

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
July 8, 2014**

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, July 8, 2014, 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
Richard W. Glover, Brookland District
David A. Kaechele, Three Chopt District
Tyrone E. Nelson, Varina District

Other Officials Present:

John A. Vithoulkas, 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
Joseph P. Casey, Deputy County Manager for Administration
Jane D. Crawley, Deputy County Manager for Community Services
Timothy A. Foster, Deputy County Manager for Community Operations
Randall R. Silber, Deputy County Manager for Community Development

Mrs. O'Bannon called the meeting to order at 7:02 p.m.

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

The Reverend Lloyd Jackson, Chaplain for the Henrico County Police Division, delivered the invocation.

On motion of Mr. Nelson, seconded by Mr. Thornton, the Board approved the minutes of the June 24, 2014, Regular and Special Meetings.

The vote of the Board was as follows:

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

No: None

MANAGER'S COMMENTS

Henrico County has received 26 Achievement Awards from the National Association of Counties (NACo), its highest total since 1993 and more than any other Virginia county, for programs developed and implemented by 11 general government agencies and by the public schools. 2014 marks the ninth year in a row that Henrico has outdistanced Virginia's counties in the number of NACo awards received. Only three counties outside the Commonwealth netted more awards than Henrico this year, all with significantly higher populations. This year, NACo designated one of the County's award-winning programs "Best of Category." Only 21 programs nationwide earned this distinction. The County program selected as the best in its category is titled *Zoning Ordinance Digital Library* and was submitted by the Department of Planning.

Chris Gregory, a welder assigned to the Department of General Services' Central Automotive Maintenance facility at the Woodman Road Complex, has been recognized by the Department of Public Works for fabricating a reversible trailer hitch and wheel guide pointer. The Department of Public Works uses these devices to assist with the application of pavement marking tape. The County avoided spending \$3,575, the cost of a private company fabricating the wheel guide pointer, by self-performing the work with in-house talent. Mr. Vithoulkas thanked Mr. Gregory for his ingenuity and excellent customer service, which enhanced the efficiency of Henrico County's pavement marking program.

BOARD OF SUPERVISORS' COMMENTS

Mrs. O'Bannon remarked that she had the distinct honor and privilege of joining School Resource Officer Amy O'Keefe in throwing out the first pitch at the first annual Virginia Randolph Education Center Ram Nation Challenger Softball Game on June 6. This unique and inclusive softball game was played at Tuckahoe Little League's Challenger Field and paired students with disabilities from Virginia Randolph with players from Henrico high school baseball and softball teams. The Division of Recreation and Parks helped secure the field, collected insurance for the bounce houses on site, and helped reserve the concession area for a picnic that was tied in with the event. The Division's Park Services staff opened the facility and checked periodically to make sure the site was clean. This event provided an excellent learning opportunity for Virginia Randolph students, who do not routinely play softball or interact with non-disabled peers in this way. The following high school volunteer players served as buddies to the Virginia Randolph students during the Challenger softball game: Baylee Grandstaff, Patrick Hulihan, Alex Kahn, and Berkeley Mathews (Deep Run); Bradley Dyke, Virginia Irby, Brett Reid, and Meeghan Schrecongost (Freeman); Autumn Black, Hannah Fritz, Patrick Hall, and Austin Slough (Glen Allen); Madison Sylvia and Reagan Richmond (Godwin); Ben Bryant, Lo-Ann Francois, Sam Schmidt, and Anna Woodward (Henrico); Morgan Barnes, Jalen Carter, Jamecia Chambers, and Alex Flannery (Highland Springs); Anne Beran and Jennifer Blake (Tucker); and Brydon Carroll, Brette Hooper, Autumn Little, and Hunter Tate (Varina). Mrs. O'Bannon recognized the student volunteers who were present as well as Virginia Randolph Principal Jesse Casey.

Mrs. O'Bannon recognized Zan Stuart, Graham Twente, and Jake Sanne from Boy Scout Troop 418, sponsored by St. Stephen's Episcopal Church, who were observing the meeting to fulfill requirements for the Citizenship in the Community and Communications Merit Badges.

RECOGNITION OF NEWS MEDIA

Mrs. O'Bannon recognized Ted Strong from the *Richmond Times-Dispatch* and Ash Daniel from *Richmond Magazine*.

APPOINTMENT

181-14 Resolution - Appointment of Member - J. Sargeant Reynolds
Community College Board.

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

PUBLIC HEARING - REZONING CASES

182-14 Welford Properties, Inc.: Request to conditionally rezone from A-1
REZ2014- Agricultural District to R-3C One-Family Residence District (Conditional)
00024 Parcels 737-755-5505 and 737-755-4807 containing 2.203 acres located on
Three Chopt the north line of Church Road at its intersection with Retrievers Ridge
Road.

Joe Emerson, Director of Planning, responded to a question from Mr. Kaechele.

Barbara Ledford, the owner of a house on property adjoining the subject site, expressed concerns regarding how the proposed development will affect an existing drainage problem on her property. Mr. Kaechele pointed out that drainage issues will be addressed at the time of subdivision approval, but asked staff to comment on Mrs. Ledford's concerns. Mr. Emerson explained how the developer plans to capture, grade, and redirect water flow, which should relieve Mrs. Ledford's drainage problem. At Mrs. O'Bannon's request, Mr. Emerson explained the timeline for the subdivision process and agreed to notify Mrs. Ledford before the Planning Commission acts on the application's subdivision plans. At Mr. Kaechele's request, the developer (Neil Farmer) commented further on the timeline for the plan of development for the proposed subdivision and how the development should improve Mrs. Ledford's drainage problem.

Mr. Kaechele commented favorably on this case and thanked the Departments of Public Works and Planning for meeting with adjoining neighborhoods to react to their concerns.

On motion of Mr. Kaechele, seconded by Mr. Glover, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item with the following proffered conditions:

1. **Minimum Finished Floor Area.** Two-story homes shall have a minimum of 1800 square feet of finished floor area and one-story homes shall have a minimum of 1700 square feet finished.
2. **Foundations and Chimneys.** All new houses shall be constructed on crawl space foundations, except for garages and basements. The exterior portions of all residential dwelling foundations below the first floor level which are visible above grade shall be brick or stone. Any dwelling with a fireplace other than direct vent gas fireplaces or appliances will have masonry chimneys faced with brick or stone similar to the foundation. Front stoops and steps shall be constructed of material to match the foundations.
3. **Garages.** Each residential unit on the property shall be constructed with at least a one (1) car garage. Front loaded garages shall be recessed beyond the front line of the dwelling a minimum of one (1) foot.
4. **Cantilevering.** There shall be no cantilevered chimneys, direct vent gas fireplaces, closets or bay windows.
5. **Driveways.** All new driveways shall be constructed of either cobblestone, brick, pre-cast pavers, concrete, exposed aggregate or other similar materials approved by the Director of Planning.
6. **Fences.** No chain link fences shall be permitted on the property.
7. **Construction Hours.** The hours of exterior construction activities, including operation of bulldozers and other earth moving equipment, shall be between 7:00 a.m. - 7:00 p.m. Monday through Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections. Construction signs shall be posted in English and Spanish and state the hours of construction.
8. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or part, shall

not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

9. There shall be at least one window included in each side elevation of the houses.
10. **Exterior Building Materials.** All new houses shall be constructed with brick, stone, cultured stone, EIFS, cementitious siding (e.g., hardiplank or equivalent), or a combination of the foregoing. Fiberboard and vinyl siding are not permitted.
11. **Underground Utilities.** All proposed utilities except for junction boxes and meters shall be placed underground, unless technical or environmental reasons require otherwise.
12. No lots will have direct access onto Church Road. The existing driveway entrances/aprons will be removed and the sidewalk and planting strip will be reconstructed to match existing Church Road.
13. There shall be a twenty-five (25) foot no ingress/egress planting strip easement adjacent to the right-of-way line of Church Road. This easement shall be in addition to the required setbacks. The landscaping within the twenty-five (25) foot easement shall be planted to Henrico County transitional buffer 25 requirements.
14. Any fencing along Church Road shall be constructed of a uniform durable material.
15. Marnelan Drive will not be connected as a through street.

The vote of the Board was as follows:

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

No: None

183-14
REZ2014-
00025
Tuckahoe

B. Hunt Gunter: Request to conditionally rezone from R-5 General Residence District to B-1C Business District (Conditional) part of Parcel 732-750-7224 containing .414 acres located on the east line of Gayton Road approximately 1,685' south of its intersection with Ridgefield Parkway.

Jean Moore, Assistant Director of Planning, responded to a question from Mrs. OBannon.

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

On motion of Mr. Thornton, seconded by Mr. Nelson, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this case subject to the following proffered condition:

Proffer 1. The use of the 0.414 acre portion of the property shall be limited to access and parking for the adjacent properties to the south.

The vote of the Board was as follows:

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

No: None

184-14
REZ2014-
00022
Fairfield

Dominion Youth Services: Request to conditionally rezone from O-1 Office District to B-1C Business District (Conditional) Parcel 787-746-8386 containing 1.338 acres located at the northeast intersection of Chamberlayne Road (U.S. Route 301) and Brook Hill Circle.

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

Mr. Thornton complimented Fairfield District Planning Commissioner Chris Archer and the Planning Department staff for their work on this case.

On motion of Mr. Thornton, seconded by Mr. Nelson, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this case subject to the following proffered conditions:

1. **Exterior Materials.** Any improvements to be constructed on the Property shall be substantially similar in architecture and exterior materials to the existing building on the Property.

All construction materials and colors shall be submitted to and approved by the Planning Commission at the time of any required Plan of Development review.

2. **Parking Lot Lighting.** Parking lot lighting fixtures shall not exceed fifteen (15) feet in height as measured from the grade of the base of the lighting standard. All lighting from such parking lot fixtures shall be produced from concealed sources of light. Parking lot lighting shall produce a maximum lighting intensity of one-half (1/2) foot candle at the boundary lines of the Property. Parking lot lighting shall be reduced to a minimum level necessary for security purposes following the close of business conducted on the Property. Any new exterior lighting shall not be direct-embedded

poles and any new exterior lighting shall be residential in character.

3. **HVAC.** Heating and air conditioning equipment shall be screened from public view at ground level at the property lines with materials and/or landscaping compatible with the existing building & landscaping.
4. **Trash Receptacles.** Trash receptacles shall be screened from public view at ground level with materials compatible with the existing building, and using a door/gate and hardware that are low maintenance and durable.
5. **Use Restrictions.** Only the following principal uses shall be permitted on the Property.
 - a) Offices and office buildings, business, professional or administrative.
 - b) Offices, medical, dental and optical, and laboratories.
 - c) Child care centers in accordance with Section 24-106 of the Henrico County Zoning Ordinance.
 - d) Schools (including child care, charitable, cultural, and other community service activities on school property), trade or business schools as defined by Section 24-50.11(g) of County Code, and colleges and universities (including educational, scientific and other related research facilities); provided, however, the boarding of students or allowing any student to stay overnight on the Property shall not be permitted without approval by the Board of Supervisors in accordance with Section 24-122.1 of the Henrico County Zoning Ordinance. Further, any school must at all times be licensed by the Virginia Department of Education or such other state or federal agency as may be confirmed by the Director of Planning.
6. **Signage.** Any detached signs shall be monument style signs, the base of which shall be landscaped and shall not exceed six (6) feet in height. Signage on the Property shall be regulated as provided for in the O-2 district in the Henrico County Zoning Ordinance. Changeable message signs, inflatable and/or attention getting devices shall be prohibited. Any sign lighting shall be from an external source.

7. **Security Alarms.** Outside speakers shall be prohibited. No external alarm bells or external warning devices that are audible beyond the boundary lines of the Property shall be permitted on the Property.
8. **Playground Security.** Any playground or recreation area located on the Property shall be secured with black wrought iron style fencing consistent with the campus perimeter fence along the west side of Chamberlayne Road.
9. **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 or the unaffected part of any such proffer.
10. **Campus Master Plan.** The use of the Property shall be in substantial accordance with the Campus Master Plan dated 05/27/2014 (see case file).
11. **Pond.** Any wet pond on the Property shall be aerated.
12. **Site Plan Review.** For the purpose of ensuring the provision of any required utilities improvements and emergency access, an administrative site plan or Plan of Development shall be submitted as required by the Director of Planning for review and approval prior to the issuance of a Change of Use Permit for the Property.
13. A VDOT standard sidewalk shall be installed along property frontage along Chamberlayne Road. Additional Chamberlayne Road right-of-way shall be dedicated if determined to be necessary for the installation of the sidewalk along Chamberlayne Road.

The vote of the Board was as follows:

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

No: None

PUBLIC COMMENTS

There were no comments from the public.

GENERAL AGENDA

185-14 Introduction of Resolution - Receipt of Requests for Amendments to the
FY 2014-15 Annual Fiscal Plan: July, 2014.

Brandon Hinton, Management and Budget Division Director, and Mr. Vithoukas responded to questions from the Board pertaining to the proposed transfer of \$1.159 million from the approved Education Meals Tax Project reserve to specific capital projects for schools.

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

- 186-14 Introduction of Ordinance - To Amend and Reordain Section 10-137 Titled “Cutting of weeds and grass required,” Section 10-139 Titled “Inspection of site of violation; notice to cut,” and Section 10-140 Titled “Performance of work by county; collection of costs,” to Renumber Section 10-141, and to Repeal Section 10-136 Titled “Penalty” and Section 10-138 Titled “Report of violation,” of the Code of the County of Henrico, to Establish Uniform Standards for Cutting Weeds and Limited Exceptions to the Cutting Requirements.

Mark Strickler, Director of Community Revitalization, responded to a question from Mrs. O’Bannon.

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

- 187-14 Resolution - Award of Contract - Radio Tower Structural Upgrades - Brookland District.

Mr. Vithoukas requested that this item and Agenda Item No. 188-14 be presented together but voted on separately.

Doug Middleton, Chief of Police, responded to questions from Mr. Kaechele and Mrs. O’Bannon.

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

- 188-14 Resolution - Signatory Authority - Third Amendment to Communications Tower License Agreement - Brookland District.

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

- 189-14 Resolution - Award of Contract - Engineering Design Services - Meredith Branch Force Main - Brookland District.

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

190-14 Resolution - Award of Contract - Annual Engineering Services, Water and Sewage Pumping Stations - Greeley and Hansen

Bill Mawyer, Assistant Director of Public Utilities, responded to questions from the Board. In response to a question from Mr. Thornton, Mr. Vithoulkas offered to provide him with information pertaining to the subcontractors used in the past by Greeley and Hansen.

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

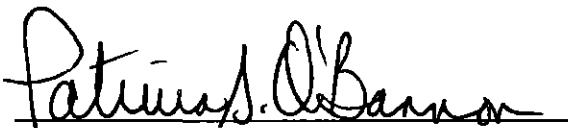
191-14 Introduction of Ordinance - To Amend and Reordain Section 23-1 Titled "Definitions," the Title of Division 3 of Article II of Chapter 23 Titled "Septage Hauling and Disposal," Section 23-79 Titled "Approval of equipment," Section 23-81 Titled "Records of septage haulers," Section 23-117 Titled "Restricted wastes," Section 23-150 Titled "Violations," Section 23-151 Titled "Administrative enforcement remedies," Section 23-152 Titled "Enforcement," Section 23-156 Titled "Wastewater discharge permit conditions," Section 23-159 Titled "Correction of violations," Section 23-334 Titled "Customer setup charges," and Section 23-362 Titled "Sewer service charges and rates," of the Code of the County of Henrico, to Conform the County's Industrial Pretreatment and Strong Waste Program to State Requirements, to Modify Enforcement Procedures and Penalties, and to Establish a Single Setup Charge for New Water and Sewer Accounts.

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

192-14 Resolution - Acceptance of Roads - Fairfield, Three Chopt and Varina Districts.

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

There being no further business, the meeting was adjourned at 8:03 p.m.


Chairman, Board of Supervisors
Henrico County, Virginia



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 181-14

Page No. 1 of 1

Agenda Title: RESOLUTION - Appointment of Member - J. Sargeant Reynolds Community College Board

For Clerk's Use Only:

Date: JUL 8 2014

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Glover Seconded by (1) Nelson
(2) _____ (2) _____

REMARKS:

APPROVED

YES NO OTHER

Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nelson, T.	<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"/>

BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia, appoints the following person to the J. Sargeant Reynolds Community College Board for a four-year term expiring June 30, 2018, or thereafter, when his successor shall have been appointed and qualified:

Brookland District

Fred Babik

By Agency Head _____

By County Manager _____

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Tests: _____
Clerk, Board of Supervisors

Date: _____

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

Agenda Item No. **185-14**
Page No. 1 of 1

**Agenda Title INTRODUCTION OF RESOLUTION – Receipt of Requests for Amendments to the
FY 2014-15 Annual Fiscal Plan: July, 2014**

For Clerk's Use Only: Date <u>Jul 1 - 8 2014</u> (<input checked="" type="checkbox"/>) Approved () Denied () Amended () Deferred to	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Thornton</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS APPROVED	<table style="width: 100%; border-collapse: collapse;"><tr><th style="text-align: left;"></th><th style="text-align: center;">YES</th><th style="text-align: center;">NO</th><th style="text-align: center;">OTHER</th></tr><tr><td>Glover, R.</td><td style="text-align: center;"><input checked="" type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr><tr><td>Kaechele, D.</td><td style="text-align: center;"><input checked="" type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr><tr><td>Nelson, T.</td><td style="text-align: center;"><input checked="" type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td style="text-align: center;"><input checked="" type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td style="text-align: center;"><input checked="" type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr></table>		YES	NO	OTHER	Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nelson, T.	<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"/>
	YES	NO	OTHER																							
Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Nelson, T.	<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, the County Manager has provided the Board of Supervisors of the County of Henrico, Virginia, with a list dated July 1, 2014 requesting amendments to the 2014-15 Annual Fiscal Plan; and,

WHEREAS, the County Manager listed by department, the purpose of the request, and the source of funding to support the proposed amendments; and,

WHEREAS, the County Manager has provided the Board of Supervisors of the County of Henrico, Virginia, with a project-by-project list of capital projects of the Henrico County Public Schools, to be funded with meals tax revenues appropriated for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Henrico, Virginia, that the Clerk of the Board is directed to advertise a synopsis of the proposed amendments and a public hearing thereon to be held on July 22, 2014, at 7:00 p.m., in the Board Room at the Henrico County Government Center, East Parham and Hungary Spring Roads, to ascertain the views of the citizens with respect to the proposed amendments, such advertisement to be placed in the Richmond Times-Dispatch on Tuesday, July 15, 2014.

COMMENTS: The Director of Finance recommends approval of this Board paper and the County Manager concurs.

By Agency Head <u>Eugene H. Walter</u> <hr/> Routing: Yellow to: _____ Copy to: _____	By County Manager <u>[Signature]</u> <hr/> Certified: A Copy Teste: _____ <div style="text-align: right;">Clerk, Board of Supervisors</div> Date: _____
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AMENDMENT TO THE 2014-15
ANNUAL FISCAL PLAN FOR JULY, 2014

OPERATING FUNDS

FUND 1102 – SPECIAL REVENUE FUND - State and Federal Grants - County

Department 38 - Community Revitalization

38003 – CDBG

0000 06906	– <u>FY14-15 CDBG - Administration</u>	\$	249,000
0000 06907	– <u>FY14-15 CDBG - Commercial Assistance Program</u>		176,500
0000 06908	– <u>FY14-15 CDBG - CONNECT Program</u>		172,000
0000 06909	– <u>FY14-15 CDBG - HOME Inc. Downpayment Assistance</u>		20,000
0000 06910	– <u>FY14-15 CDBG - Laburnum Ave. Revitalization</u>		240,000
0000 06911	– <u>FY14-15 CDBG - Project HOMES Emergency & Minor Repairs</u>		495,000
0000 06912	– <u>FY14-15 CDBG - Project HOMES Homeowner Rehabilitation Program</u>		112,477
0000 06913	– <u>FY14-15 CDBG - SCDHC Downpayment Assistance</u>		20,000
0000 06914	– <u>FY14-15 CDBG - St. Joseph's Villa HVAC Improvements</u>		142,800
0000 06915	– <u>FY14-15 Enterprise Zone - Design Assistance</u>		30,000
0000 06916	– <u>FY14-15 Enterprise Zone - Façade Grants</u>		60,000
	Sub-Total CDBG	\$	1,717,777

The United States Department of Housing and Urban Development (HUD), Community Development Block Grant (CDBG), as authorized by Title I of the Housing and Community Development Act of 1974, as amended, has awarded the County of Henrico, fiscal year 2014-15 grant funds in the amount of \$1,564,176. Unspent prior year funds of \$153,601 will be carried forward for a total program budget of \$1,717,777 for these eleven programs/purposes.

38004 – HOME

0000 06917	– <u>FY14-15 HOME - Administration</u>	\$	65,000
0000 06918	– <u>FY14-15 HOME - CHDO</u>		100,000
0000 06919	– <u>FY14-15 HOME - HOME Inc. Downpayment Assistance</u>		75,000
0000 06920	– <u>FY14-15 HOME - Project HOMES Homeowner Rehabilitation Program</u>		342,051
0000 06921	– <u>FY14-15 HOME - SCDHC Downpayment Assistance</u>		75,000
	Sub-Total HOME	\$	657,051

The United States Department of Housing and Urban Development (HUD), HOME Investment Partnerships Program, as authorized by the HOME Investment Partnerships Act of 1990, has awarded the County of Henrico, fiscal year 2014-15 grant funds in the amount of \$657,051 for these five programs/purposes.

38007 – ESG

0000 06922	– <u>FY14-15 ESG - Administration</u>	\$	9,171
0000 06923	– <u>FY14-15 ESG - CARITAS - Case Mgmt for Shelter Clients</u>		20,000
0000 06924	– <u>FY14-15 ESG - DSS - Homeless Prevention</u>		37,000

0000 06925	- FY14-15 ESG - Hilliard House - Rapid Rehousing	30,000
0000 06934	- FY14-15 ESG - St. Joseph's Villa - Flagler Housing & Homeless Service	30,000
	Sub-Total ESG	\$ 126,171

The United States Department of Housing and Urban Development (HUD), Emergency Solutions Grant (ESG) Program, as authorized by the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009, has awarded the County of Henrico, fiscal year 2014-15 grant funds in the amount of \$126,171 for these five programs/purposes.

Total Community Revitalization	\$ 2,500,999
Total SPECIAL REVENUE FUND	\$ 2,500,999
Total Amendments/Appropriations	\$ 2,500,999

BE IT FURTHER RESOLVED by the Board of Supervisors of the County of Henrico, Virginia, that the following resources from the approved Education Meals Tax Project Reserve be transferred to the specific capital projects listed below.

FROM:

CAPITAL FUNDS

FUND 2139 - MEALS TAX SCHOOLS CAPITAL

Department 50 - Education

50331 - Construction and Maintenance

0000 06899	- <u>Education Meals Tax Project Reserve</u>	\$ 1,159,278
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TO:

CAPITAL FUNDS

FUND 2139 - MEALS TAX SCHOOLS CAPITAL

Department 50 - Education

50331 - Construction and Maintenance

0000 06545	- <u>Tuckahoe ES - 5th Grade Area Renov, Planning, & Construction</u>	\$ 266,314
0000 06738	- <u>Jackson Davis ES - Parking Lot Expansion</u>	73,421
0000 06739	- <u>Longan ES - Parking Lot Expansion</u>	85,657
0000 06740	- <u>Pinchbeck ES - Parking Lot Expansion</u>	71,128
0000 06967	- <u>Fairfield MS - Main Parking Lot</u>	56,062
0000 06968	- <u>Laburnum ES - Parking & Drive Lanes</u>	39,071
0000 06969	- <u>Highland Springs HS - Replace Gym Floor</u>	21,875
0000 06970	- <u>Springfield Park ES - Replace Gym Floor</u>	3,750
0000 06971	- <u>Wilder MS - Gym & Commons Lighting, Replace Gym Floor</u>	10,925
0000 06972	- <u>Davis ES - Bathroom Upgrade</u>	18,750
0000 06973	- <u>Donahoe ES - Bathroom Upgrade</u>	9,375
0000 06974	- <u>Glen Lea ES - Bathroom Upgrade</u>	8,825
0000 06975	- <u>Hermitage HS - Bathroom Upgrade</u>	37,500
0000 06976	- <u>Highland Springs ES - Bathroom Upgrade</u>	18,750
0000 06977	- <u>Holladay ES - Bathroom Upgrade</u>	18,750
0000 06978	- <u>Lakeside ES - Bathroom Upgrade</u>	18,750

0000 06979	- <u>Ridge ES - Bathroom Upgrade</u>	9,375
0000 06980	- <u>Three Chopt ES - Bathroom Upgrade</u>	15,625
0000 06981	- <u>Tuckahoe MS - Bathroom Upgrade</u>	31,250
0000 06982	- <u>Tucker HS - Bathroom Upgrade</u>	34,375
0000 06983	- <u>Hermitage HS - Building Automation System Upgrade</u>	12,500
0000 06984	- <u>Davis ES - Kitchen HVAC & Exhaust Hood Replacement</u>	21,875
0000 06985	- <u>Donahoe ES - Kitchen HVAC & Exhaust Hood Replacement</u>	21,875
0000 06986	- <u>Fairfield MS - Kitchen Walk-in Coolers</u>	18,750
0000 06987	- <u>Glen Allen ES - Kitchen HVAC & Exhaust Hood Replacement</u>	21,875
0000 06988	- <u>Glen Lea ES - Replace Kitchen Serving Lines</u>	9,375
0000 06989	- <u>Holladay ES - Kitchen HVAC & Exhaust Hood Replacement</u>	21,875
0000 06990	- <u>Rolfe MS - Replace Galv Water Piping</u>	18,750
0000 06991	- <u>Tucker HS - Kitchen HVAC & Exhaust Hood Replacement</u>	21,875
0000 06992	- <u>Donahoe ES - Replace T12 Light Fixtures</u>	6,250
0000 06993	- <u>Glen Allen ES - Retrofit T12 Light Fixtures</u>	6,000
0000 06994	- <u>Glen Lea ES - Lighting MP & Aud. Upgrades</u>	3,125
0000 06995	- <u>Hermitage HS - Lighting Upgrade T-12's</u>	25,000
0000 06996	- <u>Mehfoud ES - Retrofit T12 Light Fixtures</u>	18,750
0000 06997	- <u>Montrose ES - Replace Ceilings & T12 Light Fixtures</u>	46,875
0000 06998	- <u>Short Pump ES - Retrofit T12 Light Fixtures</u>	6,250
0000 06999	- <u>Ratcliffe ES - Roofing & Waterproofing Repairs</u>	28,750



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 186-14
Page No. 1 of 1

Agenda Title: INTRODUCTION OF ORDINANCE- To Amend and Reordain Section 10-137 Titled "Cutting of weeds and grass required," Section 10-139 Titled "Inspection of site of violation; notice to cut," and Section 10-140 Titled "Performance of work by county; collection of costs," to Renumber Section 10-141, and to Repeal Section 10-136 Titled "Penalty" and Section 10-138 Titled "Report of violation," of the Code of the County of Henrico, to Establish Uniform Standards for Cutting Weeds and Limited Exceptions to the Cutting Requirements

For Clerk's Use Only:

Date: Jul 1 - 8 2014

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Kaechele Seconded by (1) Celmer
(2) _____ (2) _____

REMARKS:

APPROVED

YES NO OTHER

Glover, R.	<input checked="" type="checkbox"/>		
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"/>		

The Clerk is authorized to advertise in the Richmond Times-Dispatch on July 22 and July 29, 2014 the following ordinance for a public hearing to be held on August 12, 2014, at 7:00 p.m. in the Board Room:

"AN ORDINANCE to amend and reordain Section 10-137 titled "Cutting of weeds and grass required," Section 10-139 titled "Inspection of site of violation; notice to cut," and Section 10-140 titled "Performance of work by county; collection of costs," to renumber Section 10-141, and to repeal Section 10-136 titled "Penalty" and Section 10-138 titled "Report of violation," of the Code of the County of Henrico, to establish uniform standards for cutting weeds and limited exceptions to the cutting requirements. A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

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

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

Routing:
Yellow to: _____
Copy to: _____

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

Date: _____

ORDINANCE— To Amend and Reordain Section 10-137 Titled “Cutting of weeds and grass required,” Section 10-139 Titled “Inspection of site of violation; notice to cut,” and Section 10-140 Titled “Performance of work by county; collection of costs,” to Renumber Section 10-141, and to Repeal Section 10-136 Titled “Penalty” and Section 10-138 Titled “Report of violation,” of the Code of the County of Henrico, to Establish Uniform Standards for Cutting Weeds and Limited Exceptions to the Cutting Requirements

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

1. That Section 10-136 of the Code of the County of Henrico be repealed:

~~Sec. 10-136.—Penalty:~~

~~(a) Any owner who violates section 10-137(a) or any other provisions of this article pertaining to section 10-137(a) shall be deemed guilty of a class 4 misdemeanor.~~

~~(b) Any owner who violates section 10-137(b) or any other provisions of this article pertaining to section 10-137(b) shall be subject to a civil penalty not to exceed \$100.00.~~

2. That Section 10-137 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 10-137136. - Cutting of weeds and grass required.

~~(a) It shall be unlawful a nuisance for the any owner of any vacant developed or undeveloped property including such property upon which buildings or other improvements are located, within the boundaries of platted subdivisions or any other areas zoned for residential, business, commercial or industrial use, to permit weeds of more than 12 inches in height within 250 150 feet of property developed for residential use adjacent property and public streets.~~

~~(b) It shall be a nuisance for ~~the~~ owner of occupied residential real any undeveloped property to permit weeds shall cut the grass or lawn area of less than one half acre on such property when growth of such grass or lawn area exceeds more than 12 inches in height within 150 feet of adjacent developed property.~~

~~(c) This section shall not apply to land more than 50 feet from the boundary line of property developed for residential use if such land is enrolled in a state or federal conservation program and is more than two acres in size.~~

~~(d) This section shall not apply to land in a public utility transmission easement that is more than 50 feet from the boundary line of property developed for residential use or from public streets.~~

3. That Section 10-138 of the Code of the County of Henrico be repealed:

~~Sec. 10-138. Report of violation.~~

~~Any person aggrieved by the presence of weeds or grass in violation of section 10-137 may report such presence to the director of community revitalization.~~

4. That Section 10-139 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 10-139137. - Inspection of nuisance site of violation; notice to cut.

Upon receipt of a report as referred to in section 10-138, the director of community revitalization ~~shall cause the site of the reported violation to be inspected pursuant to applicable constitutional and statutory provisions.~~ When the director of community revitalization has determined from ~~such reports and inspections or otherwise~~ that a violation nuisance as defined in Section 10-136 in fact exists, he shall notify the owner of the land upon which the violation nuisance exists to cut or cause to be cut the weeds ~~or grass~~ complained of within such reasonable time as is specified in the notice. Such notice shall be in writing, shall be delivered by hand or mailed to the last known address of the owner and of the principal occupant if different from the owner, and shall be complied with by such owner or principal occupant. One written notice per growing season shall be reasonable notice.

5. That Section 10-140 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 10-140138. - Performance of work by county; collection of costs.

If such weeds ~~or grass~~ are not cut within the required time as provided for in the notice under section 10-~~139~~137, the director of community revitalization shall cause such weeds ~~or grass~~ to be cut and shall charge and collect the cost thereof from the owner or principal occupant of the property in any manner provided by law for the collection of state or local taxes. ~~and expense thereof to be assessed against the owner of such property. The assessment shall be collected by the county as taxes and levies are collected.~~ Every such charge in excess of \$200 ~~for cutting grass on property which the owner of any property shall have~~ which has been assessed against the owner of such property and which remains unpaid shall constitute a lien against such property on a parity with liens for unpaid local taxes.

6. That Section 10-141 of the Code of the County of Henrico be amended and reordained as follows:

Secs. 10-141-139 — 10-163. Reserved.

7. That this ordinance shall be in full force and effect upon passage as provided by law.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 187-14
Page No. 1 of 1

Agenda Title: **RESOLUTION — Award of Contract — Radio Tower Structural Upgrades — Brookland District**

For Clerk's Use Only: Date: <u>Jul 10 8 2014</u> <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>Kaechele</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS: APPROVED	YES NO OTHER Glover, R. <u>✓</u> _____ Kaechele, D. <u>✓</u> _____ Nelson, T. <u>✓</u> _____ O'Bannon, P. <u>✓</u> _____ Thornton, F. <u>✓</u> _____
---	---	--

WHEREAS, the County leases space on a radio communications tower at 3245 Basie Road owned by Clear Channel Broadcasting, Inc.; and,

WHEREAS, structural upgrades to the tower are necessary because the County must install additional radio equipment for its new public safety radio system; and,

WHEREAS, the tower's owner requires that Electronic Research, Inc. perform the structural upgrades; and,

WHEREAS, the County and Electronic Research, Inc. have negotiated a contract for \$116,910 for materials, equipment, and services necessary for the structural upgrades.

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

1. A contract to furnish all materials, equipment, and services necessary for the structural upgrades is awarded to Electronic Research, Inc. in the amount of \$116,910.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Purchasing Director as his designee, is authorized to execute all necessary change orders within the scope of the project budget not to exceed 15% of the original contract amount.

Comments: The Chief of Police and the Purchasing Director recommend approval of this Board Paper, and the County Manager concurs.

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. 188-14

Page No. 1 of 1

Agenda Title: **RESOLUTION — Signatory Authority — Third Amendment to Communications Tower License Agreement - Brookland District**

For Clerk's Use Only:

Date: Jul - 8 2014

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Clover Seconded by (1) Kaechele
(2) _____ (2) _____

REMARK:

APPROVED

YES NO OTHER

Glover, R.	<input checked="" type="checkbox"/>	_____	_____
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, pursuant to a license agreement, the County operates public safety radio equipment installed on the communications tower at 3245 Basie Road owned by Clear Channel Broadcasting, Inc.; and,

WHEREAS, the tower will be an integral part of the County's new public safety radio system which will be constructed during the next 24 months; and,

WHEREAS, the County must install additional equipment in order to operate the old and new systems while the new system is being completed; and,

WHEREAS, the parties have agreed to amend the license agreement to permit the County to install and operate additional equipment on the tower while the new system is being completed for an additional fee of \$2,200 per month.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the County Manager is authorized to execute Amendment Number Three to the license agreement between Clear Channel Broadcasting, Inc. and the County, in a form approved by the County Attorney, under the terms set forth above.

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

By Agency Head

[Signature]

By County Manager

[Signature]

Routing:

Yellow to: Real Property

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 189-14
Page No. 1 of 1

Agenda Title: **RESOLUTION — Award of Contract — Engineering Design Services —
Meredith Branch Force Main — Brookland District**

For Clerk's Use Only:

Date: **Jul 10 2014**

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Almer Seconded by (1) Nelson
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nelson, T.	<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, on December 20, 2013, the County received seven proposals in response to RFP No. 13-9507-10CS for Engineering Services, Meredith Branch Force Main Replacement; and,

WHEREAS, the Selection Committee (Ms. Marchelle Sossong and Messrs. Ralph Claytor, Lee Maddox, and Travis Linville) interviewed the following firms:

Dewberry Engineers, Inc.
Greeley and Hansen, LLC
Whitman, Requardt and Associates, LLP

WHEREAS, based upon the interviews and review of the proposals, the Selection Committee selected Dewberry Engineers, Inc. as the top-ranked firm and negotiated a contract for the lump sum of \$575,000.

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

1. A contract to provide comprehensive engineering design and construction administration services to complete the Meredith Branch Force Main Replacement project is awarded to Dewberry Engineers, Inc. in accordance with RFP No.13-9507-10CS dated November 22, 2013, the Dewberry Engineers, Inc. proposal dated December 20, 2013, and the Dewberry Engineers, Inc. Scope of Services dated May 19, 2014.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the funds available, not to exceed 15% of the original contract amount.

Comment: Funding to support the contract is available within the Water and Sewer Revenue Fund. The Director of Public Utilities and the Purchasing Director recommend approval of this Board paper, and the County Manager concurs.

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. 190-14
Page No. 1 of 1

Agenda Title: **RESOLUTION — Award of Contract — Annual Engineering Services, Water and Sewage Pumping Stations — Greeley and Hansen**

BOARD OF SUPERVISORS ACTION		YES	NO	OTHER
For Clerk's Use Only:	Moved by (1) <u>Almer</u> Seconded by (1) <u>Thornton</u> (2) _____			
Date: <u>MAY 1 - 8 2014</u>	REMARKS: APPROVED			
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:				
		Glover, R. <input checked="" type="checkbox"/>		
		Kacchele, 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 May 9, 2014, five proposals were received in response to RFP #14-9592-4CE, Annual Engineering Services for Water and Sewage Pumping Stations; and,

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

Greeley and Hansen LLC
Arcadis U.S., Inc.
CDM Smith, Inc.

WHEREAS, the Selection Committee selected Greeley and Hansen LLC as the top-ranked firm and negotiated an agreement which provides that the contract amount shall not exceed \$300,000 for any project or \$1,500,000 during the term of the contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that a contract to provide annual engineering services for water and sewage pumping station projects is hereby awarded to Greeley and Hansen for one year after contract award, with the option to renew for two additional one-year terms, in accordance with RFP #14-9592-4CE.

BE IT FURTHER RESOLVED that the County Manager is authorized to execute the contract in a form approved by the County Attorney.

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

By Agency Head Arthur O. Petrino By County Manager [Signature]

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. **191-14**
Page No. 1 of 1

Agenda Title: INTRODUCTION OF ORDINANCE – To Amend and Reordain Section 23-1 Titled “Definitions,” the Title of Division 3 of Article II of Chapter 23 Titled “Septage Hauling and Disposal,” Section 23-79 Titled “Approval of equipment,” Section 23-81 Titled “Records of septage haulers,” Section 23-117 Titled “Restricted wastes,” Section 23-150 Titled “Violations,” Section 23-151 Titled “Administrative enforcement remedies,” Section 23-152 Titled “Enforcement,” Section 23-156 Titled “Wastewater discharge permit conditions,” Section 23-159 Titled “Correction of violations,” Section 23-334 Titled “Customer setup charges,” and Section 23-362 Titled “Sewer service charges and rates,” of the Code of the County of Henrico, to Conform the County’s Industrial Pretreatment and Strong Waste Program to State Requirements, to Modify Enforcement Procedures and Penalties, and to Establish a Single Setup Charge for New Water and Sewer Accounts

For Clerk’s Use Only:

Date: **JUL 1-8 2014**

- ☒ Approved
- ☐ Denied
- ☐ Amended
- ☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Kacchale Seconded by (1) Nelson
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Glover, R. .	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kacchale, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nelson, T.	<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"/>

The Clerk is authorized to advertise in the Richmond Times-Dispatch on July 15, 2014 and July 22, 2014, the following ordinance for a public hearing to be held on August 12, 2014, at 7:00 p.m. in the Board Room.

“An ordinance to amend and reordain Section 23-1 titled “Definitions,” the title of Division 3 of Article II of Chapter 23 titled “Septage hauling and disposal,” Section 23-79 titled “Approval of equipment,” Section 23-81 titled “Records of septage haulers,” Section 23-117 titled “Restricted wastes,” Section 23-150 titled “Violations,” Section 23-151 titled “Administrative enforcement remedies,” Section 23-152 titled “Enforcement,” Section 23-156 titled “Wastewater discharge permit conditions,” Section 23-159 titled “Correction of violations,” Section 23-334 titled “Customer setup charges,” and Section 23-362 titled “Sewer service charges and rates,” of the Code of the County of Henrico, to conform the county’s industrial pretreatment and strong waste program to state requirements, to modify enforcement procedures and penalties, and to establish a single setup charge for new water and sewer accounts. A copy of the full text of this ordinance shall be on file in the Office of the County Manager.”

Comments: The Director of Public Utilities recommends approval of this Board paper, and the County Manager concurs.

For By Agency Head

[Signature]

By County Manager

[Signature]

Routing:

Yellow to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Copy to: _____

Date: _____

ORDINANCE – To Amend and Reordain Section 23-1 Titled “Definitions,” the Title of Division 3 of Article II of Chapter 23 Titled “Septage Hauling and Disposal,” Section 23-79 Titled “Approval of equipment,” Section 23-81 Titled “Records of septage haulers,” Section 23-117 Titled “Restricted wastes,” Section 23-150 Titled “Violations,” Section 23-151 Titled “Administrative enforcement remedies,” Section 23-152 Titled “Enforcement,” Section 23-156 Titled “Wastewater discharge permit conditions,” Section 23-159 Titled “Correction of violations,” Section 23-334 Titled “Customer setup charges,” and Section 23-362 Titled “Sewer service charges and rates,” of the Code of the County of Henrico, to Conform the County’s Industrial Pretreatment and Strong Waste Program to State Requirements, to Modify Enforcement Procedures and Penalties, and to Establish a Single Setup Charge for New Water and Sewer Accounts

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

1. That Section 23-1 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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-
-

Best management practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 9 VAC 25-31-770 and to prevent or reduce the pollution of surface waters. BMPs also include treatment requirements, operating procedures, and practices to control plant site run-off, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

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-

Liquid waste means domestic septage, chemical toilet waste, grease and sand trap waste, non-hazardous commercial and industrial (categorical and non-categorical) waste, groundwater remediation site waste, and landfill leachate.

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-
-

2. That the title of Division 3 of Article II of Chapter 23 of the Code of the County of Henrico be amended and reordained as follows:

DIVISION 3. ~~SEPTAGE~~ LIQUID WASTE HAULING AND DISPOSAL

3. That Section 23-79 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-79. Approval of equipment.

No person shall engage in the business of hauling sewage, septage or other liquid industrial or commercial wastes in the county unless the person has provided the director with copies of all required equipment inspection permits issued ~~equipment to be used for hauling has been inspected and approved in writing by the health department, the United States Department of Transportation, or other agency.~~

4. That Section 23-81 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-81. Records of ~~septage~~ liquid waste haulers.

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-
-
-

5. That Section 23-117 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-117. Restricted wastes.

(a) Unless permitted by a wastewater discharge permit or other document created pursuant to divisions 3, 4, or 5 of article II of this chapter, no user shall discharge wastewater to the POTW containing any of the following listed pollutants or characteristics in excess of the provided level or concentration:

<i>Regulated Pollutant or Characteristic</i>	<i>Maximum Daily Discharge*</i>
<u>Arsenic</u>	<u>4.9 mg/L</u>
Cadmium	0.23 mg/4L
Chromium	2.75 mg/4L
Copper	1.16 mg/4L
Cyanide	1.86 mg/4L
Lead	0.44 mg/4L
Mercury	0.0031 mg/4L
Nickel	1.31 mg/4L
<u>Selenium</u>	<u>2.85 mg/L</u>
Silver	1.58 mg/4L

Zinc	4.27 mg/4L
Oil and grease (petroleum-based)	100 mg/4L
Oil and grease (animal- or vegetable-based)	300 mg/4L
Total toxic organic compounds (TTO)	2.13 mg/4L
pH	5 – 11 s.u.
Flashpoint less than 140° <u>degrees</u> F	
*All measurements shall be made in accordance with 40 CFR 136.	

All concentrations for metallic substances are for total metal.

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6. That Section 23-150 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-150. Violations.

(a) Users shall orally notify the director ~~in writing~~ of any violation of a permit or of divisions 3, 4, or 5 of article II of this chapter within 24 hours after becoming aware of the violation. Within ~~ten~~ five days after the date of the violation, the user shall ~~also~~ submit to the director a detailed written statement describing the cause of the violation and the measures that the user is taking to prevent future violations. The director may require a user to correct a violation by taking measures to prevent the discharge of prohibited materials or other wastes that are regulated by ~~this chapter~~ Section 23-116 and Section 23-117. Users shall correct all violations promptly and shall take reasonable actions to prevent damage to the POTW or the public from the violation.

(b) The director shall annually publish a list of significant industrial users who have been in significant noncompliance during the previous 12 months. This list shall be published in the largest daily newspaper of general circulation in the county. A significant industrial user is in significant noncompliance if one or more of the following criteria apply:

- (1) Sixty-six percent or more of wastewater measurements taken during a six-month period exceed the daily maximum limit ~~or the average limit~~ for the same pollutant parameter ("chronic violations of wastewater discharge limits");
- (2) Thirty-three percent or more of wastewater measurements taken for each pollutant parameter during a six-month period equal or exceed the product of the daily maximum limit ~~or the average limit~~ multiplied by the applicable criteria (1.4 for BOD, total suspended solids, fats, oils, and grease, and 1.2 for all other pollutants, except pH) ("technical review criteria violations");
- (3) Any other discharge violation that the director believes has caused, alone or in combination with other discharges, interference or pass through, or endangered the health of county personnel or the public;
- (4) Any discharge of pollutants that has caused imminent danger to the environment or has required the director to exercise his emergency authority to halt or prevent such a discharge;
- (5) Failure to meet a compliance schedule requirement contained in a wastewater discharge

permit or enforcement order for starting construction, completing construction, or attaining final compliance, within ninety (90) days of the scheduled date;

(6) Failure to provide any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules, within forty-five 30(45) days after the due date;

(7) Failure to accurately report noncompliance; or

(8) Any other violation, which may include a violation of Best Management Practices, which the director determines will adversely affect the operation or implementation of the local pretreatment program.

7. That Section 23-151 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-151. Administrative enforcement remedies.

(a) *Notice of violation.* When the director finds that a user has violated, or continues to violate, any provision of divisions 3, 4, or 5 of article II of this chapter, a wastewater discharge permit, an order issued hereunder, or any other pretreatment standard or requirement, the director may serve upon that user a written notice of violation.

(b) *Submission of plan.* Within ~~ten~~ five days of the receipt of such notice, the user shall provide the director a written explanation of the violation and a plan for the satisfactory correction and prevention of future violations, including specific required actions. Submission of a plan shall not relieve the user of liability for any violations occurring before or after receipt of the notice of violation. Nothing in this section shall limit the authority of the director to take any action, including emergency actions or any other enforcement action, without first issuing a notice of violation.

(c) *Show cause hearing.* The director may order a user who has violated, or continues to violate, any provision of divisions 3, 4, or 5 of article II of this chapter, a wastewater discharge permit, an order issued hereunder, or any other pretreatment standard or requirement, to appear before the director and show cause why a proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place of the hearing, the proposed enforcement action, the reasons for such action, and a request that the user show cause why the proposed enforcement action should not be taken. If a civil penalty is proposed, the notice shall also include the facts and legal requirements related to the alleged violation and the amount of the proposed penalty. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) on any authorized representative of the user at least ~~ten~~ thirty (30) days prior to the hearing date. At the hearing, the user may present evidence including witnesses regarding the occurrence of the alleged violation and the amount of the penalty, and the user may examine any witnesses for the locality. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the user.

(d) *Consent orders.* The director may enter into a consent order, an agreement with assurances of voluntary compliance, or a similar document with any noncompliant user. Such document shall state specific action the user must take to correct the noncompliance within a specified time period. Such documents shall have the same force and effect as administrative orders issued pursuant to section 23-

151(e) and shall be judicially enforceable.

(e) *Compliance orders.* When the director finds that a user has violated, or continues to violate, any provision of divisions 3, 4, or 5 of article II of this chapter, a wastewater discharge permit, an order issued hereunder, or any other pretreatment standard or requirement, the director may issue an order to the user responsible for the discharge directing that the user become compliant within a specified time. If the user does not become compliant within the time provided, the director may discontinue sewer service until the user installs and properly operates adequate treatment facilities, devices, or other related appurtenances. Compliance orders also may contain other requirements to resolve the noncompliance, including additional self-monitoring and management actions designed to minimize the amount of pollutants discharged to the POTW. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, and a compliance order shall not relieve the user of liability for any violation, including a continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user.

(f) *Right to review.* Any order issued by the director shall inform the user of his right under Code of Virginia § 15.2-2122(10)(c) to seek reconsideration by the director and of the user's right to judicial review of any final order by appeal to the circuit court on the record of the proceedings before the director.

~~(f)~~(g) *Emergency suspensions.* After informal notice to the user, the director may immediately suspend a user's right to discharge whenever suspension is necessary to stop an actual or threatened discharge which appears, in the director's reasonable judgment, to present an imminent or substantial danger to the health or welfare of the public. After notice and opportunity to respond, the director may also suspend a user's right to discharge if the discharge threatens to interfere with the operation of the POTW or presents, or may present, a danger to the environment.

(1) Any user notified of a suspension of its right to discharge shall immediately stop or eliminate its discharge to the POTW. If a user fails to immediately comply voluntarily with the suspension order, the director may take any steps he deems necessary to prevent or minimize damage to the POTW, its receiving stream, or danger to any person, including immediate severance of the sewer connection. Unless termination proceedings pursuant to section 23-151(g) are initiated, or have been initiated, against the user, the director may allow the user to recommence its discharge when the user has demonstrated, to the satisfaction of the director, that the period of endangerment has passed.

(2) Prior to the date of any show cause or termination hearing under section 23-151(c) or (g), a user that is responsible, in whole or in part, for any discharge presenting imminent danger to the public, the environment or to the operation of the POTW shall submit to the director a detailed written statement describing the causes of the harmful discharge and the measures taken to prevent any future occurrence.

This section does not require a hearing prior to any emergency suspension.

~~(g)~~(h) *Termination of right to discharge.* A user's right to discharge may be terminated if any of the following occur:

- (1) User's violations of wastewater discharge permit conditions;
- (2) User's failure to accurately report the wastewater constituents and characteristics of its discharge;

- (3) User's failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- (4) User's refusal of reasonable access to its premises for inspection, monitoring, or sampling; or
- (5) User's violation of any pretreatment standard or requirement.

~~(h)~~(i) The director shall notify the user of the proposed termination of its right to discharge and offer an opportunity to show why its right to discharge should not be terminated. Exercise of this option by the director shall not be a bar to, or a prerequisite for, any other action against the user.

8. That Section 23-152 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-152. Enforcement.

(a) *Injunctive relief.* When the director finds that a user has violated, or continues to violate, any provision of divisions 3, 4, or 5 of article II of this chapter, a wastewater discharge permit, an order issued hereunder, or any other pretreatment standard or requirement, the director may petition the circuit court for a temporary or permanent injunction which restrains or compels compliance with the user's wastewater discharge permit, an order issued pursuant to this chapter, or other requirement imposed by this chapter. The director may also seek legal or equitable relief, including remediation of any environmental damage caused by the user's violation or noncompliance. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

(b) *Civil penalties.*

(1) The director's assessment of civil penalties shall be made in accordance with Code of Virginia § 15.2-2122(10). The court's assessment of civil penalties shall be made in accordance with Code of Virginia § 62.1-44.32(a).

~~(12)~~ A user who has violated, or continues to violate, any provision of divisions 3, 4, or 5 of article II of this chapter, a wastewater discharge permit, an order issued hereunder, or any other pretreatment standard or requirement shall be liable to the county for a civil penalty of \$1,000 up to maximum civil penalty of \$32,500.00 per violation, per day not to exceed \$100,000 per order. In the case of violations of monthly or other average discharge limits, the director may assess penalties for each day of violation.

~~(23)~~ The In addition to a civil penalty, the director may recover reasonable attorney's fees, court costs, and other expenses associated with enforcement actions under divisions 3, 4, or 5 of article II of this chapter, including sampling and monitoring expenses and the cost of any actual damages to sewers, treatment works and appurtenances incurred by the county.

~~(34)~~ In determining the amount of a civil penalties penalty, ~~the court~~ director shall consider all relevant circumstances, ~~including the harm caused by the violation, the magnitude and duration of the violation, economic benefit to the user resulting from the user's violation, corrective actions by the user, the compliance history of the user, and other relevant factors~~ the severity of the violation, the extent of any potential or actual environmental harm or facility damage, the compliance history of the user, any economic benefit realized from the noncompliance, and the ability of the user to pay the penalty.

(45) Filing suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user.

(c) *Criminal prosecution.*

(1) A user who willfully or negligently violates any provision of divisions 3, 4, or 5 of article II of this chapter, a wastewater discharge permit, an order issued hereunder, or any other pretreatment standard or requirement, or who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage, shall, upon conviction, be guilty of a class 1 misdemeanor, punishable by a fine of not more than \$2,500.00, imprisonment for not more than 12 months, or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under state law.

(2) A user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other document filed or maintained pursuant to divisions 3, 4, or 5 of article II of this chapter or a wastewater discharge permit or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter shall, upon conviction, be guilty of a class 1 misdemeanor punishable by a fine of not more than \$2,500.00, imprisonment for not more than 12 months, or both.

(d) *Remedies nonexclusive.* The remedies provided for in division 5 of article II of this chapter are not exclusive. The director may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the county's enforcement response plan. However, the director may take other action against any user when the circumstances warrant.

9. That Section 23-156 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-156. Wastewater discharge permit conditions.

Wastewater discharge permits must contain, at a minimum, the following conditions:

(1) ~~Statement of duration, up to five years~~ The permit's issuance date, the permit's effective date, the permit's duration (up to five years), and the permit's expiration date.

(2) Statement of nontransferability without prior notification to the director and certification that the existing permit and any orders issued under divisions 3, 4, or 5 of article II of this chapter have been provided to the new owner or operator.

(3) Effluent limits or best management practices, based on the applicable general pretreatment standards in division 5 of article II of this chapter, categorical pretreatment standards, and local limits.

(4) Self-monitoring and sampling provisions, and reporting, notification and recordkeeping requirements, including an identification of the pollutants to be monitored, sampling location, sampling frequency, and sample type.

(5) Statement of applicable civil and criminal penalties for violation of pretreatment standards and other requirements; and any applicable compliance schedules, which may not extend beyond

applicable federal and state deadlines.

(6) Any requirements to control slug discharges determined by the director.

10. That Section 23-159 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-159. Correction of violations.

(a) Each permittee shall prevent accidental discharges and slug discharges of prohibited materials or other substances regulated by ~~this chapter~~ **Section 23-116 and Section 23-117** at the permittee's expense. If an accidental discharge or slug discharge is released into the POTW, the permittee must immediately notify the director.

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11. That Section 23-334 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-334. Customer setup charges.

A customer setup charge of \$14.00 shall be charged on the first bill of every new water or sewer account ~~where a meter will not be set, and a setup charge of \$19.00 will be charged on the first bill of every new water or sewer account where a new meter is set,~~ whether established by a new customer or an existing customer.

12. That Section 23-362 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-362. 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:

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(3) ***Industrial and commercial strong waste charge.*** In addition to the charges set out in subsections (a)(1) and (2) of this section, there will be charged to individual users a strong waste charge as applicable:

- a. Suspended solids, when the concentrations of suspended solids exceed 275 milligrams per liter: \$21.40 per CWT for suspended solids in excess of 275 mg/4L.
- b. BOD₅, when concentrations of BOD₅ exceed 250 milligrams per liter: \$29.65 per CWT for BOD₅ in excess of 250 mg/4L.

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13. That this ordinance shall be in full force and effect upon passage as provided by law.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 192-14
Page No. 1 of 2

Agenda Title: Resolution – Acceptance of Roads – Fairfield, Three Chopt and Varina Districts

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES	NO	OTHER
Date: JUL 15 2014	Moved by (1) Nelson Seconded by (1) Thornton (2) (2)			
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	REMARKS: APPROVED			
		Glover, R. ✓		
		Kaechele, D. ✓		
		Nelson, T. ✓		
		O'Bannon, P. ✓		
		Thornton, F. ✓		

BE IT RESOLVED by the Board of Supervisors that the following named and described sections of roads are accepted into the County road system for maintenance.

Woodman Glen, Section 1 - Fairfield District

Servo Drive from 0.09 Mi. E. of Woodman Hills Court to 0.08 Mi. W. of Woodman Hills Court (plus circle)	0.20 Mi.
Woodman Hills Court from 0.14 Mi. N. of Woodman Road to 0.17 Mi. N. of Woodman Road	0.03 Mi.
Barda Circle from Servo Drive to 0.07 Mi. S. of Servo Drive	0.07 Mi.
Total Miles	0.30 Mi.

Martin's Ridge, Section 2 – Three Chopt District

Holman Ridge Road from 0.12 Mi. E. of Riverplace Court to 0.18 Mi. E. of Riverplace Court	0.06 Mi.
Westward Place from Opaca Lane to 0.17 Mi. W. of Opaca Lane	0.17 Mi.
Westward Terrace from 0.18 Mi. W. of Holman Ridge Road to 0.14 Mi. E. of Holman Ridge Road	0.32 Mi.
Total Miles	0.55 Mi.

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. 192-14
Page No. 2 of 2

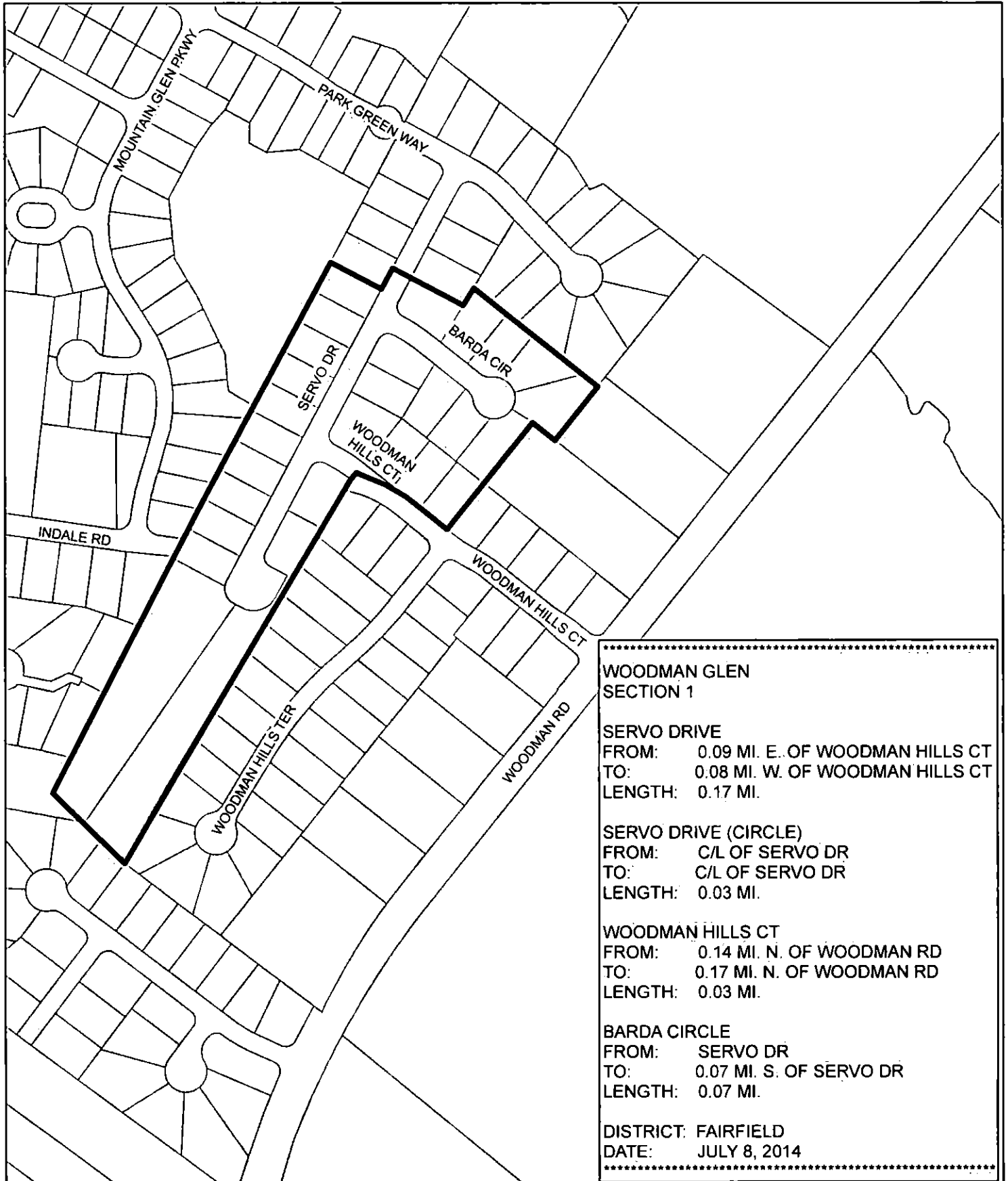
Agenda Title: Resolution — Acceptance of Roads – Fairfield, Three Chopt and Varina Districts

Turner Forest, Section A - Varina District

Turner Forest Road from Turner Road to 0.62 Mi. W. of Turner Road	0.62 Mi.
Turner Forest Court from Turner Forest Road to 0.09 Mi. S. of Turner Forest Road	0.09 Mi.
Turner Forest Place from Turner Forest Court to 0.07 Mi. E. of Turner Forest Court	0.07 Mi.
Town Hall Court from 0.06 Mi. N. of Town Hall Drive to 0.06 Mi. N. of Turner Forest Road	0.41 Mi.
Bluefield Swamp Drive from Turner Forest Road to 0.09 Mi. N. of Turner Forest Road	0.09 Mi.
Colemant Court from Town Hall Court to 0.07 Mi. W. of Town Hall Court	0.07 Mi.
Colemant Terrace from Town Hall Court to 0.14 Mi. E. of Town Hall Court	<u>0.14 Mi.</u>
Total Miles	1.49 Mi.

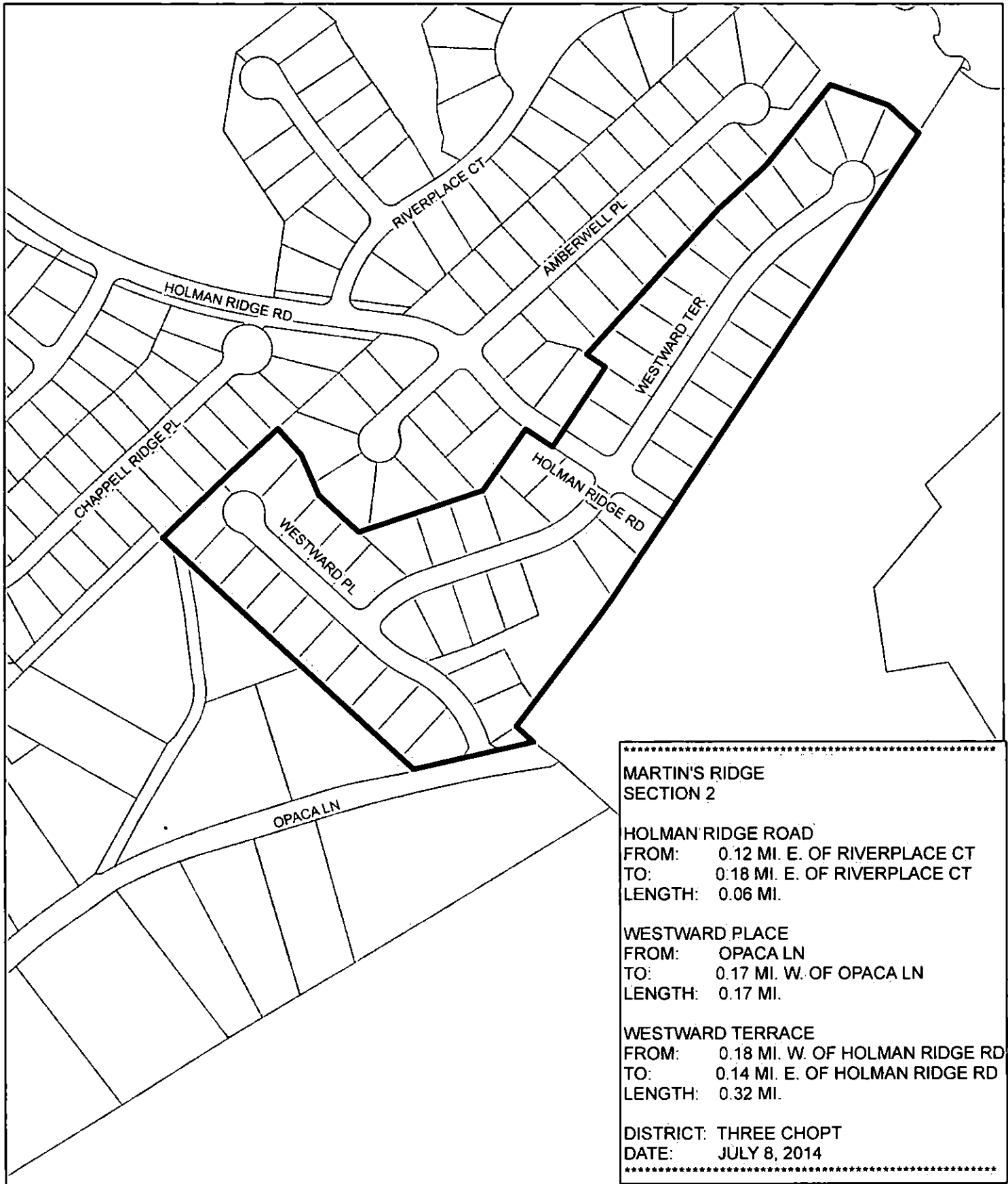
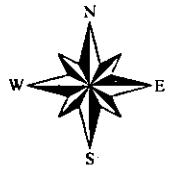


WOODMAN GLEN SECTION 1





MARTIN'S RIDGE SECTION 2



MARTIN'S RIDGE SECTION 2

HOLMAN RIDGE ROAD

FROM: 0.12 MI. E. OF RIVERPLACE CT
TO: 0.18 MI. E. OF RIVERPLACE CT
LENGTH: 0.06 MI.

WESTWARD PLACE

FROM: OPACA LN
TO: 0.17 MI. W. OF OPACA LN
LENGTH: 0.17 MI.

WESTWARD TERRACE

FROM: 0.18 MI. W. OF HOLMAN RIDGE RD
TO: 0.14 MI. E. OF HOLMAN RIDGE RD
LENGTH: 0.32 MI.

DISTRICT: THREE CHOPT

DATE: JULY 8, 2014



TURNER FOREST SECTION A

