

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
August 12, 2014**

The Henrico County Board of Supervisors convened a special meeting on Tuesday, August 12, 2014, 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
Richard W. Glover, Brookland District
David A. Kaechele, Three Chopt District
Tyrone E. Nelson, Varina 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, Deputy Clerk to the Board/Administrative Assistant
Joseph A. 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, Legislative Liaison
Tamra R. McKinney, Director of Public Relations & Media Services

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

Mr. Vithoukias mentioned the elevator in the Administration Building was not working and Security Services had been alerted to assist anyone from the public who was interested in attending this meeting.

Proposed Land Donation by Attack Properties

Mr. Vithoukias noted an item was on the 7:00 p.m. regular agenda for the Board to accept a deed of gift for land adjoining the future Greenwood Park. He thanked the property owners and their representatives who were present for offering this donation.

Mr. Vithoukias recognized Mr. Foster, who in turn recognized the following staff members who worked on the donation: Rhysa South, Senior Assistant County Attorney; Neil Luther, Director of Recreation and Parks; and Jon Tracy, Director of Real Property. Mr. Foster recognized Jim

Theobald, Chairman of Hirschler Fleischer Attorneys at Law and counsel for RG Investment Partners, LLC. Mr. Theobald introduced Dave Lionberger, an attorney and partner with Hirschler Fleischer Attorneys at Law; Rick Melchor, Vice President of Development for Attack Properties; and Dave Cottrell, a business partner of Attack Properties.

Mr. Foster narrated the first portion of a slide presentation titled *Proposed Donation of Land on Greenwood Road*. He reviewed aerial photographs of the property proposed for donation and provided a brief history of the site. Mr. Foster noted the donated property will be included in the master plan for the future Greenwood Park.

Mr. Foster recognized Ms. South, who continued the presentation by reviewing the more significant restrictions on the future use of the donated parcel that are contained in the 16-page deed. These restrictions include the following: only outdoor public recreation and conservation uses are permitted; only building, structures, and roads associated with outdoor public recreational activities are permitted; and the collective footprint of structures on the property, excluding roads, paths and parking lots, shall not exceed one percent of the total area of the property. Ms. South pointed out that most industrial and commercial uses will be prohibited on the property, which is adjacent to another tract of land already owned by the County, and further pointed out that the deed is an outright gift. She advised the Board that the Departments of Public Utilities, Public Works and Real Property; the County Attorney's Office; and the Division of Recreation and Parks have all reviewed the deed.

Mr. Foster concluded the presentation by reiterating that the Board would be considering a resolution at its 7:00 p.m. meeting to accept the deed of gift for the Greenwood Road property. If the Board approves the resolution and has no objection, Mr. Luther will bring a proposed master plan for the property to the Board at a later date.

In response to a question from Mr. Thornton, Ms. South advised that it would take one to three weeks to have the title of the property transferred to the County. Mr. Foster clarified for Mr. Kaechele that the property contains 38,385 square feet. In response to questions from Mrs. O'Bannon, Mr. Luther elaborated on the multi-purpose athletic fields envisioned for the property, which could include a combination of sports such as soccer, lacrosse, and field hockey. Mr. Foster and Mr. Vithoukas responded to additional questions from Mr. Kaechele pertaining to how this property will be planned and developed in combination with the adjoining parcel already owned by the County. Mr. Foster advised that staff has also considered placing volleyball courts and walking trails on the combined parcels, which total just less than 200 acres.

Mr. Vithoukas noted the Greenwood Park project is included in the County's FY 2014-15 capital budget and future funding for the project will include private sector contributions as well as County funds. The tentative budget for the project is \$5 million. Mr. Vithoukas further noted this is the second major donation of land to the County by Attack Properties within the past year and this Greenwood Road property will further the County's sports tourism efforts and will be used for generations to come.

The Board recessed for dinner at 5:52 p.m. and reconvened at 6:16 p.m.


Regular Meeting Agenda Items

Mr. Vithoukas began his review of the 7:00 p.m. regular meeting agenda by informing the Board that the minutes requiring the Board's approval included those for the legislative budget reviews held in March. He also advised the Board of two Manager's Comments he would be making at the meeting and noted Mrs. O'Bannon would be presenting the proclamation for Preparedness Month. Mr. Vithoukas next reviewed the six zoning cases and one provisional use permit. He, Mr. Silber, and Mr. Rapisarda responded to several questions from Mrs. O'Bannon and Mr. Kaechele concerning the request by Peter Francisco to amend proffered conditions accepted with a previous rezoning case on a parcel located on Lakeside Avenue. The amended proffers would allow a microbrewery accessory to a home brew supply store as a permitted use.

Mr. Vithoukas continued his review by covering other public hearing items on the evening's agenda. He advised the Board that Agenda Item No. 217-14, which would amend Chapter 23 of the County Code regulating industrial pretreatment and strong wastes, had a clerical error that needed to be corrected. Mr. Lawrence distributed to the Board page five of the ordinance highlighting the error and proposed correction. Mr. Rapisarda explained the procedure the Board should follow after the public hearing to correct the error and responded to a question from Mr. Glover relating to the sections of the Code to which the error referred.

Mr. Vithoukas resumed his review by covering the general agenda items. He, Mr. Rapisarda, and General Services Director John Neal responded to questions and comments from the Board regarding the first item on the general agenda (No. 218-14) that would award a comprehensive agreement under the Public-Private Education Facilities and Infrastructure (PPEA) Act of 2002 to HPDC Partners, LLC to design, construct, and convey a police station on Villa Park Drive. Mr. Glover voiced several concerns regarding this item, including how the project is to be funded, the exemption of PPEA projects such as this one from provisions of the Virginia Public Procurement Act (VPPA), whether a new police station is needed at this time in Henrico County, and why staff has proposed that the County use PPEA for the first time in constructing a capital project. In response to questions from Mr. Kaechele, Mr. Vithoukas clarified that the \$3.6 million cost of the project includes land acquisition and architectural fees as well as construction and other expenses. Mr. Glover remarked he does not believe larger jurisdictions such as Henrico County should use the PPEA to construct public facilities and hopes the County will in the future use the standard public procurement process for its capital projects. Mr. Vithoukas advised the Board that staff would be making a more complete presentation on this agenda item at the 7:00 p.m. meeting.

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


Chairman, Board of Supervisors
Henrico County, Virginia