

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
November 4, 2015

The Henrico County Board of Supervisors convened a special meeting on Wednesday, November 4, 2015, at 5:00 p.m. in the County Manager's Conference Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia.

Members of the Board Present:

Frank J. Thornton, Chairman, Fairfield District
Tyrone E. Nelson, Vice Chairman, Varina District (departed at 6:25 p.m.)
Richard W. Glover, Brookland District Supervisor
David A. Kaechele, Three Chopt District Supervisor
Patricia S. O'Bannon, Tuckahoe District Supervisor

Members of the General Assembly Present:

A. Donald McEachin, Senate of Virginia, 9th District (arrived at 5:20 p.m.)
Riley E. Ingram, House of Delegates, 62nd District (arrived at 5:32 p.m.)
G. Manoli Loupassi, House of Delegates, 68th District (departed at 5:45 p.m.)
Jennifer L. McClellan, House of Delegates, 71st District (departed at 6:32 p.m.)
James P. (Jimmie) Massie, III, House of Delegates, 72nd District (departed at 6:27 p.m.)
John M. O'Bannon, III, House of Delegates, 73rd District (departed at 6:16 p.m.)
Lamont Bagby, House of Delegates, 74th District

Members of the General Assembly Absent:

Walter A. Stosch, Senate of Virginia, 12th District
Peter F. Farrell, House of Delegates, 56th District
Delores C. McQuinn, House of Delegates, 70th District

Other Officials Present:

John A. Vithoukias, 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
Joseph P. Casey, Ph.D., Deputy County Manager for Administration
Jane D. Crawley, Deputy County Manager for Community Services
Timothy A. Foster, P.E., Deputy County Manager for Community Operations
Randall R. Silber, Deputy County Manager for Community Development
C. Michael Schnurman, Jr., Legislative Liaison
Gary R. McLaren, Executive Director, Economic Development

Eugene H. Walter, Director of Finance
W. Brandon Hinton, Management and Budget Division Director
Karen M. Adams, Management Specialist, Department of Finance
Anthony E. McDowell, Chief, Division of Fire
Douglas A. Middleton, Chief, Police Division
Arthur D. Petrini, Director of Public Utilities
Ty F. Parr, CSA Coordinator, Department of Social Services
Keith Westbrook, Legislative Assistant to Delegate McQuinn (departed at 6:16 p.m.)

Mr. Thornton called the meeting to order at 5:13 p.m. He welcomed the members of the County's legislative delegation who were present. Mr. Vithoukas thanked the legislators for their attendance and noted others were in route.

Mr. Vithoukas recognized Mr. Schnurman, who congratulated the members of the delegation on their reelection. Mr. Schnurman offered condolences to Mrs. McQuinn, who was not present due to a death in her family. He also welcomed Delegate Bagby to his first County legislative briefing and congratulated Delegate Farrell, who was not in attendance, on the birth of his first child, a daughter. Mr. Schnurman pointed out the County was once again not asking for specific legislation but wanted to make the delegation aware of issues and bills that could potentially be introduced during this coming year's General Assembly session. He introduced Mr. Petrini, Mr. Hinton, and Chief Middleton as the evening's presenters.

Mr. Vithoukas introduced Winslow Goodier, Culinary Arts Instructor for Hermitage Technical Center, as one of the top chefs in the Commonwealth. Mr. Vithoukas noted Mr. Goodier has won a number of awards for culinary excellence and leadership, including the American Culinary Federation's Presidential Medallion on two different occasions. He thanked Mr. Goodier for being present and for what he has done for the students in his program during his years with Hermitage Technical Center. The following culinary arts students who prepared and were serving dinner for this meeting under Mr. Goodier's supervision introduced themselves and identified their home high schools: Sabrina Savery and Layla Zinat (Freeman), Alyssa Scione (Glen Allen), Emmre Penn (Henrico), and Cherise Bell (Tucker). Mr. Nelson offered a dinner blessing.

Mr. Vithoukas recognized Mr. Petrini, who distributed an informational, the department's brochure designed to give a brief description of the divisions of the Department of Public Utilities. Mr. Petrini began the *Legislative Program Overview* by highlighting the department's functions and divisions and the County's interlocal water agreements. He next provided information on the department's Water Treatment Facility and Water Reclamation Facility; the Cobbs Creek Reservoir project, located in Cumberland County; and the department's capital investments and future capital costs. Mr. Petrini also reviewed Chesapeake Bay nutrient reductions mandated by the U.S. Environmental Protection Agency (EPA) and state legislation of concern to the County that might be introduced during the upcoming session relating to the Virginia Manufacturers Nutrient Growth Pool. Mr. Schnurman and Mr. Vithoukas responded to questions from Delegates O'Bannon and Loupassi and Senator McEachin regarding the status and intent of this draft legislation, a copy of which was provided to the members of the delegation and the Board. Mr. Petrini concluded his presentation by noting how this legislation would negatively impact the County's capital investment in its Water Reclamation Facility, set a

precedent for taking away portions of Henrico's water supply, and severely impact the County's ability to support economic development. Mr. Vithoukas expressed a desire for County staff to meet with legislators individually to explain the technical components of the legislation and asked Mr. Schnurman to provide them with a copy of the draft bill. Mr. Schnurman responded to a question from Mr. Massie pertaining to the state government's role in implementing EPA's mandated Chesapeake Bay nutrient reductions.

Mr. Petrini recognized Mr. Hinton, who continued the presentation by providing a budget update. During his portion of the presentation, Mr. Hinton reviewed data depicting the history of U.S. recessions, the County's business-friendly environment, steps taken by the County during the past two fiscal years to add structure back to the County's budget, continued development and visitor spending in Henrico, trends in local tax receipts and state funding, and state aid by category for functional areas of the County's Fiscal Year (FY) 2015-16 budget. Mr. Hinton concluded his presentation with the following summary: due to modest local economic growth and the Board's continued conservative fiscal approach, the County remains cautiously optimistic; in looking at world and national markets, as well as stock market performance, the County is starting to see things that do not make sense; and as always, the County is focusing only on what it can control to ensure continued success in spite of any challenges.

Mr. Hinton also narrated the third section of the overview, which addressed the Children's Services Act (CSA). Mr. Vithoukas pointed out this program is largely state funded and the County is anxious to be part of the funding solution. Mr. Hinton explained graphs illustrating year-to-year increases in statewide private day placement expenditures and Henrico County Public Schools (HCPS) private day placement expenditures under the CSA. He also discussed a graph showing how the County's private day placement growth is dramatically outpacing growth in its public school student enrollment. Mr. Hinton and Mr. Vithoukas responded to questions from Delegate Massie relating to County staff's continued apprehension over the stock market. There was discussion by Delegates O'Bannon and Bagby, Mr. Parr, Mr. Vithoukas, and Mr. Hinton concerning the continued local and statewide growth in private day placements and expenditures under the CSA as a result of decisions made by school divisions and their Individualized Education Program (IEP) coordinators. Mr. Vithoukas indicated that County staff will be having additional conversations with legislators on these issues.

Mr. Hinton recognized Chief Middleton, who presented the final two sections of the overview and distributed a folder containing information on cigarette trafficking and changes to the County's juvenile arrest procedures. Chief Middleton first addressed the issue of illegal cigarette trafficking. He shared slides illustrating a bus line cigarette smuggling/smurfing operation, bus cigarette trafficking, robbery and car hijacking at a storage facility on Route 1, a handgun used during a robbery in a storage facility, a pursuit and vehicle crash during a cigarette car hijacking, a Richmond area organized crime smuggling ring resulting in four people being charged in federal court, and a gun fire exchange and robbery at the White Oak Sam's Club. Chief Middleton also explained why transporting cigarettes from New York to Virginia is lucrative, the results of trafficking, major concerns associated with the problem, and Henrico Police Division strategies to deal with the problem through the agency's "Operation: Up in Smoke" initiative. Mr. Schnurman distributed a photograph of 810 cartons

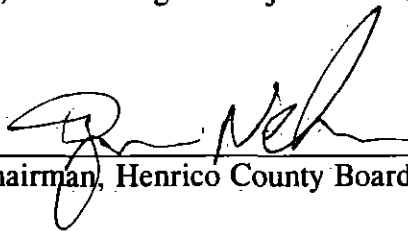
of cigarettes seized the previous evening by the Maryland State Police from a suspect that the Police Division was monitoring in Henrico County through this initiative.

Chief Middleton suggested consideration of the following solutions in regards to illegal cigarette trafficking: 1) prohibit all wholesalers from accepting cash transactions involving the sale of large quantities of cigarettes and require the use of electronic payments for such purposes; 2) authorize and fund the Virginia State Police to create a database as recommended by the Virginia Crime Commission; 3) authorize and fund the Virginia State Police to establish a Statewide Law Enforcement Task Force to fight the organized crime associated with the illegal trafficking of cigarettes; 4) require cigarette manufacturers to apply allocation standards to big box stores in the same manner they are applied to the wholesale industry; 5) require electronic filing of all documentation and licensing associated with cigarettes, to include tax stamps, etc., which should include maximum allowable time to make the report; and 6) require licensing of retail stores so law enforcement and the Department of Taxation can enforce the criminal and tax codes associated with illegal cigarette trafficking. Delegate McClellan noted that a recent Virginia Crime Commission report cited a link between human trafficking and illegal cigarette trafficking. Chief Middleton responded by elaborating on the Henrico Police Division's strategies and enforcement efforts in regards to human trafficking and prostitution involving minors. There was discussion by Delegate McClellan, Delegate Massie, Delegate Bagby, Chief Middleton, and Mr. Vithoukas concerning Chief Middleton's recommendations for addressing illegal cigarette trafficking.

Chief Middleton concluded the staff presentation by reviewing recent changes to the County's juvenile arrest procedures. He noted these changes were in response to a problem whereby HCPS was dependent on Henrico police officers to provide assistance with school disciplinary matters that should have been handled by school administrators. Chief Middleton explained how the Police Division searched for a solution and decided to change its procedures after meeting with Mr. Vithoukas and presenting a plan of action in early spring 2015. The new procedures included developing a Juvenile Violation Report to make referrals to the Juvenile Court Services Unit and increasing training for all certified juvenile services officers. Mr. Schnurman distributed a sample form that is now used by the Henrico Juvenile and Domestic Relations District Court titled "Juvenile Notification of Charges and Arraignment." He noted the new procedures have eliminated school arrests made on school property and increased the likelihood of being referred to the school administration for discipline or to Juvenile Court Services for participation in diversion programs. Chief Middleton responded to a question from Delegate Bagby pertaining to the new procedures. Delegate McClellan commended Chief Middleton for his work on this issue and said she will be interested to see whether the new procedures can be exported to other localities and school systems throughout Virginia.

Mr. Vithoukas thanked the legislators and other officials who were present for taking the time to attend this meeting and have an open discussion on matters of concern. Mr. Thornton also thanked the members of the delegation for coming and for their questions and comments.

There being no further business, the meeting was adjourned at 6:34 p.m.



Chairman, Henrico County Board of Supervisors