

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
November 22, 2011

The Henrico County Board of Supervisors convened a special meeting on Tuesday, November 22, 2011 at 5:15 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
Joseph T. (Tom) 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
John A. Vithoukias, Director of Finance/Special Economic Advisor to the County Manager
Tamra R. McKinney, Director of Public Relations & Media Services

Mr. Thornton called the meeting to order at 5:21 p.m.

Mr. Hazelett briefly referred to the one item listed on this special meeting agenda, which he noted was previously presented to the Board and brought back again because of questions and requests for additional alternatives.

Proposed Civil Penalties and Ticketing of Large Trucks and Commercial Vehicles in Agriculture and Residential Districts

Mr. Hazelett recognized Mark Strickler, Director of Community Revitalization, who narrated a slide presentation on this item. In his introduction, Mr. Strickland noted that staff has proposed changing how large trucks and commercial vehicles are addressed in agricultural and residential districts, both on private property (civil penalties) and in the right-of-way (parking tickets). Staff

has also proposed changing the vehicle weight limit. These changes would require amendments to the County Code.

Mr. Strickler explained how the County's zoning ordinance prohibits the parking of certain trucks or commercial vehicles, issues of concern regarding these provisions, and the current enforcement process. The most difficult cases to solve are those involving large trucks that park overnight or on weekends in residential districts. Detecting violators is extremely time-consuming for staff, often requiring overtime, and citizens are frustrated that the trucks keep coming back. Mr. Strickler reviewed survey data on local violations that was collected by staff following his previous presentation to the Board on this matter on February 22, 2011 and also reviewed staff's current proposal. Under this proposal, the Department of Community Revitalization would use civil penalties under zoning authority for commercial vehicle parking violations occurring on private property in agricultural and residential districts and the Division of Police would issue parking tickets for commercial vehicle parking violations occurring in the rights-of-way in these districts.

Mr. Strickler continued his presentation by summarizing the results of a survey conducted by his staff of how 14 Virginia localities address commercial vehicle violations on private property and in public rights-of-way and staff's proposed approach to dealing with these types of violations. He and Mr. Hazelett responded to questions from members of the Board pertaining to the scope of staff's proposal. Mr. Strickler then reviewed the zoning ordinance's current weight limit, which he characterized as being too low; vehicle weight examples for different types of vehicles; survey results of how 14 Virginia localities determine vehicle weights; staff's proposed 10,000 lb. gross weight limit; and classifications of vehicles that would be permitted and prohibited by staff's proposal.

Mr. Strickler, Community Maintenance Manager Paul Johnson, and Mr. Hazelett responded to questions from the Board relating to vehicle weight limits. Mr. Glover expressed satisfaction with the manner in which staff handles citizen complaints of commercial vehicle parking violations under the current zoning ordinance. Mr. Strickler and Mr. Hazelett responded to further questions and comments from the Board regarding staff's proposal. There was extended discussion by Mr. Strickler, Mr. Hazelett, and the Board concerning how the current vehicle weight limit should be changed. Mr. Hazelett reiterated the difficulty faced by Mr. Strickler's staff in locating the responsible party for commercial trucks parked in public rights-of-way in violation of the County's zoning ordinance. The consensus of the Board, as articulated by Mr. Hazelett, is to authorize the Division of Police to write tickets for Class 3 vehicles (10,001 to 14,000 lbs. in gross weight) parked in public rights-of-way and to continue the current process for addressing commercial vehicle violations on private property except that the weight limit for vehicles in violation will be raised to 10,000 lbs. Mr. Strickler concluded his presentation by identifying the next steps in the process to adopt and implement the changes that are agreed upon by the Board. He recommended a July 1, 2012 effective date for the new ordinance.


The Board recessed for dinner at 6:16 p.m. and reconvened at 6:31 p.m.

Mr. Hazelett briefly reviewed the agenda for the 7:00 p.m. regular meeting and referred to his appointments to the County's Audit Committee for the upcoming year. He distributed a one-page

handout detailing the last item on the resolution being introduced to amend the FY 2011-12 Annual Fiscal Plan, which would transfer approximately \$1.5 million of unspent balances in four school capital projects to the General Fund to support elementary education. These projects were funded with American Recovery and Reinvestment Act (ARRA) federal stimulus funds received through the Commonwealth of Virginia. Mr. Hazelett suggested that the funds be carried over to the next fiscal year to help cover anticipated revenue shortfalls. He does not support a proposal by the School Superintendent, Dr. Patrick Russo, to transfer these funds out of personnel accounts and into capital expenditure accounts. Mr. Vithoukas responded to questions from the Board on this item.

Mr. Hazelett further noted that Schools will in the near future be requesting the appropriation of \$9.6 million in federal stimulus funds that must be spent for school operations before September 30, 2012. He expressed concern that Schools has already begun spending the funds before they have been appropriated by the Board of Supervisors. There was considerable discussion by the Board, Mr. Hazelett, and Mr. Vithoukas regarding the need for the School Board and Schools Administration to follow proper procedures in expending federal funds and how these funds are being used. Mr. Thornton voiced concern that their failure to do so could take away from the County's credibility and its reputation for sound financial management. Mr. Hazelett noted that he has expressed to Dr. Russo both verbally and in writing his displeasure with the manner in which Schools has handled these funds. He also read to the Board rules that have been established by the federal government for expending federal stimulus funds. Mr. Hazelett and Mr. Vithoukas responded to further questions from the Board regarding this matter.

There being no further business, the meeting was adjourned at 6:53 p.m.


Chairman, Board of Supervisors
Henrico County, Virginia