

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
July 12, 2011

The Henrico County Board of Supervisors convened a special meeting on Tuesday, July 12, 2011 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:

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

Other Officials Present:

Virgil R. Hazelett, P.E., County Manager
Joseph P. Rapisarda, Jr., County Attorney
Tom J. T. Tokarz, Deputy 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
George T. Drumwright Jr., Deputy County Manager for Community Services
Angela N. Harper, FAICP, Deputy County Manager for Special Services
Leon T. Johnson, Ph.D., Deputy County Manager for Administration
Robert K. Pinkerton, P.E., Deputy County Manager for Community Operations
Randy R. Silber, Deputy County Manager for Community Development
Jennifer K. Acker, Assistant Director of Public Relations & Media Services

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

Mr. Hazelett noted that both items on this special meeting agenda would be presented by Ben Blankinship, Zoning Division Manager for the Department of Planning.

Proposed Ordinance Amendments to Regulate Group Homes and Assisted Living Homes

Mr. Blankinship narrated a slide presentation titled *Proposed Zoning Amendment: Group Homes and Assisted Living Homes*. He reminded the Board that it previously discussed this matter in a work session on July 13, 2010 and adopted a resolution on February 22, 2011 to initiate the amendment process. During his presentation, Mr. Blankinship referred to the longstanding legal protection afforded to group homes under federal and state housing laws and explained the proposed amendment to the County Code to comply with a recent State Code amendment providing similar protection to assisted living homes with eight or fewer residents. He noted that the Planning Commission recommended approval of the proposed amendment on May 12, 2011 and the next

step will be for the Board to hold a public hearing on the proposed amendment on September 13, 2011.

During Mr. Blankinship's presentation, Mr. Rapisarda and Deputy County Attorney Tom Tokarz assisted him in responding to a question from Mr. Thornton regarding the federal and state legislative history of group homes. Following Mr. Blankinship's presentation, he and Mr. Hazelett as well as Mr. Rapisarda and Mr. Drumwright responded to a number of questions and comments from the Board regarding how the disabilities of group home residents are verified, the purpose of the public hearing on a local Code amendment mandated by state law, the state agency responsible for regulating group homes, the failure of septic tanks serving certain group homes in the County, the profitability of group homes and whether they require local business licenses, and the level of sensitivity of the County's Congressional delegation to problems caused by some group homes and to the public's sometimes unfavorable perception of group homes. Mr. Donati suggested that the County seek legislation requiring that localities be notified when a group home is located within a residential neighborhood so that the County can better anticipate public safety concerns and needs. Mrs. O'Bannon suggested that the Planning Commission hold a work session on group homes. Mr. Thornton remarked that many of his constituents believe that a disproportionate number of group homes are sited in the Fairfield District. He thanked Mr. Drumwright for facilitating neighborhood meetings and dialogue between group home operators and residents of communities where group homes are located. Mr. Hazelett agreed to follow up on the Board's suggestions and indicated that he will ask staff to prepare a map identifying the location of group homes within Henrico of which County staff is aware.

Proposed Ordinance Amendments to Permit Temporary Family Health Care Structures

Mr. Blankinship narrated a slide presentation titled *Proposed Zoning Amendments: Temporary Family Health Care Structures*. He began his presentation by pointing out that a new statutory amendment requires every county in Virginia with a zoning ordinance to allow temporary family health care structures. Some of the provisions are mandatory and others are optional for the local government. He reminded the Board that it previously discussed this matter in a work session on July 13, 2010 and adopted a resolution on February 22, 2011 to initiate the amendment process. During his presentation, Mr. Blankinship provided an example of the layout and design of temporary health care structures, reviewed the mandatory and optional provisions in the State Code addressing these structures, explained the proposed amendment to comply with all mandatory State Code provisions and to take advantage of all optional State Code provisions, and identified several subdivisions within the County where these structures could be located. He noted that the Planning Commission recommended approval of the proposed amendment on May 12, 2011 and the next step will be for the Board to hold a public hearing on the proposed amendment on September 13, 2011. Mr. Blankinship further noted that a separate Board paper will be brought forward establishing an application fee for persons desiring to construct one of these structures.

The Board recessed for dinner at 6:10 p.m. and reconvened at 6:32 p.m.

Mr. Hazelett informed the Board of two tragic incidents involving the Division of Police that had occurred within the past week, a police recruit who took his own life and an off duty police officer who was killed by another motorist while riding his motorcycle. Mr. Hazelett advised that Police Chief Doug Middleton was currently at the hospital waiting for the off duty officer's family to arrive.

Mr. Hazelett informed the Board that *Innsbrook after Hours* was expecting a record crowd for a concert scheduled later in the evening and that the Division of Police had assigned additional officers to cover the event. He responded to questions from Mr. Kaechele concerning the matter. Mr. Hazelett also informed the Board that the Richmond Times-Dispatch reporter assigned to cover the County will be leaving the newspaper at the end of the month to return to school for a graduate degree and that Paula Reid, Assistant Director of Human Resources, has been appointed the County's new Director of Human Services effective July 16, 2011.

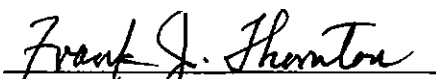
Mr. Hazelett briefed the Board on a matter covered by the media relating to the scheduled removal of Canada geese by the United States Department of Agriculture (USDA) Wildlife Services from lakefront properties in the Canterbury subdivision. He noted the County's role in this mitigation effort and that there might be concerned citizens addressing the Board on this matter at the evening meeting during the public comment period. Mr. Hazelett responded to questions from the Board regarding this matter and cited applicable provisions from a geese removal agreement between the County and USDA.

Mr. Hazelett reviewed the public hearing and general agenda items for the evening meeting. Mr. Rapisarda pointed out that the ordinance being introduced relating to abandoned motor vehicles would not affect the County's Division of Police or Department of Community Revitalization, only private towing companies. Mr. Hazelett advised that he will be meeting individually with Mrs. O'Bannon and Mr. Donati to discuss the proposed ordinance allowing dog parks in the County.

In response to an inquiry by Mr. Thornton, Mr. Hazelett updated the Board on the status of former Richmond International Raceway President Doug Fritz and agreed it would be appropriate for the Board to adopt and present a resolution at its next regular meeting recognizing Mr. Fritz's huge impact on the County and on the community surrounding the raceway. He will be meeting in the near future with the new RIR president, Dennis Bickmeier, to discuss upcoming events at the raceway relating to the County's 400th anniversary.

In response to questions from Mr. Kaechele and other members of the Board, Mr. Hazelett commented on the local economy and the potential impact of federal funding reductions on state and local bond ratings. There was discussion by Mr. Hazelett and the Board pertaining to the County's real estate market, revenue projections, pending sale of bonds, hotel occupancy and unemployment rates, and job creation efforts. Mr. Donati inquired about the status of a new banking facility at White Oak Village.

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


Chairman, Board of Supervisors
Henrico County, Virginia