

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
May 13, 2014

The Henrico County Board of Supervisors convened a special meeting on Tuesday, May 13, 2014, at 4:30 p.m., in the County Manager's Conference Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, 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. Vithoukas, County Manager
Joseph P. Rapisarda, Jr., 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 A. Casey, Ph.D., Deputy County Manager for Administration
Jane D. Crawley, Deputy County Manager for Community Services
Timothy A. Foster, P.E., Deputy County Manager for Community Operations
Randall R. Silber, Deputy County Manager for Community Development
Tamra R. McKinney, Director of Public Relations & Media Services

Mrs. O'Bannon called the meeting to order at 4:36 p.m.

As stated at the prior work session, Mr. Vithoukas noted the Board will continue to receive work session updates from organizations to which the County provides funding through the budget's non-departmental category. The updates were prompted by questions raised by the Board during the annual legislative budget reviews.

Lewis Ginter Botanical Garden Update

Mr. Vithoukas recognized Shane Tippet, Executive Director of Lewis Ginter Botanical Garden, who pointed out the Garden is celebrating its 30th anniversary this year. Mr. Tippet distributed a one-page handout containing several statistics regarding the Garden. During his presentation, Mr. Tippet shared a long series of slides featuring the Garden. He began his update with a brief history of the property on which the Garden is located. The Garden's namesake, Lewis Ginter, purchased the property in 1884 and constructed what is now referred to as the Blomendaal House. The property was later owned by his niece, Grace Arents, and

the City of Richmond prior to most of the property being acquired by a group of interested botanists, horticulturists, and citizens in 1981. Lewis Ginter Botanical Garden is a non-profit organization and is principally funded by visitors and donors. The Garden is one of the most-visited attractions in the Richmond metropolitan area and approximately one-third of its 349,700 annual visitors are Henrico residents. Its annual operating budget is \$6.1 million and budgeted fiscal year-end surplus is \$12.

Mr. Tippett continued his presentation by reviewing the Garden's membership and admissions data and its salary and benefit information. He explained that the Garden's mission is education and its passion is connecting plants and people to improve the community where there is both risk and reward. He highlighted the Garden's conservatory and floral displays; referred to several of its community partnerships, including the Community Kitchen Garden that donates food to FeedMore; and discussed the Garden's community education and community engagement programs. Mr. Tippett also profiled the Garden's active water systems and the national awards and media accolades it has received. He concluded his presentation by noting the Garden's inclusion in the Richmond Garden Trail, a ready-made itinerary of some of the country's best gardens and green spaces.

Following his presentation, Mr. Tippett responded to questions from the Board concerning the Garden's ownership, attendance figures and admission costs, national rankings, and community engagement. At Mr. Vithoulkas' request, he introduced Beth Monroe, the Garden's Public Relations and Marketing Director. Mr. Tippett agreed to follow up on a suggestion by Mr. Glover to dress up the entrance to the Garden by putting new plantings on the east side of Lakeside Avenue. Mr. Vithoulkas clarified that the County's annual contribution to the Garden is just over \$98,000.

Henrico County Response to Lynchburg Oil Spill

Mr. Vithoulkas introduced this item by citing the County's response to this incident as an example of regional and intergovernmental cooperation involving employees from different agencies coming together as a group and performing important tasks that are often taken for granted. He recognized Mr. Foster as his right hand in driving the County's team that worked on this matter.

Mr. Foster narrated a slide presentation on the trail derailment that occurred in Lynchburg on April 30, which caused three CSX Railroad tanker cars carrying crude oil to fall into the James River. Mr. Foster pointed out that no oil entered the County's water supply from this spill and more than 50 members of the County staff participated in the County's response. He recognized Public Utilities Director Bill Mawyer and Water Treatment Facility Division Director Russ Navratil and consulting engineers Dan Seli and Chris Tabor (Whitman Requardt and Associates) and Erik Rosenfeldt (Hazen and Sawyer) for their efforts to monitor, test, and protect the County's water supply. Doug Middleton, Chief of Police, informed the Board that his department and the regional Metro Aviation Unit had pilots fly airplanes over the location of the spill and report back on what they saw from the air. In response to questions from Mr. Nelson, Chief Middleton explained how the Metro Aviation Unit is staffed and prioritizes emergency responses.

Tony McDowell, Fire Chief, recognized Deputy Emergency Services Coordinator Anna McRay, Assistant Fire Chief Mike Cox, Fire Captain Bryan Miers, and Fire Battalion Chief Gary Samuels for their roles on the response team, which included the launching of boats by the Division of Fire's Special Operations Team and "boots on the ground" inspections. Mr. Foster recognized Health Director Susan Fischer Davis and Health Department Emergency Coordinator Kevin Pannell for their participation. Mrs. McKinney recognized Steve Knockemus, Assistant Director of Public Relations & Media Services, who spearheaded the County's efforts in providing information to the media on the oil spill incident and the County's response. Mr. Knockemus referred to the three press releases he prepared and released during the incident.

Following these recognitions, Mr. Foster proceeded with his presentation by providing details of the timeline of the County's response efforts on Wednesday, April 30; Thursday, May 1; and Friday, May 2. These efforts included meetings with the County Manager; contacting state and federal agencies; issuing press releases; coordinating water monitoring with the Virginia Department of Health and City of Richmond Department of Public Utilities; air, river, and land reconnaissance with personal reports from Police Captain Chris Alberta; and periodic updates from James River Juvenile Detention Commission Superintendent Mike Martin and his staff on the water in the James River flowing by their facility. Mr. Foster closed his presentation by thanking the many County employees who stepped up to the plate during this incident and cited their efforts as a testament to the effectiveness of the County's emergency preparedness plan and procedures. He confirmed for Mr. Glover that CSX Corporation contracted with a Henrico County company, Cranemasters, to get the derailed trains back on track. Mr. Foster confirmed for Mrs. O'Bannon that it took approximately 36 hours for the oil to pass down the river from Lynchburg through Henrico.

Mrs. O'Bannon thanked Mr. Foster for his presentation and noted that it helped the Board better understand the efforts by County staff to respond to this incident in a quick and efficient matter and to keep Henrico citizens informed. Mr. Vithoukas pointed out that Bryan Rhode, a senior vice president with CSX Corporation, was in constant communication with the County during the aftermath of this incident. Mr. Vithoukas thanked Mr. Foster and the County's staff members who were involved in the response efforts.

The Board recessed for dinner at 5:35 p.m. and reconvened at 5:40 p.m.

Traditional Neighborhood Development District

Mr. Vithoukas recognized Joe Emerson, Director of Planning, who narrated a presentation on this item. Mr. Emerson began his presentation by reminding the Board that TND was a new land use designation in the County's 2026 Comprehensive Plan and provides for mixed residential and commercial uses on a smaller scale than an Urban Mixed-Use (UMU) District. He characterized a TND District as being pedestrian friendly, with a focus on public open spaces; requiring high-quality materials and a detailed architectural design; providing flexibility for different housing types, lot sizes, and setbacks; and coordinating new development with infrastructure such as transportation, utilities, and schools.

Mr. Emerson continued his presentation by reviewing the 2026 Comprehensive Plan's TND designations and TND ordinance elements, residential examples, layout and height examples, and commercial examples. He concluded his presentation by outlining the proposed next steps, which would involve a formal ordinance initiation; developing a draft for presentation to the Planning Commission, to include work sessions and consideration of a public hearing; and review of the proposed ordinance by the Board of Supervisors, to include a work session to discuss any Planning Commission recommendation and consideration of a public hearing for ordinance adoption.

Following Mr. Emerson's presentation, he and Mr. Silber responded to a number of questions and concerns from the Board regarding the distinction between TND and UMU districts. Mr. Glover questioned the merits of bringing a TND ordinance forward in light of the Board's previous actions to eliminate the higher density R-4 and R-4A Districts. Mr. Emerson advised Mr. Thornton that the major challenge of a TND District would be accommodating infill properties. Citing examples in Florida and Loudoun County Virginia, Mr. Emerson noted TND Districts have been successful in other communities and would be consistent with the County's 2026 Comprehensive Plan. Mr. Thornton expressed concerns about the County moving towards developments in the future that allow smaller square footages for residential dwellings. Mr. Vithoukaskas acknowledged he was hearing hesitation by the Board with the TND District as presented by staff and explained that the purpose of the presentation was to obtain the Board's input. He pointed out this proposal was conceptual and suggested it be reworked and then brought back to the Board for further discussion. Mrs. O'Bannon voiced concerns about the infill issue. Mr. Glover asked that any future presentations on this item more clearly define the differences between TND and UMU Districts.

Regular Meeting Agenda Items

Mr. Vithoukaskas reviewed the agenda for the 7:00 p.m. meeting. He explained the three proclamations and the two board and commission appointment papers listed on the agenda. Mr. Vithoukaskas then provided a brief overview of the five zoning cases. In response to a concern expressed by Mr. Glover relating to the first zoning case listed on the agenda, Mr. Rapisarda advised that the applicant for this case had submitted revised proffers addressing this concern. Mr. Vithoukaskas pointed out no action by the Board was required for the public hearing item pertaining to the unsolicited proposal for the Central Police Station. In response to a question from Mrs. O'Bannon, Mr. Rapisarda explained the purpose for this hearing. Mr. Vithoukaskas and Mr. Silber responded to questions from Mrs. O'Bannon and Mr. Kaechele regarding the first item on the general agenda, which would authorize the County Manager to execute a performance agreement among the County, the Economic Development Authority, and Fareva Richmond Inc. Chief McDowell offered further explanation of the second item listed on the general agenda, which would award a contract to MCVP Associated Physicians to provide Operational Medical Director services to the Division of Fire.

On motion of Mr. Glover, seconded by Mr. Kaechele, the Board approved going into a closed meeting at 6:31 p.m. for Consultation with the County Attorney Regarding Specific Legal Matters Requiring the Provision of Legal Advice Pertaining to the Implications of *Town of*

Greece v. Galloway, 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>Absent</u>
Patricia S. O'Bannon	
Frank J. Thornton	
Richard W. Glover	
David A. Kaechele	
Tyrone E. Nelson	

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

The vote of the Board was as follows:

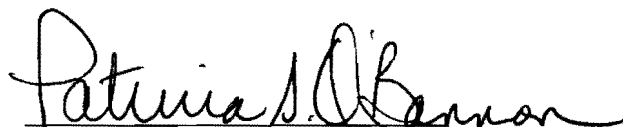
<u>Aye</u>	<u>Absent</u>
Patricia S. O'Bannon	
Frank J. Thornton	
Richard W. Glover	
David A. Kaechele	
Tyrone E. Nelson	

On motion of Mr. Kaechele, 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>Absent</u>
Patricia S. O'Bannon	
Frank J. Thornton	
Richard W. Glover	
David A. Kaechele	
Tyrone E. Nelson	

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


Chairman, Board of Supervisors
Henrico County, Virginia