

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
September 11, 2007

The Henrico County Board of Supervisors convened a Special Meeting on Tuesday, September 11, 2007 at 4:30 p.m. in the County Manager's Conference Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia. The *Chairman called the meeting to order at 4:44 p.m. Those present at the meeting were:*

PRESENT

The Honorable James B. Donati, Jr., Chairman
The Honorable David A. Kaechele, Vice-Chairman
The Honorable Richard W. Glover, Brookland District Supervisor
The Honorable Patricia S. O'Bannon, Tuckahoe District Supervisor
The Honorable Frank J. Thornton, Fairfield District Supervisor
Mr. Virgil R. Hazelett, P.E., County Manager
Mr. Harvey L. Hinson, Deputy County Manager for Community Development
Mr. Leon T. Johnson, Deputy County Manager for Administration
Mr. Robert K. Pinkerton, P.E., Deputy County Manager for Community Operations
Mr. Barry R. Lawrence, Assistant to the County Manager/Clerk to the Board
Mrs. Linda B. Jones, Deputy Clerk to the Board
Mr. Joseph P. Rapisarda, Jr., County Attorney
Mr. John L. Knight, Deputy County Attorney
Mr. J. Thomas Tokarz, Senior Assistant County Attorney
Mrs. Tamra R. McKinney, Director of Public Relations & Media Services
Mr. Fred C. James, Jr., Media Specialist
Mr. John A. Vithoulkas, Acting Director of Finance
Chief Edwin W. Smith, Division of Fire
Mr. Paul N. Proto, Director of General Services
Ms. Cecelia H. Stowe, Purchasing Manager, General Services
Mr. Thomas M. Branin, Chairman, Planning Commission
Mr. Randall R. Silber, Director of Planning
Mr. Ralph J. Emerson, Assistant Director of Comprehensive Planning and Administration
Mr. Arthur D. Petrini, Director of Public Utilities
Mr. Edward L. Priestas, Director of Public Works
Mr. Steve Price, Assistant Director of Real Property
Mr. Jon E. Mathiasen, President & CEO, Capital Region Airport Commission
Mr. Jerry Milhorn, Vice-President, Operations & Engineering, Kinder Morgan
Mr. Earl J. Crochet, P.E., Director of Field Operations, Plantation Pipe Line, Kinder Morgan

Proposed Ordinance Amendment to Establish
a New Minimum Rate for Taxicab Trips
Originating at Richmond International Airport

Mr. Hazelett reviewed the special meeting agenda and advised that the first item was scheduled for a public hearing on October 9, 2007. He recognized Mr. Mathiasen, who

advised the Board that the proposed ordinance amendment was being requested by the Capital Region Airport Commission (CRAC), after several meetings with taxicab operators, to make it more economically beneficial for the operators to work at Richmond International Airport. Mr. Mathiasen noted that the new minimum rate would only apply to taxicab trips originating at the Airport. He also pointed out that the proposed ordinance amendment was unique to Henrico County so other localities would not need to act on it.

Mr. Mathiasen and Mr. Hazelett responded to several questions from members of the Board regarding the cost of exit fees under the proposed amendment, whether the proposed amendment would encourage more taxi service at the Airport, whether CRAC had addressed the quality of taxi service, how the new rate would be posted, what would be covered by the proposed \$10 minimum fee, the membership of the Capital Region Taxicab Advisory Board, and whether multi-passenger trips would affect the minimum rate.

Plantation Pipeline Status Report

Mr. Hazelett recognized Mr. Milhorn of Kinder Morgan, who provided a Power Point presentation on the status of the Plantation Pipeline since the April 2006 rupture in the Barrington subdivision (see enclosed copy of presentation). Mr. Milhorn noted that he would not be addressing ongoing settlement negotiations with affected property owners. His presentation included an orientation to the Plantation Pipe Line Company system and operations control center as well as an overview of the April 17, 2006 Barrington release; the company's response to the incident and its restoration of the site; site contours and the pipeline's environmental impact; the current status of the site; and protective measures and technology that have been implemented since the incident.

During Mr. Milhorn's presentation, he responded to questions and comments from Board members concerning Plantation system statistics, the origin of the petroleum product, whether homeowners' properties that were affected by the release are in better condition now after restoration than before the incident, whether surrounding areas were contaminated by the release, the size of the area impacted by the spill, the amount of pressure within the pipeline after restoration, the definition of the state one-call program, whether the company was doing any excavation work when the rupture occurred, whether the crack started on the inside or outside of the pipe, how often incidents of this type occur in the pipeline network, the estimated longevity of the pipeline if it is not damaged by contractors or other forces, the length of time the pipeline was down because of the spill, market alternatives for fuel when lines are out of service for extended periods, whether nitrogen is used to displace the pipeline product, and the number of homeowners that are negotiating settlements with the company. Mr. Crochet responded to questions from Board members pertaining to the exact location and direction of the rupture and how the defected pipe had been repaired.

Mr. Milhorn noted that the homeowners in Barrington have been gracious and cooperative during the restoration process. He expressed appreciation to the County's emergency management agencies and to Mr. Hazelett and commented that the County has a great team. Mr. Hazelett advised the Board that \$200,000 had been received as part of a settlement from the Plantation Pipeline Consent Order. He further advised that the Board paper listed on the evening's general agenda introducing amendments to the County's annual fiscal plan included the re-appropriation of these funds. Mr. Hazelett remarked that the company had handled the incident in a professional and high quality manner. Mr. Kaechele commented

that the company had held a number of neighborhood meetings and been very cooperative.

On motion of Mr. Kaechele, seconded by Mrs. O'Bannon, the Board approved going into a Closed Meeting at 5:39 p.m. for the following matter:

Discussion of the Terms or Scope of a Proposed Contract Involving the Expenditure of Public Funds for the Design and Construction of the Extension of North Gayton Road, Where Discussion in Open Session Would Adversely Affect Henrico County's Bargaining Position or Negotiating Strategy, Pursuant to Section 2.2-3711(A)(29) of the Code of Virginia, 1950, as amended.

The vote of the Board was as follows:

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

On motion of Mr. O'Bannon, seconded by Mr. Thornton, the Board approved going out of the Closed Meeting at 6:39 p.m.

The vote of the Board was as follows:

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

In open session, on motion of Mrs. O'Bannon, seconded by Mr. Thornton, the Board approved the attached Certificate of Closed Meeting.

The vote of the Board was as follows:

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

Mr. Hazelett announced that Mr. Donati would read a prepared statement at the evening meeting immediately prior to the Pledge of Allegiance recounting the terrorist acts of September 11, 2001. He then identified the zoning cases on the evening's agenda for which applicants had requested a deferral. Mr. Hazelett also identified two citizens who had signed up in advance to address the Board during the evening's public comment period and the topics they would be covering in their remarks. Mr. Rapisarda suggested that the Board not take any action on the item that would be discussed by the first speaker because it was in litigation.

Mr. Hazelett advised the Board of another potential public comment speaker, who had concerns about the two-step slurry treatment process used for County roads. Mr. Hazelett, Mr. Priestas, and Mr. Pinkerton responded to a number of questions and comments from Board members relating to the costs of recoating roads with slurry versus asphalt, the contractors used by the County to apply slurry treatment, whether slurry can be rolled and compressed immediately after being applied, what the County is doing to educate citizens about the slurry process, whether the County's slurry contractors are overcharging the County and doing inferior work, and the actual number of complaints Board members and the County staff has received about the slurry treatment process. Mr. Pinkerton observed that most of the complaints regarding slurry treatment are from citizens who use roads for rollerblading, skateboarding, and bicycling. Mr. Glover remarked that County staff has done a good job following up on complaints concerning the slurry treatment issue. Mr. Priestas and Mr. Pinkerton explained the slurry treatment process.

There being no further business, the meeting was adjourned at 6:52 p.m.



James B. Quirk
Chairman, Henrico County Board of Supervisors