

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
June 24, 2008

The Henrico County Board of Supervisors convened a Special Meeting on Tuesday, June 24, 2008 at 4:45 p.m. in the County Manager's Conference Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia. The Chairman called the meeting to order at 4:51 p.m. Those present at the meeting were:

PRESENT

The Honorable David A. Kaechele, Chairman
The Honorable Patricia S. O'Bannon, Vice-Chairman
The Honorable James B. Donati, Jr., Varina District Supervisor
The Honorable Richard W. Glover, Brookland District Supervisor
The Honorable Frank J. Thornton, Fairfield District Supervisor
Mr. Virgil R. Hazelett, P.E., County Manager
Mr. George T. Drumwright, Jr., Deputy County Manager for Community Services
Mr. Leon T. Johnson, Deputy County Manager for Administration
Mr. Robert K. Pinkerton, P.E., Deputy County Manager for Community Operations
Mr. Randall R. Silber, Deputy County Manager for Community Development
Mr. Barry R. Lawrence, Assistant to the County Manager/Clerk to the Board
Mrs. Linda B. Jones, Deputy Clerk to the Board
Mr. Bert Childress, Technology Support Specialist, Manager's Office
Mr. Joseph P. Rapisarda, Jr., County Attorney
Mrs. Rhysa G. South, Assistant County Attorney
Mrs. Tamra R. McKinney, Director of Public Relations & Media Services
Mr. Fred C. James, Media Specialist, Public Relations & Media Services
Mr. Leonard C. Cake, Administrative Director, Economic Development Authority
Mr. John A. Vithoukas, Director of Finance
Mr. Steve Price, Acting Director of Real Property
Mrs. Karen K. Mier, Director of Recreation and Parks
Mr. Ralph L. "Bill" Axselle, Jr., Attorney, Williams Mullen, and Chairman of Richmond Region 2007
Mr. Wilson H. Flohr, President of Richmond Region 2007
Mr. Gregory H. Wingfield, President, Greater Richmond Partnership, Inc.
Ms. Valerie Pegues-Johnson, Fairfield District Resident
Mr. Tom Lappas, *Henrico Citizen*

Greater Richmond Partnership Update

Mr. Hazelett advised that he and Mr. Kaechele had met downtown with a small group earlier in the day to discuss the future membership of the Greater Richmond Partnership (GRP). He recognized Mr. Wingfield, who provided an

update on the GRP (see enclosed copy of Power Point presentation) and distributed a handout highlighting the County's participation in the GRP (see enclosed copy). Mr. Wingfield reviewed the GRP's mission and budget, four core programs, investment and value, Board of Directors members from Henrico County, working relationship with the County's Economic Development Authority (EDA) in attracting and marketing new businesses, support for existing businesses through the Business First program, and five-year globally focused and regionally competitive economic development plan. He stated that the GRP was attempting to target new companies with technology-related jobs paying much higher salaries than the region average.

Mr. Wingfield responded to questions from members of the Board of Supervisors concerning the GRP's cooperative efforts with the Henrico EDA to assist small business entrepreneurs, the status of the financial participation by the GRP's member jurisdictions, and the level of the County's return on its financial investment in the GRP. Mr. Kaechele noted that the County has promoted economic development on a local and regional basis and is thankful for its strong tax base. At his request, Mr. Wingfield briefly commented on the breakfast meeting that Mr. Kaechele and Mr. Hazelett attended earlier in the day where there was discussion of expanding the GRP's local government membership. In response to a question by Mr. Donati, Mr. Wingfield noted that some businesses were considering moving overseas production facilities back to the United States in view of rising shipping costs resulting from escalating fuel prices. Mr. Wingfield thanked the Board for its ongoing support of the GRP.

Richmond Region 2007 Final Status Report

Mr. Hazelett recognized Mr. Axselle and Mr. Flohr. Mr. Axselle thanked Mr. Kaechele and Mrs. O'Bannon for their service on the Richmond Region 2007 Board of Directors. He also expressed appreciation to the County for

being a pacesetter and thanked Mr. Pinkerton and Mr. Hazelett for their help and guidance. Mr. Flohr noted that the Richmond Region 2007 Corporation was an economic development marketing operation that was involved with commemorating the Richmond Region's 400th birthday celebration, promoting the Richmond region outside Virginia, increasing tourism in our community, creating a legacy for our community, and identifying and focusing attention on Henricus Historical Park.

Mr. Axselle and Mr. Wilson presented a video developed for the Richmond Region 2007 Board of Directors that showcased the five signature events sponsored by Richmond Region 2007 in conjunction with Jamestown 2007 – American's 400th anniversary activities. These events included *African American Trailblazers*, *We are the Change*, *Rock the Boat*, *James River Adventure Games*, and *National Folk Festival*. Richmond Region 2007 also supported a number of other programs and major heritage events. The primary goals of the Richmond 2007 initiative were to commemorate our past, communicate our future, and capitalize on tourism opportunities. The initiative involved a public-private partnership of local governments and private companies. At the conclusion of the video, Mr. Axselle thanked the Board of Supervisors for its support of Richmond Region 2007, which included the attendance by Supervisors at individual events. He noted the generosity of Capital One in sponsoring the *African American Trailblazers* program.

Mr. Axselle and Mr. Flohr responded to questions and comments from Board members pertaining to attendance figures at Richmond Region 2007 events and the degree to which these events boosted the number of out-of-state tourists coming to the Richmond region. Mr. Kaechele advised that the National Association of Counties annual conference host event that was held in Williamsburg this past summer received great reviews. Mr. Axselle pointed out

that Jamestown 2007 had abilities and resources far exceeding those of Richmond Region 2007. Mrs. O'Bannon commented that she had been asked to sit on the event board for Chesterfield County's 2011 celebration. Mr. Hazelett indicated that staff would be coming to the Board of Supervisors within the next 30 to 60 days with a request for appointments to the Henrico County 2011 celebration planning committee. Mr. Axselle stated that many lessons were learned from the Richmond Region 2007 effort. Mrs. O'Bannon remarked that there was a shortage of water at Henricus Historical Park when she was volunteering at the *Rock the Boat* event there last year and that she had called upon the County's Division of Recreation and Parks to deliver and unload bottled water. Mr. Kaechele pointed to Richmond Region 2007 as a good example of a regional public-private partnership. Mr. Axselle advised that Richmond Region 2007 ended up in the black and that approximately \$100,000 would be returned to the four participating local jurisdictions on a pro rata basis. Mr. Axselle and Mr. Wilson responded to further questions from Board members relating to funding of the local folk festival and whether Richmond Region 2007 had addressed future tourism opportunities and challenges for the region.

Mr. Flohr stated that one of the shortfalls of the Richmond Region 2007 initiative was insufficient funding for promoting the region. He suggested that more public funds are needed to advertise and market the Commonwealth of Virginia as a tourist destination. Mr. Kaechele thanked Mr. Axselle and Mr. Flohr for their report to the Board and for their efforts with Richmond Region 2007. Mr. Axselle distributed a press release announcing Richmond Region 2007 Wraps Up an Historic and Eventful Year (see enclosed copy).

On motion of Mr. Glover, seconded by Mr. Thornton, the Board approved going into a Closed Meeting at 5:41 p.m. for the following matters:

1. Discussion of Potential Acquisition of Real Property in the Brookland District for Public Recreational Purposes, Pursuant to Section 2.2-3711(A)(3) of the Code of Virginia, 1950, as amended;
2. Consultation with the County Attorney Regarding Specific Legal Matters Requiring the Provision of Legal Advice Pertaining to a Lease of Property in the Brookland District for Public Recreational Purposes, Pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as amended.

The vote of the Board was as follows:

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

On motion of Mr. Glover, seconded by Mr. Thornton, the Board approved going out of the Closed Meeting at 5:49 p.m.

The vote of the Board was as follows:

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

In open session, on motion of Mr. Thornton, seconded by Mr. Glover, the Board approved the attached Certificate of Closed Meeting.

The vote of the Board was as follows:

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

The Board recessed for dinner at 5:50 p.m. and reconvened at 6:01 p.m.

Mrs. McKinney advised that Mr. Hazelett would be recognizing her staff during Manager's Comments at the evening meeting for producing two Henrico County Television Channel 17 (HCTV) programs that earned Emmy awards from the National Academy of Television Arts and Sciences. She reviewed the Emmy Awards ceremony that was held on June 14, 2008 in Washington, D.C. In response to questions from Board members, Mrs. McKinney explained the entry criteria and selection process. Mr. Drumwright pointed out that Judge Gary Hicks and Judge Catherine Hammond appeared in one of the programs that earned an award, "Turning Point: Inside Henrico County's Drug Court." There was discussion among Mrs. McKinney and Board members regarding the awards. She asked Board members to contact her if they were interested in obtaining copies of the programs on DVD.

Mr. Hazelett briefly reviewed items that were listed on the evening's agenda. After referring to the public hearing item that would authorize the issuance and sale of general obligation school bonds, Mr. Hazelett commented on a request by the School Board to transfer \$5 million from the fund balance in the General Fund to the Capital Projects Fund. This funding would be used to complete the renovation of Fairfield Middle School, a project approved by the citizens in the March 2005 General Obligation Bond Referendum, and was requested as a result of increased project costs related to the current construction market. Mr. Hazelett expressed concerns about construction costs for future school projects and said he hoped these costs would come down.

Mr. Hazelett stated that he anticipated a citizen named Rebecca Worley would be addressing the Board during the Public Comment Period to express concerns about the large number of persons residing in a single-family home next door to her home. Mr. Hazelett acknowledged that there was a problem and reviewed the steps County staff had taken in an attempt to alleviate the situation. He and Mr. Silber pointed out that the occupants were all related to one another and were subcontractors who were doing work at the West Broad Village project. In response to a question from Mr. Thornton, Mr. Silber advised that there are other Virginia localities which limit the number of residents per household as permitted under the State Code. Mr. Thornton noted that the specific situation being discussed was in his district and that he thought the County should pursue an ordinance to regulate this type of situation. Mr. Donati commented on situations like this in his district. In response to a question from Mr. Glover, Mr. Hazelett noted that the general contractor for West Broad Village had been cooperating with the County. Mr. Rapisarda advised that the only legal constraints in adopting an ordinance are imposed by federal law. There was discussion among Mr. Glover, Mr. Rapisarda, and Mr. Hazelett pertaining to the scope of the County's existing ordinance and legal remedies available to the County in addressing Ms. Worley's concerns. Mr. Thornton asked that the County impart this information to Ms. Worley. Mr. Hazelett reiterated how County staff was helping Ms. Worley. Mr. Rapisarda suggested that staff present the Board with a list of options for addressing this type of situation. Mr. Glover asked why staff has told him for the past 20 years that the County cannot regulate the number of persons residing in single-family home if a legal remedy has in fact been available. Mr. Rapisarda indicated that he could not assure the Board that a new ordinance would be effective. Mr. Hazelett said that staff would get an answer for Mr. Glover.

Mr. Hazelett reported that Mrs. O'Bannon had asked staff to look into the County's parking requirements for churches. Mr. Silber suggested that staff could study these requirements and bring information to the Board. Mrs. O'Bannon noted that the County's ordinance was based on

fixed seating and that recent or proposed expansions at several larger churches in her district involved facilities without fixed seating. She referred to the speaker who had addressed the Board on this issue during the Public Comment Period at the May 27, 2008 meeting. Mr. Donati remarked that smaller churches do not have the money to acquire additional parking areas. Mr. Glover alluded to Grove Avenue Baptist Church's arrangement to provide off-site parking. There was considerable discussion about this by Board members. Mr. Rapisarda and Mr. Glover expressed their respective views of how the current County ordinance addressing church parking can be applied. Mr. Glover expressed concerns about revisiting the existing ordinance. Mrs. O'Bannon responded that the problem is not restricted to Sunday mornings and is having a big impact on the community. Mr. Hazelett pointed out that this issue is an example of the growing pains that the County is experiencing. There was further discussion between Mr. Glover and Mr. Rapisarda about the adequacy of the County's current ordinance. Mr. Silber assured Mr. Glover that Grove Avenue Baptist has been complying with the County's on-site and off-site parking requirements. Mr. Rapisarda, Mr. Hazelett, and Mr. Silber agreed that the ordinance's minimum parking requirements must be met through on-site parking. Mr. Silber responded to a question from Mr. Kaechele relating to the amount of leeway, if any, being given to churches in meeting parking requirements when churches seek Plan of Development (POD) approval for an expansion of their facilities. Mr. Hazelett suggested that the Board may wish to re-evaluate the County's ordinance in view of how usage of church facilities has been changing over time. There was some discussion between Mr. Silber and Mrs. O'Bannon regarding parking issues associated with the Third Presbyterian Church POD request scheduled to come before the Planning Commission on June 25, 2008. Mr. Hazelett cautioned that new church facilities used for multiple purposes will continue to create parking issues. He reminded the Board that the support of two Board members would be needed to bring forward a resolution directing the Planning Commission to review the County's ordinance provisions pertaining to church parking. There was further discussion of this among Mrs. O'Bannon, Mr. Donati, and Mr. Hazelett. In response to a question from Mr. Kaechele, Mr. Silber indicated that staff thinks the existing ordinance is workable. Mr. Kaechele acknowledged that the church parking issue has become a political problem but noted that changing the ordinance could pose an even greater political problem. Mr. Rapisarda alerted the Board that if the Planning Commission approved the Third Presbyterian Church POD on June 25 there would probably be an appeal to the Board of Supervisors in July by an adjacent property owner concerned about parking issues associated with the planned addition to the church.

There being no further business, the meeting was adjourned at 6:48 p.m.


Chairman, Henrico County Board of Supervisors