

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
May 11, 2010

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, May 11, 2010 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:

Patricia S. O'Bannon, Chairman, Tuckahoe District
Frank J. Thornton, Vice Chairman, Fairfield District
James B. Donati, Jr., Varina District
Richard W. Glover, Brookland District
David A. Kaechele, Three Chopt 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
George T. Drumwright, Deputy County Manager for Community Services
Angela N. Harper, Deputy County Manager for Special Services
Leon T. Johnson, Ph.D., Deputy County Manager for Administration
Robert K. Pinkerton, P.E., Deputy County Manager for Community Operations
Randall R. Silber, Deputy County Manager for Community Development

Mrs. O'Bannon called the meeting to order at 7:05 p.m.

Mrs. O'Bannon led recitation of the Pledge of Allegiance.

Dr. Kirkland R. Walton, Pastor of St. Peter Baptist Church, delivered the invocation.

On motion of Mr. Thornton, seconded by Mr. Kaechele, the Board approved the minutes of the April 27, 2010 Regular and Special Meetings.

The vote of the Board was as follows:

Yes: O'Bannon, Thornton, Donati, Glover, Kaechele

No: None

MANAGER'S COMMENTS

There were no comments from the Manager.

BOARD OF SUPERVISORS' COMMENTS

Mrs. O'Bannon recognized the following Boy Scouts who were observing the meeting to fulfill a requirement for the Citizenship in the Community Merit Badge: Prescott Woolley from Boy Scout Troop 418, sponsored by St. Stephen's Episcopal Church; and Pramodh Robert from Troop 705, sponsored by Derbyshire Baptist Church.

RECOGNITION OF NEWS MEDIA

Mrs. O'Bannon recognized Luz Lazo from the *Richmond Times-Dispatch*.

PRESENTATIONS

Mr. Glover presented a proclamation recognizing May 16 – 22, 2010 as Insurance Professionals Appreciation Week. Accepting the proclamation was Annette Lynn Ardler, President of Insurance Women of Richmond (IWOR). Joining her were Mary A. Swanson, 1st Vice President and President-Elect; Melanie A. Morris, Treasurer; and Stephanie R. Horacek, Safety Committee Chair.

Mrs. O'Bannon presented a proclamation recognizing May 22 – 28, 2010 as Safe Boating Week. Accepting the proclamation was Evelyn M. Koon, Commander of Flotilla 31 (Richmond), Fifth District, Southern Region, U.S. Coast Guard Auxiliary. Joining her from Flotilla 31 were Shirley K. Callahan, Staff Officer for Public Affairs; Benjamin R. Chappell, Staff Officer for Publications; and Mike Callahan, Thomas Jordan, and Jason Wilmoth, members. Joining her from Flotilla 37 (One Hanover), Fifth District, Southern Region, U.S. Coast Guard Auxiliary, was David Paxton, Staff Officer for Public Affairs and Public Education. Joining her from the Henrico County Division of Police were Col. Henry W. Stanley, Jr., Chief; Maj. A. Thomas Leary III, Assistant Chief for Special Operations; Capt. Carl A. Mueller, Commanding Officer for Homeland Security; and Officers Christian W. Gillikin and Dewayne R. Wilson, Marine Patrol Coxswains. Joining her from the County's Division of Fire were Kenny L. Dunn, Assistant Chief of Administration; Capt. Daniel F. W. Schwartz, Lt. James B. Miers, and Firefighters James B. Scholten and Shaun M. Ridout from Station 2; and Capt. Henry D. Rosenbaum, Lt. Ralph J. Whaley, and Firefighters Dean H. Hamilton and David L. Heavenridge from Fire Station 17.

Mr. Thornton presented a proclamation recognizing May 2010 as Older Americans Month. Accepting the proclamations was Dr. Thelma Bland Watson, Executive Director of Senior Connections, The Capital Area Agency on Aging. Joining her from Senior Connections were Gloria B. Johnson and Felix Sarfo-Kantanka, Jr., members of the Board of Directors; and Marianne M. Dolliver, Caregiver Support Services Manager. Also joining her was Mary Catherine Ginn Kolbert, Executive Director of the Senior Center, A Community Partnership.

PUBLIC HEARING - REZONING CASE

92-10
C-31C-09
Varina

White Oak Crossing Acquisition, LLC: Request to conditionally rezone from A-1 Agricultural District, R-5 General Residence District and M-1 Light Industrial District to R-5C General Residence District (Conditional) and M-1C Light Industrial District (Conditional), Parcels 811-719-8863, 812-719-1130, 811-718-1589 and part of Parcel 813-720-9405, containing approximately 30.9 acres, located at the northwest intersection of S. Laburnum Avenue and Interstate 64, south of the Southern Railway right-of-way.

Jean Moore, Assistant Director of Planning, stated that staff did not support this request and did not believe multi-family zoning was appropriate on the site. She also stated that the proposed use was not consistent with the County's 2026 Comprehensive Plan and would be a loss of a potential industrial or office site with large acreage. Ms. Moore noted that the site is bounded by an interstate and a railroad line, which are features very conducive to industrial or non-residential uses. She further noted that the Planning Department staff shared concerns raised by the Division of Fire and Police regarding limited access to the site and those raised by the Virginia Department of Transportation and County's Department of Public Works Traffic Engineering Division pertaining to the declines in service levels for nearby intersections. Ms. Moore pointed out that the Planning Commission had recommended approval of this request. She and Mr. Hazelett responded to questions from the Board relating to tracts of land within the County with access to railroad spurs, exterior building materials and sound suppression measures that would be provided by the applicant, proposed access to the site, and how any future apartments on the site could be structurally protected from the potential impact of vibrations from railroad and interstate traffic.

Andy Condlin of Williams Mullen presented the case on behalf of the applicant. He referred to previous marketing of the site for a variety of uses, the applicant's amenities package and planned second point of access for the proposed development, the availability of other industrially zoned land in the area, limitations of the site for industrial use in terms of its layout and access, and how the proposed housing project would benefit from the surrounding customer base and enhance the community. He and Ms. Moore responded to questions from the Board concerning the existing supply of multi-family housing in this immediate area of the County, adequacy of the applicant's proffered conditions addressing architectural design, zoning classification of adjoining property, and proximity of Miller's Lane to the interstate entrance ramp.

The following speakers addressed the Board during the public hearing:

- Richard McNeil, a resident of 4600 Nine Mile Road, spoke in opposition to the case. He expressed concerns pertaining to existing

traffic congestion on Nine Mile Road, the need for sensible development around White Oak Village, the density of the proposed development, and how the proposed development would pick away at the County's recently adopted 2026 Comprehensive Plan.

- Sandra Hume Bailey, the owner of a Chevron station located at 4105 South Laburnum Avenue, spoke in favor of the case but expressed concerns about how the proposed extension of an existing northbound left turn lane at a median break on South Laburnum Lane would impact customers exiting her business. She suggested relocating the existing median crossover further south on Laburnum Avenue.
- Jo Ann Ross, a resident of Barrington Ridge Court, spoke in opposition to the case. She cited a number of concerns regarding the proposed development, including the precedent it would establish for the newly adopted 2026 Comprehensive Plan; how it would be accessed; its close proximity to an interstate, railroad, and airport; existing traffic congestion on South Laburnum Avenue; the limited availability of public transportation; wetlands issues associated with the site; the opposition of professional staff; and the availability of other places in this area of the County to construct multi-family housing.
- Mac Wilson, a representative of Thalhimer Commercial Real Estate, spoke in favor of the case. He pointed to data that did not support this site for industrial uses, referred to the difficulty that industrial vehicles would have in accessing the site, cited topographical challenges posed by the site, and mentioned how the proposed development would help the continued viability of White Oak Village. Mr. Wilson responded to questions from Mr. Glover pertaining to Mr. Wilson's professional and monetary interests in the case.
- Jeanne McNeil, a resident of 4600 Nine Mile Road, spoke in opposition to the case. She concurred with the observations raised by Ms. Ross and thanked Mr. Donati for pointing out the large number of apartments that currently exist in this area of the County. Ms. McNeil indicated that she thought the proposed development would not improve the character of the neighborhood and would not contribute to the value of land in the community. She suggested that the property should not be developed because of the existence of wetlands.

Mike Jennings, Traffic Engineer, responded to a question from Mr. Donati pertaining to the feasibility of relocating the median crossover on South Laburnum Avenue as recommended by a previous speaker.

Mr. Condlin clarified several matters and responded to concerns voiced by the speakers who were in opposition to the case. He referred to the traffic

improvements that the applicant would make on South Laburnum Avenue, spoke to the quality of the proposed apartments and amenities that would be provided by the applicant, noted the Planning Commission's recommendation for approval of the case, and stated that it would be unrealistic to make this tract of land usable for industrial purposes.

Mr. Donati commented on the case. He expressed reservations about the architectural elevations proposed by the applicant and the need for this development. Mr. Donati also noted the large amount of time that the Board had spent on the 2026 Comprehensive Plan, which recommends industry for this site.

On motion of Mr. Donati, seconded by Mr. Thornton, and by unanimous vote, the Board did not follow the recommendation of the Planning Commission and denied this item.

The vote of the Board was as follows:

Yes: O'Bannon, Thornton, Donati, Glover, Kaechele

No: None

PUBLIC HEARING - OTHER ITEM

120-10 Ordinance – To Amend and Reordain Subsection (a) of Sections 23-313 and 23-314 Titled “Water service and volume charges” and “Sewer service charges and rates,” Respectively, of the Code of the County of Henrico, All to Increase County Utility Charges.

Art Petrini, Director of Public Utilities, and Mr. Hazelett responded to a lengthy series of questions and comments from the Board regarding the consequences of not repairing water and sewer lines, how the increased revenues from the proposed increase in utility rates and charges will be budgeted and used, the impact of the proposed rate increases on the County's residential water customers, how rate increases are communicated to persons from lower socio-economic backgrounds or those on fixed income, the average daily use of water for a family of four, whether the Department of Public Utilities shares water conservation techniques with customers, the lifespan of water and sewer pipes and the equipment that is used to check the condition of existing pipes, how the Department of Public Utilities budgets for capital improvements, factors contributing to a decline in the County's water and sewer revenues, the impact of unfunded federal mandates on the County's utility costs, and the status of financing for the County's water treatment facility. Mr. Hazelett elaborated on the need for the proposed increase in County utility charges.

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

On motion of Mr. Donati, seconded by Mr. Glover, and by unanimous vote, the Board approved this item – see attached ordinance.

PUBLIC COMMENTS

There were no comments from the public.

GENERAL AGENDA

121-10 Resolution – Authority to Submit Henrico County Plan for the Virginia Juvenile Community Crime Control Act (2010-2012).

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

122-10 Resolution – Signatory Authority – Acquisition of Real Property – Church and Pump Roads – Tuckahoe District.

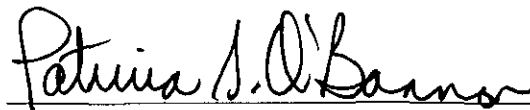
On motion of Mr. Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board approved this item – see attached resolution.

123-10 Resolution - Signatory Authority - Agreement with Virginia Department of Transportation for Secondary Roads Escrow Account Funds - Three Chopt Road. VDOT Project #9999-043-188, PE101; County Project #2110.50701.28004.00607 (formerly Project #556126-701-245-00); Three Chopt District.

Tim Foster, Director of Public Works, responded to questions from the Board.

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

There being no further business, the meeting was adjourned at 8:35 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia

Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

INSURANCE PROFESSIONALS APPRECIATION WEEK

May 16 – 22, 2010

WHEREAS, insurance professionals in Henrico County and throughout the Richmond metropolitan area work in every facet of the industry – as agents for both property and casualty and/or life and health, brokers, adjusters, underwriters, claims professionals, risk managers, financial advisors, attorneys, certified public accountants, and information technology professionals; and

WHEREAS, professional insurance men and women make many significant contributions to the people and businesses of our County and advocate for greater public awareness of important issues at the local, regional, state, and national levels; and

WHEREAS, it is beneficial for these men and women to be provided with the opportunity to gain new insights into their profession by associating with other industry professionals and sharing problems, solutions, and experiences; and

WHEREAS, the National Association of Insurance Women (NAIW), a non-profit international organization of insurance professionals, encourages professional development and promotes ethical standards within the insurance industry; and

WHEREAS, NAIW has a local affiliate, Insurance Women of Richmond, Virginia, which holds monthly membership meetings in Henrico County, provides education programs for the general public as well as its members, and offers guidance to youth who are interested in careers in insurance and risk management; and

WHEREAS, this local association of insurance professionals is hosting its Annual Industry Night Dinner and Awards event on May 14, 2010; and

WHEREAS, since 1965, the week beginning the third Sunday in May has traditionally been set aside each year to acknowledge the considerable professional achievements of men and women working in the insurance industry.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Supervisors of Henrico County, Virginia hereby recognizes May 16 - 22, 2010 as Insurance Professionals Appreciation Week and calls this observance to the attention of all Henrico citizens.



Patricia S. O'Bannon
Patricia S. O'Bannon, Chairman
Board of Supervisors

Barry R. Lawrence
Barry R. Lawrence, Clerk
May 11, 2010



NATIONAL ASSOCIATION
OF INSURANCE WOMEN
INTERNATIONAL

Insurance Women of
Richmond, VA
A Local Association of NAIW

April 29, 2010

Mr. Barry R. Lawrence, CMC
Assistant to the Manager for Board Affairs
Henrico County, VA
P.O. Box 90775
Henrico, VA 23273-0775

Sent Via e-mail: manager@co.henrico.va.us

RE: Proclamation Request

Dear Mr. Lawrence:

Our non-profit association, Insurance Women of Richmond, VA, would like to make a request to have a proclamation issued in honor of NAIW Industry Week to be held **May 16 through May 22, 2010**.

Enclosed is a copy of the 2009 proclamation issued by the Henrico Board of Supervisors.

National Association of Insurance Women (NAIW) is a professional association for individuals employed in the insurance and risk management industry. Our members maintain ethical standards as set forth by our association as well as the industry as a whole. We provide education programs for our members, the general public and encourage youth to choose insurance and risk management as a career. I have enclosed a brochure of the Virginia State Council for your information.

In preparation of our industry recognition week, I would like to have the proclamation by **May 14, 2010**. We plan to display your proclamation at our Annual Industry Night Dinner and Awards event on May 18, 2010.

If you have any questions or need additional information about our organization, please do not hesitate to call me at my office at 804-560-2023

I look forward to hearing from you soon.

Sincerely,

Annette Lynn Ardler, CP, CPIW
President
Insurance Women of Richmond, VA

Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

SAFE BOATING WEEK

May 22 - 28, 2010

WHEREAS, many Henrico residents choose recreational boating as a way to relax with their families and friends; and

WHEREAS, opportunities for on-the-water activities grow each year; and

WHEREAS, with this growth comes additional responsibility; and

WHEREAS, 5,486 of the 247,564 boats currently registered in the Commonwealth of Virginia are owned by residents of the County of Henrico; and

WHEREAS, additional boaters from outside the County visit our waters each boating season; and

WHEREAS, it is important that both novice and experienced boaters practice safe boating habits, maintain essential safety equipment, and wear a life jacket; and

WHEREAS, the law requires that a wearable life jacket be carried for each person on board all boats; and


WHEREAS, the life jackets of today are more comfortable, attractive, and wearable than the styles of the past; and

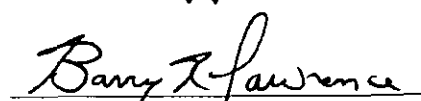
WHEREAS, the theme for the North American Safe Boating Campaign, "Wear It!", acknowledges that many lives are saved by the use of life jackets; and

WHEREAS, boating safety education classes and complimentary vessel safety checks are readily available throughout the year from the United States Coast Guard Auxiliary.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Supervisors of Henrico County, Virginia hereby recognizes May 22 – 28, 2010 as Safe Boating Week and urges all Henrico boaters to take a boating safety course, wear their life jackets, have their boats checked for other safety equipment, and practice safe boating.




Patricia S. O'Bannon, Chairman
Board of Supervisors


Barry R. Lawrence, Clerk
May 11, 2010

electronically filed ↙

To: Barry R. Lawrence, Assistant to the County Manager
County of Henrico

From: Shirley Callahan
USCG Auxiliary, Public Affairs Officer of Flotilla 31

Subject: Safe Boating Proclamation Signing

In anticipation of the upcoming boating week and in the hope of saving lives in the Commonwealth of Virginia, USCG Auxiliary, Flotilla 31 of Richmond requests Henrico declare May 22 to May 28, 2010, as "Safe Boating Week in Henrico, Virginia".

Please let me know possible date and time (prior to May 22) that signing could take place so the proper arrangements can be instituted.

Thank you for your assistance in this endeavor.

I can be reached at (804) 320-2882 or by e-mail mecske@juno.com.

Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

OLDER AMERICANS MONTH

May 2010

WHEREAS, each year since 1963, the President of the United States has designated the month of May as a special time to celebrate our nation's older citizens; and

WHEREAS, the U.S. Department of Human Services' Administration on Aging has established "Live Long, Live Strong!" as the theme for this year's observance; and

WHEREAS, this theme points to the diversity and vitality of today's older citizens, an increasing number of whom are reaching retirement age and remaining strong and active for longer than ever before; and

WHEREAS, Henrico County has a growing population of citizens age 60 and older; and

WHEREAS, the County's older adults are among our most treasured resources, united by historical experiences, strengthened by diversity, and encouraged by interpreting events through varied perspectives and backgrounds to bring wisdom and insight to our community; and

WHEREAS, older adults deserve to be acknowledged for the contributions they have made and will continue to make to the culture, economy, and character of our community and our nation; and

WHEREAS, we can provide that acknowledgment and respect and improve the quality of life for our older citizens by increasing their opportunities to remain active and engaged in the community; providing individualized services and support systems to maintain their dignity, independence, and self-determination as they age; and promoting positive attitudes through honoring their past, present, and future contributions.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Supervisors of Henrico County, Virginia hereby recognizes May 2010 as Older Americans Month and encourages everyone to take time to honor the older adults who enrich our community and the professionals, family members, and citizens who care for them.



Patricia S. O'Bannon

Patricia S. O'Bannon, Chairman
Board of Supervisors

Barry R. Lawrence

Barry R. Lawrence, Clerk
May 11, 2010

Senior Connections

The Capital Area Agency on Aging
Resources for Aging Well

24 East Cary Street
Richmond, VA 23219-3796
1-800-989-2286
(804) 343-3000
Fax: (804) 649-2258
TDD: (804) 343-3008
www.seniorconnections-va.org

BARRY

April 21, 2010

Mr. Virgil R. Hazelett
County Manager
County of Henrico
P. O. Box 27032
Henrico, VA 23273

Dear Mr. Hazelett:

Re: May 2010 Older Americans Month Proclamation

We are writing to thank you for your ongoing support, assistance and guidance. We appreciate your financial assistance that enables us to provide a range of home and community services to older adults and caregivers. We also appreciate your many other expressions of encouragement as we provide services to support older citizens, caregivers and persons with disabilities.

The month of May is the time for us to celebrate Older Americans Month. This year's theme for May's celebration is "Live Strong, Live Long!" This theme recognizes the diversity and vitality of today's older citizens who include three generations.

Older Americans Month is a time for us to acknowledge the contributions of past and current older citizens in our communities. We are pleased to enclose a sample proclamation for the County of Henrico. As in the past, we appreciate your proclaiming May as Older Americans Month as a time to recognize our extraordinary older citizens, their families and care providers. We are also enclosing a copy of the Commonwealth's Proclamation for your information and use. Thank you again for your ongoing support.

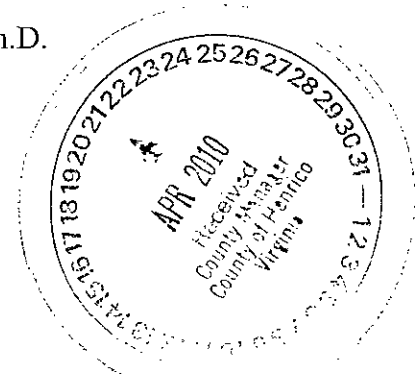
Sincerely,

Thelma Bland Watson

Thelma Bland Watson, Ph.D.
Executive Director

Enclosure

pc: Board of Directors and Advisory Council Members



Older Americans Month Proclamation for May 2010
“Live Strong! Live Long!”

Whereas, the County of Henrico is a community with a growing population of citizens aged 60 and older; and

Whereas, the older adults in the County of Henrico are among our most “treasured resources,” united by historical experiences, strengthened by diversity, and encouraged by interpreting events through varied perspectives and backgrounds to bring wisdom and insight to our community; and

Whereas, increasing numbers of adults are reaching retirement age and remaining strong and active for longer than ever before; and

Whereas, the older adults in the County of Henrico deserve recognition for the contributions they have made and will continue to make to the culture, economy, and character of our community and our nation; and

Whereas, our community can provide that recognition and respect by improving the quality of life for older Americans by:

Increasing their opportunities to remain active and engaged in community life;

Providing individualized services and support systems to maintain the dignity, independence, and self-determination of older citizens as they age;

Promoting positive attitudes by honoring their past, present, and future contributions;

Now Therefore, the Board of Supervisors of the County of Henrico, Virginia do hereby proclaim May 2010 to be Older Americans Month. We urge every citizen to take time this month to honor our older adults and the professionals, family members, and volunteers who support them. Our recognition and involvement with older citizens enriches our entire community’s quality of life.

Dated this _____ day of May 2010
The County of Henrico Board of Supervisors

By _____



CERTIFICATE of RECOGNITION

By virtue of the authority vested by the Constitution in the Governor of the Commonwealth of Virginia, there is hereby officially recognized:

OLDER VIRGINIANS MONTH

WHEREAS, since 1963, the month of May has been designated by the U.S. Administration on Aging as America's special time to honor and recognize its older citizens; and

WHEREAS, this year's theme for May is "Live Strong! Live Long!" which recognizes the diversity and vitality of today's older Americans who span several generations; and

WHEREAS, there are currently more than 1 million Virginians age 60 and older and this population will expand to more than 2 million by 2030 when one in every four Virginians will be age 60 and older; and

WHEREAS, according to the U.S. Census Bureau, one out of every nine baby boomers will live to be at least age 90; and

WHEREAS, healthy lifestyle choices can prevent or control many of the Commonwealth's leading causes of death; and

WHEREAS, nearly 40% of deaths are linked to smoking, physical inactivity, poor diet, or alcohol abuse; and

WHEREAS, there is now strong scientific evidence that it is never too late for healthy life-style choices to positively impact the physical, emotional, and mental health of older persons; and

WHEREAS, older Virginians are encouraged to make healthy lifestyle choices that will help them live strong and long in order to maintain their independence in their homes and communities and avoid institutionalization;

NOW, THEREFORE, I, Robert F. McDonnell, do hereby recognize May 2010 as **OLDER VIRGINIANS MONTH** in our **COMMONWEALTH OF VIRGINIA**, and I call this observance to the attention of all our citizens.



Robert F. McDonnell
Governor

Janet V. Polarek
Secretary of the Commonwealth

AN ORDINANCE — To Amend and Reordain Subsection (a) of Sections 23-313 and 23-314 Titled “Water service and volume charges” and “Sewer service charges and rates,” Respectively, of the Code of the County of Henrico, All to Increase County Utility Charges.

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

1. That Subsection (a) of Section 23-313 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-313. Water service and volume charges.

(a) *Amount of charges.* The charges for water service shall consist of a service charge and a volume charge, as follows:

- (1) *Service charge.* All users billed bimonthly shall pay the following charge. Users billed monthly shall pay one-half of this charge.

a. Connected Users:

<i>Meter Size (Inches)</i>	<i>Bimonthly</i>
5/8 or 3/4	\$10.30
1	24.30
1-1/2	44.60
2	68.60
3	113.10
4	181.70
6	358.50
8	687.10
10	687.10

b. Single-family residential users with fire sprinkler system, five-eighths-inch, three-fourths-inch or one-inch meter: \$10.30

c. Not connected, single-family and multi-family residential users, per single-family residential unit: \$10.30

- (2) *Volume charge.* In addition to the service charges, the following volume

charges shall apply to all water delivered:

	<i>Consumption Block</i>		<i>Volume Charge</i> <i>Per Hundred Cubic Feet</i>
	<i>Monthly</i>	<i>Bimonthly</i>	
First	5,000	10,000	\$2.36
Next	35,000	70,000	1.61
Over	40,000	80,000	1.16

For single-family residential customers using six CCF or less bimonthly, the volume charge shall be \$1.47 per CCF.

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2. That Subsection (a) of Section 23-314 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-314. Sewer service charges and rates.

- (a) *Amount of charges.* The charges for sewer service shall consist of a service charge, and a volume charge, as follows:

- (1) *Service charge.* All users billed bimonthly for water service shall pay the following charge for each water meter or sewage meter which serves the premises to which sewer service is available. Users billed monthly shall pay one-half of this charge.

- a. Connected users:

<i>Meter Size</i> <i>(Inches)</i>	<i>Bimonthly</i>
5/8 or 3/4	\$ 20.70
1	34.30
1-1/2	50.30
2	72.60
3	122.80
4	194.20
6	386.60
8	661.80
10	661.80

- b. Single-family residential users with fire sprinkler system, five-eighths-inch, three-fourths-inch or one-inch meter: \$20.70

- c. Not connected, single-family and multi-family residential users per single-family residential unit: \$20.70
- d. Connected and not metered single-family and multi-family residential users per single-family residential unit: \$54.45

(2) *Volume charge.*

- a. In addition to the service charges, the following volume charges shall apply to all water delivered:

	<i>Consumption Block</i>		<i>Volume Charge</i>
	<i>Hundred Cubic Feet</i>		
	<i>Monthly</i>	<i>Bimonthly</i>	<i>Per Hundred Cubic Feet</i>
First	5,000	10,000	\$ 2.50
Next	35,000	70,000	1.79
Over	40,000	80,000	1.61

- b. For single-family residential customers using six CCF or less bimonthly, the volume charge shall be \$1.53 per CCF.
- c. For residential units, other than multi-family, bimonthly sewer volume charges shall be based on the lesser of actual usage or usage determined from the first meter reading cycle of the calendar year. For the purpose of this subsection, if the first reading is estimated as provided in section 23-205 or if the user joins the system after the first reading cycle, or an allowance is made for an underground leak during the first billing cycle, billing shall not exceed charges for 20 CCF.

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3. That this ordinance shall be in full force and effect from and after July 1, 2010, as provided by law and the following provisions:

Charges set forth in Sections 23-313 and 23-314 shall be pro-rated to apply the old and new charges to that proportion of water supplied and/or sewage collected prior to and after the effective date of the new rates. Calculation of such pro-rated charges shall be computed based on average daily use of service supplied.

BLACKLINE

AN ORDINANCE — To Amend and Reordain Subsection (a) of Sections 23-313 and 23-314 Titled “Water service and volume charges” and “Sewer service charges and rates,” Respectively, of the Code of the County of Henrico, All to Increase County Utility Charges.

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- (1) *Service charge.* All users billed bimonthly shall pay the following charge. Users billed monthly shall pay one-half of this charge.

a. Connected Users:

<i>Meter Size (Inches)</i>	<i>Bimonthly</i>	
5/8 or 3/4	\$ 9.80	<u>\$10.30</u>
1	23.10	<u>24.30</u>
1-1/2	42.50	<u>44.60</u>
2	65.30	<u>68.60</u>
3	107.70	<u>113.10</u>
4	173.00	<u>181.70</u>
6	341.40	<u>358.50</u>
8	654.40	<u>687.10</u>
10	654.40	<u>687.10</u>

b. Single-family residential users with fire sprinkler system, five-eighths-inch, three-fourths-inch or one-inch meter: ~~\$9.80~~ \$10.30

c. Not connected, single-family and multi-family residential users, per single-family residential unit: ~~\$9.80~~ \$10.30

- (2) *Volume charge.* In addition to the service charges, the following volume

charges shall apply to all water delivered:

		<i>Consumption Block</i>		<i>Volume Charge</i>	
		<i>Hundred Cubic Feet</i>		<i>Per Hundred Cubic Feet</i>	
	<i>Monthly</i>	<i>Bimonthly</i>			
First	5,000	10,000	\$2.25	\$ 2.36	
Next	35,000	70,000	—1.53	1.61	
Over	40,000	80,000	1.10	1.16	

For single-family residential customers using six CCF or less bimonthly, the volume charge shall be ~~\$1.40~~ **\$1.47** per CCF.

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2. That Subsection (a) of Section 23-314 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-314. Sewer service charges and rates.

- (a) *Amount of charges.* The charges for sewer service shall consist of a service charge, and a volume charge, as follows:
- (1) *Service charge.* All users billed bimonthly for water service shall pay the following charge for each water meter or sewage meter which serves the premises to which sewer service is available. Users billed monthly shall pay one-half of this charge.

- a. Connected users:

<i>Meter Size</i> <i>(Inches)</i>	<i>Bimonthly</i>	
5/8 or 3/4	\$ 19.70	\$ 20.70
1	—32.70	34.30
1-1/2	—47.90	50.30
2	—69.10	72.60
3	—116.90	122.80
4	—184.90	194.20
6	—368.20	386.60
8	—630.30	661.80
10	—630.30	661.80

- b. Single-family residential users with fire sprinkler system, five-eighths-inch, three-fourths-inch or one-inch meter: ~~\$19.70~~ **\$20.70**

- c. Not connected, single-family and multi-family residential users per single-family residential unit: ~~\$19.70~~ **\$20.70**
- d. Connected and not metered single-family and multi-family residential users per single-family residential unit: ~~\$51.85~~ **\$54.45**

(2) *Volume charge.*

- a. In addition to the service charges, the following volume charges shall apply to all water delivered:

		<i>Consumption Block</i>		<i>Volume Charge</i>	
		<i>Hundred Cubic Feet</i>		<i>Per Hundred Cubic Feet</i>	
		<i>Monthly</i>	<i>Bimonthly</i>		
First	5,000	10,000		\$ 2.38	<u>\$ 2.50</u>
Next	35,000	70,000		1.70	<u>1.79</u>
Over	40,000	80,000		1.53	<u>1.61</u>

- b. For single-family residential customers using six CCF or less bimonthly, the volume charge shall be ~~\$1.46~~ **\$1.53** per CCF.
- c. For residential units, other than multi-family, bimonthly sewer volume charges shall be based on the lesser of actual usage or usage determined from the first meter reading cycle of the calendar year. For the purpose of this subsection, if the first reading is estimated as provided in section 23-205 or if the user joins the system after the first reading cycle, or an allowance is made for an underground leak during the first billing cycle, billing shall not exceed charges for 20 CCF.

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- 3. That this ordinance shall be in full force and effect from and after July 1, 2010, as provided by law and the following provisions:

Charges set forth in Sections 23-313 and 23-314 shall be pro-rated to apply the old and new charges to that proportion of water supplied and/or sewage collected prior to and after the effective date of the new rates. Calculation of such pro-rated charges shall be computed based on average daily use of service supplied.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 121-10
Page No. 1 of 2

Agenda Title: RESOLUTION - Authority to Submit Henrico County Plan for the Virginia Juvenile Community Crime Control Act (2010-2012)

For Clerk's Use Only:
Date: MAY 11 2010
MAY 11 2010
Moved by (1) Calonee Seconded by (1) Donati
(2) (2)
REMARKS APPROVED
YES NO OTHER
Donati, J.
Glover, R.
Kaechele, D.
O'Bannon, P.
Thornton, F.

WHEREAS, the Virginia General Assembly enacted the Virginia Juvenile Community Crime Control Act (the "Act") effective January 1, 1996; and

WHEREAS, the Act replaces the state block grant system for all juvenile community-based programs and services except secure detention homes; and

WHEREAS, the County of Henrico desires to submit to the Board of Juvenile Justice of the Commonwealth of Virginia (the "State Board") for approval of a local biennial plan (the "Plan") for the implementation and operation of services, programs, and facilities for juveniles before the Henrico County Juvenile and Domestic Relations District Court and the 14th District Court Service Unit on matters alleging that a juvenile is in need of services, is in need of supervision, or is delinquent under § 16.1-309.3D of the Act, to be effective July 1, 2010; and

WHEREAS, the County is willing to comply with the provisions of the Act found in §§ 16.1-309.2 through 16.1-309.10 of the Code of Virginia.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County that the County Manager is authorized to sign and submit the Plan to the State Board in a form approved by the County Attorney and after consultation with the Judges of the Henrico County Juvenile and Domestic Relations District Court.

COMMENTS: The Henrico County Virginia Juvenile Community Crime Control Act Coordinator and the Probation Director recommend approval of the Board Paper; the County Manager concurs.

By Agency Head Kay Fay 4-20-2010 By County Manager [Signature]

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

Agenda Item No. 122-10
Page No. 1 of 2

Agenda Title: RESOLUTION — Signatory Authority — Acquisition of Real Property — Church and Pump Roads — Tuckahoe District

<p>For Clerk's Use Only:</p> <p>MAY 11 2010</p> <p><input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:</p>	<p align="center">BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Kaechele</u> Seconded by (1) <u>Glover</u> (2) _____ (2) _____</p> <p>REMARKS: APPROVED</p>	<table border="0"> <tr> <td></td> <td align="center">YES</td> <td align="center">NO</td> <td align="center">OTHER</td> </tr> <tr> <td>Donati, J.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Glover, R.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>		YES	NO	OTHER	Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<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"/>
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Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Kaechele, D.	<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, in connection with Phase I of the John Rolfe Parkway Project, the Board on July 18, 2007 filed a certificate with the Clerk of the Henrico County Circuit Court giving it defeasible title to fee simple right-of-way containing 18,435 square feet, a permanent slope easement containing 2,346 square feet, a permanent slope and drainage easement containing 9,789 square feet and a temporary construction easement containing 7,092 square feet on property owned by Rebkee Replacement, LLC, Westline, LLC, Pump & Church (D & J), LLC, Pump & Church (CT), LLC, Pump & Church (DM), LLC, and Pump & Church (JG), LLC (hereinafter "Owners"); and,

WHEREAS, the Board also deposited \$220,626 with the Clerk as the fair market value of the right-of-way and easement areas to be taken; and,

WHEREAS, in connection with Phase II of the Project, the Board on April 7, 2009 filed a certificate with the Clerk giving it defeasible title to right-of-way containing 164,335 square feet, a permanent slope easement containing 25,112 square feet, a permanent slope, drainage and guardrail easement containing 12,563 square feet, a permanent slope, drainage and sight distance easement containing 22,287 square feet and temporary construction easements containing 898 square feet, on property owned by the Owners; and,

WHEREAS, the Board deposited \$934,100 with the Clerk as the fair market value of the right-of-way and easement areas to be taken; and,

By Agency Head Joseph P. Rappaport, Jr. By County Manager David P. Knight

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Date: _____

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 12270
Page No. 2 of 2

Agenda Title: RESOLUTION — Signatory Authority — Acquisition of Real Property — Church and Pump Roads — Tuckahoe District

WHEREAS, the Board subsequently filed condemnation proceedings to establish the just compensation to be paid for the rights-of way and easements; and,

WHEREAS, the parties have agreed that the amounts previously paid by the Board to the Clerk of the Circuit Court and the additional amount of \$100,000 shall be just compensation for the property taken by the Board.

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

- (1) it authorizes settlement of the cases styled *Board of Supervisors v. Rebkee Replacement, LLC et al.*, Cases Nos. CL09-953 and CL09-2003, now pending in the Circuit Court of Henrico County, on terms as recommended by the County Attorney; and
- (2) the County Manager and County Attorney are authorized to execute all documents, in forms satisfactory to the County Attorney, necessary to conclude this case and implement the terms of the settlement.

Comments: The County Attorney recommends approval of this Board paper; the County Manager concurs.

THREE CHOPT ROAD



**SIGNATORY AUTHORITY - AGREEMENT
 WITH VDOT FOR SECONDARY ROADS
 ESCROW ACCOUNT FUNDS
 THREE CHOPT ROAD**
 FROM: BARRINGTON HILL DR
 TO: 1000 FT. E. OF GASKINS RD
 LENGTH: 1.81 MI.
 DISTRICT: THREE CHOPT
 DATE: MAY 11, 2010
