

COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
SPECIAL MEETING  
June 27, 2017

The Henrico County Board of Supervisors convened a special meeting on Tuesday, June 27, 2017, 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:**

Patricia S. O'Bannon, Chairman, Tuckahoe District  
Frank J. Thornton, Vice Chairman, Fairfield District  
Thomas M. Branin, Three Chopt District  
Harvey L. Hinson, Brookland District  
Tyrone E. Nelson, Varina District

**Other Officials Present:**

John A. Vithoukaskas, County Manager  
Joseph P. Rapisarda, Jr., County Attorney  
Joseph T. Tokarz II, Deputy County Attorney  
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board  
Tanya B. Harding, CMC, Deputy Clerk/Administrative Assistant  
Timothy A. Foster, P.E., Deputy County Manager for Community Operations  
W. Brandon Hinton, Deputy County Manager for Community Services  
Douglas A. Middleton, Deputy County Manager for Public Safety  
Anthony J. Romanello, Deputy County Manager for Administration  
C. Michael Schnurman, Jr., Legislative Liaison  
Randall R. Silber, Deputy County Manager for Community Development  
Benjamin A. Sheppard, Assistant Director of Public Relations & Media Services

Mrs. O'Bannon called the meeting to order at 5:35 p.m.

Mr. Vithoukaskas introduced Hannah Osborne, an International City/County Management Association (ICMA) Local Government Management Fellow, who recently began working in the County Manager's Office for one year on an array of projects, from administration to citizen engagement. A native of North Carolina, Ms. Osborne was selected from a national pool of candidates. She has a Bachelor of Science degree from North Carolina State University and a Master of Public Administration degree from the University of North Carolina.

Mr. Vithoukaskas briefly referred to the items on this special meeting agenda.

**Essex Village Briefing**

Mr. Vithoukaskas introduced this item by thanking the many County agencies for their diligent efforts in responding to numerous calls for service during the past year at Essex Village. He noted residents there have been experiencing significant quality of life issues. Mr. Vithoukaskas

recognized Chief Middleton, who played a video of a recent WTVR Channel 6 news report profiling deplorable conditions inside apartments at Essex Village, including roaches, mice, and backed-up sewage. Chief Middleton then distributed copies of a tabbed notebook to the Board documenting the County's concerns with conditions at Essex Village. The notebook contained Colonel Middleton's slide presentation, resident petitions, a March 2017 report on the sanitary sewer system serving Essex Village, media coverage of Essex Village, and Planning Commission documents from March 1980 relating to the Commission's approval of a revised plan of development for Essex Village. Colonel Middleton pointed out Essex Village received a passing grade from the U.S. Department of Housing and Urban Development after an inspection in November 2012. He noted members of the County's multi-agency Essex Village Task Force were seated in the audience and recognized them collectively for their contributions.

Colonel Middleton narrated a slide presentation on this item. He began by providing a brief history and timeline of Essex Village, a profile of the current owner, information on the ownership company's financial relationship with the U.S. Department of Housing and Urban Development (HUD), and an explanation of the County's change in tactics in 2016 in dealing with on-site property inspections. In response to concerns relayed by Mr. Nelson from citizens critical of the County's approach towards Essex Village, Colonel Middleton elaborated on the County's limited authority to conduct building maintenance inspections on privately-owned property that is funded by a federal agency.

Colonel Middleton continued his presentation by sharing the results of a daylong County inspection performed at Essex Village in 2016 and offering slides highlighting examples of exterior conditions and building code violations that were found. Colonel Middleton responded to questions from Mr. Nelson and Mrs. O'Bannon regarding the status of rent increases for Essex Village residents that the owner requested to HUD earlier in the year. Colonel Middleton and Bentley Chan, Assistant Director of Public Utilities, responded to a series of questions from the Board pertaining to ongoing sewage problems at Essex Village and the County's attempts to address these problems given its lack of regulatory authority. Colonel Middleton advised the Board that County staff has been conferring with state legislators about changes to state law that would give state and local agencies more authority. Greg Revels, Building Official, pointed out the County can cite property owners under the building maintenance code for sewage overflows only if there is evidence of problems in the underground sewage pipes.

The Board recessed for dinner at 6:15 p.m. and reconvened at 6:23 p.m.

Colonel Middleton resumed his presentation by offering slides highlighting further examples of exterior building code violations that were found and correspondence from the County to federal officials documenting these violations and asking HUD to address them as life safety issues. He clarified for Mr. Thornton that the County has no authority to shut down Essex Village. Mr. Revels and Fire Marshal Henry Rosenbaum responded to questions from Mr. Hinson concerning fire suppression requirements in the fire maintenance code. Colonel Middleton responded to questions from Mr. Branin and Mr. Nelson relating to HUD's inspection process and the confidentiality of HUD inspection records.

Mr. Revels continued the presentation by providing statistics on building inspections activities at Essex Village dating back to 2002 and summarizing Virginia Maintenance Code violations discovered during the inspections. Mr. Vithoulkas concluded the presentation by summarizing the County's action plan going forward, which is as follows: proceed with a legal course of action, continue County task force operations to enforce the building code, continue to encourage HUD

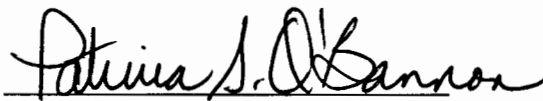
to be more proactive, work with appropriate elected officials, and strive for a better quality of life for Essex Village residents. Mrs. O'Bannon suggested taking a team of County officials to Washington, D.C., to meet with federal officials. Mr. Vithoulkas advised that a resolution from the Board formally expressing the County's concerns could be helpful as well as meeting with the County's two Congressional representatives and two U.S. Senators. Mr. Hinson stated the County should pursue additional authority from the Virginia General Assembly to implement the Virginia Maintenance Code where life safety issues are evident. In response to a question from Mr. Nelson, Colonel Middleton assured the Board that the County will do its part to pursue legal action against the Essex Village ownership and the complex's property management company.

With the Board's concurrence and in the interest of time, Mr. Vithoulkas suggested holding the second item listed on this agenda until the July 11 special meeting.

### **Regular Meeting Agenda Items**

Mr. Vithoulkas briefly reviewed the items on 7:00 p.m. regular meeting agenda. He responded to a question from Mrs. O'Bannon regarding Agenda Item No. 175-17 by affirming that Virginia Electric and Power Company (VEPCO) is still a legal entity and is a subsidiary of Dominion Energy.

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



Chairman, Board of Supervisors  
Henrico County, Virginia