

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
April 10, 2012
6:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION – George T. Drumwright, Jr., Deputy County Manager for Community Services

PUBLIC HEARING

85-12 Resolution - Adoption of Operating and Capital Annual Fiscal Plans For Fiscal Year 2012-13 and Allocation of Car Tax Relief for Tax Year 2012.

BEGINNING AT 7:00 P.M.

APPROVAL OF MINUTES – March 27, 2012 Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PRESENTATIONS

Proclamation – Library Week – April 8 – 14, 2012.

Proclamation – Volunteer Week – April 15 – 21, 2012.

Proclamation – Administrative Professionals Week – April 22 – 28, 2012.

RESIGNATION/APPOINTMENTS

86-12 Resolution – Resignation of Member – Henrico Area Mental Health & Developmental Services Board.

87-12 Resolution – Appointment of Persons Eligible to Serve as Third Member of Employee Grievance Panels.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMIT

88-12 Buz and Ned's of Parham and Broad Land, LLC: Request to conditionally
C-6C-12 rezone from B-1 Business District to B-2C Business District (Conditional)
Tuckahoe Parcel 762-753-4189 containing approximately 1.8 acres located at the
southwest intersection of Old Parham Road and W. Broad Street (US Route
250). The applicant proposes a restaurant with outdoor dining, catering, and
retail sales. The uses will be controlled by zoning ordinance regulations and
proffered conditions. The 2026 Comprehensive Plan recommends Commercial

Arterial. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

89-12
P-4-12
Tuckahoe
Buz and Ned's of Parham and Broad Land, LLC: Request for a Provisional Use Permit under Sections 24-58.2(d), 24-120, and 24-122.1 of the County Code in order to allow outside dining for a restaurant (Buz and Ned's) on Parcel 762-753-4189 located at the southwest intersection of Old Parham Road and W. Broad Street (US Route 250). The existing zoning is B-1 Business District. The 2026 Comprehensive Plan recommends Commercial Arterial. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

90-12
C-1C-12
Brookland
Hermitage Investment Group, LLC: Request to conditionally rezone from R-3 One-Family Residence District to M-1C Light Industrial District (Conditional) Parcel 771-752-7780 containing 9.29 acres located at the southeast intersection of Staples Mill Road (US Route 33) and Hermitage Road. The applicant proposes light industrial, office/warehouse, and specialty retail uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office, Light Industrial, and Environmental Protection Area. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

PUBLIC COMMENTS

GENERAL AGENDA

- 91-12 Resolution – Authorization to Apply for and Accept Continuation Grants for the Victim/Witness Assistance Program.
- 92-12 Resolution – Authority to Submit Henrico County Plan for the Virginia Juvenile Community Crime Control Act (2012-2014).
- 93-12 Resolution - Signatory Authority - Lease for Police Metro Aviation Unit - Capital Region Airport Commission - Varina District.
- 94-12 Resolution - Award of Contract - Annual Engineering Services, Water Reclamation Facility.
- 95-12 Resolution - Award of Annual Construction Contract - Road and Drainage Projects.
- 96-12 Resolution - Authorizing Settlement of EPA Complaint Alleging Violations of County's Storm Sewer System Permit.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
April 10, 2012**

INVOCATION – George T. Drumwright, Jr., Deputy County Manager for Community Services

PUBLIC HEARING

RESOLUTION – Adoption of Operating and Capital Annual Fiscal Plans For Fiscal Year 2012-13 and Allocation of Car Tax Relief for Tax Year 2012.

On Tuesday, April 10, 2012, this paper will be considered, but should be deferred (at least seven days, according to law) before being approved. At a scheduled meeting on Tuesday, April 24, 2012, at 7:00 p.m. the proposed Operating and Capital Annual Fiscal Plans may be approved, amended, substituted for, or deferred until a later date, but, at least with regard to the schools' budget, should be approved by May 1, 2012. This paper will also allocate car tax relief for tax year 2012.

PRESENTATIONS

PROCLAMATION - Library Week - April 8 – 14, 2012.

The American Library Association has sponsored National Library Week annually since 1958 to celebrate the contributions of our nation's libraries and promote library use and support. This proclamation recognizes April 8 – 14, 2012 as Library Week in Henrico County and calls upon Henrico citizens to participate in its observance, take advantage of the wonderful library resources available, thank their librarians and library workers for making books and information accessible to all who walk through their library's doors as well as those who visit online, and acknowledge that communities around the world can connect at the library.

PROCLAMATION – Volunteer Week – April 15 – 21, 2012.

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 15 – 21, 2012 as Volunteer Week in Henrico County and salutes and thanks our volunteers, who contributed more than 230,395 hours during 2011 at an estimated value in excess of \$5 million.

PROCLAMATION – Administrative Professionals Week – April 22 – 28, 2012.

Administrative professionals play an essential role in coordinating the office operations of businesses, government entities, educational institutions, and other organizations. The Old Dominion Chapter of the International Association of Administrative Professionals, which is

active in Henrico County, is promoting the observance of Administrative Professionals Week throughout our metropolitan area in cooperation with its worldwide organization. This proclamation recognizes April 22 – 28, 2012 as Administrative Professionals Week and April 25, 2012 as Administrative Professionals Day, salutes the valuable contributions of administrative professionals in the workplace, and encourages employers to support continued training and development for administrative staff in acknowledgement that a well-trained workforce is essential for success in today’s business world.

RESIGNATION/APPOINTMENTS

RESOLUTION – Resignation of Member – Henrico Area Mental Health & Developmental Services Board.

This Board paper accepts the resignation of **John W. Keating** from the Henrico Area Mental Health & Developmental Services Board as a Family/Consumer representative.

RESOLUTION – Appointment of Persons Eligible to Serve as Third Member of Employee Grievance Panels.

This Board paper appoints the following persons as eligible to serve as the third member of employee grievance panels for unexpired terms ending December 31, 2012 or thereafter, when their successors shall have been appointed and qualified:

Fairfield District	Richard H. Hatcher
Fairfield District	_____

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMIT

C-6C-12
Tuckahoe

Buz and Ned’s of Parham and Broad Land, LLC: Request to conditionally rezone from B-1 Business District to B-2C Business District (Conditional) Parcel 762-753-4189 containing approximately 1.8 acres located at the southwest intersection of Old Parham Road and W. Broad Street (US Route 250). The applicant proposes a restaurant with outdoor dining, catering, and retail sales. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Arterial. Acting on a motion by Mrs. Jones, seconded by Mr. Leabough, the Planning Commission voted 5-0 (one absent) to recommend the Board of Supervisors **grant** the request because it would not be expected to adversely affect the pattern of zoning and land use in the area and the proffered conditions should minimize the potential impacts on surrounding land uses.

P-4-12
Tuckahoe

Buz and Ned’s of Parham and Broad Land, LLC: Request for a Provisional Use Permit under Sections 24-58.2(d), 24-120, and 24-122.1 of the County Code in order to allow outside dining for a restaurant (Buz and Ned’s) on Parcel 762-753-4189 located at the southwest intersection of Old Parham

Road and W. Broad Street (US Route 250). The existing zoning is B-1 Business District. The 2026 Comprehensive Plan recommends Commercial Arterial. Acting on a motion by Mrs. Jones, seconded by Mr. Leabough, the Planning Commission voted 5-0 (one absent) to recommend the Board of Supervisors **grant** the request because the conditions should minimize the potential impacts on surrounding land uses and it would not be expected to adversely affect public safety, health or general welfare.

C-1C-12
Brookland

Hermitage Investment Group, LLC: Request to conditionally rezone from R-3 One-Family Residence District to M-1C Light Industrial District (Conditional) Parcel 771-752-7780 containing 9.29 acres located at the southeast intersection of Staples Mill Road (US Route 33) and Hermitage Road. The applicant proposes light industrial, office/warehouse, and specialty retail uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office, Light Industrial, and Environmental Protection Area. Acting on a motion by Mr. Witte, seconded by Mr. Archer, the Planning Commission voted 5-0 (one absent) to recommend the Board of Supervisors **grant** the request because it continues a form of zoning consistent with the area, would not adversely affect the adjoining area if properly developed as proposed, and the proffered conditions would provide for a higher quality development than would otherwise be possible.

PUBLIC COMMENTS

GENERAL AGENDA

RESOLUTION – Authorization to Apply for and Accept Continuation Grants for the Victim/Witness Assistance Program.

This Board paper authorizes the County Manager to apply for and accept grants from the Virginia Department of Criminal Justice Services totaling \$363,093 for fiscal year 2013 and \$363,093 for fiscal year 2014 for continuation of the Victim/Witness Assistance Program in Henrico County.

The total County support of this grant in fiscal year 2011 will be \$324,629, which includes one 100% County-funded position.

The Commonwealth’s Attorney recommends approval of the Board paper, and the County Manager concurs.

RESOLUTION – Authority to Submit Henrico County Plan for the Virginia Juvenile Community Crime Control Act (2012-2014).

This Board paper authorizes the County Manager to submit to the State Board of Juvenile Justice the biennial plan for services, programs, and facilities for juveniles before the Henrico

County Juvenile and Domestic Relations District Court and the 14th District Court Services Unit. The juveniles to be served by the program are in need of services, in need of supervision, or delinquent under § 16.1-309.3D of the Code of Virginia. The plan has been developed after consultation with the judges of the Henrico County Juvenile and Domestic Relations District Court.

RESOLUTION - Signatory Authority - Lease for Police Metro Aviation Unit - Capital Region Airport Commission - Varina District.

The resolution authorizes the County Manager to execute a lease for 7,634 sq. ft. of hangar and office space being constructed by the Capital Region Airport Commission for the Police Metro Aviation Unit. The anticipated completion date is October 1, 2012. The lease is for 10 years with one optional five-year renewal term and will commence when the Aviation Unit takes possession. The annual rent will be \$60,000 during the first five years, \$65,000 during the next five years, and \$70,000 during the renewal term, all payable in equal monthly installments.

The Chief of Police and the Director of Real Property recommend approval of this Resolution, and the County Manager concurs.

RESOLUTION - Award of Contract - Annual Engineering Service - Water Reclamation Facility.

This resolution awards an annual contract to Hazen and Sawyer, P.C. for engineering services for Water Reclamation Facility projects. The scope of services includes engineering studies, designs, cost estimates and construction administration for improvements or modifications to wastewater treatment and solids handling facilities. Projects will include those identified in the Capital Improvement Program as well as projects necessary to address unforeseen and emergency conditions.

Four proposals were received in response to RFP #11-9165-11CS. Based upon review and evaluation of the proposals, the Selection Committee (consisting of Ms. Marchelle Sossong, Mr. Tyrone Watkins, Mr. Thomas Pully, Mr. Rob Tieman and Mrs. Cecelia Stowe) interviewed the following firms:

Hazen and Sawyer, P.C.
Whitman, Requardt and Associates

Based on the written proposals and interviews, the Committee selected Hazen and Sawyer, P.C. as the top-ranked firm and negotiated a contract. The contract term is for one year with an option to renew for two additional one-year terms. Compensation for services shall be based on hourly rate schedules. The project fees shall not exceed \$300,000 for any single project and \$1,500,000 per year.

Funding to support this contract is available within the project budget. The Directors of Public Utilities and General Services recommend approval, and the County Manager concurs.

RESOLUTION - Award of Annual Construction Contract - Road and Drainage Projects.

This resolution would award a contract to **Central Contracting Co., Inc.** for the construction (furnish and install) of various types of road and drainage projects throughout the County. The contract would be awarded on a unit price basis for the period April 15, 2012 to April 30, 2013 with the option for the County to renew it for four additional one year terms. The final contract value at the end of each year would be determined by multiplying the unit prices times the unit quantities utilized during the year.

Five bids were received and opened on March 21, 2012 in response to IFB #12-9207-2AL. For selection and evaluation purposes, the lowest responsive bid was determined by multiplying each bid's unit prices times the unit quantities specified in the bid documents.

<u>Bidders</u>	<u>Total Bid</u>
Central Contracting Co., Inc.	\$1,084,992.97
Talley & Armstrong, Inc.	\$1,843,568.45
Possie B. Chenault, Inc.	\$2,327,795.00
Messer Contracting, LLC	\$2,490,578.00
Corman Construction, Inc.	\$3,423,180.00

Central Construction Co., Inc. was determined to be the lowest responsive and responsible bidder.

This resolution grants signatory authority to the County Manager to execute a contract in a form approved by the County Attorney. 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.

The Acting Director of Public Works and the Director of General Services recommend approval of this Board paper, and the County Manager concurs.

RESOLUTION — Authorizing Settlement of EPA Complaint Alleging Violations of County's Storm Sewer System Permit.

This resolution authorizes the County Manager to settle an administrative proceeding brought by EPA against the County for alleged violations of the County's storm sewer permit.

EPA conducted an audit of the County's program to evaluate compliance with the permit. Based on this audit, EPA issued an administrative complaint seeking civil penalties amounting to \$164,300 for alleged non-compliance with permit conditions. The County appealed because the complaint contained numerous inaccuracies and mistaken violations, incorrectly interpreted the permit to impose certain obligations disputed by the County, and sought to penalize trivial

non-compliance. The County and EPA have negotiated a settlement, and the County does not admit any liability.

This Resolution authorizes the settlement and the County Manager to sign the necessary documents in a form approved by the County Attorney.

The County Attorney and the Acting Director of Public Works recommend approval of this Board paper, with the County Manager concurring.