

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
August 24, 2011

The Henrico County Board of Supervisors convened a special meeting on Wednesday, August 24, 2011 at 12:00 noon 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
J. Thomas Tokarz, Deputy County Attorney
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
Tamra R. McKinney, Director of Public Relations & Media Services

Mr. Thornton called the meeting to order at 12:08 p.m.

Prior to the scheduled closed meeting, Mr. Hazelett provided the Board with an update on the previous day's earthquake event. The earthquake registered 5.8 in magnitude and its epicenter was located in Louisa County. Art Petrini, Director of Public Utilities and a resident of Louisa, experienced substantial damage to the walls and chimney of his home. The County's Emergency Operations Center (EOC) opened four minutes after the earthquake and received more than 400 calls within the first 30 minutes. All of the calls were answered. The County received 17 calls for service due to home alarm systems being activated during the earthquake and dispatched Emergency Medical Services (EMS) teams to Louisa to assist that jurisdiction in responding to emergency calls. The Department of General Services evacuated all of the County buildings and inspected them before employees were allowed back inside. There was some structural damage to stairwells in the Eastern Government Center, and cracks developed in the Human Services Building and in the south section of the Administration Building where the board room is located. A crack also developed in the City of Richmond's water treatment facility, and voluntary water

restrictions may be announced while the crack is being fixed. County staff will continue to monitor that situation and keep the Board informed.

Mr. Hazelett also updated the Board on Hurricane Irene, which was currently classified as a Category 3 storm, and expected to travel up the east coast within the next few days. He advised that he would continue to keep the Board informed as the storm approached and more information became available. There was further discussion from the Board and Mr. Hazelett regarding the earthquake and preparations for Irene.

On motion by Mrs. O'Bannon, seconded by Mr. Kaechele, the Board approved going into a Closed Meeting at 12:19 p.m. for the following purposes:

1. Consultation with the County Attorney Pertaining to Probable Litigation Arising from Zoning Case C-29C-08, Pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as Amended; and
2. Consultation with the County Attorney Regarding Specific Legal Matters Requiring the Provision of Legal Advice Pertaining to the Implications of *Joyner v. Forsyth County* and Related Cases, 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>
Frank J. Thornton	
Richard W. Glover	
James B. Donati, Jr.	
David A. Knechele	
Patricia S. O'Bannon	

On motion of Mr. Glover, seconded by Mr. Donati, the Board approved going out of the Closed Meeting at 2:27 p.m.

The vote of the Board was as follows:

<u>Aye</u>	<u>Nay</u>
Frank J. Thornton	
Richard W. Glover	
James B. Donati, Jr.	
David A. Kaechele	
Patricia S. O'Bannon	

On motion of Mrs. O'Bannon, seconded by Mr. Donati the Board approved the attached Certificate of Closed Meeting.

The vote of the Board was as follows:

Aye
Frank J. Thornton
Richard W. Glover
James B. Donati, Jr.
David A. Kaechele
Patricia S. O'Bannon


Nay

Mr. Hazelett brought forward the following Board paper for the Board's consideration:

192-11 Resolution – Request for Study and Recommendation of Possible Zoning Ordinance Amendments Relating to Places of Worship.

On motion of Mrs. O'Bannon, seconded by Mr. Donati and by unanimous vote, the Board approved this item – see attached resolution.

There being no further business, the meeting was adjourned at 2:30 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 192-11
Page No. 1 of 1

Agenda Title: RESOLUTION — Request for Study and Recommendation of Possible Zoning Ordinance Amendments Relating to Places of Worship

For Clerk's Use Only:

Date: **AUG 24 2011**

- Approved
- Denied
- Amended
- Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Donati
(2) _____ (2) _____

REMARKS:

APPROVED

YES NO OTHER

Donati, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Glover, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kaechele, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, the Code of Virginia permits amendment of the zoning ordinance to promote the health, safety and general welfare of the public; and,

WHEREAS, the federal Religious Land Use and Institutionalized Persons Act ("RLUIPA") prohibits the government from imposing or implementing a land use regulation in a manner that imposes a substantial burden on religious exercise unless the government demonstrates that imposition of the burden furthers a compelling governmental interest by the least restrictive means; and,

WHEREAS, RLUIPA also prohibits the government from imposing or implementing a land use regulation in a manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution or that discriminates against any assembly or institution on the basis of religion or religious denomination; and,

WHEREAS, under the County's zoning ordinance, there are certain zoning districts in which places of worship may not be located.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors: (1) requests the Planning Department staff to conduct a study of the zoning ordinance provisions governing places of worship and report its findings and recommendations of possible zoning ordinance amendments to the Planning Commission; and (2) requests the Planning Commission to make a recommendation to the Board concerning such amendments.

By Agency Head

By County Manager

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____