

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
March 27, 2012**

The Henrico County Board of Supervisors convened a special meeting on Tuesday, March 27, 2012, at 5:30 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:

David A. Kaechele, Vice Chairman, Three Chopt District
Tyrone E. Nelson, Varina District
Patricia S. O'Barmon, Tuckahoe District
Frank J. Thornton, Fairfield District

Member of the Board Absent:

Richard W. Glover, Chairman, Brookland District

Other Officials Present:

Randall R. Silber, Deputy County Manager for Community Development
Joseph P. Rapisarda, Jr., County Attorney
Joseph T. (Tom) Tokarz II, Deputy County Attorney
Benjamin A. Thorp, Assistant 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
George T. Drumwright, Jr., Deputy County Manager for Community Services
John A. Vithoukas, Deputy County Manager for Administration
Steven W. Knockemus, Assistant Director of Public Relations & Media Services

Mr. Kaechele called the meeting to order at 5:36 p.m.

Mr. Silber advised that he was standing in for Mr. Hazelett, who was absent from the meeting. He reviewed the two items on the agenda, noting that the first part of the second item would be discussed in open session.

Lease for Police Metro Aviation Unit

Mr. Silber recognized Doug Middleton, Chief of Police, who distributed copies of Richmond International Airport's recommended development plan and narrated a slide presentation on a proposed lease for the Police Metro Aviation Unit. Chief Middleton explained that the County currently leases property from Aero Industries for the Police Metro Aviation Unit's hangar facility but that Mr. Hazelett has negotiated a new lease with the Capital Region Airport

Commission for this purpose. Chief Middleton gave a brief history of the Police Metro Aviation Unit, which was created in 1984, has four aircraft in its inventory, and is staffed by the Counties of Henrico and Chesterfield and the City of Richmond. Henrico provides supervision and the fiscal management for the unit.

Chief Middleton showed the Board photos of the aircraft that are currently used by the unit, clarified for Mrs. O'Bannon the aircraft's seating capacity, and clarified for Mr. Kaechele how the aircraft are staffed by the three local jurisdictions. He shared additional slides highlighting an International Association of Chiefs of Police (IACP) safety award that was received last year by the unit, depicting the existing location and possible new site for the hangar, and providing a bird's eye view of the site. In response to questions from Mr. Nelson and Mr. Kaechele, Chief Middleton reviewed parking plans.

Chief Middleton concluded his slide presentation by discussing a slide that compared the unit's current hangar and office facilities with the new facilities, which will include more space and a backup generator at a lower monthly cost. In response to a question from Mr. Nelson, Chief Middleton advised that the proposed effective date of the new lease is on or before October 1. He responded to further questions from the Board regarding site logistics, the cost sharing arrangement among the three participating localities, the unit's flight schedule, and the types of services performed by the unit. Mr. Silber informed the Board that a resolution to approve the new lease will be brought forward at the Board's April 10, 2012 regular meeting.

EPA Audit of the County's Municipal Separate Storm Sewer System

Mr. Rapisarda explained that although the agenda and public notice indicated that this item would be discussed in a closed session, Mr. Thorpe would begin his slide presentation in open session by reviewing information that had already been made public.

Mr. Rapisarda recognized Mr. Thorp, who pointed out that an inspection of the County's Municipal Separate Storm Sewer System (MS4), which the Environmental Protection Agency (EPA) conducted in April 2010, found deficiencies in four areas: illicit discharge detection and elimination, industrial and commercial inspections, construction sites, and continuing education. In response to questions from Mr. Kaechele and Mrs. O'Bannon, Mr. Thorp reviewed language contained in the County's MS4 permit. Mr. Thorp resumed his presentation by explaining that the MS4 program requires the County to establish a program to detect and remove any unauthorized discharge into the storm sewer. The County's MS4 system includes approximately 30,000 inlets and outfalls and the County currently inspects more than 300 inlets and outfalls annually. Mr. Thorp then discussed the illicit Discharge Detection and Elimination (IDDE) audit findings by EPA. Jeff Perry, Engineering and Environmental Services Division Manager for the Department of Public Works, responded to a question from Mrs. O'Bannon concerning the number of Best Management Practices (BMP) stormwater retention facilities in the County and the size of the County's environmental inspections staff.

Mr. Thorp continued his presentation by highlighting MS4 permit requirements for industrial and commercial (I&E) inspections whereby the County monitors and controls pollutants in stormwater discharges. He responded to a question from Mr. Kaechele relating to the sources of these

discharges. Mr. Thorp next reviewed EPA's audit findings for I&E inspections. In response to a question from Mr. Kaechele, Mr. Thorpe and Mr. Drumwright commented on the federal legislative history behind the regulations governing the EPA audit. Mr. Thorpe resumed his presentation by reviewing federal and state MS4 permit requirements for construction sites, the breadth of projects for which the County's inspectors are responsible, and EPA's construction site audit findings. Mr. Perry responded to a question from Mrs. O'Bannon relating to the workload of the County's seven environmental inspectors, who have responsibilities for 250 major projects at construction sites.

Mr. Thorp concluded the public portion of his presentation by covering MS4 Permit continuing education requirements. He, Mr. Rapisarda, and Mr. Perry responded to questions from Mr. Kaechele regarding the scope of the County's responsibility for educating private construction operators and EPA's priorities under the MS4 program. Mr. Rapisarda advised the Board that the remainder of Mr. Thorp's presentation involved a legal analysis and overview and should be discussed in closed session.

On motion by Mrs. O'Bannon, seconded by Mr. Thornton, the Board approved going into a Closed Meeting at 6:24 p.m. for the following purpose:

Consultation with the County Attorney Regarding Specific Legal Matters Requiring the Provision of Legal Advice Pertaining to an EPA Audit of the County's Municipal Separate Storm Sewer System, Pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as Amended.

The vote of the Board was as follows:

<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
David A. Kaechele Tyrone E. Nelson Patricia S. O'Bannon Frank J. Thornton		Richard W. Glover

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, the Board approved going out of the Closed Meeting at 6:54 p.m.

The vote of the Board was as follows:

<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
David A. Kaechele Tyrone E. Nelson Patricia S. O'Bannon Frank J. Thornton		Richard W. Glover

On motion of Mrs. O'Bannon, seconded 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>	<u>Absent</u>
David A. Kaechele Tyrone E. Nelson Patricia S. O'Bannon Frank J. Thornton		Richard W. Glover

Mr. Silber briefly reviewed the items listed on the Board's 7:00 p.m. meeting agenda, including the introduction of an ordinance to increase the County's water and sewer connection fees and service charges and rates. He advised that Art Petrini, Director of Public Utilities, has briefed the executive director of the Homebuilding Association of Richmond on the rationale for the proposed increase. A public hearing on the ordinance will be scheduled for the Board's April 24, 2012 meeting. Mr. Silber responded to a question from Mr. Kaechele pertaining to the process for acting on utility rate increases.

Mr. Silber elaborated on the last item on the agenda, a resolution expressing the Board's opposition to extension of Tuckahoe Creek Parkway into Henrico County. He reviewed the reasons for and history behind opposing the extension of this road. Mr. Rapisarda pointed out that the Board had opposed the road's extension since 1988 and the resolution would continue this opposition. Mrs. O'Bannon noted her support for the resolution.

There being no further business, the meeting was adjourned at 7:00 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia