

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
January 12, 2010

The Henrico County Board of Supervisors convened a special meeting on Tuesday, January 12, 2010 at 5:30 p.m. in the County Manager's Conference Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia.

Members of the Board Present:

David A. Kaechele, Chairman, Three Chopt District
Patricia S. O'Bannon, Vice Chairman, Tuckahoe District
James B. Donati, Jr., Varina District
Richard W. Glover, Brookland District
Frank J. Thornton, Fairfield District

Other Officials Present:

Virgil R. Hazelett, P.E., County Manager
Joseph P. Rapisarda, Jr., County Attorney
Karen M. Adams, Senior Assistant County Attorney
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board
Tanya B. Harding, Administrative Assistant/Deputy Clerk to the Board
George T. Drumwright, Jr., Deputy County Manager for Community Services
Angela N. Harper, Deputy County Manager for Special Services
Leon T. Johnson, Deputy County Manager for Administration
Robert K. Pinkerton, P.E., Deputy County Manager for Community Operations
Randall R. Silber, Deputy County Manager for Community Development
Tamra McKinney, Director of Public Relations & Media Services
John A. Vithoulkas, Director of Finance/Special Economic Advisor

Mr. Kaechele called the meeting to order at 5:33 p.m.

Mr. Hazelett noted that the special meeting agenda included two items, both of which would be presented by the County Attorney's Office in closed session. After consultation with Mr. Rapisarda, Mrs. O'Bannon informed the Board that she would be excusing herself from the discussion of the first closed meeting item in light of her husband's appointed position on the Henrico Doctors' Hospital Board of Trustees. She noted that neither she nor her husband have a financial interest in the case.

On motion by Mr. Glover, seconded by Mr. Thornton, the Board approved going into a Closed Meeting at 5:35 p.m. for the following purpose:

Discussion of the Following: (1) Actual Litigation Styled *HCA Health Services of Virginia, Inc. v. County of Henrico, Virginia*; and (2) Probable Litigation Concerning a Personal Injury Claim, Both 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	

Mrs. O'Bannon left the meeting at 5:37 p.m. immediately following the preceding vote and prior to discussion of actual litigation styled *HCA Health Services of Virginia, Inc. v. County of Henrico, Virginia*. She returned at 5:50 p.m. and participated in the discussion of probable litigation concerning a personal injury claim.

On motion of Mr. Glover, seconded by Mr. Donati, the Board approved going out of the Closed Meeting at 6:11 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, Mrs. O'Bannon stated for the record that she was present only for the second item of the closed meeting, i.e. discussion of probable litigation concerning a personal injury claim, and was not present for the first item of the closed meeting, i.e. discussion of actual litigation styled *HCA Health Services of Virginia, Inc. v. County of Henrico, Virginia*. Consequently, her vote on the certification resolution would only be applicable to that portion of the closed meeting for which she was present. On motion of Glover, seconded Mr. Donati, 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

On motion by Mr. Glover, seconded by Mrs. O'Bannon, the Board consented to the institution of an action by Robin M. Mason against the County, as permitted by Section 15.2-1247 of the Code of Virginia, 1950, as amended. This motion shall in no way be construed as a waiver of sovereign immunity or any other legally available defense to such an action.

The vote of the Board was as follows:

Yes: Kaechele, O'Bannon, Donati, Glover, and Thornton

No: None

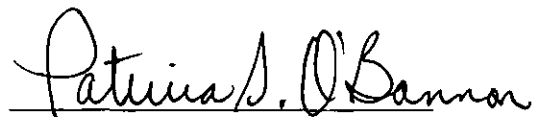
The Board recessed for dinner at 6:15 p.m. and reconvened at 6:25 p.m.

There was considerable discussion by Mr. Hazelett and the Board regarding the Governor's proposal to increase the state income tax by one percent to offset a proposed elimination of the local personal property tax, the impact of state budget reductions on local governments, and the status of Virginia Retirement System contribution rates. Mr. Hazelett then briefly reviewed the agenda for the evening's regular meeting, including pending board and commission appointments held by members of the Board of Supervisors and those for which oaths of office are not administered. There was also some discussion of the status of the Capital Region Workforce Partnership Consortium Board.

Mr. Hazelett responded to questions from the Board pertaining to whether the County will need to consider service reductions and employee salary reductions or layoffs. He referred to surveys conducted by other school divisions and localities in the region to solicit feedback from employees and citizens on proposed budget cuts. Mr. Hazelett also responded to questions from the Board relating to Chesterfield County's possible withdrawal from the regional Governor's School, the status of the County's real estate and sales tax revenues, and the County's real estate assessment trends. With the assistance of Mr. Vithoulkas, he responded to questions concerning the status of the state's bond rating and the County's hiring freeze.

Mr. Rapisarda advised Mrs. O'Bannon that it would be legally permissible under the Code of Virginia for her to be present during open session at a Board meeting at such time as the Board may discuss and consider a resolution for settlement of the case styled *HCA Health Services of Virginia, Inc. v. County of Henrico, Virginia*.

There being no further business, the meeting was adjourned at 6:56 p.m.


Chairman, Board of Supervisors
Henrico County, Virginia