

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
January 22, 2019

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, January 22, 2019 at 7:00 p.m. in the Board Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia.

Members of the Board Present:

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

Other Officials Present:

John A. Vithoulikas, County Manager
Joseph P. Rapisarda, Jr., County Attorney
Michael L. Wade, Sheriff
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board
Timothy A. Foster, P.E., Deputy County Manager for Community Operations
W. Brandon Hinton, Deputy County Manager for Administration
Anthony E. McDowell, Deputy County Manager for Public Safety
Anthony J. Romanello, Deputy County Manager for Community Services
Randall R. Silber, Deputy County Manager for Community Development

Mr. Nelson called the meeting to order at 7:01 p.m. and led the recitation of the Pledge of Allegiance.

Pastor Richard Dunn of Meadowood Church of God delivered the invocation.

On motion of Mr. Thornton, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved the January 8, 2019, Regular Meeting Minutes and November 7, 2018, Special Meeting Minutes.

The vote of the Board was as follows:

Yes: Nelson, Branin, O'Bannon, Schmitt, Thornton

No: None

MANAGER'S COMMENTS

There were no comments from the Manager.

BOARD OF SUPERVISORS' COMMENTS

Mrs. O'Bannon presented a certificate of recognition to Samuel B. Straus for 23 years of dedicated and distinguished volunteer service as the Tuckahoe District representative on the County's Cable Television Advisory Committee. She provided background information on the committee, which was established in December 1979 and recently disbanded, and noted Mr. Straus had the longest tenure of any of its members.

Mr. Nelson recognized the following Boy Scouts who were observing the meeting to fulfill merit badge requirements: Josh Griffith from Troop 737, sponsored by St. Mary Catholic Church; Antonio Pereira from Troop 772, sponsored by Discovery United Methodist Church; and Ethan Hills and Calvin Russell from Troop 569, sponsored by the Church of Jesus Christ of Latter-day Saints – Mechanicsville Ward.

RECOGNITION OF NEWS MEDIA

Mr. Nelson recognized Chris Suarez Rojas from the *Richmond Times-Dispatch*.

PRESENTATION

22-19 Resolution - Commending the Highland Springs High School Springers Football Team.

Mr. Nelson presented the resolution, which congratulates the Springers on their undefeated season that resulted in the school's fourth consecutive state football championship and commends the team and coaching staff for so ably and honorably representing Henrico County on the gridiron in regional and statewide competition. He thanked Highland Springs Principal Ken White for being such a great ambassador and leader for the school during his first year as a Springer. Mr. Nelson commented on the dominance and success of the school's football program over the past four years and recognized and praised Head Varsity Football Coach Loren Johnson and the members of his staff for doing an incredible job. He also pointed to the large number of former student-athletes from Highland Springs who have received full scholarships to play college football during Coach Johnson's tenure. Accepting the resolution was Coach Johnson. Joining him were Assistant Coaches William Alston, Harry-Lee Daniel, and Devon Simmons along with several team members.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS

23-19 Gumenick Properties: Request to conditionally rezone from B-1 Business
REZ2018- District and O-2 Office District to UMUC Urban Mixed Use District
00044 (Conditional) Parcels 774-740-5174 (.754 acres) and 771-740-8005 (.305
Brookland acres) located at the southwest intersection of Staples Mill Road (U. S.
Route 33) and Bethlehem Road and the east line of Libbie Avenue
approximately 185' north of its intersection with W. Broad Street (U.S.
Route 250).

Mr. Vithoukas noted this item and Agenda Item No. 24-19 (PUP 2018-00016) were companion cases and would be presented together but would require two separate votes.

No one from the public spoke in opposition to this item.

On motion of Mr. Schmitt, seconded by Mr. Branin, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item with the following amended proffered conditions:

APPLICABLE TO ALL

1. The proffers applicable to the respective development areas and parcels set forth in REZ2015-00018 shall be applicable to the development areas and parcels as amended hereby so as to have the effect of revising the parcel descriptions submitted with REZ2015-00018 as though such revised descriptions had been a part of such case and thereby bound by the proffers applicable thereto.

2. Condition 1 of REZ2015-00018 is hereby amended and restated as follows:

Pattern Book. The Property shall be developed in general conformance with the illustrations and information set forth in the "Libbie Mill - Midtown Pattern Book" (the "Pattern Book") (see case file) filed herewith, with replacement pages 19 and 26, unless otherwise requested and specifically approved by the Planning Commission at the time of Plan of Development, which illustrations and information are conceptual in nature and may vary in detail.

3. Condition 3 of REZ2015-00018 is hereby amended and restated as follows:

Overall Density. Including those approved with Case No. REZ2015-00018, there shall be no more than 2,090 residential units developed on the Property, of which no more than 1,096 may be rental units. In order to meet changing market demands, but subject to the foregoing limits, the Owner reserves the right to adjust upward (other than the number of rental units) and/or downward, the number of each type of unit. The Owner shall maintain a cumulative record of the number and types of units being developed and provide such record to the County with each Plan of Development for residential units.

4. Condition 11 of REZ2015-00018 is hereby amended and restated as follows:

All Retail Uses. All retail uses (excluding health clubs, theaters and performing arts centers) shall be open to the public only between the hours of 5:00 a.m. and 12:00 midnight Sunday through Wednesday and 5:00 a.m. and 1:00 a.m. Thursday, Friday and Saturday.

5. Condition 13 of REZ2015-00018 is hereby amended and restated as follows:

Parking Garages. No parking garages (other than individual garages serving individual units) shall be built within twenty (20) feet of the right-of-way of Bethlehem Road and Spencer Road.

6. Condition 14 of REZ2015-00018 is hereby amended and restated as follows:

Building Height. The height of buildings within the "residential and/or commercial" area at the corner of Libbie Avenue and Libbie Mill West Boulevard shall be limited to a maximum of sixty (60) feet. Subject to the foregoing, buildings within eighty-five (85) feet of the existing right-of-way of Bethlehem Road shall be limited to eighty-five (85) feet in height.

APPLICABLE TO APARTMENT (RENTAL) DEVELOPMENT AND
MULTIFAMILY
(FOR SALE) CONDOMINIUMS

7. Condition 16 of REZ2015-00018 is hereby amended and restated as follows:

Architecture. Unless otherwise requested and specifically approved by the Planning Commission at the time of Plan of Development, buildings shall be in general conformance with the architectural themes displayed in the Pattern Book (see case file), which illustrations and information are conceptual in nature and may vary in detail.

APPLICABLE TO TOWNHOMES (FOR SALE)

8. Condition 24.b. of REZ2015-00018 is hereby amended and restated as follows:

Architecture. Unless otherwise requested and specifically approved by the Planning Commission at the time of Plan of Development, Townhome A shall be in general conformance with the architectural themes displayed in the Pattern Book (see case file), which illustrations and information are conceptual in nature and may vary in detail.

9. Condition 25.b. of REZ2015-00018 is hereby amended and restated as follows:

Architecture. Unless otherwise requested and specifically approved by the Planning Commission at the time of Plan of Development, Townhome B shall be in general conformance with the architectural themes displayed in the Pattern Book (see case file), which illustrations and information are conceptual in nature and may vary in detail.

10. Condition 26.b. of REZ2015-00018 is hereby amended and restated as follows:

Architecture. Unless otherwise requested and specifically approved by the Planning Commission at the time of Plan of Development, Townhome C shall be in general conformance with the architectural themes displayed in the Pattern Book (see case file), which illustrations and information are conceptual in nature and may vary in detail.

11. Condition 27.b. of REZ2015-00018 is hereby amended and restated as follows:

Architecture. Unless otherwise requested and specifically approved by the Planning Commission at the time of Plan of Development, Townhome D shall be in general conformance with the architectural themes displayed in the Pattern Book (see case file), which illustrations and information are conceptual in nature and may vary in detail.

APPLICABLE TO STACKED TOWNHOME-STYLE OR SALE
CONDOMINIUMS (TYPE E)

12. Condition 29 of REZ2015-00018 is hereby amended and restated as follows:

Architecture. Unless otherwise requested and specifically approved by the Planning Commission at the time of Plan of Development, Type E units shall be in general conformance with the architectural themes displayed in the Pattern Book (see case file), which illustrations and information are conceptual in nature and may vary in detail.

APPLICABLE TO COMMUNITY BUILDING

13. Condition 31 of REZ2015-00018 is hereby amended and restated as follows:

Square Footage. The Community Building shall have a minimum of three thousand five hundred (3,500) square feet of finished floor area.

14. Condition 32 of REZ2015-00018 is hereby amended and restated as follows:

Architecture. Unless otherwise requested and specifically approved by the Planning Commission at the time of Plan of Development, the Community Building shall be in general conformance with the architectural themes displayed in the Pattern Book (see case file), which illustrations and information are conceptual in nature and may vary in detail.

APPLICABLE TO COMMERCIAL/OFFICE DEVELOPMENT

15. Condition 34 of REZ2015-00018 is hereby amended and restated as follows:

Prohibited Uses. The following uses shall be prohibited on the Property:

- a. automotive filling and service stations including towing service;
- b. billiard, bagatelle, video game or a bingo parlor, unless accessory to a permitted use;
- c. flea markets or antique auctions;
- d. billboards;
- e. recycling facilities;
- f. funeral homes, mortuaries, crematories and/or undertaking establishments;
- g. dance halls;
- h. truck stops;
- i. gun shop, sales and repair;
- j. sign painting shops;
- k. communication towers, not to include small cells;
- l. general hospitals, sanitoriums and charitable institutions for human care;
- m. adult businesses as defined by Section 24-3 of the Henrico County Code;
- n. establishments whose primary business is check cashing and/or the making of payday loans as defined and regulated by Sections 6.1-432 et seq. and 6.1-444 et seq. of the Code of Virginia (the foregoing shall not preclude banks, savings and loans or similar financial institutions that are not regulated by the foregoing Virginia Code sections);
- o. car title loan operations;

- p. fuel pumps associated with permitted uses; and
- q. motels or motor lodges.

16. Condition 37 of REZ2015-00018 is hereby amended and restated as follows:

Outdoor Music. Outdoor music shall not be permitted on the Property after 12:00 midnight Sunday through Wednesday and 1:00 a.m. Thursday, Friday, and Saturday. Any outside speakers or sound system shall comply with the following standards:

- a. Sound systems shall be equipped with controls permitting full volume adjustment.
- b. Sound from the system shall not be audible beyond the property lines of the development.

The vote of the Board was as follows:

Yes: Nelson, Branin, O'Bannon, Schmitt, Thornton

No: None

24-19
PUP2018-
00016
Brookland

Gumenick Properties: Request for a Provisional Use Permit under Sections 24-32.1(a, i, n, s, w, z, aa), and 24-122.1 of Chapter 24 of the County Code to amend conditions of PUP2015-00006 for the mixed-use development on Parcels 771-740-8005, -9118, 772-740-0431, -1137, -1743, -2229, -2836, 773-739-3784, -9074, 773-740-4815, -5180, 774-739-2373, -5672, 774-740-0804, -4456, -4637, -4716, -4802, and -5174 located on the east line of Libbie Avenue approximately 185' north of W. Broad Street (U. S. Route 250) to its intersection with N. Crestwood Avenue, then along the east line of Spencer Road to the south line of Bethlehem Road and the west line of Staples Mill Road (U. S. Route 33).

No one from the public spoke in opposition to this item.

On motion of Mr. Schmitt, seconded by Mr. Thornton, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item subject to the following conditions:

1. **Height Limitations.** Height limitations shall be as follows, unless otherwise permitted during the Plan of Development for such building or restricted by proffered condition:
 - One building may be up to a maximum of 250 feet in height;
 - Two buildings may be up to a maximum of 175 feet in height; and
 - The remainder of all buildings, other than townhouses or two-over-two stacked condominiums, may be up to a maximum of 100 feet in height.

2. **Floor Area Limitations.** The maximum square footage of any use other than an office building, parking garage, hotel or multi-unit residential use shall not exceed 25,000 square feet in floor area, except that:
 - A fitness center/health club and a food hall may be permitted up to 60,000 square feet of floor area;
 - A theater may be permitted up to 50,000 square feet of floor area;
 - A grocery store and/or gourmet food store shall each be permitted up to 65,000 square feet of floor area; and
 - A public library may be permitted up to 65,000 square feet of floor area.
3. **Vendor Areas.** Areas of the Property may be designated on the Master Plan, as may be revised from time to time, or a Plan of Development, for the preparation of food or beverages or the sale or display of merchandise conducted in an open area or structure by one or more individual vendors operating from stalls, stands, carts, vehicles or other spaces which are rented or otherwise made available to such vendors. Such activities may include a market, sale of merchandise as part of a permitted festival or other similar special event, or the outdoor display or sale by a single food or beverage vendor, operated as an incidental part of retail activity regularly conducted from within a permanent building on the premises. Clearance areas next to outdoor vending areas shall not be reduced to less than four (4) feet, except to accommodate a permitted festival or other similar special event. Convenience trash receptacles shall be provided for each block that contains an outdoor vending area.
4. **Drive-Through Service.** Drive-through service windows for specialty coffee, specialty beverage or pastry, banks, drug stores, and dry cleaner uses shall be the only drive through services permitted on-site.
5. **Outdoor Dining.** Outdoor dining areas shall be designated on an approved Plan of Development and shall not reduce the adjacent sidewalk width to less than five (5) feet, unless otherwise approved by the Director of Planning.
6. **Emergency Communication Systems.** This condition shall apply to every new building and any subterranean parking or storage area except the following:
 - Above grade single-story buildings of less than 20,000 square feet;
 - Elevators; and
 - Stairwells.

All new buildings shall have approved radio coverage for emergency responders within the building based upon the County's existing public safety communication systems coverage levels at the exterior of the building. This shall not require improvement of the existing public safety communication systems.

Buildings and structures that cannot be constructed to provide the minimum coverage specifications shall be equipped with an amplification system or an active device that complies with the following criteria or any other system approved in writing by the Henrico County Communications Systems Manager.

The owner of any building or structure to which this condition applies shall be responsible for all costs including design, purchase, installation, periodic testing and maintenance associated with the in-building solution.

Buildings and structures which cannot support the required level of radio coverage shall be equipped with a radiating cable system, a distributed antenna system with Federal Communications Commission (FCC)-certified signal boosters, or other system approved by the County of Henrico Communications Systems Manager, in order to achieve the required adequate radio coverage.

Amplification systems capable of operating on frequencies licensed to any public safety agency by the FCC shall not be installed without prior coordination and approval of the Henrico County Communications Systems Manager. The in-building solution shall be capable of modification or expansion in the event frequency changes are required by the FCC or additional frequencies are made available by the FCC.

The emergency responder radio coverage system installation and components shall also comply with all applicable federal regulations including, but not limited to, FCC 47 CFR Part 90.219. All new in-building solutions installed must be registered with the FCC per the public notice DA 14-15 January 7, 2014.

7. **Fire Protection-Structured Parking.** A 3" standpipe for fire protection shall be provided within all structured parking at approximately 200' intervals. The exact location of these improvements will be determined by the Division of Fire during Plan of Development review.
8. **Fire Protection.** All structures, including parking structures, other than open, standalone parking garages, shall be fully sprinkled for fire protection.

9. **Crime Prevention.** Prior to occupancy of any structure containing commercial or office uses, the applicant and the Crime Prevention Unit of the Division of Police shall conduct a security survey of the property. The applicant shall implement mutually agreed upon security recommendations.
10. **Proffered Conditions.** All proffered conditions accepted with case REZ2018-00044 shall be made a part of this Provisional Use Permit.
11. **Separation Between Townhouse Buildings.** Any two rows of townhouse buildings shall be separated by a distance of not less than five (5) feet.
12. **Parking Plan.** Required parking shall be determined utilizing a combination of the Parking Demand Ratios, the Mixed-Use Ratios and the Modal Split percentages to arrive at the initial parking demand. Season Factor and Time of Day Factors shall be applied to identify the effective peak demand which will generate the total parking requirement for each land bay considered for improvement and submitted for POD and/or Subdivision Review. Capitalized terms used herein are as defined in the Libbie Mill Shared Parking Study dated August 11, 2014, as updated (see Case File), prepared by Walter P. Moore.
13. **Signage Plan.** Signage provided throughout the development shall be consistent with the Libbie Mill Signage Guidelines dated June 2014, or with the UMU Ordinance if the UMU Ordinance is less restrictive at the time of sign permit application, unless otherwise approved by the Director of Planning.
14. **Parking Garages.** Parking garages shall be allowed with no associated ground floor retail uses/useable floor space for residential or nonresidential uses along any facade facing a street. Such parking garages shall be predominately finished with brick, glass, architectural precast concrete, cementitious or composite-type siding, stone, stone veneer, split face block, architectural-grade metal panels, or a combination of the foregoing or other material(s) of similar quality, unless otherwise approved by the Planning Commission through the Plan of Development process. No building shall be covered with or have exposed to view any *unadorned or unfinished concrete block or industrial-grade metal*, unless otherwise approved by the Planning Commission through the Plan of Development process. Soffit and exterior ceiling materials shall be constructed using non-combustible material, unless otherwise approved by the Planning Commission through the Plan of Development process.
15. **Commercial/Office Square Footage.** Commercial and office square footage shall be allowed to be less than 25 percent of the

total building square footage of the UMU district, but in no case less than 10 percent.

16. **Multifamily Residential Percentage.** The number of for-lease multifamily dwelling units shall be allowed to exceed 30 percent of the total dwelling units of the UMU district, but in no case shall exceed 1,096 units.

The vote of the Board was as follows:

Yes: Nelson, Branin, O'Bannon, Schmitt, Thornton

No: None

25-19
PUP2018-
00019
Fairfield

HHHunt River Mill, LLC: Request for a Provisional Use Permit under Sections 24-13.4(c), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow adjustable side setbacks for lots within the R-5A General Residence District on Parcels 779-773-4325, 780-772-3392 and 779-773-9041 and part of Parcels 780-774-2957, and 781-773-2686 located approximately 2500' west of the intersection of Brook Road (U.S. Route 1) and Magnolia Ridge Drive.

No one from the public spoke in opposition to this item.

On motion of Mr. Thornton, seconded by Mrs. O'Bannon, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item subject to the following conditions:

1. All proffers approved with rezoning cases REZ2016-00031, REZ2017-00017, and REZ2018-00033 shall be made a part of this Provisional Use Permit. These proffers are only meant to govern uses on the portions of the subject property originally subject to those rezoning cases.
2. The side setbacks listed in Section 24-13.4(c) of the County Code shall be utilized for development on the entire subject property. Standards for detached and semidetached dwellings listed in Section 24-13.1(d)(2) can no longer be utilized on the subject property.

The vote of the Board was as follows:

Yes: Nelson, Branin, O'Bannon, Schmitt, Thornton

No: None

26-19
PUP2018-
00017
Three Chopt

Brian Wiley: Request for a Provisional Use Permit under Sections 24-58.2(a), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow extended hours of operation of a fitness facility on part of Parcel 738-760-8449 located on the west line of Pump Road approximately 580' north of its intersection with Three Chopt Road.

The applicant, Brian Wiley, clarified for Mr. Branin that one of the two security cameras currently located on the site provides a full view of the front parking lot.

No one from the public spoke in opposition to this item.

On motion of Mr. Branin, seconded by Mrs. O'Bannon, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item subject to the following conditions:

1. All proffered conditions accepted with case C-21C-88 shall be made a part of this Provisional Use Permit.
2. This permit shall apply only to the F45 Training tenant space as shown on Exhibit A (see case file).
3. The daily hours of operation shall be limited to 5:00 a.m. to midnight.
4. The owner and/or operator of the establishment shall allow the Crime Prevention Unit of the Division of Police to conduct a security survey of the location to identify potential security risks and to recommend additional prevention measures, if any, to be implemented by the business.
5. The owner and/or operator shall be responsible for the installation, operation, and maintenance of exterior security camera(s) and video system of professional grade and quality and rated for the exterior surveillance of retail operations. This security system shall at a minimum include:
 - a. Exterior surveillance cameras monitoring the entrance(s), parking area(s), and any other areas deemed necessary by the Division of Police. Such security cameras shall provide clear imagery of the establishment's patrons and their vehicles.
 - b. Recordings of all activities under surveillance shall be preserved for a period of one (1) month by the applicant or owner/operator. Authorized representatives of the Henrico County Division of Police shall have full and complete access to all recordings upon request.

6. The owner and/or operator of the establishment shall provide adequate lighting for the entrances, exits, and parking areas serving the business. Adequate lighting shall be defined as lighting sufficient for clear visual and security camera surveillance.
7. Windows shall not be tinted or obscured by advertisements, posters, blinds, and/or visual obstructions that inhibit or hinder exterior surveillance. The installation and use of light blocking devices during daylight hours shall be permissible if approved by the Crime Prevention Unit of the Police Division.
8. Extended hours of operation shall not result in loitering, criminal activity, traffic or public nuisance in the area surrounding the business. In the event that evidence (i.e. police calls to the premises or complaints) indicates the extended hours of operation are having an adverse effect (i.e. increased public nuisance, loitering, excessive noise outside the building, criminal assault, traffic, etc.) on the surrounding area, the Board of Supervisors may hold a public hearing to consider revoking the Provisional Use Permit.

The vote of the Board was as follows:

Yes: Nelson, Branin, O'Bannon, Schmitt, Thornton

No: None

295-18
REZ2018-
00040
Fairfield General Land Commercial Real Estate Company: Request to conditionally rezone from O-2C Office District (Conditional) to B-2C Business District (Conditional) Parcel 776-766-3128 containing 2.391 acres located at the southeast intersection of Woodman and Mountain Roads.

Mr. Vithoulkas pointed out this item and Agenda Item No. 296-18 (PUP2018-00013) were companion cases and both had been withdrawn by the applicant.

296-18
PUP2018-
00013
Fairfield General Land Commercial Real Estate Company: Request for a Provisional Use Permit under Sections 24-58.2 (b) and (h), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow an indoor self-service storage facility up to 34' in height on Parcel 776-766-3128 located at the southeast intersection of Woodman and Mountain Roads.

PUBLIC HEARINGS - OTHER ITEMS

27-19 Resolution - Signatory Authority - Lease Amendment - Alltel Communications, LLC - Brookland District.

Steve Price, Director of Real Property, responded to a question from Mr. Thornton.

No one from the public spoke in opposition to this item.

On motion of Mr. Schmitt, seconded by Mr. Branin, and by unanimous vote, the Board approved this item – see attached resolution.

- 28-19 Resolution - Signatory Authority - Lease Amendment - American Towers LLC - Brookland District.

No one from the public spoke in opposition to this item.

On motion of Mr. Schmitt, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.

- 29-19 Resolution - Signatory Authority - Lease Amendment - American Towers LLC - Fairfield District.

No one from the public spoke in opposition to this item.

On motion of Mr. Thornton, seconded by Mr. Schmitt, and by unanimous vote, the Board approved this item – see attached resolution.

PUBLIC COMMENTS

There were no comments from the public.

GENERAL AGENDA

- 30-19 Resolution - Signatory Authority - Agreement with project:Homes - 120 N. Holly Avenue - Varina District.

On motion of Mrs. O'Bannon, seconded by Mr. Branin, and by unanimous vote, the Board approved this item – see attached resolution.

- 31-19 Introduction of Ordinance - To Amend and Reordain Chapter 6 of the Code of the County of Henrico by Adding Article VI Titled "Repair or Removal of Derelict Buildings" Consisting of Section 6-135 Titled "Purpose," Section 6-136 Titled "Definitions," Section 6-137 Titled "Declaration of derelict property; notice," Section 6-138 Titled "Submission of plan by property owner; approval by building official," Section 6-139 Titled "Plan completion; permit fees," and Section 6-140 Titled "Remedies for noncompliance," To Provide for Repair or Removal of Derelict Buildings in the County.

On motion of Mr. Branin, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached introduction of ordinance.

- 32-19 Introduction of Ordinance - To Amend and Reordain Code of the County of Henrico Section 20-79 Titled "Partial exemption for rehabilitated, renovated or replacement residential structures other than multifamily residential rental units," Section 20-80 Titled "Partial exemption for rehabilitated, renovated or replacement multifamily residential units," Section 20-81 Titled "Partial exemption for rehabilitated, renovated or replacement commercial and industrial structures," and Section 20-82 Titled "Partial exemption for rehabilitated, renovated or replacement hotel and motel structures" and to Add to the Code Section 20-84 Titled "Partial exemption for demolition or renovation of derelict buildings" to Expand the County's Partial Real Estate Tax Exemption Program for Rehabilitated, Renovated, and Replacement Structures.

Ned Smither, Director of Finance, responded to questions from Mr. Branin.

On motion of Mr. Branin, seconded by Mr. Schmitt, and by unanimous vote, the Board approved this item – see attached introduction of ordinance.

- 33-19 Concurrent Resolution - Providing for the Appointment of a Permanent Working Group to Review Salary Compression.

On motion of Mr. Branin, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached concurrent resolution.

- 34-19 Resolution - To Initiate Consideration of Zoning Ordinance Amendments - Penalties.

Mark Strickler, Director of Community Revitalization, responded to questions from Mr. Thornton and Mr. Nelson.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.

- 260-18 Resolution - Signatory Authority - Acquisition of Real Property - 1300 New Market Road - Varina District.

Mr. Vithoukias noted this item was deferred from the October 23, 2018, meeting. He recommended the Board withdraw this item because staff has not been able to bring this acquisition to fruition.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board withdrew this item.

There being no further business, the meeting was adjourned at 8:02 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 22-19

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Agenda Title: RESOLUTION – Commending the Highland Springs High School
Springers Football Team

| For Clerk's Use Only: | BOARD OF SUPERVISORS ACTION | YES | NO | OTHER |
|--|---|--------------------|----|-------|
| Date: 4/22/2019 | Moved by (1) _____ Seconded by (1) _____ (2) _____ (2) _____ | | | |
| <input checked="" type="checkbox"/> Approved | REMARKS: _____ | Branin, T. _____ | | |
| <input type="checkbox"/> Denied | | Nelson, T. _____ | | |
| <input type="checkbox"/> Amended | | O'Bannon, P. _____ | | |
| <input type="checkbox"/> Deferred to: _____ | | Schmitt, D. _____ | | |
| | | Thornton, F. _____ | | |

WHEREAS, on December 8, 2018, the Highland Springs High School Springers football team defeated Stone Bridge High School in the Virginia High School League (VHSL) Class 5 state championship game at Hampton University and finished the season with a perfect 15-0 record; and

WHEREAS, Highland Springs is only the third school in VHSL history to have won four consecutive state football titles; and

WHEREAS, the Springers' potent spread offense averaged more than 49 points per game and the team's dominant defense limited opponents to an average of 6.6 points per game; and

WHEREAS, each member of the Springers' roster was integral to the team's success, with thirteen Highland Springs players selected to VHSL's 2018 Class 5 all-state football first team and four to the second team; and

WHEREAS, 2018 VHSL Coach of the Year Loren Johnson and his dedicated assistant coaches did a tremendous job of preparing, nurturing, and developing the team, which received enthusiastic and unwavering support from school administrators, family members, and boosters; and

WHEREAS, the Varina District and entire Henrico community are proud of the Springers' extraordinary accomplishments and applaud the team's student athletes for their remarkable skills, good sportsmanship, and strength of character.

By Agency Head _____ By County Manager _____

Routing:
Yellow to: _____
Copy to: _____

Certified:

A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 22-19
Page No. 1 of 2

**Agenda Title: RESOLUTION – Commending the Highland Springs High School
Football Springers Football Team**

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia, hereby congratulates the Highland Springs High School Springers on their undefeated season that resulted in the school's fourth consecutive state football championship, an unprecedented achievement for Henrico County Public Schools.

BE IT FURTHER RESOLVED that the Board of Supervisors commends the team and coaching staff for so ably and honorably representing Henrico County on the gridiron in regional and statewide competition.

Resolution



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

Commending the Highland Springs High School Springers Football Team

WHEREAS, on December 8, 2018, the Highland Springs High School Springers football team defeated Stone Bridge High School in the Virginia High School League (VHSL) Class 5 state championship game at Hampton University and finished the season with a perfect 15-0 record; and

WHEREAS, Highland Springs is only the third school in VHSL history to have won four consecutive state football titles; and

WHEREAS, the Springers' potent spread offense averaged more than 49 points per game and the team's dominant defense limited opponents to an average of 6.6 points per game; and

WHEREAS, each member of the Springers' roster was integral to the team's success, with thirteen Highland Springs players selected to VHSL's 2018 Class 5 all-state football first team and four to the second team; and

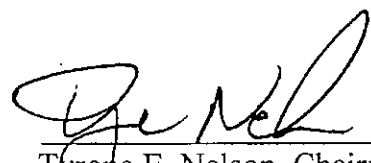
WHEREAS, 2018 VHSL Coach of the Year Loren Johnson and his dedicated assistant coaches did a tremendous job of preparing, nurturing, and developing the team, which received enthusiastic and unwavering support from school administrators, family members, and boosters; and

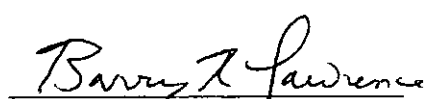
WHEREAS, the Varina District and entire Henrico community are proud of the Springers' extraordinary accomplishments and applaud the team's student athletes for their remarkable skills, good sportsmanship, and strength of character.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia, hereby congratulates the Highland Springs High School Springers on their undefeated season that resulted in the school's fourth consecutive state football championship, an unprecedented achievement for Henrico County Public Schools.

BE IT FURTHER RESOLVED that the Board of Supervisors commends the team and coaching staff for so ably and honorably representing Henrico County on the gridiron in regional and statewide competition.




Tyrone E. Nelson, Chairman
Board of Supervisors


Barry R. Lawrence, Clerk
January 22, 2019



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 28-19

Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Lease Amendment — American Towers LLC — Brookland District

For Clerk's Use Only:

Date: 4/22/2019

☒ Approved

☐ Denied

☐ Amended

☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Schmitt Seconded by (1) Thornton
(2) _____ (2) _____

REMARKS

APPROVED

YES NO OTHER

Brannin, T. ☒ ☐ ☐

Nelson, T. ☒ ☐ ☐

O'Bannon, P. ☒ ☐ ☐

Schmitt, D. ☒ ☐ ☐

Thornton, F. ☒ ☐ ☐

WHEREAS, the County owns RF&P Park at 3400 Mountain Road; and,

WHEREAS, in 1998, the County leased a portion of the site for installation, operation, and maintenance of cellular communications equipment by Triton PCS Property Company L.L.C., for a 20-year term that expires February 14, 2019; and,

WHEREAS, American Towers LLC, as the successor in interest to the original lessee, desires to amend the lease to allow up to four consecutive five-year terms with annual rent of \$21,600.00 during the first renewal term and increasing 15% at the beginning of each successive renewal term; and,

WHEREAS, this resolution was advertised pursuant to Sections 15.2-1800 and 15.2-1813 of the Code of Virginia, and a public hearing was held on January 22, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the County Manager is authorized to execute a lease amendment with American Towers LLC, to amend the lease as described above in a form approved by the County Attorney.

Comments: The Directors of Recreation and Parks and Real Property recommend approval of the Board paper; the County Manager concurs.

By Agency Head Steve Davis

By County Manager [Signature]

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____



VICINITY MAP **LEASE AMENDMENTS - ALLTEL COMMUNICATIONS AND AMERICAN TOWERS** **R F & P PARK** **BROOKLAND DISTRICT**





COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 29-19
Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Lease Amendment — American Towers LLC —
Fairfield District

For Clerk's Use Only:

Date: 4/22/2019

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Thornton Seconded by (1) Schmitt
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

| | | | |
|--------------|-------------------------------------|--------------------------|--------------------------|
| Branin, T. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Nelson, T. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| O'Bannon, P. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Schmitt, D. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Thornton, F. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

WHEREAS, the County owns the multi-use facility at 10301 Woodman Road; and,

WHEREAS, in 1999, the County leased a portion of the site for installation, operation, and maintenance of cellular communications equipment by Triton PCS Property Company L.L.C., for a 20-year term that expires April 22, 2019; and,

WHEREAS, American Towers LLC, as the successor in interest to the original lessee, desires to amend the lease to allow up to four consecutive five-year terms with annual rent of \$29,383.30 during the first renewal term and increasing 15% at the beginning of each successive renewal term; and,

WHEREAS, this resolution was advertised pursuant to Sections 15.2-1800 and 15.2-1813 of the Code of Virginia, and a public hearing was held on January 22, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the County Manager is authorized to execute a lease amendment with American Towers LLC, to amend the lease as described above in a form approved by the County Attorney.

Comments: The Acting Fire Chief and Directors of General Services and Real Property recommend approval of the Board paper; the County Manager concurs.

By Agency Head

By County Manager

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 30-19
Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Agreement with project:Homes — 120 N. Holly Avenue — Varina District

For Clerk's Use Only:

Date: 4/22/2019

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Branin
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

| | | | |
|--------------|---|--|--|
| Branin, T. | ✓ | | |
| Nelson, T. | ✓ | | |
| O'Bannon, P. | ✓ | | |
| Schmitt, D. | ✓ | | |
| Thornton, F. | ✓ | | |

WHEREAS, the Board of Supervisors has identified the Highland Springs Area as an historic district and revitalization area; and,

WHEREAS, the house at 120 N. Holly Avenue is considered a contributing structure from an historic district perspective and is currently in disrepair and in need of significant public and private resources to improve its condition and improve the overall health and vitality of the community; and,

WHEREAS, the Board established a "Community Revitalization Fund" to serve as a flexible resource to improve mature neighborhoods; and,

WHEREAS, project:Homes is a non-profit corporation with a track record of rehabilitating single-family homes and providing homebuyer services and other assistance programs to residents of the County and Central Virginia.

NOW, THEREFORE, BE IT RESOLVED by the Board that the County Manager is authorized to execute an agreement, in a form approved by the County Attorney, with project:Homes to acquire, rehabilitate, and resell 120 N. Holly Avenue with the assistance of County funding not to exceed \$72,000.

Comment: The Housing Specialist recommends approval of this Board paper; the County Manager concurs.

By Agency Head

By County Manager

Routing:

Yellow to:

Copy to:

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Date:

COMMUNITY REVITALIZATION AGREEMENT

Between

County of Henrico

and

ElderHomes Corporation dba project:HOMES

This agreement is made this ____ day of _____ between the **County of Henrico, Virginia** (hereinafter the "County"), and **ElderHomes Corporation dba project:HOMES**, (hereinafter "PROJECT:HOMES") a Virginia corporation (collectively the "Parties"), to undertake acquisition, rehabilitation, construction activities in conjunction with the development and sale of residential real estate as set forth herein.

Whereas, the County Board of Supervisors has established a Community Revitalization Fund to assist in redeveloping and improving existing neighborhoods; and

Whereas, PROJECT:HOMES is a Virginia not-for-profit corporation that acquires, rehabilitates, constructs, and sells low to moderate priced homes and lots; and

Whereas, the Parties desire to redevelop a house located at 120 North Holly Avenue, Henrico, VA 23075 (the "Home");

Now, therefore, the Parties hereby agree as follows:

I. SCOPE OF SERVICES

PROJECT:HOMES shall acquire, rehabilitate, and sell the Home pursuant to the terms of this agreement. The County agrees to provide funds as set forth in the Project Budget and Proforma attached to this agreement.

II. USE OF COUNTY FUNDS

The County agrees to provide funds to PROJECT:HOMES for the acquisition, rehabilitation and sale of the Home. Funds may be also be used for homebuyer assistance and other related costs.

The funds for activities taken pursuant to this agreement may come from the County or other government sources. The use and accounting of such funds may require PROJECT:HOMES to comply with additional regulatory requirements. All such additional requirements will be set forth in writing in an appropriate addendum to this agreement.

Upon completion of the sale of the Home pursuant to this agreement, PROJECT:HOMES shall return all project proceeds (if any) to the County. If PROJECT:HOMES sells the Home for an amount that exceeds the amount identified in Project Budget and Pro Forma, PROJECT:HOMES and the County shall split equally the amount above the projected sales price minus any expenses that were not identified in the Project Budget and Pro Forma.

III. PURCHASE OF HOME

The contract sales price for the Home shall be supported by an appraisal by a licensed appraiser. PROJECT:HOMES may require an affordability restriction by Deed of Trust and Note. Such affordability restrictions will terminate upon foreclosure or transfer in lieu of foreclosure.

PROJECT:HOMES shall include an assignment clause in the Deed of Trust and Note stating that in the event PROJECT:HOMES ceases to exist or is unable to satisfy the requirements of this contract, the County or its agent will be assigned the note securing the County's investment. The County shall provide a suitable form Deed of Trust and Note to PROJECT:HOMES to be executed for this project.

IV. SCHEDULE OF ACTIVITIES

All activities of PROJECT:HOMES under this agreement shall be completed in an expeditious manner. The parties agree to prepare jointly a Project Schedule for work to be performed pursuant to this agreement. All activities shall be completed in accordance with this Project Schedule, unless extended by mutual consent in writing.

Timely completion of the work specified in this agreement is an integral and essential part of performance. By accepting and executing this agreement, PROJECT:HOMES agrees that activities will be completed as expeditiously as possible and that PROJECT:HOMES will make every effort to ensure that the project will proceed as scheduled and will not be delayed. Failure to meet the Project Schedule without prior written approval from the County may, at the discretion of the County, be considered failure to comply with this agreement and result in termination of the agreement under the terms outlined in Part XI.

V. PAYMENT

Payments to PROJECT:HOMES shall be in compliance with County cash management requirements. The County will remit payment within ten business days of receipt of an approved request for funds to the County's Housing Specialist. PROJECT:HOMES shall return erroneously drawn funds to the County within ten business days.

PROJECT:HOMES shall include accurate information in the request for funds, and PROJECT:HOMES may not request funds until payment for eligible costs is necessary. Requests for payment must be submitted by PROJECT:HOMES in a form acceptable to the County and must include adequate documentation of eligible costs incurred. All such expenses shall conform with the project budget. The County shall have the right to inspect records and project sites to determine reimbursement requests are reasonable and accurate. The County shall also have the right to hold payment until adequate documentation has been provided, reviewed, and approved by the County.

VI. LEAD BASED PAINT

PROJECT:HOMES shall comply with the provisions of the Lead Based Paint Poisoning Prevention Act (42 U.S.C. § 4821 *et seq.*), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 USC 485-4956), and implementing regulations at 24 CFR Part 35, subparts A, B, J, K, M, and R of this title.

VII. FAIR HOUSING AND EQUAL OPPORTUNITY

PROJECT:HOMES shall comply with the provisions of Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d *et seq.*), 24 CFR Part 1, The Fair Housing Act (42 U.S.C. § 3601-3620), 24 CFR Part 100-115, Equal Opportunity in Housing, Executive Order 11063, as amended by Executive Order 12259, 24 CFR Part 107, the Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101), and 24 CFR Part 146 and Executive Order 11246 as applicable, and the applicable provisions of 24 CFR § 92.351 Affirmative Marketing; Minority Outreach Program.

PROJECT:HOMES shall also comply with all federal, state and local laws, ordinances, codes, rules and regulations and amendments thereto, including but not limited to Title 8 of the Civil Rights Act of 1968 PL.90-284; Executive Order 11063 on Equal Opportunity; and Section 3 of the Housing and Urban Development Act of 1968.

VIII. RECORDS AND REPORTS

PROJECT:HOMES shall retain all records pertaining to this agreement and services performed pursuant to it for no less than for ten years. Notwithstanding this the foregoing, PROJECT:HOMES shall comply with any applicable federal, state or local legal requirements that impose a longer retention schedule. The County shall have unrestricted access to those records for the entire duration of the retention period. Records include:

- A. A full description of the project, including the location, form of assistance, and project budget.
- B. The source and application of funds and supporting documentation.
- C. Records demonstrating that the property meets the property standards of 24 CFR § 92.251 and the lead-based paint requirements of 24 CFR § 92.355 and any other documentation necessary to maintain compliance with contractual requirements, and federal, state, or local codes.
- D. Income eligibility documentation, if the County requires that the home be sold to a low- or moderate-income buyer.
- E. A record demonstrating adequate financing has been secured to ensure project completion.
- F. Records ensuring that there is adequate need for the project based on neighborhood market conditions.

PROJECT:HOMES shall submit to the County a monthly report setting forth the progress made to date in relationship to the Scope of Services.

IX. PROCUREMENT REQUIREMENTS

Any work that PROJECT HOMES seeks to have performed by third-parties shall comply with the following Henrico County procurement requirements based on the value of the work to be bid:

- A. For all types of bid requests a **written** description of the solicited good or service, including any requirements, shall be prepared.
- B. For any purchase less than \$7,500, a minimum of one (1) proposal shall be solicited. Additional competition, if available, should be solicited to include a supplier from the Small, Women and Minority (SWAM) Vendor list made available by the Virginia Department of Minority Business Enterprise (DMBE). The SWAM Vendor Directory can be located at the following link: <http://www.dmbv.virginia.gov>
- C. For professional services (architects, engineers, etc.) less than or equal to \$7,500, a minimum of one (1) proposal shall be solicited. Soliciting proposals from a DMBE SWAM list is encouraged.
- D. For professional services greater than \$7,500 and less than or equal to \$60,000 a minimum of four (4) proposals solicited from a qualified firm. A minimum of one (1) proposal shall be solicited from a DMBE SWAM business; soliciting more than one (1) DMBE SWAM is encouraged.
- E. For goods and services, including construction, greater than \$7,500 and less than or equal to \$50,000, a minimum of four (4) written quotes solicited, which shall include a minimum of one (1) supplier selected from the DMBE SWAM list.
- F. For goods, services, and construction greater than \$50,000 and less than or equal to \$100,000 a minimum of four (4) written quotes solicited, which shall include a minimum of one (1) quote solicited from a DMBE SWAM business, however, soliciting more than one (1) written quote from a DMBE SWAM business is encouraged. A copy of the published notice for invitations to bid shall be provided to the Department of Community Revitalization.

X. AUDIT REQUIREMENTS

PROJECT HOMES shall retain the services of an independent certified public accountant to perform an annual organizational wide audit in accordance with generally accepted government auditing standards as defined by Standards for Audit of Government Organizations, Activities, and Functions, in compliance in all respects with the generally accepted auditing standards of the American Institute of Certified Public Accountants, and in accordance with the Single Audit Act of 1984, if applicable. In the alternative, it shall provide an organization wide audit report, including an audit report for program activities funded under this agreement, in compliance with accepted auditing standards of the American Institute of Certified Public Accountants, by a certified public accountant.

The cost of the audit is to be paid by PROJECT HOMES, and no funds provided under this

agreement shall be used for this purpose. Copies of the audit reports shall be provided to the County's Housing Specialist and the County Department of Finance within 90 days of the close of PROJECT:HOMES's fiscal year.

XI. TERMINATION FOR CAUSE OR CONVENIENCE

This agreement may be suspended or terminated if PROJECT:HOMES materially fails to comply with any term of the agreement. This agreement may be terminated for convenience at any time by either the County or PROJECT:HOMES upon written notification 30 days prior to termination. Notice of Termination of this agreement by PROJECT:HOMES prior to project completion will require repayment of all funds advanced to PROJECT:HOMES within ten days of notice of termination. In the event of termination, all property and finished or unfinished documents, data, studies, and reports purchased or prepared by PROJECT:HOMES under this agreement shall, at the option of the County, become the County's property or assigned to the County's agent at the County's sole discretion.

In the event the County determines PROJECT:HOMES is in default of this agreement, the County may take one or more of the following actions:

- a. Temporarily withhold cash payments pending correction of the deficiency by PROJECT:HOMES or any contractor or subcontractor;
- b. Disallow all or part of the cost of the activity or action not in compliance;
- c. Wholly or partly suspend or terminate the current agreement with PROJECT:HOMES;
- d. Withhold further federal or non-federal funds from PROJECT:HOMES; or
- e. Take other remedies that may be legally available.

XII. CONFLICT OF INTEREST

No employee, agent, consultant, officer or appointed official of PROJECT:HOMES who is in a position to participate in a decision-making process or gain inside information with regard to any activity under this agreement may obtain a personal or financial interest in any contract, subcontract or agreement with respect thereto, or in the proceeds hereunder, for himself, or for his family or business associates, during his tenure or for one year thereafter.

XIII. AVAILABILITY OF FUNDS

Henrico County shall be bound under this agreement only to the extent that there are funds available to perform its obligations hereunder. Funding under this agreement is also contingent on the County's determination to proceed with, modify, or cancel a project based on the result of any title examination.

XIV. INDEMNIFICATION

PROJECT:HOMES agrees to indemnify and hold harmless the County, its officers, agents and employees against and from all liability, claims, damages and costs, including attorney's fees, of every kind and nature, and attributable to bodily injury, sickness, disease or death, or to damage

or destruction of property resulting from or in any manner arising out of or in conjunction with the performance of work under this agreement. In addition, PROJECT:HOMES shall furnish the County a Certificate of Insurance evidencing coverage under the Workers Compensation Act and liability protection against claims for bodily injury, death, or property damage in the amounts set forth in Part XVI of this agreement. In addition, PROJECT:HOMES's insurer shall give the County 30 day's written notice of its decision to amend, cancel or terminate the insurance coverage. The County shall be named as an additional insured on all insurance policies.

XV. INSURANCE

PROJECT:HOMES will obtain liability insurance from a company licensed to do business in the Commonwealth of Virginia, countersigned by an authorized agent in Virginia, to cover injury to or death of one or more persons in PROJECT:HOMES's performance of this agreement. Premiums chargeable for the insurance shall be paid by PROJECT:HOMES and all liability insurance policies shall be kept in force during the term of this agreement. Types of liability insurance policies required and their limits of coverage are as follows:

- Auto Liability, including Owned, Non-Owned and Hired Car Coverage: One Million (\$1,000,000) per occurrence combined single limit
- Comprehensive General Liability (CGL) One Million (\$1,000,000) per occurrence Combined single limit, Two million (\$2,000,000) in the aggregate
- Worker's Compensation coverage according to statutory limits of the Code of Virginia, Title 65.2

County, its officials, employees, volunteers and agents shall be named as an additional insured under the commercial general liability coverage. The required insurance shall apply as primary insurance with respect to any other insurance or self-insurance programs of the County. The policy(s) shall be endorsed to be primary with respect to the additional insured.

XVI. GOVERNING LAW

This agreement shall be governed by the laws of the Commonwealth of Virginia. Any disputes concerning interpretation or performance under this agreement shall be litigated only in the Circuit Court of Henrico County.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as the day and year herein above written:

COUNTY OF HENRICO

By: _____
John A. Vithoukas, County Manager

ElderHomes Corporation dba project:HOMES

By: _____

Project Budget and Pro-forma

| Property Address: 120 N. Holly Ave. | | | | | |
|-------------------------------------|----------------------|--------|---|---------------|--------|
| Expenses | | | Sources of Funds | | |
| Building and Land | Estimate | Actual | | Estimate | Actual |
| Building and Land | \$ 55,000.00 | | Sales Price | \$ 135,000.00 | |
| Attorney's Fee | \$ 525.00 | | Commission (6%) | \$ 8,100.00 | |
| Title Insurance | \$ 600.00 | | Seller Closing Costs | \$ 2,500.00 | |
| Recording Fees | | | Net Sales Price | \$ 124,400.00 | - |
| Taxes | \$ 500.00 | | | | |
| Demolition | | | Development Costs | \$ 196,400.00 | |
| Real Estate Commission | | | | | |
| Appraisal - Acq. | \$ 500.00 | | Development Gap | (\$72,000.00) | |
| Subtotal | \$ 57,125.00 | | | | |
| | | | Development Subsidy | | |
| Pre-Development | | | Community Revitalization Funding (Henrico) | 72,000.00 | |
| Appraisal (after value rehab) | \$ 500.00 | | | | |
| Arch. & Engineering Fees | \$ 1,500.00 | | | | |
| Surveys (4) | | | | | |
| Environmental | | | | | |
| Hazard Insurance | \$ 500.00 | | | | |
| | | | Subtotal | 72,000.00 | \$ - |
| Subtotal | \$ 2,500.00 | \$ - | | | |
| | | | Property Information | | |
| Construction | | | Square Footage | 784 | |
| Construction Costs | \$ 100,000.00 | | Year Built | 1937 | |
| Construction Contingency | \$ 9,825.00 | | cost/sq.ft. | | |
| Interior Demo | | | | | |
| Lead Abatement/Clearance | \$ 500.00 | | | | |
| Pest Treatment | | | | | |
| Utilities | | | | | |
| Attorney/ | | | | | |
| Construction Loan | | | | | |
| Title Insurance/Lender | | | | | |
| Taxes | | | | | |
| Construction Loan Fee | | | | | |
| Construction Interest | | | | | |
| Site Maint./Appliances | \$ 6,450.00 | | | | |
| Subtotal | \$ 116,775.00 | | | | |
| Developer's Fee | \$ 20,000.00 | | | | |
| Total Development Costs | \$ 196,400.00 | | | | |



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 31-19
Page No. 1 of 1

Agenda Title: INTRODUCTION OF ORDINANCE — To Amend and Reordain Chapter 6 of the Code of the County of Henrico by Adding Article VI Titled “Repair or Removal of Derelict Buildings” Consisting of Section 6-135 Titled “Purpose,” Section 6-136 Titled “Definitions,” Section 6-137 Titled “Declaration of derelict property; notice,” Section 6-138 Titled “Submission of plan by property owner; approval by building official,” Section 6-139 Titled “Plan completion; permit fees,” and Section 6-140 Titled “Remedies for noncompliance,” To Provide for Repair or Removal of Derelict Buildings in the County

| For Clerk's Use Only: Date: <u>1/22/2019</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____ | <p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Branin</u> Seconded by (1) <u>O'Bannon</u> (2) _____ (2) _____</p> <p>REMARKS: APPROVED</p> | <table><thead><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr></thead><tbody><tr><td>Branin, T.</td><td><u>✓</u></td><td>—</td><td>—</td></tr><tr><td>Nelson, T.</td><td><u>✓</u></td><td>—</td><td>—</td></tr><tr><td>O'Bannon, P.</td><td><u>✓</u></td><td>—</td><td>—</td></tr><tr><td>Schmitt, D.</td><td><u>✓</u></td><td>—</td><td>—</td></tr><tr><td>Thornton, F.</td><td><u>✓</u></td><td>—</td><td>—</td></tr></tbody></table> | | YES | NO | OTHER | Branin, T. | <u>✓</u> | — | — | Nelson, T. | <u>✓</u> | — | — | O'Bannon, P. | <u>✓</u> | — | — | Schmitt, D. | <u>✓</u> | — | — | Thornton, F. | <u>✓</u> | — | — |
|---|--|--|----|-------|----|-------|------------|----------|---|---|------------|----------|---|---|--------------|----------|---|---|-------------|----------|---|---|--------------|----------|---|---|
| | | YES | NO | OTHER | | | | | | | | | | | | | | | | | | | | | | |
| Branin, T. | <u>✓</u> | — | — | | | | | | | | | | | | | | | | | | | | | | | |
| Nelson, T. | <u>✓</u> | — | — | | | | | | | | | | | | | | | | | | | | | | | |
| O'Bannon, P. | <u>✓</u> | — | — | | | | | | | | | | | | | | | | | | | | | | | |
| Schmitt, D. | <u>✓</u> | — | — | | | | | | | | | | | | | | | | | | | | | | | |
| Thornton, F. | <u>✓</u> | — | — | | | | | | | | | | | | | | | | | | | | | | | |

The Clerk is directed to advertise in the Richmond Times-Dispatch on February 5, 2019, and February 12, 2019, the following ordinance for a public hearing to be held at the Board Room on February 26, 2019, at 7:00 p.m.:

“AN ORDINANCE to amend and reordain chapter 6 of the Code of the County of Henrico by adding article VI titled “Repair or Removal of Derelict Buildings” consisting of section 6-135 titled “Purpose,” section 6-136 titled “Definitions,” section 6-137 titled “Declaration of derelict property; notice,” section 6-138 titled “Submission of plan by property owner; approval by building official,” section 6-139 titled “Plan completion; permit fees,” and section 6-140 titled “Remedies for noncompliance,” to provide for repair or removal of derelict buildings in the county. A copy of the full text of this ordinance shall be on file in the Office of the County Manager.”

Comments: The Building Official and Director of Community Revitalization recommend approval of this Board paper; the County Manager concurs.

By Agency Head _____

By County Manager _____

Routing:

Yellow to: _____

Certified: _____

A Copy Teste: _____

Copy to: _____

Clerk, Board of Supervisors

Date: _____

ORDINANCE — To Amend and Reordain Chapter 6 of the Code of the County of Henrico by Adding Article VI Titled “Repair or Removal of Derelict Buildings” Consisting of Section 6-135 Titled “Purpose,” Section 6-136 Titled “Definitions,” Section 6-137 Titled “Declaration of derelict property; notice,” Section 6-138 Titled “Submission of plan by property owner; approval by building official,” Section 6-139 Titled “Plan completion; permit fees,” and Section 6-140 Titled “Remedies for noncompliance,” To Provide for Repair or Removal of Derelict Buildings in the County

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Henrico County, Virginia:

1. That Article VI be added to Chapter 6 of the Code of the County of Henrico as follows:

ARTICLE VI. REPAIR OR REMOVAL OF DERELICT BUILDINGS

Sec. 6-135. Purpose.

The purpose of this article is to encourage the repair or removal of derelict buildings in the county by providing procedures and tax abatement for such activity.

Sec. 6-136. Definitions.

The following words and terms used in this article have the following meanings, unless the context clearly indicates otherwise:

Derelict building means a residential or nonresidential building or structure, whether or not construction has been completed, that might endanger the

public's health, safety or welfare and for a continuous period in excess of six months has been:

(1) vacant;

(2) boarded up in accordance with the building code; and

(3) not lawfully connected to electric service from a utility service provider or not lawfully connected to any required water or sewer service from a utility service provider.

Plan means the plan submitted by the owner of a derelict building to the building official in accordance with section 6-138.

Sec. 6-137. Declaration of derelict property; notice.

(a) The building official may determine that a building qualifies as a derelict building or the owner of a building may apply to the building official and request that the building be declared a derelict building for the purposes of this article.

(b) If a building qualifies as a derelict building, the building official shall give written notice to the owner at the address listed on the county's assessment records. Such notice shall be delivered by first-class mail, and the building official shall obtain a U.S. Postal Service Certificate of Mailing, which shall constitute delivery for purposes of this section.

(c) The building official's written notice shall state that the owner of the derelict building is required to submit to the building official a plan, within 90

days, to demolish or renovate the building to address the items that endanger the public's health, safety or welfare as listed in the written notice.

Sec. 6-138. Submission of plan by property owner; approval by building official.

(a) Any owner of a derelict building to whom the building official has sent a written notice as provided in section 6-137 shall submit to the building official within 90 days a plan to demolish or renovate such building. The building official may require that such plan be submitted on forms provided by the building official. The plan filed by the owner shall include a proposed time within which the plan will be commenced and completed. The plan may include one or more adjacent properties of the owner, whether or not all of such properties have been declared derelict buildings.

(b) The plan shall be subject to approval by the building official. Upon receipt of the plan, the building official shall meet with the owner at the owner's request and provide information to the owner about the land use and permitting requirements for demolition or renovation.

Sec. 6-139. Plan completion; permit fees.

(a) If the owner's plan is to demolish the derelict building, the building permit application for demolition shall be expedited. The building official shall refund any building and demolition permit fees upon the owner's submission of proof of demolition within 90 days of the date of the building permit issuance.

(b) If the owner's plan is to renovate the derelict building and no rezoning is required for the owner's intended use of the property, the plan of

development or subdivision application and the building permit application shall be expedited.

(c) The plan of development or subdivision application fees shall be the lesser of 50 percent of the standard fees established for plan of development or subdivision applications for the proposed use of the property, or \$5,000 per property;

(d) The building permit application fees shall be the lesser of 50 percent of the standard fees established for building permit applications for the proposed use of the property, or \$5,000 per property.

Sec. 6-140. Remedies for noncompliance.

(a) An owner's failure to submit a plan required under this article or failure to comply with an approved plan or the dates for commencement and completion of an approved plan shall be a violation of this Code as provided in section 1-13(a)(2) and shall be punishable as provided in that section.

(b) Notwithstanding the provisions of this article, the building official may proceed to make repairs and secure the derelict building under section 6-26, or to abate or remove a nuisance under section 6-25. In addition, the building official may exercise remedies that exist under the building code and may exercise such other remedies available under general and special law.

2. That this ordinance shall be in full force and effect on or after its passage as provided by law.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 32-19
Page No. 1 of 1

Agenda Title: INTRODUCTION OF ORDINANCE – To Amend and Reordain Code of the County of Henrico Section 20-79 Titled “Partial exemption for rehabilitated, renovated or replacement residential structures other than multifamily residential rental units,” Section 20-80 Titled “Partial exemption for rehabilitated, renovated or replacement multifamily residential units,” Section 20-81 Titled “Partial exemption for rehabilitated, renovated or replacement commercial and industrial structures,” and Section 20-82 Titled “Partial exemption for rehabilitated, renovated or replacement hotel and motel structures” and to Add to the Code Section 20-84 Titled “Partial exemption for demolition or renovation of derelict buildings” to Expand the County’s Partial Real Estate Tax Exemption Program for Rehabilitated, Renovated, and Replacement Structures

For Clerk’s Use Only:

Date: 4/22/2019
() Approved
() Denied
() Amended
() Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Branin Seconded by (1) Schmitt
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T. ☒ ☐ ☐
Nelson, T. ☒ ☐ ☐
O’Bannon, P. ☒ ☐ ☐
Schmitt, D. ☒ ☐ ☐
Thornton, F. ☒ ☐ ☐

The Clerk is directed to advertise, in the Richmond Times-Dispatch on February 5, 2019, and February 12, 2019, the following ordinance for a public hearing to be held at the Board Room on February 26, 2019, at 7:00 p.m.:

"AN ORDINANCE to amend and reordain Code of the County of Henrico Section 20-79 titled “Partial exemption for rehabilitated, renovated or replacement residential structures other than multifamily residential rental units,” Section 20-80 titled “Partial exemption for rehabilitated, renovated or replacement multifamily residential units,” Section 20-81 titled “Partial exemption for rehabilitated, renovated or replacement commercial and industrial structures,” and Section 20-82 titled “Partial exemption for rehabilitated, renovated or replacement hotel and motel structures” and to add to the Code Section 20-84 titled “Partial exemption for demolition or renovation of derelict buildings” to expand the county’s partial real estate tax exemption program for rehabilitated, renovated, and replacement structures. A copy of the full text of this ordinance shall be on file in the Office of the County Manager."

Comments: The Director of Finance recommends approval of this Board paper, and the County Manager concurs.

By Agency Head

By County Manager

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

BLACKLINE

ORDINANCE – To Amend and Reordain Code of the County of Henrico Section 20-79 Titled “Partial exemption for rehabilitated, renovated or replacement residential structures other than multifamily residential rental units,” Section 20-80 Titled “Partial exemption for rehabilitated, renovated or replacement multifamily residential units,” Section 20-81 Titled “Partial exemption for rehabilitated, renovated or replacement commercial and industrial structures,” and Section 20-82 Titled “Partial exemption for rehabilitated, renovated or replacement hotel and motel structures” and to Add to the Code Section 20-84 Titled “Partial exemption for demolition or renovation of derelict buildings” to Expand the County’s Partial Real Estate Tax Exemption Program for Rehabilitated, Renovated, and Replacement Structures

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. That Section 20-79 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-79. Partial exemption for rehabilitated, renovated or replacement residential structures other than multifamily residential rental units.

• • • •

- (b) *Qualifications.* For the purposes of this section, the total assessed value of a residential property other than multifamily residential rental units shall not exceed \$250,000.00 \$300,000.00 and the structure must be at least 40 26 years old. The real estate shall be deemed to be substantially rehabilitated when it has been so improved as to increase the assessed value of the structure by no less than 20 percent, but without increasing the total footage of such structure by more than 100 percent. Detached improvements, including, but not limited to, a garage, shed or swimming pool, are not eligible. As used in this section, the terms "rehabilitation" and "rehabilitated" shall also include situations in which the structures on the property have been demolished and replaced with new residential structures.

- (c) *Application; determination of base value; application fee.*

- (1) As a requisite for qualifying for partial tax exemption, the owner of the structure shall, prior to or simultaneously with making application for a building permit to rehabilitate such structure, file with the county's director of finance, upon forms furnished by him, an application to qualify such structure as a rehabilitated residential structure. Upon receipt of an application for tax exemption, the director of finance shall determine a base fair market value assessment (referred to in this section as base value) of the structure as it was immediately prior to commencement of rehabilitation. If rehabilitation has already commenced at the time the base value is determined, then the base value may be determined using the best information available to the director of finance. The tax assessment of the improvements located upon the qualifying real estate shall be

considered in determining the base value. The base value shall serve as a basis for determining whether the rehabilitation increases the assessed value of such structure by at least 20 percent.

• • • •

• • • •

- (e) *Credit memorandum.* The owner of property qualifying for partial exemption of real estate taxes because of rehabilitation of a structure shall be issued a credit memorandum in the amount of the difference in taxes computed upon the base value and the assessed value of the property resulting from the rehabilitation for each year of a ~~seven-year~~ 10-year period of exemption from real estate taxes. Such ~~seven-year~~ 10-year period shall begin as specified in subsection (d) of this section. Additional increases resulting from increases in value occurring in subsequent years of the ~~seven-year~~ 10-year period shall not be eligible for partial tax relief. Such credit memorandum shall be surrendered when payment is made of the real estate taxes payable for the year for which such credit memorandum has been issued. Each credit memorandum timely surrendered shall be credited in its full amount against the taxes due for the real estate for which partial exemption has been obtained. Each credit memorandum so surrendered shall be charged against an appropriation made by the board of supervisors for the purpose of honoring such credit memorandums.
- (f) *Credit to run with land.* Exemption from taxation of real estate qualifying for the rehabilitation exemption shall run with the land, and the owner of such property during each of the ~~seven~~ 10 years of exemption shall be entitled to receive a credit memorandum for such partial exemption from taxation.
- (g) *Methods of evaluation.* In determining the base value of a structure and whether the rehabilitation results in a 20 percent increase over such base value, the director of finance shall employ usual and customary methods of assessing real estate.

• • • •

- 2. That Section 20-80 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-80. Partial exemption for rehabilitated, renovated or replacement multifamily residential units.

• • • •

- (c) *Application; determination of base value; application fee.*
 - (1) As a requisite for qualifying for partial tax exemption, the owner of the structure shall, prior to or simultaneously with making application for a building permit to rehabilitate such structure, file with the county's director of finance, upon forms furnished by him, an

application to qualify such structure as a rehabilitated multifamily residential rental structure. Upon receipt of an application for tax exemption, the director of finance shall determine a base fair market value assessment (referred to in this section as base value) of the structure as it was immediately prior to commencement of rehabilitation. If rehabilitation has already commenced at the time the base value is determined, then the base value may be determined using the best information available to the director of finance. The tax assessment of the improvements located upon the qualifying real estate shall be considered in determining the base value. The base value shall serve as a basis for determining whether the rehabilitation increases the assessed value of such structure by at least 50 percent.

• • • •

• • • •

3. That Section 20-81 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-81. Partial exemption for rehabilitated, renovated or replacement commercial and industrial structures.

• • • •

- (b) *Qualifications.* For the purposes of this section, commercial and industrial real estate shall be deemed to be substantially rehabilitated when a structure on such real estate which is no less than 26 years old has been so improved as to increase the assessed value of the structure by no less than 50 ~~40~~ percent, but without increasing the total footage of such structure by more than 100 percent. As used in this section, the terms "rehabilitation" and "rehabilitated" shall also include situations in which the structures have been demolished and replaced with new structures for commercial and industrial use. Subject to the limitations of this section, the rehabilitated, renovated, or replacement structure may be used for any purpose, including mixed use, that is allowed by the building code and the applicable zoning regulations for the property.

- (c) *Application; determination of base value; application fee.*

- (1) As a requisite for qualifying for partial tax exemption, the owner of the structure shall, prior to or simultaneously with making application for a building permit to rehabilitate such structure, file with the county's director of finance, upon forms furnished by him, an application to qualify such structure as a rehabilitated commercial or industrial structure. Upon receipt of an application for tax exemption, the director of finance shall determine a base fair market value assessment (referred to in this section as base value) of the structure as it was immediately prior to commencement of rehabilitation. If rehabilitation has already commenced at the time the base value is determined, then

the base value may be determined using the best information available to the director of finance. The tax assessment of the improvements located upon the qualifying real estate shall be considered in determining the base value. The base value shall serve as a basis for determining whether the rehabilitation increases the assessed value of such structure by at least ~~50~~ 40 percent.

- (2) The application to qualify for tax exemption shall be effective for three years from the date on which the director of finance determines the base value. If, by such expiration date, rehabilitation has not progressed to such a point that the assessed value of the structure is at least ~~50~~ 40 percent greater than the base value of such structure, then to retain such eligibility a new application to qualify for tax exemption must be filed prior to the expiration date and a new base value established. In no event, however, shall there be more than two additional applications following the initial application on any structure. The new base value shall be based upon the value of the improvements as of the date of the second or third application. Under no circumstances shall any new base value be less than the original base value.

• • • •

(d) *Inspection of progress of work: effective date of exemption.*

- (1) During the period between the receipt of the application and the time when the director of finance may ascertain that the assessed value has increased by at least ~~50~~ 40 percent, the owner of the property shall be subject to taxation upon the full fair market value of the property. An owner may, at any time prior to November 1 of any calendar year in which rehabilitation of a structure is underway, submit a written request to the director of finance to inspect the structure to determine if it then qualifies for the rehabilitated property exemption.
- (2) When it is determined that the rehabilitation is completed and that it has resulted in at least a ~~50~~ 40 percent increase in assessed value (base value is exceeded by ~~50~~ 40 percent or more), the tax exemption shall become effective beginning on January 1 of the next calendar year.

• • • •

- (g) *Methods of evaluation.* In determining the base value of a structure and whether the rehabilitation results in a ~~50~~ 40 percent increase over such base value, the director of finance shall employ usual and customary methods of assessing real estate.

• • • •

- (i) Exterior-corridor hotels and motels. Hotels and motels providing access to the majority of the structure's rental rooms via exterior corridors may qualify under this section for an exemption for 15 years instead of seven years. To qualify for the extended exemption, the exterior-corridor hotel or motel must be demolished and replaced with a structure

used for any purpose, other than an exterior-corridor hotel or motel, that is allowed by the building code and the applicable zoning regulations for the property, including mixed use. Except as altered by this subsection, all other subsections of this section apply to exemptions for the demolition and replacement of exterior-corridor hotels and motels.

4. That Section 20-82 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-82. Partial exemption for rehabilitated, renovated or replacement hotel and motel structures.

• • • •

(c) Application; determination of base value; application fee.

- (1) As a requisite for qualifying for partial tax exemption, the owner of the structure shall, prior to or simultaneously with making application for a building permit to rehabilitate such structure, file with the county's director of finance, upon forms furnished by him, an application to qualify such structure as rehabilitated. Upon receipt of an application for tax exemption, the director of finance shall determine a base fair market value assessment (referred to in this section as base value) of the structure as it was immediately prior to commencement of rehabilitation. If rehabilitation has already commenced at the time the base value is determined, then the base value may be determined using the best information available to the director of finance. The tax assessment of the improvements located upon the qualifying real estate shall be considered in determining the base value. The base value shall serve as a basis for determining whether the rehabilitation increases the assessed value of such structure by at least 50 percent.

• • • •

• • • •

5. That the Code of the County of Henrico, Virginia, of 2010, is hereby amended by adding a section, to be number 20-84, which section reads as follows:

Sec. 20-84. Partial exemption for demolition or renovation of derelict buildings.

Prior to demolishing or renovating a derelict building pursuant to a plan approved under article VI of chapter 6, at the request of the property owner, the real estate assessor shall make an assessment of the property in its current derelict condition. On the building permit application, the owner shall declare the costs of the demolition, or the costs of materials and labor to complete the renovation. At the request of the property owner, after demolition or renovation of the derelict building, the real estate assessor shall reflect the fair market value of the demolition costs or the fair market value of the renovation improvements in the real

estate tax assessment records. The real estate tax on an amount equal to the costs of demolition or an amount equal to the increase in the fair market value of the renovations shall be abated for a period of seven years and is transferable with the property. The abatement of taxes for demolition shall not apply if the structure demolished is a registered Virginia landmark or is determined by the Virginia Department of Historic Resources to contribute to the significance of a registered historic district.

6. That this ordinance shall be in full force and effect on and after its passage as provided by law.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 33-19
Page No. 1 of 2

Agenda Title: **CONCURRENT RESOLUTION – Providing for the Appointment of a Permanent Working Group to Review Salary Compression**

| For Clerk's Use Only: | BOARD OF SUPERVISORS ACTION | YES | NO | OTHH |
|--|--|-----|----|------|
| Date: <u>4/22/2019</u> | Moved by (1) <u>Branin</u> Seconded by (1) <u>O'Bannon</u> | | | |
| (<input checked="" type="checkbox"/>) Approved | (2) _____ (2) _____ | | | |
| () Denied | REMARKS: <u>APPROVED</u> | | | |
| () Amended | | | | |
| () Deferred to: _____ | | | | |
| | | | | |

| | YES | NO | OTHH |
|--------------|-------------------------------------|----|------|
| Branin, T. | <input checked="" type="checkbox"/> | | |
| Nelson, T. | <input checked="" type="checkbox"/> | | |
| O'Bannon, P. | <input checked="" type="checkbox"/> | | |
| Schmitt, D. | <input checked="" type="checkbox"/> | | |
| Thornton, F. | <input checked="" type="checkbox"/> | | |

WHEREAS, the County of Henrico has had a unified compensation plan for both General Government and Education employees since 1986; and,

WHEREAS, the County Manager was directed by the Board of Supervisors, through a May 8, 2018, resolution, to work with the Superintendent of Schools to appoint a committee consisting of both General Government and Education employees or retirees to (1) examine the possibility of salary compression amongst General Government and Education employees, and to (2) develop a multi-year plan to address such salary compression amongst General Government and Education employees, and (3) provide summary findings and a recommendation to both the Board of Supervisors and the Henrico County School Board (School Board); and,

WHEREAS, this committee identified some salary compression amongst General Government and Education employees, and presented summary findings to the Board of Supervisors and the School Board – including recommendations to both “fix” salary compression presently and mitigate compression in the future; and,

WHEREAS, both the Board of Supervisors and the School Board wish to maintain a unified compensation plan for all Henrico County employees in both General Government and Education, and enhance close working relationships amongst those General Government and Education employees who will be monitoring compression.

By Agency Head _____ By County Manager [Signature]

Routing:
Yellow to: _____
Copy to: _____

Certified:
A Copy Teste: _____
Clerk, Board of Supervisors

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 33-19

Page No. 2 of 2

Agenda Title: CONCURRENT RESOLUTION – Providing for the Appointment of a Permanent Working Group to Review Salary Compression

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County and the School Board, in separate meetings, that they direct the County Manager and the Superintendent of Schools, respectively, to appoint a permanent working group of both General Government and Education employees to: (1) discuss salary compression on a consistent basis, and (2) to conduct a comprehensive salary compression review (similar to the one just undertaken) at least every three years to identify possible salary compression.

Comment: The County Manager and Superintendent of Schools jointly recommend approval of this Concurrent Resolution by the Board of Supervisors and the School Board.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 34-19

Page No. 1 of 1

Agenda Title: RESOLUTION – To Initiate Consideration of Zoning Ordinance Amendments – Penalties

For Clerk's Use Only:

Date: 1/22/2019

☒ Approved

☐ Denied

☐ Amended

☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Shouse
(2) (2)

REMARKS

APPROVED

YES NO OTHER

| | | | |
|--------------|-------------------------------------|--------------------------|--------------------------|
| Branin, T. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Nelson, T. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| O'Bannon, P. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Schmitt, D. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Thornton, F. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

WHEREAS, the County Code provides maximum and minimum penalties for violations of the zoning ordinance; and

WHEREAS, the maximum penalties in the County Code are less than the penalties allowed by state law; and,

WHEREAS, state law does not require any minimum penalty for violations of the zoning ordinance; and

WHEREAS, fair and effective enforcement of the zoning ordinance is best served by giving greater discretion to courts to determine the appropriate penalty in each case; and,

WHEREAS, the Board wishes to consider amendments that would allow courts discretion to impose penalties up to the maximum provided by state law and without requiring any mandatory minimum penalty.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors directs County staff to prepare zoning ordinance amendments to adjust penalties to mirror state law for the Planning Commission's review and recommendation after a public hearing.

Comments: The Director of Planning recommends approval of this resolution, and the County Manager concurs.

By Agency Head

By County Manager

Routing:

Yellow to: _____

Copy to: _____

Certified:

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 260-18

Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Acquisition of Real Property — 1300 New Market Road — Varina District

| For Clerk's Use Only: Date: <u>1/22/2018</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____ | BOARD OF SUPERVISORS ACTION Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Thornton</u> (2) _____ (2) _____ REMARKS: <u>Withdrawn</u> _____ _____ _____ | <table><thead><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr></thead><tbody><tr><td>Branin, T.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Nelson, T.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Schmitt, D.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></tbody></table> | | YES | NO | OTHER | Branin, T. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Nelson, T. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | O'Bannon, P. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Schmitt, D. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Thornton, F. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|---|---|--------------------------|-------|----|-------|------------|-------------------------------------|--------------------------|--------------------------|------------|-------------------------------------|--------------------------|--------------------------|--------------|-------------------------------------|--------------------------|--------------------------|-------------|-------------------------------------|--------------------------|--------------------------|--------------|-------------------------------------|--------------------------|--------------------------|
| | | YES | NO | OTHER | | | | | | | | | | | | | | | | | | | | | | |
| Branin, T. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | |
| Nelson, T. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | |
| O'Bannon, P. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | |
| Schmitt, D. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | |
| Thornton, F. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | |

WHEREAS, the Board of Supervisors desires to acquire 0.375 acres of land, more or less, at 1300 New Market Road as additional land for the future Midview Park; and,

WHEREAS, the owners, Floyd Lois Walls, Jr., and Everett Hugh Ragland, have agreed to sell the property for \$39,100.

NOW, THEREFORE, BE IT RESOLVED by the Board that:

- (1) the County Manager is authorized to execute the purchase agreement and any other documents, in a form approved by the County Attorney, necessary to purchase the property for \$39,100; and,
- (2) the County Manager and County Attorney are authorized to undertake all actions necessary to complete the acquisition by the County.

Comments: The Directors of Recreation and Parks and Real Property recommend approval of this Board paper; the County Manager concurs.

By Agency Head [Signature] By County Manager [Signature]

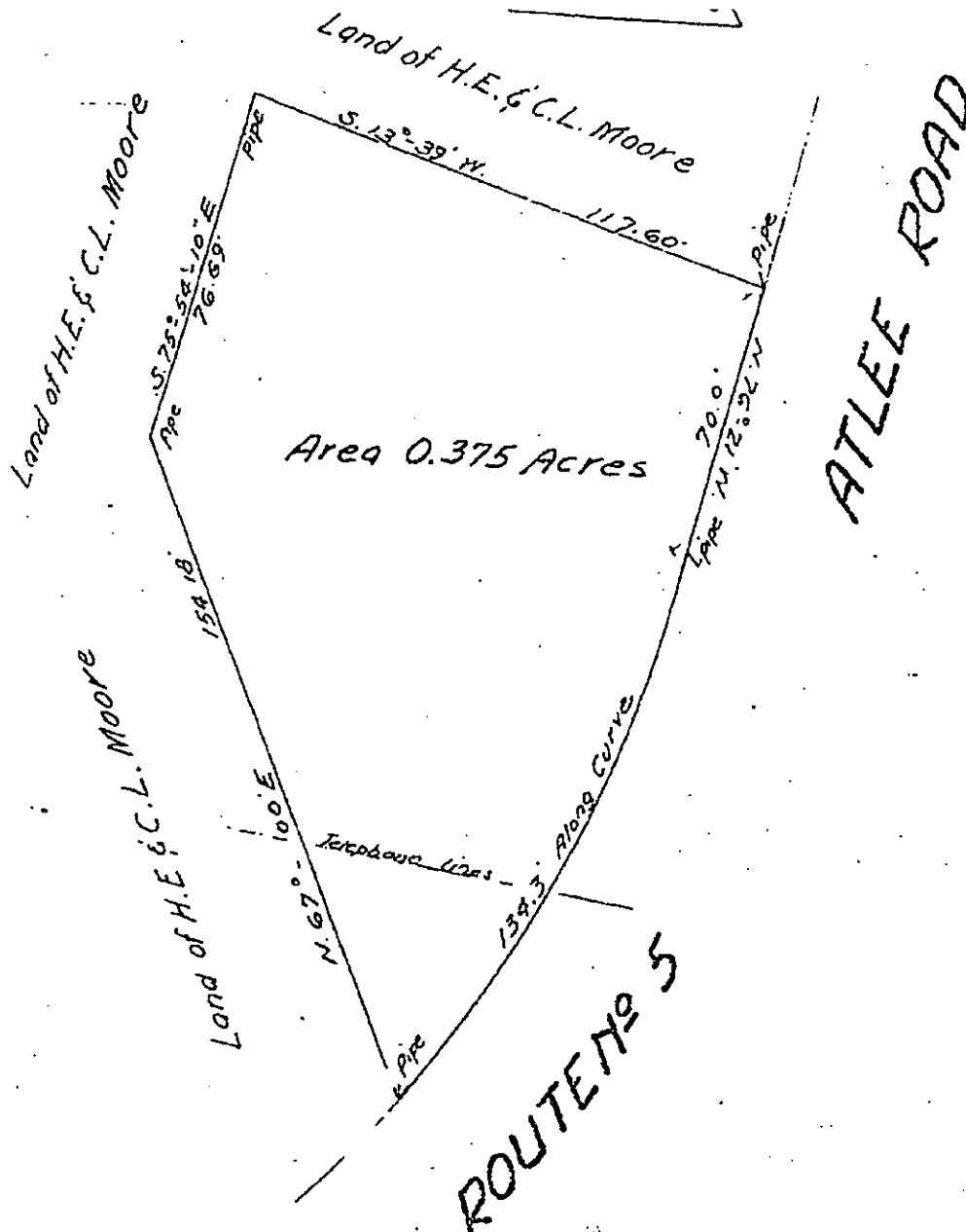
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Clerk, Board of Supervisors

Date: _____



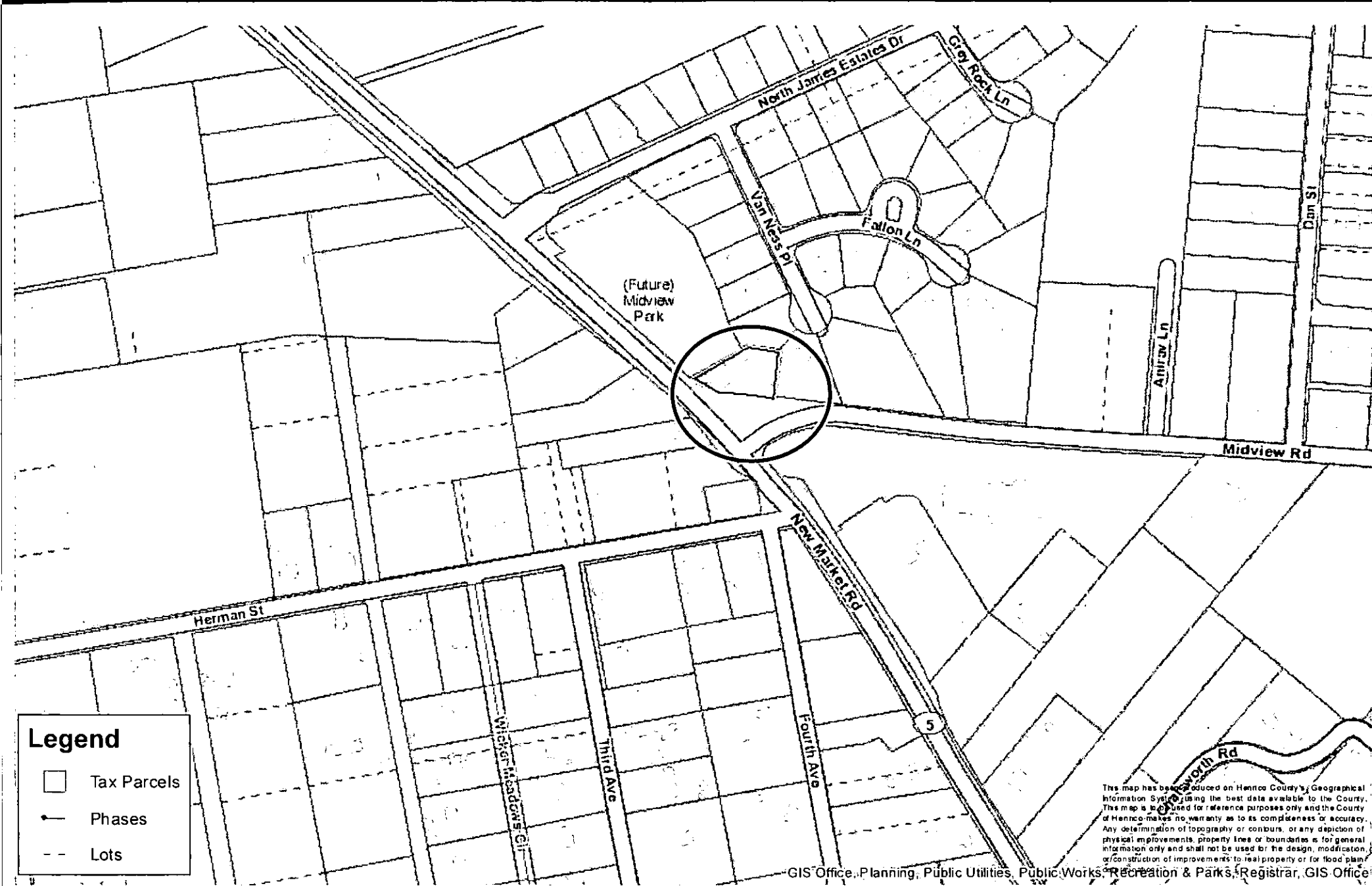
Plot of Property
 Situated on the North
 line of the intersection
 of Route No 5 and the
 Atlee Road.

Henrico Co, Va.

Apr. 25, 1955

Scale 1"=30'

Chas. H. Fleet & Assoc.
 Civil Engrs. & Surveyors.



VICINITY MAP **ACQUISITION OF REAL PROPERTY** **1300 NEW MARKET ROAD** **VARINA DISTRICT**

