fielder's Choice Enterprises, Inc.	\$6,472,417.86
Crowder Construction Company	\$6,494,600.00
T A Loving Company	\$6,976,000.00

WHEREAS, after a review and evaluation of all bids received, it was determined that **Allan A. Myers, LP** is the lowest responsive and responsible bidder with a bid of \$5,794,500.00.

By Agency Head Arthur O. Petrino By County Manager [Signature]

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Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. 259-12

Page No. 2 of 2

Agenda Title: RESOLUTION — Award of Construction Contract — Meredith Branch Sewage Pumping Station — Brookland District

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

1. The contract is awarded to Allan A. Myers, LP, the lowest responsive and responsible bidder, in the amount of \$5,794,500.00 pursuant to Bid Request No. 12-9280-6CE, Addenda Nos. 1, 2, and 3, and the bid submitted by Allan A. Myers, LP.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Director of General Services as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

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



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

Agenda Item No. 260-2
Page No. 1 of 1

Agenda Title: RESOLUTION – Settlement of First Claim of Attorneys’ Fees in Jeffrey Carroll, et al., v. County of Henrico, Virginia

For Clerk's Use Only:	<p>1) <i>advised by unanimous consent</i> BOARD OF SUPERVISORS ACTION 2) <i>approved</i></p> <p>Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Thornton</u> (2) <u>O'Bannon</u> (2) <u>Nelson</u></p> <p>REMARKS: APPROVED</p>	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <tr> <td>Glover, R.</td> <td align="center"><u>(12)</u> ✓</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 align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Thornton, F.</td> <td align="center">✓</td> <td></td> <td></td> </tr> </table>		YES	NO	OTHER	Glover, R.	<u>(12)</u> ✓			Kaechele, D.	✓			Nelson, T.	✓			O'Bannon, P.	✓			Thornton, F.	✓		
	YES	NO	OTHER																							
Glover, R.	<u>(12)</u> ✓																									
Kaechele, D.	✓																									
Nelson, T.	✓																									
O'Bannon, P.	✓																									
Thornton, F.	✓																									
Date: OCT 23 2012																										
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:																										

WHEREAS, on April 24, 2012, the Board of Supervisors approved a structure for the settlement of *Jeffrey Carroll, et al., v. County of Henrico, Virginia*; and,

WHEREAS, the approved settlement envisioned future claims of attorneys’ fees; and,

WHEREAS, the plaintiffs’ attorneys have submitted their first claim for their fees incurred to date, which claim has been audited by the County Attorney’s Office.

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

- (1) it authorizes settlement of the first claim of attorneys’ fees in the case styled *Jeffrey Carroll, et al., v. County of Henrico, Virginia*, now pending in the United States District Court for the Eastern District of Virginia, in an amount as recommended by the Risk Manager and the County Attorney, and as approved by the Self-Insurance Trustees; and
- (2) the Risk Manager, County Manager and County Attorney are authorized to execute all documents, in forms satisfactory to the County Attorney, necessary to implement the terms of the settlement.

Comments: The Risk Manager and the County Attorney recommend approval of this Board paper; the County Manager concurs.

By Agency Head Joseph P. Cassiano, Jr. By County Manager David L. Reynolds

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