

COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
SPECIAL MEETING  
May 14, 2019

The Henrico County Board of Supervisors convened a special meeting on Tuesday, May 14, 2019, at 5:45 p.m., in the County Manager's Conference Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

**Members of the Board Present:**

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

**Member of the Board Absent:**

Daniel J. Schmitt, Brookland District

**Other Officials Present:**

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

Mr. Nelson called the meeting to order at 5:56 p.m.

**Virginia Commonwealth University Update**

Mr. Vithoulikas informed the Board that Dr. Michael Rau, President of Virginia Commonwealth University, was not feeling well and was unable to attend the meeting so there would not be a presentation on this item.

**Lewis Ginter Botanical Garden Update**

Mr. Vithoulikas recognized Shane Tippet, Executive Director of Lewis Ginter Botanical Garden, who noted he previously updated the Board on the Garden in May 2014. Mr. Tippet shared a long series of slides featuring the Garden. He began his presentation by providing a brief history of the property where the Garden is located and pointing out the Garden turned 35 years old in March. Lewis Ginter Botanical Garden was incorporated in 1984 as a nonprofit entity and opened to the public in 1987. Mr. Tippet reviewed aerial slides of the

Garden's phased development that depicted how the Garden has grown over the years. He introduced Beth Monroe, who has led the Garden's public relations and marketing efforts since 1998 as the Garden has grown and reached out to engage and attract audiences. Ms. Monroe distributed flyers containing information on the Garden's hours, admission fees, and upcoming events in 2019.

Mr. Tippet continued his presentation by advising the Board that the Garden has been rated in a USA Today online poll as one of the five best botanical gardens in the nation for four of the five past years. He also mentioned how the Garden has capitalized on a growing interest in garden tourism through its participation in the regional Richmond Garden Trail. Mr. Tippet next reviewed bar graphs documenting the steady annual increase in annual admissions and member visits to the Garden and cited statistics pertaining to the Garden's annual revenues, leasehold improvements, and volunteer hours. He discussed the Garden's 2019-2024 Strategic Plan, *Unearthing Our Potential*, and stated its mission, which is as follows: "Connect People Through Plants to Improve Communities." In discussing the strategic plan, Mr. Tippet identified the Garden's aspirations and goals and shared its master site plan.

Mr. Tippet next highlighted several programs in which the Garden is participating, including the CarMax Free Fourth of July and Genworth Free Community Days, "Share the Garden" children's education programs, Museums for All, Ginter Urban Gardener, and Community Greening Toolkit. He elaborated on the Garden's diversity initiatives and commitment to the cultivation of food justice for all. Mr. Tippet also provided information on the Nature Connects Art with Lego Bricks event that will be held at the Garden on September 28 and the Garden's Seed Library.

Mr. Tippet spent the balance of his presentation showing visuals of plans for improving the Garden's facilities, which include expanding the conservatory to accommodate climate zones and a permanent butterfly collection and dedicating new space for exercise classes. In response to questions from Mr. Branin and Mr. Nelson, Mr. Tippet advised the Board he would welcome the opportunity to provide members of the Board with a behind-the-scenes tour of the Garden.

### **Regular Meeting Agenda Items**

Mr. Vithoulkas reviewed the agenda for the 7:00 p.m. regular meeting. He announced he would ask Police Chief Humberto Cardounel to brief the Board during the Manager's Comments portion of the 7:00 p.m. regular meeting on the Police Division's investigation of recent incidents of vandalism in the Regency Mall area and at Godwin High School. Mr. Vithoulkas noted these were two separate incidents and involved juvenile suspects who have been apprehended. The County has received inquiries from the community concerning these cases and allocated significant resources to the investigations. Chief Cardounel distributed a news release addressing the charges filed for these criminal acts of vandalism.

Mr. Vithoulkas pointed out there were two presentation items on the agenda, both proclamations, and five public hearing cases involving rezoning and provisional use permit requests. Mr. Branin commented on the Mark Oley case, where the applicant was requesting an amendment to proffered conditions to allow the operation of a wholesale pharmaceutical facility on the site with a warehouse and office. In a previous rezoning case, the Board approved proffered conditions that limited uses on the site to a wholesale bakery, outdoor


farmers' market, retail pharmacy, and B-1 uses. Mr. Vithoulkas pointed out the last two land use cases on the public hearing agenda were requests from Daniel Winfree and would be presented together but voted on separately.

Mr. Vithoulkas asked Andrew Newby, Assistant County Attorney, to review the first of two public hearing items that were not land use related. Mr. Newby explained an ordinance that would eliminate the minimum penalty for zoning violations and set the maximum penalty at \$1,000 if uncorrected at the time of conviction. It would set the maximum penalty for failing to abate or remove the violation within a succeeding 10-day period at \$1,500 and any subsequent 10-day period at \$2,000. Mr. Newby pointed out the Richmond Association of Realtors submitted a letter to the Board supporting this change, which was also strongly supported by the Planning Commission. The County's existing penalties have been in place since 1942, and the ordinance would bring the County into compliance with state law and conform with the practice in other localities in the region. Staff discussed the need for this ordinance with the Board at the January 2019 retreat. Mr. Foster explained the second public hearing item that was not land use related. It would authorize the Board Chairman and County Manager to execute documents necessary to convey County-owned property located at 4906 Caskie Street. He responded to questions from Mr. Nelson pertaining to the property's sales price and assessed value.

Mr. Vithoulkas advised the Board that three citizens were signed up in advance to speak during the public comment period. Their topics of concern were the County's backyard chicken zoning regulations, its meals tax, and traffic calming on Woodrow Terrace in Lakeside.

Mr. Vithoulkas called on members of his staff to explain several of the eight general agenda items. John Neal, Director of General Services, addressed the first four items, which pertained to contract awards for chiller replacements at the Administration Building and Jail West Building; heating, air-conditioning, and ventilation (HVAC) replacement at the Juvenile Courts Building; and roof replacement at Firehouse #1. He explained the low bidder for the first three of these items was non-responsive because the company submitted a noncompliant bid bond. Mr. Neal responded to a question from Mr. Nelson relating to the companies that submitted non-compliant bids. Mr. McDowell responded to a question from Mrs. O'Bannon regarding the location of Firehouse #1. Chip England, Director of Public Utilities, explained an item that would authorize a construction change order for installation of equipment at the Gambles Mill Sewage Pumping Station. He responded to questions from Mrs. O'Bannon pertaining to the scope and cost of the proposed work and environmental impact of the extensive flooding that occurred at the station as a result of equipment failures. Mr. Foster explained an item that would authorize the County Manager to execute a project agreement with the Virginia Department of Transportation under which the County will prepare a preliminary engineering study for bicycle and pedestrian improvements on Parham and Hungary Springs Roads in the vicinity of Cleveland Street and Villa Park Drive.

There being no further business, the meeting was adjourned at 6:44 p.m.

  
Chairman, Board of Supervisors  
Henrico County, Virginia