

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
June 14, 2011

The Henrico County Board of Supervisors convened a special meeting on Tuesday, June 14, 2011 at 4:30 p.m. in the County Manager's Conference Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

Members of the Board Present:

Frank J. Thornton, Chairman, Fairfield District
Richard W. Glover, Vice Chairman, Brookland District
James B. Donati, Jr. Varina District
David A. Kaechele, Three Chopt District
Patricia S. O'Bannon, Tuckahoe District

Other Officials Present:

Virgil R. Hazelett, P.E., County Manager
Joseph A. Rapisarda, County Attorney
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board
Tanya B. Harding, Deputy Clerk to the Board/Administrative Assistant
Angela N. Harper, FAICP, 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
John A. Vithoukias, Director of Finance/Special Economic Advisor to the County Manager
Tamra R. McKinney, Director of Public Relations & Media Services

Mr. Thornton called the meeting to order at 4:55 p.m.

Mr. Hazelett noted the two items on the agenda that were scheduled for the closed meeting.

On motion by Mrs. O'Bannon, seconded by Mr. Kaechele, the Board approved going into a Closed Meeting at 4:56 p.m. for the following purposes:

1. Consultation with the County Attorney Pertaining to Probable Litigation Involving an EPA Audit of the County's Municipal Separato Storm Sewer System, Pursuant to Section 2.23711(A)(7) of the Code of Virginia, 1950, as Amended; and
2. Consultation with the County Attorney Pertairang to Specific Legal Matters Requiring the Provision of Legal Advice Pertaining to

Zoning Case C-29C-08, Pursuant to Section 2.2711(A)(7) of the Code of Virginia, 1950, as Amended.

The vote of the Board was as follows:

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

On motion of Mrs. O'Bannon, seconded by Mr. Kaechele, the Board approved going out of the Closed Meeting at 6:42 p.m.

The vote of the Board was as follows:

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

On motion of Mrs. O'Bannon, seconded Mr. Kaechele, the Board approved the attached Certificate of Closed Meeting.

The vote of the Board was as follows:

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

Proposed Stormwater Utility Contract

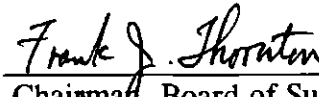
Mr. Hazelett noted that there was discussion during the FY 2011-12 budgetary process of implementing a stormwater utility and that funding was included in the budget for a study. He recognized Jeff Perry, Engineering and Environmental Services Division Manager for the Department of Public Works, who explained that the purpose of the study is to explore a stormwater utility as a funding source for requirements associated with the Chesapeake Bay Total Daily Maximum Load (TMDL) Program, the National Pollutant Discharge Elimination System (NPDES)/Municipal Separate Storm Systems (MS4) Permit, and drainage-related capital improvement projects (CIPs). Mr. Hazelett advised that Mr. Perry would be abbreviating his

slide presentation due to time constraints. Mr. Perry and Ben Thorp, Assistant County Attorney, explained the origins of the TMDL Program in response to questions from Mrs. O'Bannon.

Mr. Perry resumed his presentation by reviewing a table that identified the number of impervious acres in Virginia's four largest counties and that provided comparative cost information for Watershed Implementation Plan (WIP) Phase 1 and Environmental Protection Agency (EPA) coverage. He then reviewed a second table listing Virginia localities that have enacted a stormwater utility and stormwater fee. Mr. Hazelett and Mr. Perry responded to a question from Mr. Glover pertaining to the Prince William County's budget for its stormwater utility. Mr. Perry reviewed two additional slides listing the components of the County's stormwater utility study, which is expected to take nine months, and information relating to the draft contract that the Department of Public Works negotiated with Michael Baker, Jr., Inc. in the amount of \$162,355 to conduct the study. Mr. Hazelett advised that the contract will be brought to the Board for its consideration at the June 28 regular meeting.

Mr. Hazelett, Mr. Perry, and Mr. Thorp responded to further questions from the Board concerning the goals and length of the study and the extent to which the County's state legislators are aware of the costs to the County of complying with federal stormwater regulations. Mr. Hazelett concluded the discussions by pointing out that the Board will need to have another, lengthier work session on TMDLs, at which time staff will attempt to educate the Board in more detail and answer all of the Board's questions.

There being no further business, the meeting was adjourned at 6:58 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia