

COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
SPECIAL MEETING  
June 22, 2010

The Henrico County Board of Supervisors convened a special meeting on Tuesday, June 22, 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, Virginia.

**Members of the Board Present:**

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

**Other Officials Present:**

Virgil R. Hazelett, P.E., County Manager  
Joseph P. Rapisarda, Jr., 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  
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  
John A. Vithoukas, Special Economic Advisor to the County Manager/Director of Finance  
C. Michael Schnurman, Jr., Legislative Liaison  
Tamra R. McKinney, Director of Public Relations & Media Services

Mrs. O'Bannon called the meeting to order at 4:51 p.m.

**Virginia Retirement System (VRS) Modifications Pursuant to 2010 State Legislation**

Mr. Hazelett recognized George Cauble, Jr., Director of Human Resources, who narrated a brief *Virginia Retirement System Review* slide presentation. Mr. Cauble advised the Board that due to changes to the Virginia Retirement System approved by the Virginia General Assembly during the 2010 Session, localities and school divisions opting to pay the five percent member contribution for Plan 2 members, i.e. those employees hired after July 1, 2010, would be required to pass a resolution prior to July 1, 2010. He noted that the Henrico School Board would be considering a resolution to pay the five percent employee contribution for Plan 2 members at its June 24, 2010 meeting. Mr. Cauble further noted that Henrico County began paying the five percent member contribution for its employees in FY 1977-78 in lieu of a salary increase. Mr. Hazelett elaborated on the distinction between VRS Plan 1 and Plan 2 members pursuant to the new state legislation

and clarified that Plan 1 members will not see a change in their retirement benefits. Mr. Cauble summarized how benefits for Plan 2 members will differ from those for Plan 2 members. He pointed out that the new state legislation resulted from a Joint Legislative Audit and Review Commission (JLARC) study.

Mr. Cauble, Mr. Hazelett, Mr. Rapisarda, and Management and Budget Division Director Gene Walter responded to questions and comments from the Board regarding the Board's two options for funding Plan 2 employee VRS contributions, whether the new state legislation will impact law enforcement officer or school employee supplemental retirement benefits, the national trend away from traditional defined benefit pension plans in favor of defined contribution retirement plans, and the level of the County's annual VRS contributions. There was discussion among the Board, Mr. Vithoukias, and Mr. Hazelett pertaining to VRS contribution rates and investments.

### **Pending Ordinance Amendments Resulting from 2010 State Legislation**

Mr. Hazelett recognized Ms. Adams, who narrated a slide presentation on *Henrico Code Amendments Resulting from 2010 General Assembly Legislation*. Ms. Adams reviewed several bills approved during the Session that would require changes to the County Code and an additional bill that would allow a change to the Code as follows: House Bill (HB) 239/Senate Bill (SB) 90 – renames animal protection officers as animal protection police officers and provides these officers with full law-enforcement powers; HB 985/SB 90 – excludes from the taxable gross receipts of security brokers and dealers amounts paid to independent contractors as commissions on the sale or purchase of a security; HB 1301/SB 355 – clarifies that short-term rental property is a classification of merchants' capital rather than tangible personal property and permits localities to continue to impose the Business, Professional, Occupational, and License (BPOL) tax on persons engaged in the short-term rental business; HB 409/HB 713 – requires contractors to provide certain documentation prior to issuance of initial or renewal business licenses and requires a licensed or certified contractor to furnish his license or certification number; and HB 367 – allows imposition of an additional \$35.00 service charge for the return of a check, draft, or order payable to a locality on which a stop-payment order has been placed by the payer in bad faith. Ms. Adams advised that staff was recommending that ordinances incorporating these changes be introduced at the July 13, 2010 Board of Supervisors meeting, advertised in the *Richmond Times Dispatch* on July 20 and 27, 2010, and scheduled for public hearing at the Board's August 10, 2010 meeting.

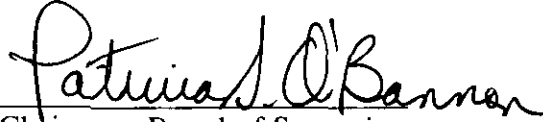
Ms. Adams, Animal Protection Supervisor Shawn Sears, Mr. Hazelett, and Mr. Cauble responded to questions from the Board pertaining to the legislation addressing animal control police officers. These questions concerned the training that would be required for animal protection police officers, the restriction of the legislation to Henrico County, and the powers of and pay grades for this new classification of police officers. Ms. Adams responded to questions from the Board relating to the legislation addressing security brokers and dealers. These questions were in regards to the revenue impact of this legislative change on the County and the legal distinction between brokers and dealers. Ms. Adams also responded to a question concerning the legislation addressing contractors, specifically whether certain contracting businesses are exempted from having to obtain from a business license.

The Board recessed for dinner at 5:31 p.m. and reconvened at 5:59 p.m.

Mr. Hazelett briefly reviewed the presentations, appointments, public hearings, and general agenda items listed on the evening's regular meeting agenda. He advised that a citizen had signed up in advance to address the Board during the public comment period on concerns relating to the local public access cable television channel and that this matter should be discussed by the Board at a future work session on either July 13 or 27, 2010. Mr. Hazelett, Mr. Rapisarda, and Mrs. McKinney responded to questions from the Board regarding the County's level of control over the local cable public access studio, the cable companies' responsibilities for this studio, and how programming is controlled on the public access station. Mr. Hazelett reviewed the format of the evening's public hearing on the proposed reduction to Greater Richmond Transit Company (GRTC) service and how citizen comments would be incorporated into the record. There was more discussion by the Board and Mr. Hazelett of the public access cable television channel matter and by Mr. Glover and Mr. Hazelett of comments on WRVA-AM radio by commentators Paul Barrett and Jimmy Bottoms that were critical of the County's cable television station, *Henrico Today* publication, and residential investment tax abatement program.

Mr. Hazelett briefed the Board on the current status of VRS and how other localities in the region and the Commonwealth of Virginia had been responding to the new 2010 state legislation discussed at the outset of this special meeting. He and Mr. Vithoukias responded to several questions and comments from the Board pertaining to the state revenue situation and there was extended discussion by Mrs. O'Bannon, Mr. Glover, and Mr. Hazelett relating to the financial predicament of other Virginia localities. There was then discussion by the Board, Mr. Hazelett, and Mr. Vithoukias of the Richmond Flying Squirrels baseball team, the County's financial outlook for the coming year, alternate forms of local government in Virginia, the office of Sheriff, the future of high speed rail in the Commonwealth, and the viability of Amtrak's Main Street station.

There being no further business, the meeting was adjourned at 6:52 p.m.

  
Chairman, Board of Supervisors  
Henrico County, Virginia