

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
July 8, 2008

The Henrico County Board of Supervisors convened a Special Meeting on Tuesday, July 8, 2008 at 5:15 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 5:21 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
Ms. Angela N. Harper, FAICP, Deputy County Manager for Special 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. C. Michael Schnurman, Legislative Liaison
Mr. Joseph P. Rapisarda, Jr., County Attorney
Mrs. Jennifer K. Acker, Assistant Director of Public Relations & Media Services
Mr. Fred C. James, Media Specialist, Public Relations & Media Services
Ms. Karen K. Mier, Director of Recreation and Parks
Ms. Karen J. Perkins, History and Special Programs Supervisor, Recreation and Parks
Ms. Dawn M. Hoppe, Director of Public Information and Television Services, Schools

2011 Celebration Task Force Proposal

Mr. Hazelett advised that a task force chaired by Ms. Harper had been created to develop ideas for celebrating the 400th anniversary of the Henrico County settlement. He noted that this item was being discussed to share ideas and receive input from Board members about the celebration based on the research efforts of the task force. After being recognized by Mr. Hazelett, Ms. Harper noted that she would be talking about the possibilities for 2011. She acknowledged that she had met with the County's Historic Preservation Advisory

Committee (HPAC) in 2005 at Mr. Hazelett's request to discuss historic celebrations. HPAC had recommended that the County focus on 2011 rather than 2007. Ms. Harper introduced Mrs. Acker, Ms. Hoppe, and Ms. Perkins, who served on the task force for the celebration. She commented on the collaborative effort of the four departments they each represented and pointed out that the task force had only met twice. Ms. Harper then narrated a Power Point presentation that summarized the proposal for the celebration (see enclosed copy). Her proposal reviewed potential appointees to an advisory commission and their responsibilities, County staff who would be assigned to the commission, financial considerations associated with the celebration, the proposed 2011 theme and possible topics for the event, a 2011 calendar of events, potential activities planned for the celebration, examples of commemorative items, prospective partnering opportunities, and the proposed schedule for planning the event.

Ms. Harper, Ms. Perkins, and Mr. Hazelett responded to questions and comments from members of the Board concerning a play written by a County resident about the history of Henrico County; Chesterfield County's planned 400th anniversary celebration in 2011; the possibility of partnering with the University of Richmond for a visit from Prince Harry and to determine a role for him in the celebration; the timeframe for when nine counties and two cities broke away from Henrico; the County's rich history in being the "first" in many endeavors including a hospital, a college, free enterprise, private land ownership, and a bridge; the potential for using the celebration as an economic development tool to promote the County nationally; whether the commission appointees would be appointed individually by the Board or by the organizations they would be representing; the feasibility of linking the celebration to a fireworks show or other activities at The Diamond and Richmond International Raceway; the possibility of having

a person in place who could develop and lead the tourism aspect of the celebration; the possibility of incorporating the promotion of Richmond International Airport into the celebration's marketing plan; the importance of involving Native Americans as well as prominent Henrico families with long ties to the community in planning the celebration; the feasibility of appointing a member to the commission who could assemble the tremendous amount of literature written about the history of the County to showcase at the event; and the availability of records from the County's 350th anniversary celebration, including commemorative license plates honoring that event.

Mrs. O'Bannon referred to a recent survey she sent out to her constituents asking for ideas about the 2011 celebration. She noted that from the limited number of responses she received, there appeared to be a bigger interest in a possible visit from Prince Harry. Mr. Hazelett anticipated that the County might spend between \$500,000 and \$1 million for the event. Mr. Kaechele suggested that the County ask the Henrico Business Council and the local business community for financial assistance. Mrs. O'Bannon mentioned that the Petersburg region had received a good response to its recent tourism advertising campaign. In response to questions from Mr. Kaechele, Mr. Hazelett advised that a resolution creating the 2011 Celebration Advisory Commission could be placed on the general agenda for the Board's August 12, 2008 meeting and that he would meet individually with Board members to discuss suggestions for appointees to the Commission. A separate Board paper appointing members of the Commission could be deferred until September 2008. Mr. Thornton complimented the members of the task force for their work on the proposal and stated that he felt exhilarated by the opportunity to sell Henrico County for this commemorative event. Ms. Harper announced that the task force was now officially out of business.

Mr. Hazelett advised that he would have Mr. Rapisarda update the Board after dinner on an appeal to a Plan of Development (POD) that had been recently approved by the Planning Commission. Mrs. O'Bannon stated that she had received several e-mails from citizens asking that the POD be stopped because of the size of the project it encompassed.

The Board recessed for dinner at 6:03 p.m. and reconvened at 6:20 p.m.

Mr. Hazelett commented that he did not anticipate a long evening session but noted that a court reporter would be present for a provisional use permit (PUP) item involving a telecommunications tower. He briefly summarized the items on the evening's public hearing and general agendas. Mr. Donati noted that Allied Waste had been bought out by another company. Mr. Hazelett responded to several questions from Mr. Kaechele regarding the introduction of resolution for the receipt of requests for amendment to the FY 2008-09 annual fiscal plan for July 2008. He and Mr. Kaechele discussed the status of various school bond projects. Mr. Glover commented on the difference between the project costs for school construction projects listed in the March 2005 General Obligation Bond Referendum versus the actual cost of those projects. There was some discussion between Mr. Donati and Mr. Hazelett about whether the current market was conducive to using the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA) as a financing tool for new school construction. Mr. Hazelett advised that a Fairfield District resident, Mrs. Rebecca Worley, had signed up to speak during the public comment period on an issue of concern relating to a large number of subcontractors working on the West Broad Village project who had been living in a residential dwelling next to her home. He pointed out that the issue had resolved itself and that the West Broad Village project was not in the same location as the West Broad Street Village community to which an ordinance on the evening's public hearing agenda referred. Mr. Glover commented on the ordinance pertaining to West Broad Street Village that would be before the Board during the evening meeting and the fact that the name of this community in the Brookland District is very similar to the name of the mixed use development underway in the Three Chopt District's Broad Street corridor.

At Mr. Hazelett's request, Mr. Rapisarda updated the Board on an appeal that Doug and Miriam Tice had filed to a recent decision by the County's Planning Commission for approval of a POD for the expansion of Third Presbyterian Church. Mr. Rapisarda stated that the members of the Board should receive copies of the appeal and advised that a member of his staff, Senior Assistant County Attorney Tom Tokarz, had met earlier in the day with counsel for the Tices and with representatives of the County's Department of Planning. Mr. Rapisarda further advised that Tom O'Brien of the Spotts Fain law firm was serving as counsel for the Tices. He cited and elaborated on the Tices' three main concerns with the POD and associated legal issues.

There was discussion among Board members and Mr. Silber regarding the church's plans to tear down houses. In response to a question from Mr. Kaechele, Mr. Rapisarda stated he thought the Board would need to act on the appeal by August 12, 2008 unless the Tices agreed to an extension. He noted that his office was looking at the legal points of the appeal, including whether the Tices

could take their case to the Circuit Court. In response to questions from Board members, Mr. Rapisarda explained the appeals process for PODs. Mr. Rapisarda emphasized that the Tices had taken the matter very seriously from the very beginning, had done a lot of research, and had presented an appeal document through their attorney that was unlike any he had previously seen.

Mr. Glover spoke in defense of the Planning Commission's decision. He pointed out that staff had determined that the POD applicant had complied with all technical aspects of the County Code. Mr. Rapisarda responded to a question from Mr. Kaechele concerning the factors that the Board could consider in acting on the appeal. Mrs. O'Bannon commented that the church was attempting to buy the Columbian Center on Pump Road. She advised that she would be meeting on June 24, 2008 with County staff and the owners of the Columbian Center on this matter. Mrs. O'Bannon noted that the School Superintendent was not interested in acquiring this property because of the high cost of renovating the building for school use. In response to a question from Mr. Donati, Mr. Rapisarda proposed that the County Attorney's Office give its legal analysis of the appeal during a closed meeting with the Board. Mr. Donati asked whether staff had documented the traffic and parking issues associated with the POD and its appeal. Mr. Glover questioned whether the County could require an applicant as a condition of POD approval to go off-site and improve drainage outfall. Mrs. O'Bannon responded that the church had done a good job with drainage and that the primary issues of concern were the mass of the building and the number of parking spaces that were needed to accommodate the expansion of the church's facilities.

Mr. Kaechele asked if the Board would have more direction from staff prior to August 12. Mr. Rapisarda noted that the Tices had retained a good law firm. With Mr. Rapisarda's concurrence, Mr. Hazelett indicated that this matter could be brought to the Board at the July 22 work session. He expressed caution about adding more items to the August 12 work session. Mrs. O'Bannon commented that she had tried to be fair in this matter but had anticipated that the POD might be appealed. In response to a question from Mr. Kaechele, Mr. Rapisarda clarified that the one-year waiting period that pertains to the re-filing of zoning cases does not apply to PODs.

There being no further business, the meeting was adjourned at 6:54 p.m.


Chairman, Henrico County Board of Supervisors