

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
April 10, 2012

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, April 10, 2012 at 6:00 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:

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

Member of the Board Absent:

Richard W. Glover, Chairman, Brookland District

Other Officials Present:

Virgil R. Hazelett, P.E., County Manager
Joseph P. Rapisarda, Jr., County Attorney
Michael L. Wade, Sherriff
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board
George T. Drumwright, Jr., Deputy County Manager for Community Services
Randall R. Silber, Deputy County Manager for Community Development
John A. Vithoukas, Deputy County Manager for Administration

Mr. Kaechele called the meeting to order at 6:04 p.m. He noted that the meeting was starting early for review of the budget and that Mr. Glover was still recovering from light surgery.

Mr. Kaechele led recitation of the Pledge of Allegiance.

George T. Drumwright, Jr., Deputy County Manager for Community Services, delivered the invocation.

PUBLIC HEARING

85-12 Resolution - Adoption of Operating and Capital Annual Fiscal Plans For Fiscal Year 2012-13 and Allocation of Car Tax Relief for Tax Year 2012.

Mr. Hazelett noted that copies of the proposed Fiscal Year (FY) 2012-13 budget and *Budget in Brief* package were available for interested citizens. After providing background information on the preparation of the budget, Mr. Hazelett pointed out

that no other locality in the Commonwealth of Virginia goes through such a thorough review of the budget by its elected representatives. He narrated a slide presentation on the proposed budget, which identified revenue reductions and budget additions since FY 2006-07; a summary of new facility costs, benefit cost increases, and budget reduction strategies to close a \$53.6 million budget gap; and details of the proposed FY 2012-13 budget, including the general fund, other funds, and the capital budget. At the conclusion of his presentation, Mr. Hazelett reminded the Board that the Code of Virginia required that the Board defer adoption of the budget. The members of the Board individually expressed appreciation to Mr. Hazelett and County departmental staff for working successfully to close the budget gap without raising taxes or reducing services during this difficult economic transition.

During the public hearing on this item, the following speakers thanked the Board for continuing to provide funding for their agencies or programs: Anthony Johnson, Program Coordinator for FeedMore; Karen Stanley, Executive Director of CARITAS; Harriet Scruggs, Executive Director of The READ Center; Shelly Lantz, a former Douglas Freeman High School special education graduate who receives day support and vocational services from Henrico Area Mental Health and Developmental Services; Cynthia Lantz, Shelly Lantz's mother and a representative of Parents for Community-Based Services who also serves as President of the Down Syndrome Association of Greater Richmond; Jason Young, Executive Director of Community Futures Foundation (The Mill House); Thelma Watson, Executive Director of Senior Connections, The Capital Area Agency on Aging; and Martha Wagner, Executive Director of Horses in Service Natural Therapeutic Riding Center. Ms. Wagner responded to questions from Mr. Thornton regarding her non-profit organization.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board deferred this item to the April 24, 2012 meeting – see attached copy of resolution.

The Board recessed at 7:20 p.m. and reconvened at 7:31 p.m.

On motion of Mr. Thornton, seconded by Mrs. O'Bannon, the Board approved the minutes of the March 27, 2012 Regular and Special Meetings.

The vote of the Board was as follows:

Yes: Kaechele, Nelson, O'Bannon, Thornton

No: None

Absent: Glover

MANAGER'S COMMENTS

There were no comments from the Manager.

BOARD OF SUPERVISORS' COMMENTS

Mr. Kaechele recognized the following Boy Scouts who were observing the meeting to fulfill a requirement for the Citizenship in the Community Merit Badge: Matthew Lomicka and Joseph Zampetti from Troop 776, sponsored by the Knights of Columbus Council No. 395 (Columbian Center); and Bryce Hatchell, Eddie Janssen, and Nathan Janssen from Troop 738, sponsored by Welborne United Methodist Church.

RECOGNITION OF NEWS MEDIA

No media representatives were present.

PRESENTATIONS

Mr. Kaechele presented a proclamation recognizing April 8 - 14, 2012 as Library Week. Accepting the proclamation was Gloria Logan Wilkerson, Chair of the Library Advisory Board and Brookland District Representative. Joining her from the Advisory Board were Gail A. Atkins, Vice Chair and Varina District Representative, and Harmonhinder P. Singh-Sandhu, Fairfield District Representative. Also participating was Gerald M. McKenna, Director of Libraries.

Mr. Nelson presented a proclamation recognizing April 15 - 21, 2012 as Volunteer Week. Accepting the proclamation was David G. Ambrogio, Volunteer Coordinator for the Department of Human Resources. Joining him were Paula G. Reid, Director of Human Resources, and Sheryn R. Hollinsworth, Manager of Employee Development and Training for the Department of Human Resources.

Mr. Thornton presented a proclamation recognizing April 22 - 28, 2012 as Administrative Professionals Week. Accepting the proclamation was Cynthia D. Robinson, President of the Old Dominion Chapter of the International Association of Administrative Professionals and an Administrative Professional with the Department of Public Works. Joining her was Barbara A. Williams, the Chapter's Second Vice-President and an Administrative Professional with Altria, Inc.

RESIGNATION/APPOINTMENTS

86-12 Resolution - Resignation of Member - Henrico Area Mental Health & Developmental Services Board.

On motion of Mr. Nelson, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item - see attached resolution.

87-12 Resolution – Appointment of Persons Eligible to Serve as Third Member of Employee Grievance Panels.

On motion of Mr. Thornton, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

PUBLIC HEARINGS - REZONING CASES AND PROVISIONAL USE PERMIT

88-12 Buz and Ned's of Parham and Broad Land, LLC: Request to conditionally
C-6C-12 rezone from B-1 Business District to B-2C Business District (Conditional) Parcel
Tuckahoe 762-753-4189 containing approximately 1.8 acres located at the southwest
intersection of Old Parham Road and W. Broad Street (US Route 250).

Mr. Hazelett noted that this case would be heard in combination with Agenda Item No. 89-12 (case P-4-12).

Jean Moore, Assistant Director of Planning, responded to questions from Mr. Kaechele and Mrs. O'Bannon.

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

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, the Board followed the recommendation of the Planning Commission, and approved this item with the following proffered conditions:

1. **Prohibited Uses.** All principal uses permitted in the B-2 district shall be permitted except for the uses listed below which shall be prohibited:
 - a. Adult businesses as defined by Section 24-3 of the Henrico County Code including adult video stores;
 - b. Attention getting devices;
 - c. Automotive body shops and repair facilities;
 - d. Automotive service stations;
 - e. Automotive, truck, or recreational vehicle storage lot for new/used cars;
 - f. Automotive, truck, trailer, motorcycle, or bus sales, rental and repair.
 - g. Bars, which, for purposes of this restriction, shall mean a business establishment whose primary business is the sale of alcoholic beverages for on-premise consumption. This restriction shall not prohibit the sale of alcoholic beverages in restaurants as licensed by the Virginia Department of Alcoholic Beverage Control;
 - h. Billboards, changeable message signs and/or outdoor advertising;
 - i. Billiard, bagatelle, video game, or bingo parlor;
 - j. Boat and boat trailer sales and service storage;
 - k. Car wash except by non-profit;
 - l. Commercial parking lots;

- m. Communication tower;
 - n. Dance halls;
 - o. Drapery making and furniture upholstering shops;
 - p. Establishments whose primary business is check cashing and/or the making of payday loans as defined and regulated by Section 6.2-2100 et seq. and 6.2-1800 et seq. of the Code of Virginia, provided the foregoing shall not preclude banks, credit unions, savings and loans, or other similar financial institutions that are not regulated by the foregoing Virginia Code sections;
 - q. Flea market or auction, except by non-profit;
 - r. Fortune teller, palmist, astrologist, numerologist, clairvoyant, craniologist, phrenologist, card reader, spiritual reader;
 - s. Funeral home, mortuary, crematories or undertaking;
 - t. Grocery or convenience store in excess of 10,000 sf.;
 - u. Gun shop, sales and repairs;
 - v. Hospital, clinic or boarding for small animals (dogs, cats, birds, etc.);
 - w. Hotel, motel or motor lodge;
 - x. Laundromats and self-service dry cleaning establishments;
 - y. Lawn mower or equipment sales and repair;
 - z. Making of "motor vehicle title loans" or "title loans" as defined and regulated by Section 6.2-2200 et seq. of the Code of Virginia, provided the foregoing shall not preclude banks, credit unions, savings and loans, or other similar financial institutions that are not regulated by the foregoing Virginia Code sections;
 - aa. Off-track betting parlors;
 - bb. Outside food or beverage vending machines or automated teller machines;
 - cc. Private clubs lodges, meeting hall and fraternal organization;
 - dd. Radio stations, TV stations and studios, and recording studios;
 - ee. Recreation facilities, indoor, including theaters, movie houses, bowling alleys, skating rinks, swimming pools, tennis, model racing tracks, electronic video game rooms, bingo halls, archery ranges, and similar activities;
 - ff. Recycling facilities;
 - gg. Sign painting shop;
 - hh. Temporary outdoor stand and/or sales area for the sale of Christmas trees, wreaths, etc. except by non-profit.
2. In accordance with our meeting addressing the County's request that adequate screening for the required Transitional Buffer adjacent to Pine Dell Subdivision be provided, the owner shall submit or have submitted on his behalf, a landscape plan as part of this request, with a proffer stating the property shall be developed in general conformance with this approved landscape plan.

3. **Lighting.** Exterior lighting on property shall be positioned in such a manner as to minimize the impact of such lighting on adjacent property and shall be of such general type required by the Planning Commission at the time of Plan of Development review and shall be reduced to the level needed for security during hours when the store is not open to the general public.
4. **Trash Receptacles.** Trash receptacles, not including convenience cans, shall be screened from public view at ground level and enclosed with material similar to material of the existing building approved at the time of Plan of Development.
5. **Buildings.** Any future buildings constructed on the property shall be architecturally similar in color, style and material with the existing buildings on the property as determined by the Planning Commission at the time of Plan of Development.

The vote of the Board was as follows:

Yes: Kaechele, Nelson, O'Bannon, Thornton

No: None

Absent: Glover

89-12 Buz and Ned's of Parham and Broad Land, LLC: Request for a Provisional Use
P-4-12 Permit under Sections 24-58.2(d), 24-120, and 24-122.1 of the County Code in
Tuckahoe order to allow outside dining for a restaurant (Buz and Ned's) on Parcel 762-753-4189 located at the southwest intersection of Old Parham Road and W. Broad Street (US Route 250).

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

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, the Board followed the recommendation of the Planning Commission, and approved this item subject to the following conditions:

1. The outdoor dining area shall be used for restaurant patrons and catered events. The outdoor dining area shall not be in operation between the hours of 11:00 p.m. and 7:00 a.m.
2. No outside live music performances shall be permitted on site.

3. The outdoor dining area shall be limited to no more than 1,254 square feet. The outdoor dining area shall be constructed substantially in conformance with the layout attached as Exhibit A (see case file).
4. Any outside speakers or sound system shall comply with the following standards:
 - a. Sound systems shall be equipped with controls permitting full volume adjustment.
 - b. Sound from the system shall not be audible beyond 100 feet from source.
 - c. Sound from the system shall not be audible beyond 100 feet from the source.
 - d. An outside speakers shall be directed in a manner to mitigate noise impacts.
5. The operator shall not permit food preparation in the outdoor dining area.
6. The outdoor dining fencing enclosure shall be limited in height to 48". The brick columns may extend beyond this height.
7. Outdoor lighting fixtures shall complement the style of the building. Lighting fixtures shall not produce glare for motorists or pedestrians on the adjacent rights-of-way and parking areas and shall illuminate only the outdoor dining area.
8. Access to the outdoor dining area shall be available only through the interior of the restaurant, except during an emergency when a patio fence exit gate may be utilized.
9. This permit shall apply only to Buz and Ned's Real Barbecue Restaurant located on Parcel 762-753-4189 and shall not apply to any other business.
10. Prior to the operation of the outdoor dining area, the applicant shall submit a site plan of the outdoor dining area and obtain administrative approval from the Planning Department. The site plan shall show the design and layout of the outdoor dining area. Proffered conditions of rezoning Case C-6C-12 shall apply.
11. Prior to the operation of the outdoor dining area, the applicant shall submit a landscaping and lighting plan and obtain administrative approval from the Planning Department.
12. Trash receptacles shall be provided and properly serviced to control litter generated by this use.

13. Televisions and other video display devices shall not be allowed in the outdoor dining area.
14. Prior to operation, the applicant shall consult with the Special Services Unit within the Division of Police to discuss crime prevention recommendations and conduct a security survey of the property and restaurant operations. The applicant shall implement mutually agreed upon security recommendations.

The vote of the Board was as follows:

Yes: Kaechele, Nelson, O'Bannon, Thornton

No: None

Absent: Glover

The applicant responded to a question from Mr. Kaechele pertaining to the business' opening date.

90-12 Hermitage Investment Group, LLC: Request to conditionally rezone from R-3
C-1C-12 One-Family Residence District to M-1C Light Industrial District (Conditional)
Brookland Parcel 771-752-7780 containing 9.29 acres located at the southeast intersection of Staples Mill Road (US Route 33) and Hermitage Road.

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

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, the Board followed the recommendation of the Planning Commission, and approved this item with the following proffered conditions:

1. **Use Restrictions.** There shall not be more than 60,000 square feet of gross leaseable floor area for specialty retail, restaurant, office/warehouse, and light manufacturing use. Not more than 30,000 square feet of floor area shall be specialty retail emphasizing small shops of approximately 2,000 square feet but not to exceed 8,000 square feet, and no food or grocery store shall exceed 6,000 square feet, and no store specializing in retail sales of automotive parts and related accessories shall exceed 6,000 square feet.

All principal uses, which are first permitted in B-3 General Business Districts except those noted below, shall not be permitted. In addition, the following uses shall not be permitted:

- a. hotels, motels, motor lodges, motor hotels;
- b. bowling, skating, billiards, bagatelle, video game or bingo parlor and similar indoor recreational establishments;

- c. dancing establishments and dance halls;
- d. funeral home, mortuaries, crematories and/or undertaking establishments;
- e. gun shop, sales and repair;
- f. tattoo parlors;
- g. adult businesses as defined in the Henrico County Zoning Ordinance;
- h. bars;
- i. massage parlors, not to include spa, massage and other therapeutic establishments where employees performing massages, if any, are all duly licensed massage therapists in the Commonwealth of Virginia;
- j. flea markets;
- k. automobile, truck, trailer, motorcycle, recreational vehicle or bus sales, rental repair;
- l. automotive service stations, including fuel sales;
- m. boat and boat trailer sales, service and storage;
- n. off-track betting parlors;
- o. billboards;
- p. car washes;
- q. establishments whose primary business is check cashing, making motor vehicle title loans or making payday loans as defined and regulated by Sections 6.2-2100 et seq., 6.2-2200 et seq. and 6.2-1800 et seq. of the Code of Virginia (this shall not preclude banks, savings and loans, or similar institutions that are not regulated by the foregoing Virginia Code Sections);
- r. restaurants with dancing, provided however that restaurants without dancing shall be permitted;
- s. parking lots, commercial (nothing herein shall preclude parking lots as an accessory use to a principally permitted use);
- t. private clubs lodges, or fraternal organizations;
- u. and permanent on-site recycling collection facilities.

In addition, the following M-1 Light Industrial District uses shall not be permitted:

- a. Bag, carpet and rug cleaning;
- b. Milk bottling, milk cold storage or milk processing and milk distribution plants;
- c. Tire manufacturing, rebuilding, or recapping plants;
- d. Recyclable materials processing facility;
- e. And bulk storage or distribution for inflammable liquids.

Notwithstanding the above, the following uses first permitted in B-3 General Business District shall be permitted provided such uses operate within completely enclosed buildings and there shall be no outdoor storage:

- a. Metal fabrication shop;
 - b. Engraving;
 - c. Plumbing, electrical and heating shop;
 - d. Automobile or truck tires or parts, sales, wholesale or retail.
2. **Façade.** The exposed portions of all exterior wall surfaces (front and sides) of each building constructed on the Property shall be predominantly of masonry with stucco, metal and/or glass accent materials, except to the extent that other architectural materials are used for trim or architectural decorations. The style and colors shall be consistent with the buildings shown in the Conceptual Elevations for Hermitage Center, dated March 9, 2012, a copy of which is attached hereto as Exhibit A-1 and A-2 (see case file), subject to such changes as may be approved at the time of Plan of Development review.
 3. **HVAC.** All roof mounted mechanical equipment shall be screened, and screening materials shall be compatible with the architectural style of the building. All ground mounted mechanical equipment shall be screened, with an opaque material, from public view.
 4. **Landscaped Areas.** A twenty (20) foot landscaped area shall be maintained from the ultimate right-of-way line on Staples Mill Road, as determined at the time of the Plan of Development. And, a ten (10) foot landscaped area (planted equal to the requirements of the Transitional Buffer 10) shall be maintained from the ultimate right-of-way line on Hermitage Road.

The aforesaid landscaped areas shall be provided to the extent of the necessity for or allowance for utility easements, grading, drainage, signage and access driveways and other purposes requested and specifically permitted, or if required at time of Plan of Development review. Any new utility easements or use permitted within the aforesaid landscaped area shall be extended generally perpendicular to the landscaped areas unless otherwise requested and specifically permitted or if required at the time of Plan of Development review and, where permitted, areas disturbed for utility installation shall be replanted to the extent reasonably practicable.

5. **Central Trash Receptacles.** Central trash receptacles not including convenience cans shall be screened from public view at ground level and enclosed in a manner consistent with the materials used on the building they serve. The gate(s) shall be constructed of metal materials and provide opaque screening.

6. **Building Height.** No building constructed on the Property shall exceed twenty-five (25) feet in height exclusive of architectural design features on any building.
7. **Layout Plan.** The Property shall be developed in substantial conformance with the plan titled Conceptual Site Plan, dated December 23, 2011, by Engineering Design Associates, a copy of which is attached hereto, as Exhibit B, (see case file) subject, however, to such traffic and engineering changes as may be approved at the time of Plan of Development review.
8. **Site Lighting.** Lights illuminating off-street parking or loading areas shall be arranged and installed so that no material glare or direct light shall spill over onto adjacent parcels. Lighting standards shall be mounted on a concrete base, and shall be of directional type capable of shielding the light source from direct view.
9. **Signage.** Any freestanding sign shall be monumental in style with base materials consistent with the buildings on the property and not exceed fifteen (15) feet in height, and if lighted, shall be internally lit so that there are no freestanding spotlights or any type of individually lighting structure. The sign message, if illuminated, shall be illuminated from within the sign structure. The only signage permitted on the Property shall be the aforementioned freestanding sign(s) and the attached signage on the building permitted by the zoning ordinance, except for directional signs and the menu boards.
10. **Loudspeakers.** No outside pagers or loudspeakers shall be permitted on the Property, except in connection with an outdoor seating area adjacent to a restaurant. However, an intercom system equipped with volume control associated with a drive through window shall be permitted. Sound from any pager, loudspeaker or intercom system shall not be audible beyond one hundred (100) feet from the source.
11. **Hours of Operation.** Hours of operation for all uses on the property shall adhere to B-2 Business District regulations. For retail uses, outside activity and general services to the public shall not be permitted between 6:00 a.m. and Noon on Sunday.
12. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of any of the other proffers for the unaffected part of any such proffer.
13. **Best Management Practice.** Any permanently wet above-ground Best Management Practice structure shall include an aeration feature to move water within such structure.

14. **Underground Utility Lines.** All utility lines on the Property shall be underground, except for existing utilities, junction boxes, meters, utility lines in wetland areas and utility lines required to be above ground by the utility company.
15. **Public Sidewalk.** A 4 foot wide sidewalk with a 2 foot utility strip shall be provided by the developer within the right-of-way along the property frontage of Hermitage Road.
16. **Outdoor Display and Sales.** Areas for outdoor display of merchandise for sale shall be clearly delineated on the Plan of Development for the Property.
17. **Conservation Areas.** Notwithstanding the uses permitted and regulated by the zoning of the Property, such portions(s) of the Property which lie within a one hundred (100) year flood plain (as determined by definitive engineering studies approved by the Department of Public Works, excluding those areas for which permits are issued allowing fill-in and development) may only be used for the following purposes:
 - a. Storm-water management and/or retention areas;
 - b. Ponds, lakes and similar areas intended as aesthetic and/or recreational amenities and/or wildlife habitats;
 - c. Access drives, infrastructure, utilities, signage, walkways, and recreational facilities installed in a manner to minimize their impacts;
 - d. Such additional uses to the uses identified in (a), (b), (c) above as may be deemed compatible and of the same general character by the Planning Administrator (Director of Planning) pursuant to Chapters 19 and 24 of the Henrico County Code.

And the owner shall, prior to issuance of Certificate of Occupancy, apply to rezone such portions of the Property when the flood plain, as are included with the Plan of Development or adjacent thereto, to a C-1 Conservation District.

The vote of the Board was as follows:

Yes: Kaechele, Nelson, O'Bannon, Thornton

No: None

Absent: Glover

PUBLIC COMMENTS

Julia Hebner, a resident of the Brookland District, and Britta Cruz, a resident of the Tuckahoe District, requested that small flocks of backyard chickens be allowed in residential districts. Ms. Cruz responded to questions from Mr. Kaechele and Mrs. O'Bannon. Mr. Thornton suggested to Ms. Cruz that persons who are espousing this position need to be make a more cogent argument. There was discussion between Ms. Cruz and Mrs. O'Bannon concerning Mrs. O'Bannon's study of this issue and the appropriate level of restrictions on urban chickens.

Brent Maney, a resident of the Varina District, requested that signs with non-commercial messages placed in residential districts be exempted from the County's zoning ordinance sign permit requirements. Mr. Maney referred to the free speech protections of the First Amendment to the U.S. Constitution and compared restrictions contained in the County's sign ordinance to those found in the sign ordinances of three other Virginia counties. He and Mr. Hazelett responded to questions from the Board. Mr. Hazelett advised Mr. Maney that he and the County Attorney will look into the implications of a U.S. Supreme court case cited by Mr. Maney relating to the constitutionality of a municipality's ban on residential signs (*City of Ladue v. Gilleo*) and assured him that the County does not normally create or enforce laws that are not legal. Mr. Hazelett further commented that the issue at hand was related to the size of the sign and not the sign's content.

GENERAL AGENDA

- 91-12 Resolution – Authorization to Apply for and Accept Continuation Grants for the Victim/Witness Assistance Program.
- On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.
- 92-12 Resolution – Authority to Submit Henrico County Plan for the Virginia Juvenile Community Crime Control Act (2012-2014).
- On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached resolution.
- 93-12 Resolution - Signatory Authority - Lease for Police Metro Aviation Unit - Capital Region Airport Commission - Varina District.
- On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.
- 94-12 Resolution - Award of Contract - Annual Engineering Services, Water Reclamation Facility.

Art Petrini, Director of Public Utilities, responded to questions from Mrs. O'Bannon and Mr. Kaechele.

On motion of Mr. Thornton, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

95-12 Resolution - Award of Annual Construction Contract - Road and Drainage Projects.

Steve Yob, Director of Public Works, responded to questions from Mrs. O'Bannon and Mr. Nelson.

On motion of Mr. Nelson, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

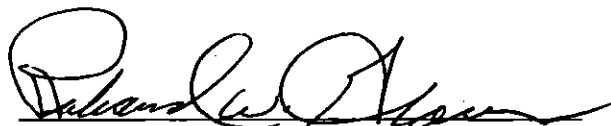
96-12 Resolution - Authorizing Settlement of EPA Complaint Alleging Violations of County's Storm Sewer System Permit.

Mr. Yob and Mr. Rapisarda responded to questions from Mr. Kaechele and Mrs. O'Bannon.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.

Mr. Yob and Mr. Rapisarda responded to questions from the Board *pertaining to the previous item.*

There being no further business, the meeting was adjourned at 8:44 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia

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

Agenda Title: **RESOLUTION - Adoption of Operating and Capital Annual Fiscal Plans for Fiscal Year 2012-13 and Allocation of Car Tax Relief for Tax Year 2012.**

For Clerk's Use Only: APR 10 2012 Date: _____ <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input checked="" type="checkbox"/> Deferred to <u>4/24/12</u>	BOARD OF SUPERVISORS ACTION Moved by (1) <u>D. Bannion</u> Seconded by (1) <u>Thornton</u> (2) _____ (2) _____ REMARKS: _____ _____ _____	<table border="0"> <tr> <td></td> <td align="center">YES</td> <td align="center">NO</td> <td align="center">OTHER</td> </tr> <tr> <td>Glover, R.</td> <td></td> <td></td> <td align="center"><u>absent</u></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Nelson, T.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Thornton, F.</td> <td align="center">✓</td> <td></td> <td></td> </tr> </table>		YES	NO	OTHER	Glover, R.			<u>absent</u>	Kaechele, D.	✓			Nelson, T.	✓			O'Bannon, P.	✓			Thornton, F.	✓		
	YES	NO	OTHER																							
Glover, R.			<u>absent</u>																							
Kaechele, D.	✓																									
Nelson, T.	✓																									
O'Bannon, P.	✓																									
Thornton, F.	✓																									

WHEREAS, the Board of Supervisors of the County of Henrico, Virginia, having held an advertised public hearing at 6:00 p.m., on April 10, 2012, to consider the proposed Operating and Capital Annual Fiscal Plans for fiscal year 2012-13; and,

WHEREAS, those citizens who appeared and wished to speak, were heard.

NOW, THEREFORE, BE IT RESOLVED that the proposed Operating and Capital Annual Fiscal Plans for fiscal year 2012-13, are hereby approved for informative and planning purposes only.

OPERATING ANNUAL FISCAL PLAN
ESTIMATED OPERATING RESOURCES

01- GENERAL FUND:

	<u>Manager Proposed</u>	<u>Board Approved</u>
51/01 - General Property Taxes	\$ 379,975,000	\$ 379,975,000
02 - Other Local Taxes	116,235,000	116,235,000
03 - Permits, Fees, & Licenses	3,443,900	3,443,900
04 - Fines & Forfeitures	2,390,000	2,390,000
05 - Use of Money & Property	7,872,500	7,872,500
06 - Charges for Services	3,725,700	3,725,700
07 - Miscellaneous	3,028,400	3,028,400
08 - Recovered Costs	4,286,370	4,286,370
Total from Local Sources	\$ 520,956,870	\$ 520,956,870

By Agency Head _____ Routing: Yellow to: _____ Copy to: _____	By County Manager _____ Certified: _____ A Copy Teste: _____ Clerk, Board of Supervisors Date: _____
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**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

**Agenda Title: RESOLUTION - Adoption of Operating and Capital Annual Fiscal Plans for
Fiscal Year 2012-13 and Allocation of Car Tax Relief for Tax Year 2012.**

52/02 - Non-Categorical Aid	17,713,500	17,713,500
03 - Shared Expenses	14,929,400	14,929,400
04 - Categorical Aid	258,536,655	258,536,655
Total from State	\$ 291,179,555	\$ 291,179,555
53/03 - Categorical Aid - Total Federal	12,830,280	12,830,280
GENERAL FUND REVENUE	\$ 824,966,705	\$ 824,966,705
60/01 - Operating Transfers	(110,119,018)	(110,119,018)
62/01 - From (To) Fund Balance	20,444,232	20,444,232
GENERAL FUND RESOURCES	\$ 735,291,919	\$ 735,291,919

11 - SPECIAL REVENUE FUND:

51/03 - Permits, Fees, & Licenses	1,110,798	1,110,798
04 - Fines & Forfeitures	227,067	227,067
05 - Use of Money & Property	172,812	172,812
06 - Charges for Services	29,094,850	29,094,850
07 - Miscellaneous	1,627,103	1,627,103
08 - Recovered Costs	534,431	534,431
Total from Local Sources	\$ 32,767,061	\$ 32,767,061
52/02 - Non-Categorical Aid	553,634	553,634
04 - Categorical Aid	24,776,101	24,776,101
Total from State	\$ 25,329,735	\$ 25,329,735
53/03 - Categorical Aid - Total Federal	\$ 46,439,190	\$ 46,439,190
SPECIAL REVENUE FUND REVENUE	\$ 104,535,986	\$ 104,535,986
60/01 - Operating Transfers	22,140,214	22,140,214
62/01 - From (To) Fund Balance	(978,023)	(978,023)
SPECIAL REVENUE FUND RESOURCES	\$ 125,698,177	\$ 125,698,177

51 - WATER AND SEWER ENTERPRISE FUND:

51/04 - Fines & Forfeitures	130,000	130,000
06 - Charges for Services	95,386,892	95,386,892
07 - Miscellaneous	3,673,276	3,673,276
W&S ENTERPRISE FUND REVENUE	\$ 99,190,168	\$ 99,190,168
60/01 - Operating Transfers	756,608	756,608
62/01 - From (To) Retained Earnings	(18,931,782)	(18,931,782)
W&S ENTERPRISE FUND RESOURCES	\$ 81,014,994	\$ 81,014,994

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

Agenda Title: **RESOLUTION - Adoption of Operating and Capital Annual Fiscal Plans for Fiscal Year 2012-13 and Allocation of Car Tax Relief for Tax Year 2012.**

52 - BELMONT GOLF COURSE ENTERPRISE FUND:

51/06 - Charges for Services	1,228,807	1,228,807
BELMONT ENTERPRISE FUND RESOURCES	\$ 1,228,807	\$ 1,228,807

61 - CENTRAL AUTO MAINTENANCE (C.A.M.) FUND:

51/05 - Use of Money & Property	210,000	210,000
07 - Miscellaneous	41,000	41,000
08 - Recovered Cost	20,210,173	20,210,173
C.A.M. FUND RESOURCES	\$ 20,461,173	\$ 20,461,173

62 - TECHNOLOGY REPLACEMENT FUND:

62/01 - From (To) Retained Earnings	2,864,873	2,864,873
TECH. REPLACE. FUND RESOURCES	\$ 2,864,873	\$ 2,864,873

63 - RISK MANAGEMENT FUND:

51/08 - Recovered Cdsts - Total Revenue	629,403	629,403
60/01 - Operating Transfers	4,543,437	4,543,437
RISK MANAGEMENT FUND RESOURCES	\$ 5,172,840	\$ 5,172,840

64 - HEALTHCARE FUND:

51/05 - Interest on Investment	75,000	75,000
53/03 - Categorical Aid	888,352	888,352
51/08 - Recovered Costs	89,983,149	89,983,149
HEALTHCARE FUND REVENUE	\$ 90,946,501	\$ 90,946,501

62/01 - From (To) Fund Balance	2,000,000	2,000,000
HEALTHCARE FUND RESOURCES	\$ 92,946,501	\$ 92,946,501

71 - DEBT SERVICE FUND:

60/01 - Operating Transfers - TOTAL RESOURCES	58,982,785	58,982,785
62/01 - From (To) Fund Balance	2,000,000	2,000,000
DEBT SERVICE FUND RESOURCES	\$ 60,982,785	\$ 60,982,785

82 - JAMES RIVER JUVENILE DETENTION CENTER AGENCY FUND:

51/10 - Shared Expenses - Local	401,438	401,438
52/03 - Shared Expenses - State	1,412,270	1,412,270
JRJDC AGENCY FUND REVENUE	\$ 1,813,708	\$ 1,813,708

60/01 - Operating Transfers	3,271,174	3,271,174
62/01 - From (To) Fund Balance	445,138	445,138
JRJDC AGENCY FUND RESOURCES	\$ 5,530,020	\$ 5,530,020

83 - FIDUCIARY FUNDS

60/01 - Operating Transfers	3,000,000	3,000,000
62/01 - From (To) Fund Balance	500,000	500,000
OPEB RESOURCES	\$ 3,500,000	\$ 3,500,000

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

Agenda Title: **RESOLUTION - Adoption of Operating and Capital Annual Fiscal Plans for Fiscal Year 2012-13 and Allocation of Car Tax Relief for Tax Year 2012.**

90 - ADJUSTMENT FOR INTERFUND TRANSACTIONS:

60/01 - Operating Transfers - TOTAL RESOURCES	\$ (87,469,152)	\$ (87,469,152)
TOTAL OPERATING RESOURCES	\$ 1,047,222,937	\$ 1,047,222,937
Including: REVENUE TOTAL	\$ 1,143,772,451	\$ 1,143,772,451
OPERATING TRANSFERS	(104,893,952)	(104,893,952)
FUND BALANCE/RETAINED EARNINGS	8,344,438	8,344,438
	\$ 1,047,222,937	\$ 1,047,222,937

* Indicates a change

TOTAL CHANGES IN ESTIMATED RESOURCES	\$ 0
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ESTIMATED OPERATING REQUIREMENTS

<u>Department</u>	<u>Manager Proposed</u>	<u>Board Approved</u>
<u>01- GENERAL FUND:</u>		
01 - Board of Supervisors	\$ 1,097,781	\$ 1,097,781
02 - Library	15,059,497	15,059,497
03 - Sheriff	33,960,713	33,960,713
04 - Circuit Court	2,960,352	2,960,352
05 - Commonwealth's Attorney	4,362,490	4,362,490
06 - General District Court	214,556	214,556
07 - Juvenile/Domestic Relations Court	2,331,268	2,331,268
08 - Electoral Board	1,292,871	1,292,871
09 - County Manager	3,662,964	3,681,327 *
10 - County Attorney	2,002,158	2,002,158
11 - Human Resources	5,003,086	5,003,086
12 - Police	62,836,516	62,836,516
13 - Fire	49,647,146	49,647,146
14 - Finance	11,754,015	11,754,015
16 - General Services	17,107,677	17,107,677
17 - Internal Audit	395,367	395,367
19 - Information Technology	12,458,607	12,458,607
21 - Agriculture & Home Extension	354,492	354,492
22 - Social Services	14,597,149	14,597,149
23 - Recreation & Parks	17,372,798	17,372,798
24 - Public Health	1,653,542	1,653,542
28 - Public Works	35,504,297	35,504,297
29 - Real Property	587,745	587,745
30 - Economic Development	13,234,709	13,234,709
32 - Non-Departmental	11,525,673	11,507,310 *
33 - Building Inspections	4,091,527	4,091,527
34 - Planning	3,772,313	3,772,313
35 - Permit Centers	884,218	884,218
38 - Community Revitalization	1,516,392	1,516,392
50 - Education	404,050,000	404,050,000
TOTAL GENERAL FUND	\$ 735,291,919	\$ 735,291,919

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

Agenda Title: **RESOLUTION - Adoption of Operating and Capital Annual Fiscal Plans for Fiscal Year 2012-13 and Allocation of Car Tax Relief for Tax Year 2012.**

11 - SPECIAL REVENUE FUND:

05 - Commonwealth's Attorney	873,837	873,837
07 - Juvenile/Domestic Relations Court	900,115	900,115
12 - Police	1,486,924	1,486,924
22 - Social Services	7,743,396	7,743,396
26 - Mental Health/Developmental Services	32,825,896	32,825,896
27 - CRWP	5,485,944	5,485,944
28 - Public Works	897,000	897,000
31 - Public Utilities - Solid Waste	12,331,964	12,331,964
- Street Lights	83,100	83,100
32 - Non-Departmental	100,201	100,201
36 - Community Corrections Program	1,758,065	1,758,065
50 - Education - Cafeterias	18,638,229	18,638,229
- Grants	42,573,506	42,573,506
TOTAL SPECIAL REVENUE FUND	\$ 125,698,177	\$ 125,698,177

51 - WATER AND SEWER ENTERPRISE FUND:

31 - Public Utilities - Operations	58,231,580	58,231,580
- Debt Service	22,783,414	22,783,414
TOTAL W&S ENTERPRISE FUND	\$ 81,014,994	\$ 81,014,994

52 - BELMONT GOLF COURSE ENTERPRISE FUND:

23 - Recreation & Parks - TOTAL FUND	\$ 1,228,807	\$ 1,228,807
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61 - CENTRAL AUTO MAINTENANCE FUND:

20 - Central Auto. Maint. - TOTAL FUND	\$ 20,461,173	\$ 20,461,173
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62 - TECHNOLOGY REPLACEMENT FUND:

37 - Technology Replacement - TOTAL FUND	\$ 2,864,873	\$ 2,864,873
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63 - RISK MANAGEMENT FUND:

16 - Risk Management - TOTAL FUND	\$ 5,172,840	\$ 5,172,840
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64 - HEALTHCARE FUND:

42 - Healthcare - TOTAL FUND	\$ 92,946,501	\$ 92,946,501
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71 - DEBT SERVICE FUND:

18 - General Government	21,725,482	21,725,482
50 - Education	39,257,303	39,257,303
TOTAL DEBT SERVICE FUND	\$ 60,982,785	\$ 60,982,785

82 - JAMES RIVER JUVENILE DETENTION CENTER AGENCY FUND:

40 - JRJDC - Operations	4,853,142	4,853,142
- Debt Service	676,878	676,878
TOTAL JRJDC AGENCY FUND	\$ 5,530,020	\$ 5,530,020

83 - FIDUCIARY FUND:

11 - OPEB - GASB 45 - TOTAL FUND	\$ 3,000,000	\$ 3,000,000
11 - Line of Duty Act (LODA)	500,000	500,000
TOTAL FIDUCIARY FUND	3,500,000	3,500,000

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

Agenda Title: **RESOLUTION - Adoption of Operating and Capital Annual Fiscal Plans for Fiscal Year 2012-13 and Allocation of Gas Tax Relief for Tax Year 2012.**

90 - ADJUSTMENT FOR INTERFUND TRANSACTIONS:

60 - Interdepartmental Billings - CAM	(20,461,173)	(20,461,173)
- Healthcare	(67,007,979)	(67,007,979)
TOTAL ADJUSTMENTS	\$ (87,469,152)	\$ (87,469,152)
TOTAL OPERATING REQUIREMENTS	\$ 1,047,222,937	\$ 1,047,222,937

* Indicates a change

TOTAL CHANGE IN ESTIMATED OPERATING REQUIREMENTS \$ 0

**CAPITAL ANNUAL FISCAL PLAN
ESTIMATED CAPITAL RESOURCES**

<u>Source</u>	<u>Manager Proposed</u>	<u>Board Approved</u>
<u>21 - CAPITAL PROJECTS FUND:</u>		
Motor Vehicle License Revenue	\$ 850,000	\$ 850,000
G.O. Bonds - General	40,200,000	40,200,000
G.O. Bonds - Education	18,792	18,792
Fund Balance - General Fund	10,000,000	10,000,000
TOTAL CAPITAL PROJECTS FUND	\$ 51,068,792	\$ 51,068,792
<u>22 - VEHICLE REPLACEMENT RESERVE:</u>		
Vehicle Replacement Reserve	\$ 6,574,800	\$ 6,574,800
<u>51 - WATER AND SEWER ENTERPRISE FUND:</u>		
Water & Sewer Fees/Charges	89,764,219	89,764,219
TOTAL WATER AND SEWER ENTERPRISE FUND	89,764,219	89,764,219
TOTAL CAPITAL RESOURCES	\$ 147,407,811	\$ 147,407,811

* Indicates a change

TOTAL CHANGE IN ESTIMATED CAPITAL RESOURCES \$ 0

ESTIMATED CAPITAL REQUIREMENTS

<u>Department</u>	<u>Manager Proposed</u>	<u>Board Approved</u>
<u>21 - CAPITAL PROJECTS FUND:</u>		
2 - Library	\$ 37,170,000	\$ 37,170,000
13 - Fire	30,000	30,000
16 - General Services	6,400,000	6,400,000
19 - Information Technology	900,000	900,000
23 - Recreation & Parks	3,200,000	3,200,000
28 - Public Works	850,000	850,000
50 - Education	2,518,792	2,518,792
TOTAL CAPITAL PROJECTS FUND	\$ 51,068,792	\$ 51,068,792
<u>22 - VEHICLE REPLACEMENT RESERVE:</u>		
12 - Police	2,574,800	2,574,800
13 - Fire	1,500,000	1,500,000
50 - Education	2,500,000	2,500,000
TOTAL VEHICLE REPLACEMENT RESERVE	\$ 6,574,800	\$ 6,574,800

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

Agenda Title: **RESOLUTION - Adoption of Operating and Capital Annual Fiscal Plans for Fiscal Year 2012-13 and Allocation of Car Tax Relief for Tax Year 2012.**

51 - WATER AND SEWER ENTERPRISE FUND:

31 - Public Utilities - Water	70,806,000	70,806,000
- Sewer	18,958,219	18,958,219
TOTAL WATER & SEWER ENTERPRISE FUND	\$ 89,764,219	\$ 89,764,219
TOTAL CAPITAL REQUIREMENTS	\$ 147,407,811	\$ 147,407,811

* Indicates a change

TOTAL CHANGE IN ESTIMATED CAPITAL REQUIREMENTS **\$ 0**

BE IT FURTHER RESOLVED that the funds included in the Operating and Capital Annual Fiscal Plans for any County department, office, or agency may be used as participating funds in any Federal or State aid program for like purpose upon appropriation by the Board of Supervisors; and,

BE IT FURTHER RESOLVED that the Board declines to receive any salary increase for 2013 and the salary schedule attached hereto for Boards and Commissions and Unscheduled Salaries effective at the beginning of the 2012-13 fiscal year, hereby is approved; and,

BE IT FURTHER RESOLVED that the approved Operating Annual Fiscal Plan for fiscal year 2012-13 includes a decrease in the personnel complement of 48.6 positions for schools; and,

BE IT FURTHER RESOLVED that in order to implement changes to the Personal Property Tax Relief Act of 1998 (the "PPTRA") made by legislation adopted by the Virginia General Assembly:

1. Any qualifying vehicle, as defined in the PPTRA, sited within the County commencing January 1, 2012, shall receive personal property tax relief in the following manner:
 - a. Qualifying vehicles valued at \$1,000 or less shall receive 100% tax relief;
 - b. Qualifying vehicles valued at between \$1,001 to \$20,000 shall receive 63% tax relief;
 - c. Qualifying vehicles valued at \$20,001 or more shall receive 63% tax relief on the first \$20,000 of value only; and
 - d. All other vehicles which do not meet the definition of "qualifying vehicles" will not receive any form of tax relief under the PPTRA.

2. The amount of tax relief shall be a specific dollar amount offset against the total personal property taxes that would otherwise be due on a qualifying vehicle but for the PPTRA. The specific dollar amount of relief shall be shown on the tax bill for each qualifying vehicle, together with a general description of the criteria upon which relief has been allocated.

COMMENTS: This Board Paper should be considered on April 10, 2012, but should be deferred until Tuesday April 24, 2012, to comply with Virginia Code Section 15.2-2506, which states that "The hearing shall be held at least seven days prior to the approval of the budget...." The Director of Finance recommends approval of this Board Paper and the County Manager concurs.

**SCHEDULE OF COMPENSATION:
Members of County Boards and Commissions, et al.
County of Henrico, Virginia**

Board of Supervisors.....	\$49,825.84 per annum ⁽¹⁾⁽²⁾
Board of Zoning Appeals	\$6,600.00 per annum
Electoral Board - General Election.....	\$4,011.50 per annum ⁽³⁾
Secretary, Electoral Board - General Election.....	\$8,023.00 per annum ⁽³⁾
Election Officials.....	\$150.00 base pay per workday ⁽⁴⁾
Assistant Chief Election Officials.....	\$180.00 base pay per workday ⁽⁴⁾
Chief Election Officials.....	\$200.00 base pay per workday ⁽⁴⁾
Planning Commission.....	\$17,000.00 per annum
Richmond Regional Planning Commission.....	\$3,000.00 per annum
Capital Region Airport Commission.....	\$3,000.00 per annum
Board of Real Estate Review & Equalization.....	\$225.00 per month
School Board.....	\$18,000.00 per annum ⁽⁵⁾
Social Services Board.....	\$3,000.00 per annum
Volunteer Firefighters.....	\$2.00 per call
Economic Development Authority.....	\$200.00 per meeting
Parks and Recreation Advisory Commission.....	\$75.00 per meeting

-
- (1) Prior to January 1, 2012, this salary was 48,671.36, with the Chairman receiving an additional sum of 15% of the per annum rate and the Vice Chairman receiving an additional sum of 10% of the per annum rate.
- (2) In accordance with Va. Code § 15.2-1414.2, the maximum salary for calendar years 2012 through 2013 shall be and has been set prior to July 1, 2011. For calendar year 2012, the salary shall be \$49,825.84. An allowance is made for a maximum increase of 2.372% of the prevailing per annum rate for calendar years 2013, 2014, and 2015. In each calendar year 2012 through 2015, the Chairman shall receive an additional sum of 15% of the per annum rate and the Vice Chairman shall receive an additional sum of 10% of the per annum rate.
- (3) Rate and effective date is set by the General Assembly.
- (4) Rate approved by the Henrico County Board of Supervisors on October 14, 2008.
- (5) Rate is set by the School Board by resolution in accordance with Va. Code § 22.1-32 (A).

Schedule of Unclassified Salaries
County of Henrico, Virginia

<u>COST CENTER</u>	<u>NAME AND OFFICE OR JOB TITLE</u>	<u>SALARY</u>
04001	Yvonne G. Smith Clerk of Circuit Court	\$136,146.00 ⁽⁶⁾
08001	Mark J. Coakley General Registrar	\$ 84,476.00 ⁽⁶⁾⁽⁷⁾
03006	Michael L. Wade Sheriff.....	\$138,298.00 ⁽⁶⁾⁽⁸⁾

(6) Annual rate and effective date is set by the General Assembly. Rates reflected were effective 7/1/2009, and remain unchanged.

(7) The General Registrar receives annual compensation fixed by the General Assembly, paid by the governing body of the County and reimbursed annually as provided in the State's general appropriations act, and pursuant to Va. Code § 24.2-111.

(8) The current Sheriff (Michael L. Wade) meets the criteria specified in the proposed Virginia Budget Code Item 68.J.2.a, and receives the additional specified percentage to the approved base amount. Effective 12/1/2007, Sheriff Wade earns the \$126,531 base plus 9.3% for the Sheriff's Career Development Plan and accreditation for an annual total of \$138,298. Also see footnote 6 above.

Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

LIBRARY WEEK

April 8 - 14, 2012

WHEREAS, libraries provide free access to information for all, from books and online resources for families to library business centers that help support entrepreneurship and retraining; and

WHEREAS, Henrico County's school, academic, public, and special libraries make a difference in the lives of many of our citizens today, more than ever; and

WHEREAS, libraries work to meet the changing needs of their users, including building collections, expanding outreach services, and increasing programming; and

WHEREAS, librarians are trained professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn, and work in a challenging economy; and

WHEREAS, libraries design and offer services and programs to meet their community's needs in this challenging economy, providing residents with free classes and job seeking resources; and

WHEREAS, libraries are places of opportunity, providing programs that teach all forms of literacy, promoting continuing education, and encouraging lifelong learning; and

WHEREAS, libraries, librarians, library workers, and supporters across Henrico County, the Commonwealth of Virginia, and the United States are celebrating National Library Week.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Supervisors of Henrico County, Virginia hereby recognizes April 8 – 14, 2012 as Library Week and calls upon Henrico citizens to participate in its observance, take advantage of the wonderful library resources available, thank their librarians and library workers for making books and information accessible to all who walk through the library's doors as well as those who visit online, and acknowledge that communities around the world can connect at the library.



A handwritten signature in black ink, appearing to read "Richard W. Glover".

Richard W. Glover, Chairman
Board of Supervisors

A handwritten signature in black ink, appearing to read "Barry R. Lawrence".
Barry R. Lawrence, Clerk
April 10, 2012

Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

VOLUNTEER WEEK

April 15 – 21, 2012

WHEREAS, the County of Henrico has an active and viable Volunteer Services Program; and

WHEREAS, the Board of Supervisors is continually attempting to improve and expand County services to citizens at the least possible cost; and


WHEREAS, an average of 1,104 volunteers per month contributed 230,395 hours during 2011, thereby providing many additional benefits to Henrico citizens and enriching the lives of our residents; and

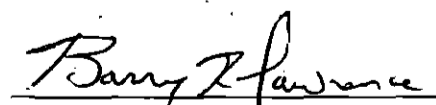
WHEREAS, the value of these volunteer efforts is estimated to be in excess of \$5 million dollars; and

WHEREAS, the giving of oneself in service to another empowers the giver and the recipient and creates an opportunity to better oneself.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Supervisors of Henrico County, Virginia hereby recognizes the week of April 15 – 21, 2012 as Volunteer Week and salutes and thanks each and every volunteer for the services they have so generously and willingly given to the County.




Richard W. Gloyer Chairman
Board of Supervisors


Barry R. Lawrence, Clerk
April 10, 2012

Proclamation



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

ADMINISTRATIVE PROFESSIONALS WEEK

April 22 – 28, 2012

WHEREAS, administrative professionals play an essential role in coordinating the office operations of businesses, government entities, educational institutions, and other organizations; and

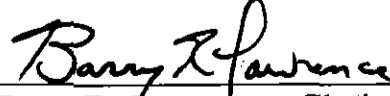
WHEREAS, the work of administrative professionals today requires advanced knowledge of and expertise in communications, computer software, office technology, project management, organization, customer service, and other vital office management responsibilities; and


WHEREAS, Administrative Professionals Week is sponsored by the International Association of Administrative Professionals and observed annually in workplaces around the world to spotlight the important contributions of administrative support staff; and

WHEREAS, the theme of Administrative Professionals Week 2012, "Admins, the Pulse of the Office," reflects the fact that the lifeblood of modern business flows through administrative professionals.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Supervisors of Henrico County, Virginia hereby recognizes April 22 - 28, 2012 as Administrative Professionals Week and Wednesday, April 25, 2012 as Administrative Professionals Day; salutes the valuable contributions of administrative professionals in the workplace; and encourages employers to support continued training and development for administrative staff in acknowledgement that a well-trained workforce is essential for success in today's business world.




Barry R. Lawrence, Clerk
April 10, 2012


Richard W. Glover, Chairman
Board of Supervisors



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. *86-12*

Page No. of

Agenda Title: **RESOLUTION - Resignation of Member - Henrico Area Mental Health & Developmental Services Board**

<p>For Clerk's Use Only:</p> <p>Date: APR 10 2012</p> <p><input checked="" type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Amended</p> <p><input type="checkbox"/> Deferred to:</p> <p>_____</p>	<p align="center">BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Nelson</u> Seconded by (1) <u>O'Bannon</u> (2) _____ (2) _____</p> <p>REMARKS:</p> <p align="center">APPROVED</p>	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <tr> <td>Glover, R.</td> <td></td> <td></td> <td><u>absent</u></td> </tr> <tr> <td>Kaechele, D.</td> <td><input checked="" type="checkbox"/></td> <td></td> <td></td> </tr> <tr> <td>Nelson, T.</td> <td><input checked="" type="checkbox"/></td> <td></td> <td></td> </tr> <tr> <td>O'Bannon, P.</td> <td><input checked="" type="checkbox"/></td> <td></td> <td></td> </tr> <tr> <td>Thornton, F.</td> <td><input checked="" type="checkbox"/></td> <td></td> <td></td> </tr> </table>		YES	NO	OTHER	Glover, R.			<u>absent</u>	Kaechele, D.	<input checked="" type="checkbox"/>			Nelson, T.	<input checked="" type="checkbox"/>			O'Bannon, P.	<input checked="" type="checkbox"/>			Thornton, F.	<input checked="" type="checkbox"/>		
	YES	NO	OTHER																							
Glover, R.			<u>absent</u>																							
Kaechele, D.	<input checked="" type="checkbox"/>																									
Nelson, T.	<input checked="" type="checkbox"/>																									
O'Bannon, P.	<input checked="" type="checkbox"/>																									
Thornton, F.	<input checked="" type="checkbox"/>																									

WHEREAS, on January 12, 2010, John W. Keating was reappointed to the Henrico Area Mental Health & Developmental Services Board as a Family/Consumer representative for a three-year term expiring December 31, 2012; and

WHEREAS, by correspondence dated March 28, 2012 and directed to Michael D. O'Connor, Executive Director of Henrico Area Mental Health & Developmental Services, Mr. Keating submitted his resignation from the Services Board.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia accepts the resignation of John W. Keating from the Henrico Area Mental Health & Developmental Services Board.

By Agency Head _____ By County Manager *[Signature]*

Routing:
Yellow to: _____
Copy to: _____

Certified:
A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

Lawrence, Barry

From: O'Connor, Mike
Sent: Thursday, March 29, 2012 6:45 AM
To: Lawrence, Barry
Cc: O'Connor, Mike
Subject: Fw: Keating

Barry,

I have been trying to get something from John Keating for a while. I hope this suffices. John is an at large member who must be a consumer or family member. I will have a recommendation shortly.

Mike

Michael D. O'Connor

From: jkeat51@aol.com [mailto:jkeat51@aol.com]
Sent: Wednesday, March 28, 2012 11:25 PM
To: O'Connor, Mike
Subject: Re: Keating

Thanks for the note! I do need to step down from the board at this time due to some health concerns. Please share my thanks with everyone as I have really enjoyed myself and all my new friends. Thanks so much! jk

-----Original Message-----

From: O'Connor, Mike <oco02@co.henrico.va.us>
To: jkeat51 <jkeat51@aol.com>
Sent: Wed, Mar 28, 2012 3:22 pm
Subject: RE: Keating

John

It was good hearing your voice but I was sorry you still have so many health challenges. I am sorry you cannot continue on the **Board** and I will expect your written resignation. When your health improves please let me know. Keep in touch.

Mike



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 87-12
Page No. 1 of 1

Agenda Title: **RESOLUTION** – Appointment of Persons Eligible to Serve as Third Member of
Employee Grievance Panels

For Clerk's Use Only: Date: APR 10 2012 <input checked="checked" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Shannon</u> Seconded by (1) <u>O'Bannon</u> (2) _____ (2) _____	YES NO OTHER
	REMARKS: APPROVED	Glover, R. _____ <u>about</u> Kaechele, D. <u>///</u> _____ Nelson, T. <u>///</u> _____ O'Bannon, P. <u>///</u> _____ Thornton, F. _____

BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia appoints the following persons as eligible to serve as the third member of employee grievance panels for unexpired terms ending December 31, 2012 or thereafter, when their successors shall have been appointed and qualified:

Fairfield District
Fairfield District

Richard H. Hatcher

By Agency Head _____

By County Manager _____

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____



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

Agenda Item No. **91-12**
Page No. 1 of 1

Agenda Title: RESOLUTION – Authorization to Apply for and Accept Continuation Grants for Victim/Witness Assistance Program

<p>For Clerk's Use Only:</p> <p>Date: APR 10 2012</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>O'Bannon</u> Seconded by (1) <u>Thornton</u> (2) _____ (2) _____</p> <p>REMARKS: APPROVED</p>	<table border="1"> <thead> <tr> <th></th> <th>YES</th> <th>NO</th> <th>OTHER</th> </tr> </thead> <tbody> <tr> <td>Glover R.</td> <td></td> <td></td> <td><u>absent</u></td> </tr> <tr> <td>Knechele, D.</td> <td><input checked="" type="checkbox"/></td> <td></td> <td></td> </tr> <tr> <td>Nelson, T.</td> <td><input checked="" type="checkbox"/></td> <td></td> <td></td> </tr> <tr> <td>O'Bannon, P.</td> <td><input checked="" type="checkbox"/></td> <td></td> <td></td> </tr> <tr> <td>Thornton, F.</td> <td><input checked="" type="checkbox"/></td> <td></td> <td></td> </tr> </tbody> </table>		YES	NO	OTHER	Glover R.			<u>absent</u>	Knechele, D.	<input checked="" type="checkbox"/>			Nelson, T.	<input checked="" type="checkbox"/>			O'Bannon, P.	<input checked="" type="checkbox"/>			Thornton, F.	<input checked="" type="checkbox"/>		
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O'Bannon, P.	<input checked="" type="checkbox"/>																									
Thornton, F.	<input checked="" type="checkbox"/>																									

WHEREAS, the Henrico County Victim/Witness Assistance Program provides support, counseling, service referral, and information regarding the criminal justice system to citizens who are crime victims or witnesses to crimes; and

WHEREAS, the Office of the Commonwealth's Attorney desires to receive grants for continuation of the Victim/Witness Assistance Program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors authorizes the County Manager to apply for and accept grants from the Virginia Department of Criminal Justice Services totaling \$363,093.00 for fiscal year 2013 and \$363,093.00 for fiscal year 2014 for continuation of the Victim/Witness Assistance Program.

Comments: The total County support of this grant in fiscal year 2013 will be approximately \$324,629.00, which includes one 100% County-funded position. The Commonwealth's Attorney recommends approval of the Board paper, and the County Manager concurs.

By Agency Head Sharon Taylor By County Manager David R. Hayden

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Yellow to: _____
Copy to: _____

Certified:
A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____



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

Agenda Item No. 92-12
Page No. 1 of 2

Agenda Title: RESOLUTION – Authority to Submit Henrico County Plan for the Virginia Juvenile Community Crime Control Act (2012-2014)

For Clerk's Use Only: Date: APR 10 2012 <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS: APPROVED	<table border="1"> <thead> <tr> <th></th> <th>YES</th> <th>NO</th> <th>OTHER</th> </tr> </thead> <tbody> <tr> <td>Glover, R.</td> <td></td> <td></td> <td><u>absent</u></td> </tr> <tr> <td>Kaechele, D.</td> <td><input checked="" type="checkbox"/></td> <td></td> <td></td> </tr> <tr> <td>Nelson, T.</td> <td><input checked="" type="checkbox"/></td> <td></td> <td></td> </tr> <tr> <td>O'Bannon, P.</td> <td><input checked="" type="checkbox"/></td> <td></td> <td></td> </tr> <tr> <td>Thornton, E.</td> <td><input checked="" type="checkbox"/></td> <td></td> <td></td> </tr> </tbody> </table>		YES	NO	OTHER	Glover, R.			<u>absent</u>	Kaechele, D.	<input checked="" type="checkbox"/>			Nelson, T.	<input checked="" type="checkbox"/>			O'Bannon, P.	<input checked="" type="checkbox"/>			Thornton, E.	<input checked="" type="checkbox"/>		
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Nelson, T.	<input checked="" type="checkbox"/>																									
O'Bannon, P.	<input checked="" type="checkbox"/>																									
Thornton, E.	<input checked="" type="checkbox"/>																									

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

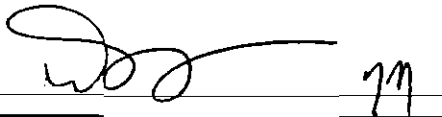

WHEREAS, in accordance § 16.1-309.3D of the Act, the County desires to submit to the Board of Juvenile Justice of the Commonwealth of Virginia (the "State Board") the biennial plan (the "Plan") for services, programs, and facilities for juveniles before the Henrico County Juvenile and Domestic Relations 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; and,

WHEREAS, the plan was developed after consultation with the Judges of the Henrico County Juvenile and Domestic Relations District Court and would be effective from July 1, 2012 until June 30, 2014; and,

WHEREAS, the County must 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 that the County Manager is authorized to sign and submit the Plan to the State Board in a form approved by the County Attorney.

COMMENTS: The Henrico County Virginia Juvenile Community Crime Control Act Coordinator and the Deputy County Manager, Community Services, recommend approval of the Board Paper, and the County Manager concurs.

By Agency Head  By County Manager 

Routing:
Yellow to: _____

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Certified:
A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____



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

Agenda Item No. **93-12**

Page No. **1 of i**

Agenda Title: **RESOLUTION — Signatory Authority — Lease for Police Metro Aviation Unit — Capital Region Airport Commission — Varina District**

<p>For Clerk's Use Only:</p> <p>Date: APR 10 2012</p> <p><input checked="" type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Amended</p> <p><input type="checkbox"/> Deferred to:</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Shaw</u></p> <p>(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>Glover, R.</td> <td align="center">_____</td> <td align="center">_____</td> <td align="center"><u>about</u></td> </tr> <tr> <td>Kaechele, D.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center">_____</td> <td align="center">_____</td> </tr> <tr> <td>Nelson, T.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center">_____</td> <td align="center">_____</td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center">_____</td> <td align="center">_____</td> </tr> <tr> <td>Thornton, F.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center">_____</td> <td align="center">_____</td> </tr> </table>		YES	NO	OTHER	Glover, R.	_____	_____	<u>about</u>	Kaechele, D.	<input checked="" type="checkbox"/>	_____	_____	Nelson, T.	<input checked="" type="checkbox"/>	_____	_____	O'Bannon, P.	<input checked="" type="checkbox"/>	_____	_____	Thornton, F.	<input checked="" type="checkbox"/>	_____	_____
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O'Bannon, P.	<input checked="" type="checkbox"/>	_____	_____																							
Thornton, F.	<input checked="" type="checkbox"/>	_____	_____																							

WHEREAS, the County wishes to lease 7,634 sq. ft. of hangar and office space at the Richmond International Airport for the Police Metro Aviation Unit; and,

WHEREAS, the space is being constructed by the Capital Region Airport Commission and is expected to be completed on or about October 1, 2012; and,

WHEREAS, the lease is for 10 years with the option of one five-year renewal term and will commence when the Aviation Unit takes possession; and,

WHEREAS, the annual rent will be \$60,000 during the first five years, \$65,000 during the next five years, and \$70,000 during the renewal term, all payable in equal monthly installments.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the County Manager is authorized to execute a lease with the Capital Region Airport Commission in a form approved by the County Attorney for hangar and office space for the Police Metro Aviation Unit.

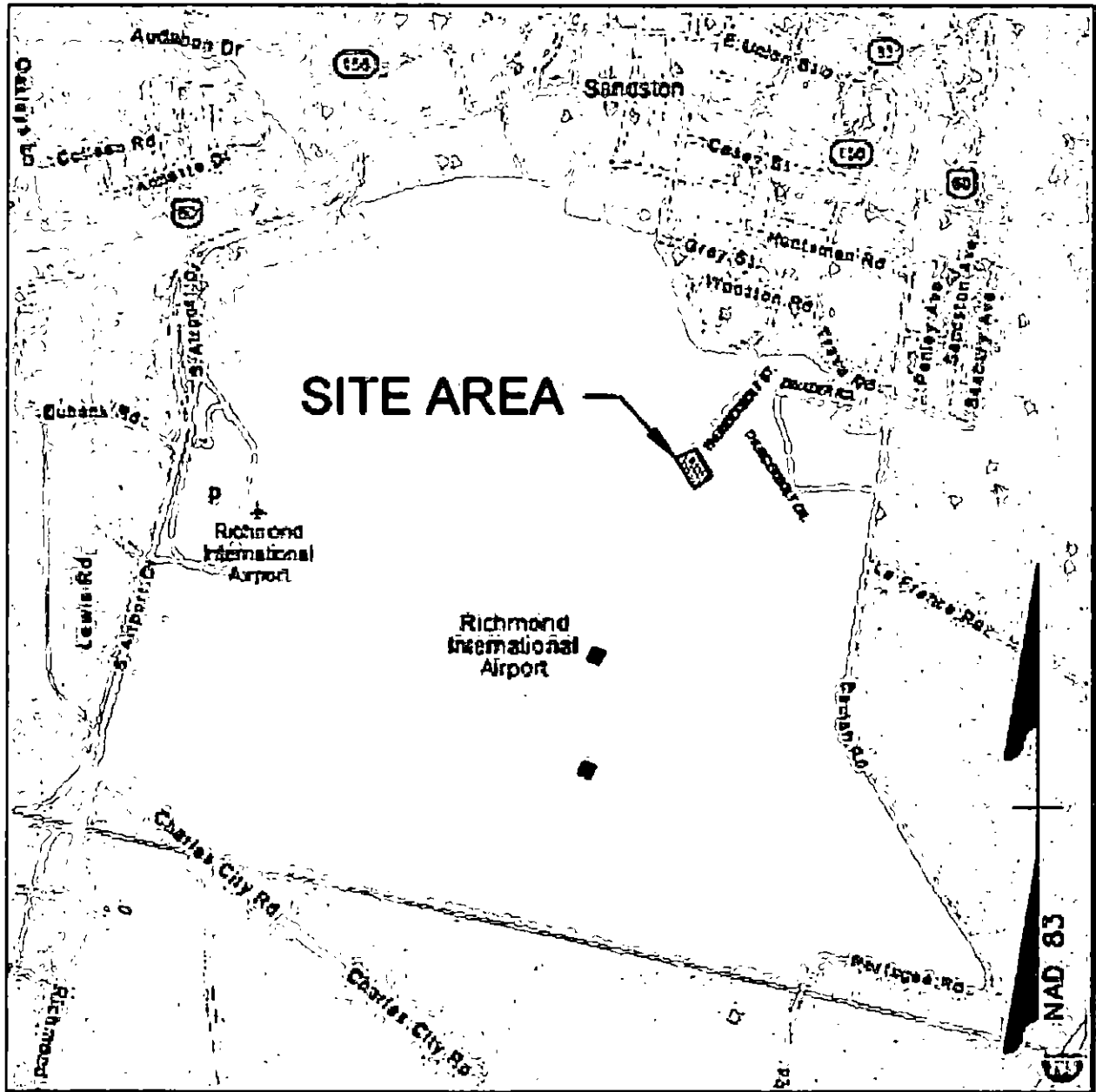
Comments: The Chief of Police and the Director of Real Property recommend approval of this Resolution, and the County Manager concurs.

By Agency Head *J. B. Tracy* By County Manager *Steph L. Reynolds*

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Yellow to: *Real Property*
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A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____



VICINITY MAP

Metro Aviation Hangar Site

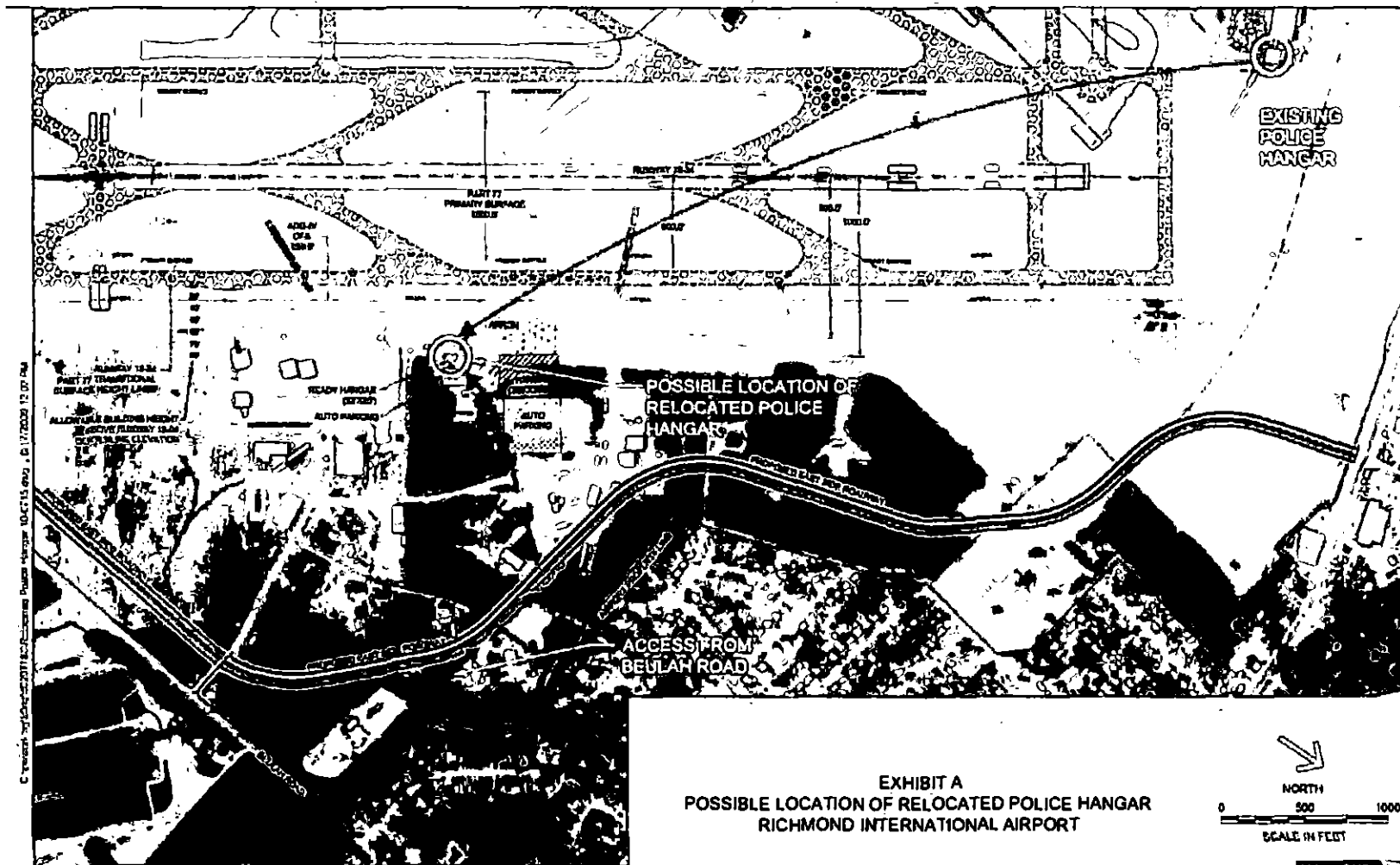


EXHIBIT A
 POSSIBLE LOCATION OF RELOCATED POLICE HANGAR
 RICHMOND INTERNATIONAL AIRPORT

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COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 94-12
Page No. 1 of 2

Agenda Title: Resolution — Award of Contract — Annual Engineering Services — Water Reclamation Facility

For Clerk's Use Only: APR 10 2012
BOARD OF SUPERVISORS ACTION
Moved by (1) Thomas Seconded by (1) O'Bannon
REMARKS: APPROVED
YES NO OTHER
Glover, R.
Kacchele, D.
Nelson, T.
O'Bannon, P.
Thornton, F.

WHEREAS, on January 6, 2012, four proposals were received in response to RFP #11-9165-11CS to provide an annual contract for engineering services for the Water Reclamation Facility; and,

WHEREAS, the services include engineering studies, designs, cost estimates and construction administration for repairs and improvements to the Facility; and,

WHEREAS, based upon review and evaluation of the written proposals, the Selection Committee interviewed the following firms:

- Hazen and Sawyer, P.C.
Whitman, Requardt and Associates

WHEREAS, the Selection Committee selected Hazen and Sawyer, P.C. as the top-ranked firm and negotiated a contract, and,

WHEREAS, procuring annual engineering services is desirable because of the volume of engineering work needed by the Department of Public Utilities.

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

- 1. A contract to provide annual engineering services, water reclamation facility is awarded to Hazen and Sawyer, P.C. for a one-year term, with the option to renew for two additional one-year terms, in accordance with RFP #11-9165-11CS dated December 8, 2011, Hazen and Sawyer, P.C. proposal dated January 6, 2012 and billing rates dated February 17, 2012.

By Agency Head [Signature] By County Manager [Signature]
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Certified: A Copy Teste:
Clerk, Board of Supervisors
Date:

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

Agenda Item No. **94-12**

Page No. 2 of 2

**Agenda Title: Resolution — Award of Contract — Annual Engineering Service — Water
Reclamation Facility**

2. **The County Manager is authorized to execute the contract in a form approved by the County Attorney.**
3. **The County Manager, or the Director of General Services as his designee, is authorized to execute all change orders within the scope of the project budget.**

Comment: Funding to support the contract is available. The Directors of Public Utilities and General Services recommend approval of this Board paper, and the County Manager concurs.



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

Agenda Item No. **95-12**
Page No. 1 of 2

Agenda Title: Resolution — Award of Annual Construction Contract — Road and Drainage Projects

For Clerk's Use Only: APR 10 2012 Date: _____ <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Nelson</u> Seconded by (1) <u>O'Bannon</u> (2) _____ (2) _____ REMARKS: APPROVED	<table border="1"> <tr> <th></th> <th>YES</th> <th>NO</th> <th>OTHER</th> </tr> <tr> <td>Glover, R.</td> <td>_____</td> <td>_____</td> <td><u>absent</u></td> </tr> <tr> <td>Kaechele, D.</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Nelson, T.</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>O'Bannon, P.</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Thornton, F.</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> </table>		YES	NO	OTHER	Glover, R.	_____	_____	<u>absent</u>	Kaechele, D.	_____	_____	_____	Nelson, T.	_____	_____	_____	O'Bannon, P.	_____	_____	_____	Thornton, F.	_____	_____	_____
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Nelson, T.	_____	_____	_____																							
O'Bannon, P.	_____	_____	_____																							
Thornton, F.	_____	_____	_____																							

WHEREAS, on March 6, 2012, the County solicited bids pursuant to IFB #12-9207-2AL for the construction of road and drainage projects throughout the County; and,

WHEREAS, five bid proposals were received and opened on March 21, 2012 in response to Bid IFB #12-9207-12AL; and,

WHEREAS, for selection and evaluation purposes, the lowest responsive bid was determined by multiplying each bid's unit prices times the unit quantities specified in the bid documents:

WHEREAS, the bids were as follows:

<u>Bidder</u>	<u>Total Bid</u>
Central Contracting Co., Inc.	\$1,084,992.97
Talley & Armstrong, Inc.	\$1,843,568.45
Possie B. Chenault, Inc.	\$2,327,795.00
Messer Contracting, LLC	\$2,490,578.00
Corman Construction, Inc.	\$3,423,180.00

WHEREAS, it was determined that Central Contracting Co., Inc. is the lowest responsive and responsible bidder.

By Agency Head [Signature] By County Manager [Signature]

Routing:
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 Copy to: _____
 Certified: _____
 A Copy To: _____
 Clerk, Board of Supervisors
 Date: _____

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

Agenda Item No. 95-12

Page No. 2 of 2

Agenda Title: Resolution - Award of Annual Construction Contract – Road and Drainage Projects

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

1. The unit price contract to furnish and install all labor, materials, supplies, equipment and services necessary for the construction of road and drainage projects throughout the County is hereby awarded to Central Contracting Co., Inc., the lowest responsive and responsible bidder, for the period April 15, 2012 to April 30, 2013, with an option by the County to renew for four additional one-year terms, in accordance with IFB #12-9207-2AL and the bid submitted by Central Contracting Co., Inc. dated March 21, 2012.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Director of General Services as his designee, is authorized to execute all change orders within the scope of each project's budget.

Comment: Funding to support the contract is available. The Acting Director of Public Works and the Director of General Services recommend approval of this Board paper, and the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Acenda hem No. 96-12
Page No. 1 of 1

Agenda Title: RESOLUTION — Authorizing Settlement of EPA Complaint Alleging Violations of
County's Storm Sewer System Permit

Form with fields for Clerk's Use Only, Date (ADD 1 11 2012), Moved by (1) O'Bannon, (2) [blank], Seconded by (1) [blank], (2) [blank], REMARKS: APPROVED, and a YES/NO/OTHER table with checkmarks for Kaechele, D., Nelson, T., and Thornton, F., and 'About' written in the OTHER column.

WHEREAS, the U.S. Environmental Protection Agency ("EPA") has conducted an audit of the County's
compliance with its storm sewer permit; and

WHEREAS, based on the audit, EPA issued a complaint seeking civil penalties amounting to \$164,300
for alleged non-compliance with the permit; and

WHEREAS, the County appealed the penalty to EPA's internal administrative tribunal because numerous
allegations of the complaint were incorrect, beyond EPA's legal authority, or trivial; and

WHEREAS, the County and EPA have negotiated a resolution that contains no admission of liability by
the County.

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

- (1) h authorizes settlement of the case styled In re: County of Henrico, Docket No. CWA-03-2011-
0139, now pending before EPA on terms recommended by the County Attorney and County
Manager; and
(2) the County Manager and County Attorney are authorized to execute documents in a form approved
by the County Attorney necessary to implement the settlement.

Comments: The County Attorney and the Acting Director of Public Works recommend approval of this
Board paper, and the County Manager concurs.

By Agency Head [Signature] By County Manager [Signature]

Routing: Yellow to: Copy to: Certified: A Copy Tests: Clerk, Board of Supervisors Date: