

COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
SPECIAL MEETING  
January 24, 2012

The Henrico County Board of Supervisors convened a special meeting on Tuesday, January 24, 2012 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:**

Richard W. Glover, Chairman, Brookland District  
David A. Kaechele, Vice Chairman, Three Chopt District  
Tyrone E. Nelson, Varina District  
Patricia S. O'Bannon, Tuckahoe District  
Frank J. Thornton, Fairfield District

**Other Officials Present:**

Virgil R. Hazelett, P.E., County Manager  
Joseph P. Rapisarda, Jr., County Attorney  
Joseph T. (Tom) Tokarz II, 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  
Robert K. Pinkerton, P.E., Deputy County Manager for Community Operations  
Randall R. Silber, Deputy County Manager for Community Development  
John A. Vithoukas, Deputy County Manager for Administration  
Timothy A. Foster, Director of Public Works  
Tamra R. McKimney, Director of Public Relations & Media Services

Mr. Glover called the meeting to order at 4:38 p.m.

Mr. Hazelett briefly referred to the three items listed on the special meeting agenda.

**2011 General Election Debriefing**

Mr. Hazelett introduced Mark Coakley, General Registrar, who presented this item to the Board. Mr. Coakley distributed a County map highlighting local precinct and voter turnout statistics from the November 2011 general election. He noted that the County Registrar's Office began preparing for this election in August 2011 with the training of poll workers. Election and assistant election chiefs were trained in October. The large ballot in 2011 created challenges for staff in tallying results once the polls closed at 7:00 p.m. on election day. Mr. Coakley explained how local results are posted and updated on the Virginia State Board of Elections' website. He

also reviewed challenges during this past election stemming from split precincts. The day after the election, the County's Electoral Board held a five-hour meeting to certify the votes and confirm the winners in local races. At the conclusion of his brief presentation, Mr. Coakley invited questions from the Board.

Mrs. O'Bannon voiced concerns she had received from constituents following the election and subsequently shared with the Chairman of the State Board of Elections regarding the level of training received by poll workers, persons in split precincts receiving the wrong ballot, poll workers instructing voters that they must vote for a candidate in each race, and voters being told they were not registered. Mr. Coakley responded to these concerns by reiterating the process for training Henrico poll workers, explaining how the ballot issue was temporarily resolved through the use of paper ballots and will be resolved in the future by dedicating voting machines to specific legislative races, stressing the confidentiality of voter ballots, and reviewing an electronic glitch that erroneously directed voters to adjoining precincts and that was resolved through provisional ballots. Mr. Coakley responded to follow up questions from the Board. Mr. Nelson asked to get a copy of documentation identifying the split precincts. Mr. Coakley clarified for Mrs. O'Bannon that Virginia citizens who do not have voter registration cards can provide alternative forms of identification at the polls.

Mr. Thomson commented that citizens should feel comfortable when voting and that poll workers should ideally reflect the ethnicity of the County. Mr. Coakley explained for Mr. Thomson how voters can report incidents of intimidation or other problems they may encounter with poll workers. Mr. Thomson expressed concern about proposed changes to Virginia's election laws. He noted that Henrico has a good track record for conducting elections as compared to other localities and expressed hope that the County will continue to improve its election system. Mr. Coakley responded to further questions and comments from the Board pertaining to the requirements for casting provisional ballots, the process for registering voters through the Virginia Department of Motor Vehicles, the types of information that can be gleaned from electronic poll books, state requirements for removing inactive voters from the rolls, the level of authority held by chief officers of election over poll workers, the timeframe for downloading election results on the Virginia Board of Elections website, the reliability of electronic poll books, and the overall voting turnout in Henrico for the most recent election. Mr. Hazelett concluded the discussions by noting that Mr. Coakley is always available to the Board to answer questions.

#### Urban Mixed Use District Ordinance Revision

Mr. Hazelett introduced Joe Emerson, Director of Planning, who narrated a slide presentation titled *Urban Mixed Use District Review and Updates*. Mr. Emerson provided a history of the ordinance, which was adopted in August 2002, and noted that Henrico's first Urban Mixed Use (UMU) project was approved in 2004. He explained how various developments have presented challenges in interpreting and applying the ordinance and how certain portions of the ordinance have made it difficult to create a desirable form of urban development. Mr. Emerson noted that an internal and external analysis of the ordinance in the context of the County's new 2026 Comprehensive Plan led staff to recommend an update to the ordinance. The Planning Commission recommended approval of revisions to the ordinance on September 15, 2011. Mr. Emerson reviewed these potential revisions, which deal with sections of the ordinance addressing

the purpose of the district; procedures to establish a UMU district; submission requirements; permitted principal, provisional, and accessory uses; and development standards.

Prior to concluding his presentation, Mr. Emerson responded to questions from the Board relating to accessory dwellings, outdoor dining standards, the permitted height for residential uses, and parking requirements. In response to concerns expressed by Mr. Glover, there was extended discussion by the Board, Mr. Emerson, and Mr. Hazelett regarding a proposed revision to the development standards that would allow areas of less than ten acres to be rezoned if they are adjacent to a core area meeting the ten-acre requirement.

Mr. Emerson resumed his presentation by offering a brief summary of the proposed revisions, which would clarify that UMU master plans control development once approved by the Board and which would also codify typical conditions and proffers from previous UMU developments. Mr. Emerson suggested that the next steps in the review process will be to revise the draft ordinance to address any comments from the Board and to schedule a public hearing to consider adoption of the proposed ordinance amendments. He noted that staff should re-evaluate the proposed revisions in light of a recent Supreme Court ruling and suggestions by local attorneys. Mr. Hazelett noted that the Board also has concerns. He recommended that the proposed ordinance revisions be discussed again at the Board's February 28, 2012 work session and scheduled for a public hearing by the Board on March 13, 2012.

The Board recessed for dinner at 5:56 p.m. and reconvened at 6:09 p.m.

On motion by Mr. Thomson, seconded by Mrs. O'Bannon, the Board approved going into a Closed Meeting at 6:09 p.m. for the following purpose:

Consultation with the County Attorney Pertaining to Actual Ligation Styled *Patrick e. Thebado, Trustee v. Board of Supervisors of Henrico County*, Pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as Amended.

The vote of the Board was as follows:

Aye  
Richard W. Glover  
David A. Kaechele  
Tyrone E. Nelson  
Patricia S. O'Bannon  
Frank J. Thornton

Nay

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, the Board approved going out of the Closed Meeting at 6:23 p.m.

The vote of the Board was as follows:

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

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

The vote of the Board was as follows:

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


Mr. Hazelett informed the members of the Board that they will have the opportunity to test the use of iPad tablet computers for County business. He then reviewed the evening's regular meeting agenda. In response to questions from Mr. Nelson, there was brief discussion by the Board and Mr. Hazelett of the County's bid process. Mr. Hazelett also responded to questions from Mr. Kaechele and Mrs. O'Bannon concerning the County's annual traffic and roadway engineering services contract to be awarded at the evening meeting.

Mr. Hazelett updated the Board on several additional matters. First, Mr. Nelson has requested that the County provide him with an iPhone and iPhones will also be made available to other members of the Board upon request. Second, the County's sister city in Germany, Saarpfalz-Kreis, has expressed interest in having County officials visit there between May 9 and 18, 2012 to celebrate the 15<sup>th</sup> anniversary of the sister city agreement between the two localities. There was discussion by the Board and Mr. Hazelett relating to the logistics of the visit, the public perception of travel abroad by government officials given the current economic climate, and the benefits of the agreement as well as the logistics of a proposed five-to-seven day visit by County officials to the County's South Korean sister city, Yanju, in October 2012. Mrs. Harper elaborated on the proposed itinerary for the Saarpfalz-Kreis visit, which may include courtesy visits to several German companies as well as cultural and tourism exchanges. She also noted that the County will be hosting an intern again this year from Yangju City, in March. Mrs. O'Bannon and Mr. Thornton noted that they have conflicts regarding the proposed schedule for the Saarpfalz-Kreis visit and asked Mr. Hazelett to see if the schedule could be adjusted to fall within the May 14 - 19 timeframe.

Third, Mr. Hazelett advised the Board that the executive reviews for the FY 2012-13 budget had begun on January 27, 2012 and that further reductions to the budget will be necessary because of

die unfayprable revenue picture. He expressed particular concern with the education budget but noted that the Superintendent of Schools has been very cooperative in working with him on a balanced budget. The County is still awaiting the outcome of General Assembly action on the Governor's proposed budget. Mr. Glover reminded Mr. Hazelett that the Board does not support tax increases or employee layoffs and would only wish to consider service reductions as a last resort. Mr. Hazelett responded to a question from Mr. Nelson regarding the County's budget process and to a question from Mr. Glover pertaining to the revenue impact of a local meals tax. Mr. Hazelett advised the Board that he had spoken to the Eastern Henrico Business Association the previous evening and told the group that he does not foresee another County general obligation bond referendum until 2014 or 2015. He will keep the Board apprised of budget issues.

There being no further business, the meeting was adjourned at 6:55 p.m.



Richard W. Hazelett  
Chairman, Board of Supervisors  
Henrico County, Virginia