

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
October 22, 2013**

The Henrico County Board of Supervisors convened a special meeting on Tuesday, October 22, 2013, at 5:15 p.m., in the County Manager's Conference Room, Administration Building, Henrico County Government Center, Parham and Himgary Spring Roads, Henrico, Virginia.

Members of the Board Present:

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

Other Officials Present:

John A. Vithoukas, County Manager
Joseph P. Rapisarda, Jr., County Attorney
J. Thomas Tokarz II, Deputy County Attorney
Andrew Newby, Assistant County Attorney
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board
Tanya B. Harding, Deputy Clerk to the Board/Administrative Assistant
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
Wilbert J. (Bert) Childress, Technology Support Specialist, Manager's Office
C. Michael Schnurman, Jr., Legislative Liaison
Tamra R. McKinney, Director of Public Relations & Media Services
John H. Neal, Jr., Director of General Services
Paul N. Proto, Cable Television Consultant

Mr. Kaechele called the meeting to order at 5:16 p.m.

Mr. Vithoukas briefly referred to the three items listed on this agenda.

Mental Health First Aid

Mr. Vithoukas recognized Mrs. Crawley, who noted that Mrs. O'Bannon had requested staff to look into mental health first aid after the Sandy Hook Elementary School shooting in Newtown, Connecticut. Mrs. Crawley introduced Mike O'Connor, Executive Director of Henrico Area

Mental Health & Developmental Services (MH/DS), who narrated a slide presentation on this item. Mr. O'Connor began his presentation by explaining that mental health first aid is a public education program "invented" in Australia to help a lay person identify, understand, and respond to signs of mental illness or substance use disorders. It recognizes that traditional first aid does not address common mental health issues. He also reviewed how mental health first aid training is provided; the content of the training, which includes understanding the most prevalent forms of mental illness and knowing what to do and what not to do; basics about psychiatric conditions; the prevalence of mental and drug use disorders in the United States; the mental health first aid program's five-step action plan; the training's expected outcomes and cost; and a plan for implementing the program locally through MH/DS. Four employees of MH/DS are certified in mental health first aid as of October 2013, the MH/DS administrative staff will receive training, and training will be offered to other County employees and the public. Other mental health organizations will also be encouraged to offer the training course to their employees.

Following Mr. O'Connor's presentation, Mrs. O'Bannon pointed out that she sits on the State Executive Council for Comprehensive Services for At-Risk Youth and Families. She commented on the history of the international mental health first aid initiative and the benefits of having a local training program in place. She thanked Mrs. Crawley for being responsive to her concerns and noted that she is pleased that Mrs. Crawley and Mr. O'Connor took the initiative in developing a local implementation plan. Mrs. O'Bannon remarked that she is also pleased that the Commonwealth is providing funding for mental health first aid training and certification.

Mr. O'Connor responded to questions from Mr. Kaechele regarding the costs, sources of funding, and time commitment for certification and training. Mr. Nelson noted that his church had sponsored a conference the previous weekend on mental illness and emotional health. In response to a question from Mr. Nelson, Mr. O'Connor reiterated the focal point and purpose of mental health first aid training. He, Mrs. Crawley, and Mrs. O'Bannon responded to a question from Mr. Kaechele relating to the challenges in distinguishing between the various types and degrees of mental disorders. Mr. O'Connor commented that one of the positive outcomes of mental health first aid is breaking down the stigma of mental illness.

Mr. Vithoulkas thanked Mrs. Crawley and Mr. O'Connor for their efforts with this program and advised the Board that it will receive future updates from staff as the program evolves locally.

Commission on Local Government Mandates Report

Mr. Vithoulkas advised the Board that this was simply an information item and noted that the topic of state and federal mandates has come up frequently in Board discussions with staff. He confirmed for Mr. Kaechele that he had recently sent a letter to the Board with information relating to this subject. Mr. Vithoulkas recognized Brandon Hinton, Management and Budget Division Director, who narrated a slide presentation titled *Impact of State/Federal Mandates on Local Governments in Virginia*. Mr. Hinton began his presentation by explaining that a mandate is a "State or Federal constitutional, statutory, or administrative action that places a requirement on local governments." He pointed out that the *2013 Catalog of State and Federal Mandates on*

Local Governments compiled by the Virginia Commission on Local Government identifies 649 individual mandates, many of which have either no funding source or an inadequate funding source. Mr. Hinton provided examples of the 152 unreviewable and 497 reviewable mandates identified in the report, noting that the number of mandates has increased by 14 percent since 2009 while the County has experienced a five percent decrease in state and federal funding during the same period. He also commented on the status of the Governor's Task Force for Local Government Mandate Review, which was created in September 2011 by Governor Bob McDonnell. Mr. Hinton showed several graphs, which depicted state funding for K-12 education remaining below Fiscal Year 2009 levels, a declining percentage of the state's general fund going to localities, and state funding shortfalls for mandated services during the same time the state has been reporting annual budget surpluses. He concluded his presentation by sharing a slide montage of the nearly 300-page Commission on Local Government mandates document.

Following Mr. Hinton's presentation, Mr. Vithoukas and Mr. Casey as well as Mr. Foster joined him in responding to a number of questions from the Board relating to how the state budget surplus is being used, sanctions faced by localities that do not comply with state and federal mandates, the current cost to the County of unfunded mandates (11 cents on the real estate tax rate or \$33 million per year), the composition and role of the Governor's Task Force for Local Government Mandate Review, examples of mandates that were excluded from the Commission on Local Government report, the number of Best Management Practice (BMP) stormwater retention ponds located in the County and the cost of maintaining them (1,400 to \$5,000 to \$10,000 each), the number of water intakes and stormwater outfalls inspected by the County (23,000), the frequency of publication of the Commission on Local Government report (annually since 1993), how the County shares mandates information with the public, mandates on landfills and public utility operations not included in the Commission's report, the cost to localities of mandated Virginia Retirement System (VRS) contribution rates versus the rates paid by the state, and how the County is financially meeting the costs of mandates. Mr. Vithoukas pointed out that Henrico was the first locality in Virginia to recognize that the General Assembly was underfunding VRS and to project the financial impact that this would have on local government budgets. Mr. Nelson suggested that the County needs to help Henrico citizens better understand that it cannot wash its hands of state and federal mandates or pass the buck to another level of government. Mrs. O'Bannon remarked that she is bothered the County is given little or no flexibility in complying with state and federal mandates but agrees with Mr. Foster that the County continues to find the most cost effective way to follow the mles.

The Board recessed for dinner at 6:17 p.m. and reconvened at 6:25 p.m.

Renewal of Comcast's Cable Television Franchise

Mr. Vithoukas announced that discussion of this item would begin in open session but that he would ask the Board to go into closed session to discuss legal and contractual details of the proposed franchise agreement between the County and Comcast. He recognized John Neal, Director of General Services, who noted that the 15-year renewal agreement is near conclusion and ready for signatures. Mr. Neal expressed pride in the product and noted that the public

hearing on the ordinance to renew the County's contract with Comcast is scheduled for November 12. Mr. Neal recognized the following members of the County's Cable Television Advisory Committee who were present: Joshua Dickerson, Sam Strauss, and Walter Johnson. He also recognized retired General Services Director Paul Proto, who serves as a special cable television consultant for the County, and Assistant County Attorney Andrew Newby, both of whom worked closely with the committee and the Department of General Services on the agreement.

Mr. Neal recognized Ken Dye, Director of Government and Community Affairs for Comcast Metro Richmond and a resident of the County's Tuckahoe District. Mr. Dye thanked Mr. Neal and the committee for their hard work on the franchise agreement. He reflected on Comcast's longstanding partnership with the County and contributions to Henrico's economy as a major employer, taxpayer, and supporter of the community and its educational system. He also reflected on the company's many technological advancements and service enhancements during the past three decades. Several years ago, the company entered the home security and professional monitoring business while continuing to provide digital cable television, high-speed internet, and landline home telephone services. Mr. Dye remarked that Comcast can happily operate under the new agreement that it has crafted with the County. He responded to questions from Mr. Glover regarding the use of broadband phone services to place emergency calls and the current location of Comcast's call center that was previously located in Henrico County.

On motion of Mr. Thomson, seconded by Mr. Glover, the Board approved going into a closed meeting at 6:44 p.m. for consultation with the County Attorney regarding specific legal matters requiring the provision of legal advice pertaining to renewal of Comcast's cable television franchise, 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	
Richard W. Glover	
Tyrone E. Nelson	
Frank J. Thomson	

On motion of Mr. Glover, seconded by Mr. Nelson, the Board approved going out of the closed meeting at 6:56 p.m.

The vote of the Board was as follows:

<u>Aye</u>	<u>Nay</u>
David A. Kaechele	
Patricia S. O'Bannon	
Richard W. Glover	
Tyrone E. Nelson	
Frank J. Thornton	

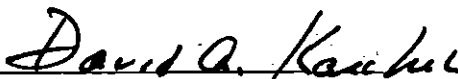
On motion of Mr. Glover, seconded by Mr. Thornton, the Board approved the attached Certificate of Closed Meeting.

The vote of the Board was as follows:

Aye
David A. Kaechele
Patricia S. O'Bannon
Richard W. Glover
Tyrone E. Nelson
Frank J. Thornton

Nay

There being no further business, the meeting was adjourned at 6:57 p.m.


Chairman, Board of Supervisors
Henrico County, Virginia