

**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, September 23, 2014**, 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:

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| 4:45 - 5:15 p.m. | Supplier Diversity (SWAM) Program Update |
| 5:15 - 5:45 p.m. | HB 2 and MPO Update |
| 5:45 - 6:00 p.m. | Yangju City Briefing |
| 6:00 - 6:15 p.m. | Closed Meeting for Consultation with the County Attorney Pertaining to Actual Litigation Styled <i>Roger Allen Skeens v. Scott A. Letteer</i> , Pursuant Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as Amended. |
| 6:15 - 6:30 p.m. | Regular Meeting Agenda Items |



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
September 18, 2014

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
September 23, 2014
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES – September 9, 2014, Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PRESENTATIONS

Proclamation – Fire Prevention Week – October 5 – 11, 2014.

Proclamation – Customer Service Week – October 6 – 10, 2014.

Proclamation – Henrico History Month – October 2014.

- 242-14 Resolution – Congratulating the Henrico County Police Division Law Enforcement Explorer Post 608.
- 243-14 Resolution – Commemorating the Courage and Heroism of the United States Colored Troops at the Battle of New Market Heights.

PUBLIC HEARINGS ITEMS

- 244-14 Resolution – Amendments to the FY 2014-15 Annual Fiscal Plan: September, 2014.
- 245-14 Resolution - POD2014-00297 - Approval of a Plan of Development for HCPD Central Precinct - Fairfield District.
- 246-14 Resolution - POD2014-00208 - Approval of Phase I of Master Plan of Development for Tuckahoe Creek Park - Tuckahoe District.
- 247-14 Ordinance - Vacation of Building Line - Lot 2, Block C of Woodlawn Farms Subdivision - Brookland District.
- 248-14 Resolution – Abandonment of Portion of Old Pump Road – Tuckahoe District.
- 249-14 Ordinance - Vacation of Portion of Unimproved Right-of-Way - Perkins Avenue - Eastmoreland Subdivision - Varina District.

- 250-14 Resolution - Hearing of Necessity - Creighton Road Improvements - Project #00985 - Fairfield and Varina Districts.
- 251-14 Resolution - Hearing of Necessity - Dabbs House Road Improvements - Project #00610 - Varina District.

PUBLIC COMMENTS

GENERAL AGENDA

- 252-14 Resolution - Authorization of Joint Enterprise Zone Redesignation Application to the Virginia Department of Housing and Community Development.
- 253-14 Introduction of Ordinance - To Amend and Reordain Section 20-78 of the Code of the County of Henrico Titled "Elderly or Permanently and Totally Disabled Persons" to Increase the Maximum Annual Real Estate Tax Exemption for Qualified Real Estate Advantage Program Applicants from \$1,500 to \$2,500, Eliminate the Requirement that Applicants Pay Their Taxes by Certain Dates or Lose Their Exemption, and Conform to 2014 State Legislation.
- 254-14 Introduction of Ordinance - To Amend and Reordain Section 9-2 of the Code of the County of Henrico Titled "Precincts and polling places" by Updating the Name of the Polling Place for Rollingwood Precinct in the Tuckahoe District.
- 255-14 Resolution - SIA2014-00002 - Tuckahoe Creek Park - Substantially in Accord with the 2026 Comprehensive Plan - Tuckahoe and Three Chopt Districts.
- 256-14 Resolution - To Accept Virginia Department of Motor Vehicles, Highway Safety Office Program Award for Alcohol-Impaired Driving.
- 257-14 Resolution - To Accept Virginia Department of Motor Vehicles, Highway Safety Office Program Award for Click-It-or-Ticket Enforcement.
- 258-14 Resolution - To Accept Virginia Department of Motor Vehicles, Highway Safety Office Program Award for Speed Limit Enforcement.
- 259-14 Resolution - To Accept U.S. Department of Justice, Edward Byrne Memorial Justice Assistant Grant (JAG) Program Award.
- 260-14 Resolution - Signatory Authority - Acquisition of Real Property - Portions of Tax Parcel 5-A-8 on Cedar Plains Road - Cumberland County.

- 261-14 Resolution - Signatory Authority - Acquisition of Real Property - Tax Parcel 6-A-3C on Columbia Road - Cumberland County.
- 262-14 Resolution - Signatory Authority - Acquisition of Real Property - Various Tax Parcels North of Cedar Plains Road - Cumberland County.
- 263-14 Resolution - Award of Construction Contract - Brook Road 12” and 16” Water Main Improvements - Fairfield District.
- 264-14 Resolution - Award of Construction Contract - Hill and Dale Area Sanitary Sewer Rehabilitation (RR-01B) - Tuckahoe District.
- 265-14 Resolution - Award of Construction Contract - Glenside Park and Ride Lighting Improvements - Brookland District.
- 266-14 Introduction of Ordinance - To Amend and Reordain Section 23-33 of the Code of the County of Henrico Titled “Maintenance of sewage disposal system; pump-out requirement” to Conform to State Legislation Providing for the Submission of Documentation Relating to Septic Tank Pump-Out.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
September 23, 2014

PRESENTATIONS

PROCLAMATION – Fire Prevention Week, October 5 – 11, 2014.

The Division of Fire promotes fire safety throughout the year, and focuses special energy on these efforts as a part of the County's observation of Fire Prevention Week. The 2014 Fire Prevention Week theme is "Working Smoke Detectors Save Lives – Test Yours Every Month!" This proclamation recognizes October 5 – 11, 2014, as Fire Prevention Week and highlights efforts by public safety officials and citizens to help make homes, work places, and schools safer places to live, work, and learn.

PROCLAMATION - Customer Service Week - October 6 - 10, 2014.

The County of Henrico continues to be recognized locally, nationally, and internationally for the quality of service it provides to all of its customers. This proclamation recognizes October 6 - 10, 2014, as Customer Service Week and salutes and thanks each and every County employee for the quality of service so willingly given to both the internal and external customers of the County.

PROCLAMATION - Henrico History Month - October 2014.

The County of Henrico has a significant history, including English exploration and settlement, Native American and African American heritage and culture, Revolutionary War activity, and Civil War battles. The Board of Supervisors supports the Henrico County Historical Society's ongoing efforts to promote the County's history and heritage. This proclamation recognizes October 2014 as Henrico History Month and calls upon the citizens of the County to acknowledge and participate in this special observance.

RESOLUTION – Congratulating the Henrico County Police Division Law Enforcement Explorer Post 608.

This Board paper congratulates the Police Division's Law Enforcement Explorer Post 608 on its 37th anniversary as well as earning national recognition in July at the 2014 National Law Enforcement Explorer Competition in Bloomington, Indiana.

The Chief of Police recommends approval of this Board paper, and the County Manager concurs.

RESOLUTION – Commemorating the Courage and Heroism of the United States Colored Troops at the Battle of New Market Heights.

The United States Colored Troops (“USCT”) were regiments in the United States Army composed of African American soldiers. Fourteen soldiers from USCT regiments were later awarded the Medal of Honor for their gallantry at the Battle of New Market Heights, which was one of the first full-scale victories by USCT forces. This Board paper commemorates the courage and heroism of the USCTs at the Battle of New Market Heights and their important role in Henrico County and American history.

PUBLIC HEARINGS ITEMS

RESOLUTION – Amendments to the FY 2014-15 Annual Fiscal Plan: September, 2014.

A Board paper was presented on September 9, 2014, which (a) received requests for amendments to the Annual Fiscal Plan, (b) directed the advertisement of same, and (c) set the date for a public hearing. The Board may now receive this paper, which, if approved, amends the Annual Fiscal Plan and appropriates funds for expenditure, as applicable, on September 23, 2014. After the public hearing, at that same meeting, this paper may be approved.

RESOLUTION - POD2014-00297 - Approval of a Plan of Development for HCPD Central Precinct - Fairfield District.

This Board paper is for Board of Supervisors’ approval of a plan of development, as required by Sections 24-11(b) and 24-106 of the Henrico County Code, to construct a one-story, 10,000 square-foot office building and garage for future use as a Henrico County police precinct. The 4.214-acre site is located on the south line of Villa Park Drive, approximately 1,850 feet west of its intersection with Brook Road (U.S. Route 1), on parcel 782-753-6258 and part of parcel 782-753-8267. The property is zoned OS/C, Office Service District (Conditional), and is located in the Fairfield District.

The Department of Planning has coordinated the review of the plan of development with all County departments and has held a meeting with the project engineer and appropriate representatives from the Department of General Services, the Department of Public Works, the Department of Public Utilities, the Division of Fire, the Division of Police, and the Office of Building Construction and Inspections. All design issues raised during the review of the project have been resolved.

The Director of Planning recommends approval of the plan of development, subject to the staff recommendations, the staff plan dated September 23, 2014, and the conditions listed in the Board paper, and the County Manager concurs.

RESOLUTION - POD2014-00208 - Approval of Phase I of Master Plan of Development for Tuckahoe Creek Park - Tuckahoe District.

This Board paper is for Board of Supervisors' approval of a master plan of development, as required by Sections 24-11(b) and 24-106 of the Henrico County Code, to construct a neighborhood park with an entrance structure, elevated boardwalks, observation points, and trails for passive recreational uses. The 33.70-acre portion of the site is located in the Tuckahoe Creek Swamp from the western terminus of Ridgefield Parkway to south of the western terminus of Old Coach Lane, on part of parcels 727-757-9917 and 727-749-9587. The property is zoned C-1, Conservation District, and is located in the Tuckahoe District.

The Department of Planning has coordinated the review of the plan of development with all County departments and has held a meeting with the project engineer and appropriate representatives from the Division of Recreation and Parks, the Department of Planning, the Department of Public Works, the Department of Public Utilities, the Division of Fire, the Division of Police, and the Office of Building Construction and Inspections. All design issues raised during the review of the project have been resolved.

The Director of Planning recommends approval of the plan of development, subject to the staff recommendations, the staff plan dated September 23, 2014, and the conditions listed in the Board paper, and the County Manager concurs.

ORDINANCE - Vacation of Building Line - Lot 2, Block C of Woodlawn Farms Subdivision - Brookland District.

This ordinance will vacate the building line on the plat of Lot 2, Block C of the Woodlawn Farms subdivision. The owner, McComb & McComb, Inc., would like to put a roof over an existing porch which would be in violation of a side building line. This vacation would allow them to construct the roof.

The Real Property Department has processed this request through the Departments of Planning, Public Utilities and Public Works without objection.

RESOLUTION – Abandonment of Portion of Old Pump Road – Tuckahoe District.

Approval of this Board Paper will abandon a portion of Old Pump Road between Church Road and John Rolfe Parkway. The abandonment is in accordance with the settlement with Rebkee Replacement, LLC approved by the Board on May 11, 2010. John Rolfe Parkway now serves the same citizens that used the Old Pump Road.

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

ORDINANCE - Vacation of Portion of Unimproved Right-of-Way - Perkins Avenue - Eastmoreland Subdivision - Varina District.

This ordinance will vacate a portion of unimproved right-of-way for Perkins Avenue in the Eastmoreland subdivision, subject to the reservation of a utility easement. The owners of the adjacent property have requested this action.

The Real Property Department has processed this requested vacation through the Departments of Planning, Public Works, and Public Utilities without objection.

RESOLUTION - Hearing of Necessity - Creighton Road Improvements - Project #00985 - Fairfield and Varina Districts.

On September 9, 2014, the Board of Supervisors approved a resolution scheduling a public hearing on September 23, 2014 to consider the need for improving Creighton Road between Laburnum Avenue and the City of Richmond limits. The proposed improvements consist of construction of a four-lane roadway between Laburnum Avenue and Sandy Lane and a new connector road to Dabbs House Road, replacement of the bridge on Creighton Road, and leveling of the road surfaces between Stone Dale Drive and the City of Richmond limits.

The estimated total cost of this project is \$8,350,000. Funding for the proposed improvements shall be provided from General Obligation Bonds, state funding, and the General Fund, Project #00985.

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

RESOLUTION - Hearing of Necessity - Dabbs House Road Improvements - Project #00610 - Varina District.

On September 9, 2014, the Board scheduled a public hearing on September 23, 2014, to consider the need for improving Dabbs House Road between Nine Mile Road and Kingsridge Parkway. Dabbs House Road will be widened from Nine Mile Road to Kingsridge Parkway, and sidewalk will be constructed on the north and west sides of Dabbs House Road. In addition, a right turn lane will be constructed on northbound Nine Mile Road at its intersection with Dabbs House Road.

The estimated total cost of this project is \$10,800,000. Funding for the proposed improvements shall be provided from state funding and the General Fund, Project #00610.

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

PUBLIC COMMENTS

GENERAL AGENDA

RESOLUTION - Authorization of Joint Enterprise Zone Redesignation Application to the Virginia Department of Housing and Community Development.

This resolution authorizes the County Manager to submit an application to the Virginia Department of Housing and Community Development for the redesignation of the Richmond City/Henrico County Enterprise Zone to extend the expiration date until December 31, 2022. Without the redesignation, the enterprise zone will expire on December 31, 2014.

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

INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 20-78 of the Code of the County of Henrico Titled “Elderly or Permanently and Totally Disabled Persons” to Increase the Maximum Annual Real Estate Tax Exemption for Qualified Real Estate Advantage Program Applicants from \$1,500 to \$2,500, Eliminate the Requirement that Applicants Pay Their Taxes by Certain Dates or Lose Their Exemption, and Conform to 2014 State Legislation.

This Board paper introduces for advertisement and public hearing on October 14 an ordinance to increase the maximum annual real estate tax exemption for qualified REAP applicants from \$1,500 to \$2,500. The ordinance also eliminates the requirement that applicants pay their taxes by certain dates or lose their tax exemption. In addition, the ordinance conforms the County Code to changes enacted by the General Assembly in 2014.

INTRODUCTION OF ORDINANCE – To Amend and Reordain Section 9-2 of the Code of the County of Henrico Titled “Precincts and polling places” by Updating the Name of the Polling Place for Rollingwood Precinct in the Tuckahoe District.

This Board paper introduces for advertisement and public hearing on October 14, 2014, an ordinance to update the name of the polling place for Rollingwood Precinct in the Tuckahoe District.

Third Presbyterian Church is the polling place for Rollingwood Precinct. By letter dated September 9, 2014, the church informed the County its name had changed and asked the County to update its records to reflect the church’s new name, “Third Church.”

RESOLUTION - SIA2014-00002 - Tuckahoe Creek Park - Substantially in Accord with the 2026 Comprehensive Plan - Tuckahoe and Three Chopt Districts.

To meet state law requirements, the Department of Planning conducted a study to determine whether the proposed Tuckahoe Creek Park is substantially in accord with the County’s 2026 Comprehensive Plan (“Plan”). The site consists of 240.531 acres identified as parcels 729-763-5720, 727-757-9917, 728-749-9587, 731-747-3966, 731-745-9122, 735-743-7461, and 736-741-1862 in the Three Chopt and Tuckahoe Districts.

The Planning staff's report concluded that the proposed use of this site for a park would not conflict with, or be a significant departure from, the Goals, Objectives and Policies of the Plan that identify the need for new public services and facilities based on projected and planned growth in accordance with the 2026 Future Land Use map. Staff also determined the proposed use of this site would be compatible with adjacent developments and existing and future residential developments in the larger vicinity.

At its meeting on August 14, 2014, the Planning Commission held a public hearing and approved a resolution finding Tuckahoe Creek Park substantially in accord with the Plan.

Further details regarding the proposed site are contained in the staff report prepared for the Planning Commission.

The Director of Planning concurs with the finding of the Planning Commission that the proposed Tuckahoe Creek Park is substantially in accord with the Plan and recommends approval of the Board paper, and the County Manager concurs.

RESOLUTION - To Accept Virginia Department of Motor Vehicles, Highway Safety Award for Alcohol-Impaired Driving.

This Board paper accepts a grant in the amount of \$194,212 from the Virginia Department of Motor Vehicles Highway Safety Office. The Police Division will use this grant, which requires an in-kind local match of fuel and vehicle maintenance costs, to pay for approximately 3,540 overtime hours in alcohol-impaired driving enforcement, for attending a DUI conference, and for purchasing new radar sets.

RESOLUTION - To Accept Virginia Department of Motor Vehicles, Highway Safety Award for Click-It-or-Ticket Enforcement.

This Board paper accepts a grant in the amount of \$16,000 from the Virginia Department of Motor Vehicles Highway Safety Office. The Police Division will use this grant, which requires an in-kind local match of fuel and vehicle maintenance costs, to pay for approximately 400 overtime hours in Click-It-or-Ticket enforcement.

RESOLUTION - To Accept Virginia Department of Motor Vehicles, Highway Safety Award for Speed Limit Enforcement.

This Board paper accepts a grant in the amount of \$40,000 from the Virginia Department of Motor Vehicles Highway Safety Office. The Police Division will use this grant, which requires an in-kind local match of fuel and vehicle maintenance costs, to pay for approximately 1,000 overtime hours in speed control enforcement.

RESOLUTION - To Accept U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award.

This Board paper accepts a grant in the amount of \$70,021 from the U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant Program. The grant, which requires no local match, will be used by the Police Division to purchase equipment to enhance the capabilities of technology crime analysis, tactical and surveillance operations, and patrol operations.

RESOLUTION - Signatory Authority - Acquisition of Real Property - Portions of Tax Parcel 5-A-8 on Cedar Plains Road - Cumberland County.

This Board paper authorizes the County Manager to execute documents in a form approved by the County Attorney to purchase 16.461 acres in fee simple and 5.642 acres of restrictive use easements on Cedar Plains Road in Cumberland County for the Cobbs Creek Reservoir project. The purchase price is \$123,000.

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

RESOLUTION - Signatory Authority - Acquisition of Real Property - Tax Parcel 6-A-3C on Columbia Road - Cumberland County.

This Board paper authorizes the County Manager to execute documents to purchase 144.77 acres in fee simple on Columbia Road in Cumberland County for the Cobbs Creek Reservoir project. The purchase price is \$1,342,000.

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

RESOLUTION - Signatory Authority - Acquisition of Real Property - Various Tax Parcels North of Cedar Plains Road - Cumberland County.

This Board paper authorizes the County Manager to execute documents to purchase 356.585 acres in fee simple and 4.671 acres of restrictive use easements in various tax parcels located north of Cedar Plains Road in Cumberland County for the Cobbs Creek Reservoir project. The purchase price is \$2,040,000.

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

RESOLUTION - Award of Construction Contract - Brook Road 12" and 16" Water Main Improvements - Fairfield District.

This Board paper awards a construction contract to Godsey & Son, Inc. in the amount of \$5,694,850 to provide approximately 1.7 miles of water piping and associated corrosion

control measures as well as rehabilitate approximately 0.5 miles of sewer piping along Brook Road (Route 1) from Parham Road north to New York Avenue.

This project will maintain the reliability of the water system by replacing deteriorated piping as well as the reliability of the sewer system by rehabilitating sewer piping and manholes, all installed in the mid 1960s. The work will begin in November 2014 and will be completed by May 2016. Funding to support the contract will be provided by the Water and Sewer Enterprise Fund.

The County received two bids on August 19, 2014, in response to IFB #14-9565-2CE and Addendum No. 1:

<u>Bidders</u>	<u>Bid Amounts</u>
Godsey & Son, Inc. Henrico, VA	\$5,694,850
G. L. Howard, Inc. Rockville, VA	\$ 5,900,000

Based upon a review of the bids, Godsey & Son, Inc. is the lowest responsive and responsible bidder.

The County Manager or the Purchasing Director as his designee, to execute change orders not to exceed 15% of the original contract amount.

The Director of Public Utilities and the Purchasing Director recommend approval of this Board paper, and the County Manager concurs.

RESOLUTION - Award of Construction Contract - Hill and Dale Area Sanitary Sewer Rehabilitation (RR-01B) - Tuckahoe District.

This resolution awards a contract to G. L. Howard, Inc. for \$3,382,455 to rehabilitate or replace approximately 2.5 miles of sewer piping, including approximately 190 feet to be bored under Patterson Avenue. The work area is located between Patterson Avenue, Parham Road, Derbyshire Road and Maybeury Drive.

This project will maintain the reliability of the sewer system by rehabilitating or replacing deteriorated piping installed in the late 1950s and early 1960s. The work will begin in November 2014 and will be completed by May 2016. Funding to support the contract will be provided by the Water and Sewer Enterprise Fund.

One bid was received on July 30, 2014, in response to IFB #14-9562-2CE and Addenda Nos. 1 and 2:

Bidders

G. L. Howard, Inc.
Rockville, VA

Bid Amounts

\$ 3,382,455

After a review and evaluation of the bid received, it was determined that G. L. Howard, Inc. is the lowest responsive and responsible bidder.

This resolution grants signatory authority to the County Manager to execute the contract in a form approved by the County Attorney. The County Manager, or the Purchasing Director 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.

The Director of Public Utilities and the Purchasing Director recommend approval of this Board paper, and the County Manager concurs.

RESOLUTION - Award of Construction Contract - Glenside Park and Ride Lighting Improvements - Brookland District.

This Board paper awards a contract to Express Electric Company, Inc. for \$228,700 for the Glenside Park and Ride Lighting Improvements project which will replace the current parking lot and bus shelter lighting with more energy efficient LED lighting. The existing lighting panel board and outdoor enclosure would also be replaced and upgraded. Construction will begin in October 2014 and end in January 2015.

The County received four bids on August 27, 2014, in response to IFB# 14-9622-6JK and Addendum No.1 as follows:

Bidder	Total Bid Amount
Express Electric Company, Inc. Ashland, VA	\$228,700
Branham Electric Corporation Chesapeake, VA	\$314,300
Dagan Electric Company, LLC Virginia Beach, VA	\$398,252
B & B Signal Company, LLC Manassas, VA	\$743,245

This Board paper would award the contract to Express Electric Company, Inc., the lowest responsive and responsible bidder. It also authorizes the County Manager, or the Purchasing Director as his designee, to execute change orders not to exceed 15% of the original contract amount.

Funding to support the project is available through the County's road maintenance funds. The Director of Public Works and Purchasing Director recommend approval of this Board paper, and the County Manager concurs.

INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 23-33 of the Code of the County of Henrico Titled “Maintenance of sewage disposal system; pump-out requirement” to Conform to State Legislation Providing for the Submission of Documentation Relating to Septic Tank Pump-Out

This Board paper introduces for advertisement and public hearing on October 14, 2014 an ordinance to conform Section 23-33 of the County Code to 2014 state legislation. The County Code section and the state legislation relate to the requirement that owners of private sewage disposal systems in Chesapeake Bay Preservation Areas pump out their septic tanks at least once every five years. As an alternative to pumping out the septic tank, the owner may choose to submit certified documentation that the septic system has been inspected within the last five years, is functioning properly, and does not need to be pumped out.

The 2014 state legislation changes who may certify the documentation that is submitted in lieu of septic tank pump-out. The legislation requires certification by an operator or on-site soil evaluator licensed or certified under state law as being qualified to operate, maintain, or design such systems. Before the 2014 state legislation, the documentation could be certified by a sewage handler permitted by the Virginia Department of Health.