

COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
REGULAR MEETING  
April 14, 2020

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, April 14, 2020, at 6:00 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:**

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

**Other Officials Present:**

John A. Vithoukias, County Manager  
Joseph P. Rapisarda, Jr., County Attorney  
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board

Mr. Branin called the meeting to order at 6:01 p.m.

**PUBLIC HEARING**

92-20            Resolution - Approval of Operating and Capital Annual Fiscal Plans for Fiscal Year 2020-21 and Allocation of Car Tax Relief for Tax Year 2020.

Mr. Vithoukias reported that the revenue estimates included in the Fiscal Year (FY) 2020-21 budget that was presented to the Board on March 10 are now largely unrealistic and have been put aside because of the COVID-19 pandemic. He noted the changing revenue picture since March 10 and referred to a press conference held earlier in the day where he announced that he will be asking the Board to defer approval of this budget to May 12 to give the Board more time to consider the variables in the current economy.

Mr. Vithoukias recognized Meghan Coates, Deputy Director of Finance, who narrated a slide presentation that provided an update on the proposed FY21 budget and the estimated \$99 million revenue reduction between what was introduced on March 10 and what the Board is now going to see. Ms. Coates began by reviewing changing media headlines regarding the economy and the general economic outlook. She also offered a national and local view of the economy, including furlough plans in various employment sectors and a sudden increase in unemployment claims. Examples of initiatives contained in the originally proposed budget that are no longer being discussed as an option are three percent raises for employees, additional elementary school

counselors and reductions in pupil-teacher ratios, increases in non-departmental donations, and new cash-funded construction projects such as an infill building on the County's administrative campus or the South Police precinct. Ms. Coates provided a revised FY21 revenue summary, which projects significant declines in consumer-driven revenues; revised general fund targets, which have built-in contingencies such as minimal utilization of one-time sources and a hiring and spending freeze while maintaining a proportionate share of resources between general government and schools; and expense expectations and strategies to close the revenue gap, which include a one-year holiday on capital transfers, a five percent across-the-board reduction in operating expenses, holding open vacant positions, deferring the payment of the Other Post-Employment Benefits (OPEB) fund, removing non-departmental funding for all non-human services agencies, transition to a recycling fee, and changes to public works and solid waste programs. She also cited other options that may be considered in closing the revenue gap, such as additional reductions in operating funds, changes to or elimination of other programs and services, and changes in salaries and benefits although preservation of County jobs is a top priority. Ms. Coates cited an email address and telephone number where the public and County staff are invited to submit feedback on the budget plan or suggestions for closing the revenue gap. These are [budgetfeedback@henrico.us](mailto:budgetfeedback@henrico.us) and 804-501-4295. Ms. Coates concluded her presentation by looking ahead and pointing out that the County is anticipating reductions in state revenues, will hedge against optimistic state projections, and will move forward with a quarterly review and appropriation process. At Mr. Branin's request, Ms. Coates explained the County's normal budget process and how this year's process is different because of the need to scale back the budget to prepare for a worst-case economic scenario. Ms. Coates cautioned the Board that recovery may mean something different than where consumer spending and the economy were prior to the pandemic.

Following her presentation, Ms. Coates responded to questions and comments from the Board. She confirmed for Mrs. O'Bannon the \$99 million revenue shortfall is projected for FY21; funding is being discontinued for bulky waste, sidewalks, and new drainage projects; and there are no plans for employee furloughs or layoffs. Ms. Coates explained for Mr. Nelson why the County is not including one-time federal aid in the County's FY21 revenue projections and not assuming a year-over-year increase in state revenue. She also clarified for Mr. Nelson how the revised general fund targets will affect the FY21 budget for Henrico County Public Schools (HCPS), that both HCPS and general government agencies are still working on expense reductions to meet the revised targets, and that 2016 bond referendum projects and those capital projects already underway will likely continue to go forward. Ms. Coates confirmed for Mr. Branin that bond referendum funds can only be used for the projects designated in the referendum.

Mr. Schmitt voiced his support for the very careful and conservative approach taken by County staff in projecting revenues. He emphasized the

importance of doing monthly analysis and quarterly appropriations while balancing citizens' tax dollars during the uncertainty of this economic event. Mr. Schmitt stated that he does not want to be part of a process that requires additional adjustments or deeper cuts to the budget in December during the holidays. Mr. Thornton also expressed support for staff's budgetary approach, particularly its decision not to rely on federal and state dollars in its revenue projections. He expressed hope that the Department of Finance and the Board will articulate budget information to the public in a better way as the County enters a period of "new normal." Mr. Thornton assured the public that while safeguarding the public's dollars the Board will strive to ensure that Henrico is a locality with a heart. Mrs. O'Bannon concurred with Mr. Thornton's comments. At her request, Ms. Coates elaborated on actions the Board and County have taken to allow flexibility in how residents and businesses pay their taxes for the remainder of this fiscal year. Mr. Thornton asked that this information be posted on the County's website. Ms. Coates confirmed unemployment statistics cited by Mr. Schmitt that illustrate the percentage of Henrico residents who may not currently be earning any income. Mr. Vithoukas echoed Mr. Branin in extending thanks to Ms. Coates as well as Deputy County Manager for Administration Brandon Hinton and Management and Budget Director Justin Crawford for their work in revising the proposed budget in a very short time period.

The following persons addressed the Board during the public hearing:

- Nathan Mitchell, a person in long term recovery from substance use disorder who lives at a McShin Foundation recovery residence in the Tuckahoe District, commented on the importance of same-day access for persons in recovery and asked the Board to increase the non-departmental allocation recommended in the proposed budget from \$30,000 to the full \$147,000 requested by the foundation.
- Crystal Parker, Co-Chair of the HCPS 2021 Elementary School Redistricting Committee and a resident of the Fairfield District, asked the Board to reconsider delaying funding for construction of the new Fairfield District elementary school in view of ongoing elementary school enrollment concerns that will not be fully resolved by redistricting.
- Jason Young, Executive Director of Community Brain Injuries, reviewed the role that his organization plays as a safety net provider in the local and regional human services structure and updated the Board on how the organization is responding to COVID-19. He asked the Board to maintain level funding for non-departmental human services partners like his organization that are both required and committed to step up during the pandemic. Mr. Vithoukas informed the Board that funding is included for this organization in the proposed budget at the FY20 level.

- Moses Wright, a person who has been in long-term recovery since 1982 and affiliated with the McShin Foundation during the past five years, explained the foundation's treatment model and commented favorably on its services to persons in recovery and its family program.

Mr. Vithoukas thanked Amy Cashwell, Superintendent of Schools, who has been working around the clock to identify savings for the school system. Mrs. O'Bannon thanked everyone for working hard on this process. She commented on a Capital Region Airport Commission meeting she attended earlier in the day where there was discussion about how the economic impact of the current situation is worse than it was after 9/11. Mr. Vithoukas pointed out this is the worst drop he has seen during his 25 years with the County. There was further discussion by Mrs. O'Bannon and Mr. Vithoukas pertaining to the difficult and creative work being done by general government staff to ensure significant reductions do not have to be made to the school system. Mrs. O'Bannon re-emphasized the importance of preserving the jobs of County employees as much as possible.

On motion of Mrs. O'Bannon, seconded by Mr. Schmitt, and by unanimous vote, the Board deferred this item to the May 12, 2020, meeting.

The vote of the Board was as follows:

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

No: None

The Board recessed at 7:09 p.m. and reconvened at 7:18 p.m.

Mr. Branin led the recitation of the Pledge of Allegiance.

Mr. Nelson delivered the invocation.

On motion of Mr. Thornton, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved the March 24, 2020, Regular Minutes.

The vote of the Board was as follows:

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

No: None

### **MANAGER'S COMMENTS**

Mr. Vithoukas thanked those who continue to work around the clock to help the community combat the pandemic. He expressed pride in the resilience and resourcefulness of Henrico employees during these difficult times. At Mr. Vithoukas' request, Deputy County Manager for Public Safety Tony McDowell provided the Board with an update on efforts underway by the County staff to support the community. Mr. McDowell noted this is

the first time in anyone's memory that the County's Emergency Operations Center has been open and continuously operated for a full month. He further noted the Regional Incident Command system was moved the previous week from the Greater Richmond Convention Center to Glen Allen High School. Mr. McDowell mentioned the following examples of activities that have been undertaken with the assistance of County staff to support the community during this unusual event: the Virginia Department of Health call center at Fairfield Area Library; the Henrico County general government call center and text line; the Henrico Resident Outreach Coordination call center, connected with Henrico's Advocate for the Aging; the Division of Fire's education and outreach program, which is serving licensed long-term care facilities with assistance from the Henrico Health Department; Henrico County Public Schools' food distribution and delivery program, including donations from the Henrico Education Foundation, which has resulted in the packaging and delivery of 1,500 food bags to ten low-income apartment communities and served refugee and immigrant families through several food pantries; the Henrico County Economic Development Authority's support of local businesses through the Nourish Henrico program; School Health Nurse assistance through the County's 911 call center for non-emergency health concerns; the addition of over 500 employees to the County's telecommuting backbone following a stress test conducted in mid-March by the Department of Information Technology; and implementation of a system by the Department of Information Technology whereby the Commonwealth's Attorney's Office can hold cases in General District Court that include both misdemeanor trials and felony initial hearings in a virtual setting. As non-COVID business of the County has continued, the Sheriff's Office underwent a comprehensive jail audit by the Virginia Department of Corrections on April 8 and was found to be 100 percent compliant with state standards. Also, functions associated with building permit and Planning Department applications are still taking place, with the Administration Building's lobby area serving as a drop-off and pick-up location.

### **BOARD OF SUPERVISORS' COMMENTS**

Mrs. O'Bannon acknowledged the recent passing of Tuckahoe District resident Leonard Cake, who was employed by the County for 39 years in the Planning Department and then as the Administrative Director of the Economic Development Authority where he retired in 2012. Mrs. O'Bannon remarked that Mr. Cake will be missed and characterized him as business oriented, pleasant, nice, and well-liked by the business community.

Mrs. O'Bannon mentioned a virtual choir recently assembled at Mills Godwin High School, under the direction of Jacob Devol, has been featured on television and in the newspapers. Mr. Devol gave sheet music to each of the 43 student participants for a song called *Hope Lingers On* and recorded a click track, an audio file with a piano accompaniment and a metronome for the students to listen to while they sang. The students performed their parts individually. Mrs. O'Bannon thanked the choir for performing and presenting this exceptionally beautiful, well-done, and day-brightening song.

Mr. Branin noted the Board has been trying to determine the best way to communicate clear messages to Henrico citizens during this (pandemic) event. Mr. Nelson and Mrs. O'Bannon have held town meetings and informative talks, Mr. Branin and Mr. Schmitt have hosted a three-part informational series, and Mr. Thornton will provide an information session within the next week. Mr. Branin emphasized it is important that the Board explain what is going on in the County and how it is going on and to convey this in the proper fashion.

**RECOGNITION OF NEWS MEDIA**

There were no media representatives present.

**PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS**

93-20 Nuckols Road, LLC: Request to conditionally rezone from A-1  
REZ2020- Agricultural District to R-6C General Residence District (7.891 acres) and  
00003 B-2C Business District (Conditional) (8.517 acres) parts of Parcels 748-  
Three Chopt 771-3527 and 749-771-2999 containing 16.408 acres located on the east  
line of Nuckols Road at its intersection with Fords Country Lane.

Joe Emerson, Director of Planning, advised the Board that the applicant for this case and applicants for the two following cases (Agenda Item Nos. 94-20 and 95-20) were requesting a deferral.

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

On motion of Mr. Schmitt, seconded by Mr. Thornton, and by unanimous vote, the Board deferred this item to the May 12, 2020, meeting.

The vote of the Board was as follows:

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

No: None

94-20 Nuckols Road, LLC: Request for a Provisional Use Permit under Sections  
PUP2020- 24-36.1(a), 24-58.2(d), 24-120 and 24-122.1 of Chapter 24 of the County  
00002 Code to allow for a life care facility and outside dining on parts of Parcels  
Three Chopt 748-771-3527 and 749-771-2999 located on the east line of Nuckols Road  
at its intersection with Fords Country Lane.

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

On motion of Mr. Schmitt, seconded by Mr. Thornton, and by unanimous vote, the Board deferred this item to the May 12, 2020, meeting.

The vote of the Board was as follows:

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

No: None

95-20 HCA: Request to conditionally rezone from A-1 Agricultural District and  
REZ2020- B-1 Business District to O-2C Office District (Conditional) Parcels 747-  
00006 771-7477, 747-771-9469, and 747-771-9985 containing 3.36 acres located  
Three Chopt at the southeast intersection of Nuckols Road and Hickory Park Drive.

Before the vote on this item, Mrs. O'Bannon stated she would recuse herself because her husband is an employee of Hospital Corporation of America (HCA).

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

On motion of Mr. Schmitt, seconded by Mr. Thornton, and by unanimous vote, the Board deferred this item to the May 12, 2020, meeting.

The vote of the Board was as follows:

Yes: Branin, Schmitt, Nelson, Thornton

No: None

Abstained: O'Bannon

96-20  
REZ2020-  
00009  
Three Chopt

Stanley Martin Homes: Request to conditionally rezone from A-1 Agricultural District to R-6C General Residence District (Conditional) (16.82 acres) and B-2C Business District (Conditional) (6.09 acres) Parcel 730-765-6508 containing 22.91 acres located on the south line of W. Broad Street (U.S. Route 250) at the western County Line with Goochland County.

Mr. Emerson noted this item and Agenda Item No. 97-20 were companion cases and although requiring separate votes would be presented and heard together. He responded to questions from Mr. Thornton and Mr. Nelson.

No one from the public spoke in opposition to this item or Agenda Item No. 97-20.

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

APPLICABLE TO ALL

1. **Concept Plan.** The Property shall be developed in general conformance with Exhibit A, attached (see case file) entitled "Westgate", and prepared by The Bay Companies (the "Concept Plan"). The exact locations, footprints, configurations, size, and details of the lots, drives, roads, buildings and other improvements shown on the Concept Plan are illustrative and are subject to change and may be updated from time to time as required for final engineering designs, compliance with governmental regulations or as otherwise approved at the time of Plan of Development review of the Property

2. **Construction.** The hours of exterior construction activities, including operation of bulldozers and other earthmoving equipment shall be between 7:00 a.m. and 7:00 p.m. Monday through Friday and 7:30 a.m. and 5:00 p.m. on Saturdays, except in emergencies or where unusual circumstances require the specific hours in order to complete work as concrete pours and utility connections. No exterior construction activities shall be allowed on Sundays. Signs, in both English and Spanish, stating the above-referenced provisions, shall be posted and maintained at all entrances to the Property prior to any land disturbance activities thereon.
3. **Entrance Feature.** Any detached entrance signage shall be ground mounted monument- style and not exceed 10 feet in height. The base of any such sign shall be brick or stone and be landscaped with plantings.
4. **Underground Utility Lines.** All utility lines on the Property shall be underground, except for existing utilities, junction boxes, meters, utility lines in wetlands areas, and utility lines required to be above ground by the utility company.
5. **Best Management Practices.** Best Management Practice structures shall be located outside of any landscaped buffer within the Property, except as a landscaping amenity or water related feature, or unless approved at the time of Plan of Development review. Any wet pond best management practice structures shall include an aeration feature to move water within such structure.
6. **Protective Covenants.** Prior to or concurrent with the final approval of the initial Plan of Development for the Property, a document setting forth covenants shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia, setting forth controls on the development and maintenance of the Property and establishing one or more owners' associations.
7. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.
8. **Conservation Areas.** Notwithstanding the uses permitted and regulated by the zoning of the Property, such portion(s) of the Property which lie within a one hundred (100) year flood plain as determined by definitive engineering studies approved by the Department of Public Works, and/or such portion(s) of the Property which may be inundated by waters impounded to a maximum elevation determined in a controlled, regulated manner by a structure or structures approved by the Department of Public Works, may only be used for the following purposes:



- a. Stormwater management and/or retention areas;
- b. Ponds, lakes and similar areas intended as aesthetic and/or recreational amenities and/or wildlife habitats;
- c. Access drives, utility easements, signage, walkways and recreational facilities installed in a manner to minimize their impacts; and
- d. Such additional uses to the uses identified in (a), (b) and (c) above as may be deemed compatible and of the same general character by the Planning Administrator (Director of Planning) pursuant to Chapters 19 and 24 of the County Code (the "Zoning Ordinance").

The Owner shall, prior to Plan of Development and/or subdivision approval for areas that include such flood plain, apply to rezone such portions of the Property to a C-1 Conservation District.

The location and limits of such portion(s) of said Property shall be established by Plan(s) of Development and/or subdivision plats approved pursuant to the Zoning and/or Subdivision Ordinance.

- 9. **Outdoor Music.** Outdoor music shall not be permitted on the Property after 9:00 p.m. Sunday through Thursdays nor after 10:00 p.m. on Fridays, Saturdays and holidays.
- 10. **West Broad Street Improvements.** The Applicant shall make the following listed improvements to West Broad Street, provided such improvement is approved by VDOT:
  - a. Eastbound right turn lane where adjacent to the Property serving the westernmost access and a right turn lane serving the easternmost access.
  - b. Egress from the Property aligning Bon Secours Parkway shall consist of three (3) outbound lanes (a left, a shared thru and left, and a right lane).
  - c. Cut back medians at Bon Secours Parkway for vehicle movements.
  - d. Signal improvements at Bon Secours Parkway if such are within the public right of way or on the Property.

APPLICABLE TO R-6 ZONED PARCEL

- 11. **Density.** No more than 194 dwelling units will be developed on the Property which will be marketed as condominium or townhome units for sale.
- 12. **Minimum Finished Floor Area.** The minimum finished floor area for any dwelling unit shall be 1,350 square feet.

13. **Sound Suppression Measures.** Dwellings units shall be constructed with a minimum certified sound transmission class (STC) of fifty-four (54) between units. A cross section detail, reviewed and approved by a certified architect or engineer as to the methodology accomplishing the STC, shall be included in the building permit application.
14. **Architecture.** To minimize visual repetition of buildings, no two adjacent buildings shall have the same identical individual elevation sequence pattern across the front of the building. Buildings constructed on the Property shall generally be in conformance with Exhibit B (see case file) and attached hereto and by this reference made a part hereof, unless otherwise approved by the Planning Commission at the time of Plan of Development review.
15. **Building Materials.** All buildings shall have exposed exterior walls (above grade and exclusive of trim) of stone, stone veneer, brick, hardi-plank, or a combination of the foregoing unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development review. A minimum of thirty (30) percent in the aggregate for each building and an average of thirty-five (35) percent in the aggregate for all buildings, of the exterior portions of the front building wall surfaces of each building, excluding windows, doors, breezeways, gables and architectural design features, shall be of brick, stone or stone veneer construction.
16. **Foundations.** The exposed exterior portions of all foundations below the first-floor level shall be finished with brick, stone or cultured stone. On the front, side and rear elevations of each building, there shall be a minimum of twelve (12) inches of brick, stone or cultured stone visible above grade. For reasons associated with required site grading, the requirements of this proffer may be modified or waived by the Director of Planning for individual side or rear facades.
17. **Foundation Planting.** Each ground floor unit shall have a minimum of four (4) shrubs planted in the front planting bed.
18. **Exterior Lighting.** Any exterior lighting along the southern boundary of the Property shall be produced from concealed sources of light (such as shoebox type fixtures), and shall be directed to minimize glare on public roads and adjacent properties. Street lights shall be in general conformance with that depicted on Exhibit C (see case file) attached hereto, unless otherwise approved by the Planning Commission at the time of Plan of Development review. Direct embedded light poles and standards shall be prohibited.

19. **Roads.** Prior to the issuance of any final Certificate of Occupancy, the applicant shall provide the Planning Department with certification from a licensed engineer that the roadways within the project were constructed according to the approved plan of development, and in compliance with Henrico County road design standards and specifications (except as to pavement width, turning radii, cul-de-sac dimensions, curb type, and underdrains), to include proper compaction of the subbase soils, utility trenches, base stone, and asphalt surface. The internal roadways shall be private and shall be maintained by the Association.
20. **Garages.** Each dwelling unit shall have a minimum of a one (1) car attached garage.
21. **Driveways.** Driveways shall be constructed of either cobblestone, brick, asphalt, pre-cast pavers, concrete or other similar materials approved by the Director of Planning.
22. **Sidewalks.** A continuous sidewalk a minimum of four (4) feet in width shall be provided in front of all buildings.
23. **Trash.** There shall be no central trash receptacles.
24. **Common Amenities.** A central recreational gathering and multi-use area shall be built on the Property in the area generally as shown as "Park Area" on the Concept Plan (Exhibit A), (see case file). Such recreational area may include various improvements, such as benches, tables, gazebo, landscaping and other passive or active amenities, to facilitate community activities. A pedestrian trail shall be provided connecting to the GreenGate trail system subject to any required approvals. All common amenities and common areas shall be maintained by the Association for the benefit of the residents and their guests.
25. **Buffer Requirements.** Any buffer within the Property may be landscaped, including supplemental plantings, signage, berms and/or fencing and other purposes as approved by the Planning Commission at the time of landscape plan review. Roads, sidewalks, utility easements (including drainage), common owned fencing/walls adjacent to any roads or drives, and signage shall be permitted within any such buffer; provided, any such road or utility easements (other than existing) shall be extended generally perpendicular through such buffer. All buffers, whether in common area or a lot, shall be maintained by an association applicable to the Property.
26. **Condominium Act.** Condominiums constructed on the Property shall comply with the Virginia Condominium Act.

27. **Cantilevering.** There shall be no cantilevered chimneys or closets. Any first floor cantilevered items shall be limited to box or bay-type windows only, shall not extend beyond a maximum of twenty-four (24) inches from the predominant plane of the side of the home, nor shall the bottom be less than three (3) feet above the grade level below. Any usable floor space on the first floor such as breakfast nooks shall not be cantilevered. Items on the second floor such as balconies, decks, box or bay-type windows may be cantilevered, but shall include decorative corbels. The exposed portions of all fireplace chimneys shall be of brick or stone.
28. **Height.** Residential buildings shall not exceed fifty (50) feet in height to the top of a flat roof, nor sixty (60) feet in height for an A-Frame roof.

#### APPLICABLE TO B-2 ZONED PARCELS

29. **Exterior Materials/Architecture.** The exposed portion of each exterior wall surface (front, rear and sides) of any building (excluding rooftop screening materials for mechanical equipment) shall be similar to the exposed portions of other exterior walls of such building in architectural treatment and materials. Any building shall have exposed exterior walls (above finished grade and exclusive of trim) of brick, glass, E.I.F.S., stone, stone veneer, split face block, cementitious, composite-type siding, architectural-grade metal panels, or a combination of the foregoing, unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development. A minimum of forty (40) percent of each facade of buildings which face Broad Street, excluding windows, doors, breezeways, gables and architectural design features, shall be of brick, stone or stone veneer construction. No building shall be covered with or have exposed to view any painted or unfinished concrete block, or industrial-grade metal, unless otherwise specifically approved at the time of Plan of Development. Any sloped roofs shall be constructed of slate, simulated slate, standing seam metal or textured fiberglass shingles, architectural shingles, cedar shakes, concrete or composition shingles. Retail users will be permitted to include prototypical or corporate identification architectural elements in the design of their building or space.
30. **Prohibited Uses.** The following uses shall be prohibited:
- a. billiard, bagatelle, video game or a bingo parlor;
  - b. flea markets or antique auctions;
  - c. billboards;
  - d. recycling facilities;
  - e. funeral homes, mortuaries, crematories and/or undertaking establishments;

- f. dance halls;
- g. truck stops;
- h. gun shop, sales and repair;
- i. parking garages or commercial parking lots as a principal use;
- j. sign painting shops;
- k. free-standing communication towers;
- l. car washes as a principal use;
- m. car title loan operations;
- n. adult businesses as defined by Section 24-3 of the Henrico County Code;
- o. establishments whose primary business is check cashing and/or the making of payday loans as defined and regulated by Sections 6.2-2100 et seq. and 6.2-1800 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);
- p. automotive filling and service stations including towing service.
- q. No free-standing building or out-parcels, excluding the food truck area, shall be used for a fast food and/or carryout restaurant, not to exclude, however, fast-casual restaurants such as Panera, restaurants with dedicated parking for the pickup of carry-out food, nor restaurants whose primary business is the sale of specialty coffees or other non-alcoholic beverages or pastry. The Director of Planning shall determine if a restaurant is fast food or fast casual pursuant to the above.

31. **Refuse Containers/Trash Receptacles/Recycling Activities.**

Dumpsters, trash receptacles, not including convenience cans, and recycling receptacles shall be screened from public view with masonry enclosures compatible with the architectural design of the buildings at ground level at the property lines as approved at the time of Plan of Development. The gates and doors on the masonry refuse screens shall be of a substantial and durable material as determined at the time of Plan of Development. Support posts, gate frames, hinges and latches shall be of a sufficient size and strength to allow the gates to function without sagging or becoming a visual eyesore as determined at the time of Plan of Development. The number of refuse containers shall be adequate for the development as determined at the time of Plan of Development. Convenience cans shall be within or part of a decorative container.

32. **West Broad Street Sidewalk.** Subject to all applicable government approvals, a five (5) foot sidewalk for pedestrian access shall be constructed along the Property's West Broad Street

frontage where not constrained by utilities and storm drainage. Site lighting shall be designed to provide lighting for pedestrians along West Broad Street in a manner approved at the time of lighting plan review.

The vote of the Board was as follows:

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

No: None

97-20  
PUP2020-  
00005  
Three Chopt

Stanley Martin Homes: Request for a Provisional Use Permit under Sections 24-58.2(d), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow food trucks and outdoor dining for proposed restaurants on part of Parcel 730-765-6508 located on the south line of W. Broad Street (U.S. Route 250) at the western County Line with Goochland County.

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

**Restaurant Outdoor Dining**

1. The outdoor dining area(s) shall not be in operation between the hours of 11:00 p.m. and 7:00 a.m.
2. Prior to the construction of the outdoor dining area(s), the applicant shall submit an administrative site plan of the outdoor dining area(s) and obtain approval from the Planning Department. The site plan shall show the design and layout of the outdoor dining area(s). Proffered conditions of rezoning case REZ2020-00009 shall apply. Such site plan shall show required and provided parking on the property.
3. The operator shall not permit food preparation outside the enclosed building(s).
4. The outdoor dining enclosure(s) shall be limited in height to 48".
5. Access to the outdoor dining area(s) shall be available only through the interior of the restaurant(s), except during an emergency when a patio fence exit gate may be utilized.
6. A clear, continuous, and unobstructed pedestrian path not less than five feet (5') in width shall be required for pedestrian circulation outside any outdoor dining area.
7. Trash receptacles shall be provided and properly serviced to control litter generated by this use.

8. Outdoor dining furniture, fencing, and/or canopies shall be of durable material and complementary to exterior features of the building(s).
9. 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.
  - c. Sound systems may be used only when outside dining is permitted.
10. Televisions and other video display devices shall not be visible from adjacent drive aisles and parking areas.
11. If a fire pit or other outdoor heating element is installed at a future time, details of its design and use shall be submitted to the Director of Planning and approved by the Fire Marshal and Planning Director to ensure safety features are in place.
12. Prior to operation, the applicant shall consult with the Special Services Unit within the Division of Police to discuss crime prevention recommendations and conduct a security survey of the property and restaurant operations. The applicant shall implement mutually agreed upon security recommendations.

**Food Truck Operations**

1. Food truck area responsibility, including operations, maintenance, and cleanup, shall be provided by a designated Manager or Managers, the identity and contact information of such Manager being provided to the County.
2. The food truck portion of this permit shall apply only to specifically designated food truck area(s) labeled on the approved Plan of Development. Food truck pads shall have hookups for water and electricity and access to a common grease trap.
3. Food trucks shall not be in operation to the public between the hours of 10:00 p.m. and 7:00 a.m.
4. Proffered conditions of rezoning case REZ2020-00009 shall apply.

The vote of the Board was as follows:

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

No: None

98-20  
REZ2019-  
00036  
Fairfield

Stanley Martin Homes: Request to conditionally rezone from R-5 General Residence District, R-6 General Residence District, and B-3C Business District (Conditional) to R-6C General Residence District (Conditional) Parcels 783-747-8300 and 784-746-3173 containing 11.82 acres located on the west line of Brook Road (U.S. Route 1), approximately 700' west of the intersection of Brook Road (U.S. Route 1) and Brook Run Drive (private).

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

Mr. Thornton commented that this project will be in close proximity to The Atlantic, a senior citizen area, and is being tastefully done. He thanked Fairfield District Planning Commissioner Chris Archer and the other members of the Planning Commission for their work on this case.

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

1. **Concept Plan.** The Property shall be developed in general conformance with Exhibit A, attached (see case file) entitled "Lakeside Landing, Section 2, Townhouses, Fairfield District, Henrico County, Virginia", prepared by The Bay Companies, and dated February 26, 2020 (the "Concept Plan"). The exact locations, footprints, configurations, size, and details of the lots, drives, roads, buildings and other improvements shown on the Concept Plan are illustrative and are subject to change and may be updated from time to time as required for final engineering design, compliance with governmental regulations or as otherwise approved at the time of subdivision or plan of development review of the Property.
2. **Density.** No more than 52 dwelling units shall be developed on the Property.
3. **Minimum Finished Floor Area.** The minimum finished floor area for any dwelling unit shall be 1,350 square feet.
4. **Architecture.** To minimize visual repetition of buildings, no two adjacent buildings shall have the same identical individual elevation sequence pattern across the front of the building. All dwelling units shall have a front porch or stoop. The side of each end dwelling unit shall include at least two (2) windows and the rear of each dwelling unit shall include at least two (2) windows. Townhomes constructed on the Property shall generally be in conformance with Exhibit B (see case file) and attached hereto and by this reference made a part hereof, unless otherwise approved by the Planning Commission at the time of Plan of Development review.



5. **Building Materials.** All buildings shall have exposed exterior walls (above grade and exclusive of trim) of stone, stone veneer, brick, hardi-plank, vinyl or a combination of the foregoing unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development review. A minimum of twenty-five (25) percent in the aggregate for each dwelling unit and an average of thirty-five (35) percent in the aggregate for all dwelling units, of the exterior portions of the front building wall surfaces of each building, excluding windows, doors, breezeways, gables and architectural design features, shall be of brick, stone or stone veneer construction.
6. **Cantilevering.** There shall be no cantilevered chimneys or closets. Any first floor cantilevered items shall be limited to box or bay-type windows only, shall not extend beyond a maximum of twenty-four (24) inches from the predominant plane of the side of the home, nor shall the bottom be less than three (3) feet above the grade level below. Any usable floor space on the first floor such as breakfast nooks shall not be cantilevered. Items on the second floor such as balconies, decks, box or bay type windows may be cantilevered.
7. **Chimneys.** The exposed portions of all fireplace chimneys shall be of brick, stone, cultured stone, or siding similar to the exterior treatment of the building. The exposed bases of all chimneys shall be of the same material as the dwelling foundation. This proffer shall not apply to direct-vent gas fireplaces or appliances.
8. **Foundations.** The exposed exterior portions of all foundations below the first floor level shall be finished with brick, stone or cultured stone. On the front, side and rear elevations of each building, there shall be a minimum of twelve (12) inches of brick, stone or cultured stone visible above grade. For reasons associated with required site grading, the requirements of this proffer may be modified or waived by the Director of Planning for individual side or rear facades.
9. **Foundation Planting.** Each dwelling unit shall have a minimum of four (4) shrubs planted in the front planting bed.
10. **Sidewalks.** A continuous sidewalk a minimum of four (4) feet in width shall be provided in front of all buildings. A pedestrian path shall be provided through the project to connect to the Lakeside Community Trail, as generally shown on the Concept Plan (see case file).
11. **Trash.** There shall be no central trash receptacles.

12. **Entrance Feature.** At a minimum, a landscaped entrance feature shall be located at the entrance for the development. Any detached sign shall be ground mounted monument style and not exceed six feet in height.
13. **Buffer Requirements.** Buffers and landscaping shall be provided on the Property as generally shown on the Concept Plan (Exhibit A), (see case file) unless otherwise approved at the time of plan of development review. Any landscaping areas within the Property required herein shall be retained as natural and may also be landscaped, including supplemental plantings, connecting trails, signage, berms and/or fencing and other purposes as approved by the Planning Commission at the time of landscape plan review. Buffer areas with installed landscaping shall be irrigated unless otherwise approved at the time of subdivision and/or Plan of Development review. Roads, sidewalks, utility easements (including drainage), common owned fencing/walls adjacent to any roads or drives, and signage shall be permitted within such buffer; provided, any such road or utility easements shall be extended generally perpendicular through such buffer. All buffers, whether in common area or a lot, shall be maintained by an association applicable to the Property.
14. **Underground Utility Lines.** All utility lines on the Property shall be underground, except for existing utilities, junction boxes, meters, utility lines in wetlands areas, and utility lines required to be above ground by the utility company.
15. **Protective Covenants.** Prior to or concurrent with the final approval of the initial plan of development for the Property, a document setting forth covenants (the "Covenants") shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia (the "County"), setting forth controls on the development and maintenance of the Property and establishing one or more owners' associations (the "Association"). The Association shall be permitted to be a part of the existing Lakeside Landing created as part of the property rezoned by case REZ2017-00026.
16. **Construction.** The hours of exterior construction activities, including operation of bulldozers and other earthmoving equipment shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as above-referenced provisions, concrete pours and utility connections. Signs in both English and Spanish stating the above referenced provisions shall be posted and maintained at all entrances to the Property prior to any land disturbance activities thereon.

17. **Roads.** Prior to the issuance of any final Certificate of Occupancy, the applicant shall provide the Planning Department with certification from a licensed engineer that the roadways within the project were constructed according to the approved subdivision plan, and in compliance with Henrico County road design standards and specifications (except as to pavement width, turning radii, cul-de-sac dimensions, curb type, and underdrains), to include proper compaction of the sub-base soils, utility trenches, base stone, and asphalt surface. The internal roadways shall be private and shall be maintained by the Association.
18. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

The vote of the Board was as follows:

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

No: None

99-20  
REZ2020-  
00010  
Brookland

Staples Mill Investments, LLC: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) Parcel 763-768-6597 and part of Parcel 762-768-8288 containing 11.27 acres located on the east line of Staples Mill Road (U.S. Route 33), approximately 1300' south of its intersection with Mountain Road.

Mr. Emerson responded to questions from Mr. Schmitt and Mrs. O'Bannon.

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

On motion of Mr. Schmitt, seconded by Mrs. O'Bannon, the Board followed the recommendation of the Planning Commission and approved this item with the followed proffered conditions:

1. **Density.** There shall be no more than 21 units.
2. **Age Restriction.** Each home within the Property shall be developed and operated in compliance with applicable federal and state laws and regulations regarding housing intended for occupancy by persons fifty-five (55) years of age or older, including but not limited to: the Fair Housing Act, 42 U.S.C. § 3601 et seq. and the exemption therefrom provided by 42 U.S.C. § 3607(b)(2)(C) regarding discrimination based on familial status; the Housing for Older Persons Act of 1995, 46 U.S.C. § 3601 et seq.; the Virginia Fair Housing Law Va. Code § 36-96.1 et seq.; any regulations adopted pursuant to the foregoing; any judicial decisions arising thereunder; any exemptions and/or qualifications

thereunder; and any amendments to the foregoing as now or may hereafter exist.

3. **Architectural Treatment.** Homes constructed on the Property shall be generally in conformance with EXHIBIT A (see case file) attached hereto, unless otherwise requested by the owner and specifically approved by the Director of Planning.
4. **Building Materials.** Primary exterior wall materials (exclusive of windows, dormers, gables, doors, trim, soffit and fascia) shall be brick, stone, cultured stone, stone veneer, fiber cement siding, engineered wood, vinyl (a minimum of .042" nominal thickness as evidenced by manufacturer's printed literature), or a combination of the foregoing unless different architectural treatment and/or materials are requested by owner and approved by the Director of Planning. Fiberboard (e.g. Masonite) shall not be permitted as an exterior wall material.
5. **Foundations.** All finished floor areas, except basements, shall be constructed above grade or give the appearance of being constructed above grade. The exterior portions of all residential foundations, including the exterior portion of foundations below the first floor level which is visible above grade, shall be constructed of brick or stone. There shall be a minimum vertical height of twelve (12) inches of brick or stone above grade utilized on slab-on-grade foundations to present the appearance of a crawl space.
6. **Fireplace Chimneys.** The exposed portions of all fireplace chimneys shall be of brick or a siding similar to the exterior treatment of the dwelling. This proffer shall not apply to direct vent gas fireplaces or appliances. The exposed bases of all chimneys shall be of the same material as the dwelling foundations.
7. **Stoops.** Steps to the main entrance of all homes, except for homes with country porches, shall be faced with brick or stone or a cementitious, mortared stone-appearing product. Front stoops, except for homes with country porches, shall be brick or stone or a cementitious, mortared stone-appearing product with finished concrete or exposed aggregate landing. Any country porches shall have brick or stone piers to match the foundation.
8. **Cantilevering.** There shall be no cantilevered treatment of any architectural features on the first floor. Items on the upper floors such as balconies, decks, bump-outs, box or bay-type windows may be cantilevered, but shall include decorative supports.
9. **Garages.** Each home shall include a two (2) car attached garage.

10. **Street Trees.** Street trees with a minimum two (2) inch caliper shall be planted along the sides of all internal public roads, one tree on each side for every fifty (50) feet of road length. Spacing of trees shall be adjusted as needed to accommodate driveways and underground utilities, including stormwater systems.
11. **Sod and Irrigation.** Each front and side yard (to the edge of the rear of the home on corner lots adjacent to streets) shall initially be sodded and irrigated, exclusive of mulched flowerbeds and landscaping.
12. **Paved Driveways.** All driveways shall be paved with either exposed aggregate, concrete, asphalt, cobblestone, brick, or pre-cast pavers or other similar materials approved by the Director of Planning.
13. **Conceptual Master Plan.** Development of the Property shall be in general conformance with the Conceptual Master Plan entitled "Britlyn North, Section 2 Exhibit" prepared by Townes Site Engineering attached hereto as EXHIBIT B (the "Concept Plan"), (see case file) which Concept Plan is conceptual in nature and may vary in detail, unless otherwise requested and specifically approved at the time of Plan of Development and/or subdivision review.
14. **Hours of Construction.** The hours of site work construction shall be between 7:00 a.m. and 7:00 p.m. Monday through Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours and utility connections. For purposes of this proffer, site work is defined as any construction work shown on approved construction plans for the initial construction of roads, utilities, infrastructure and the respective exteriors of structures. Hours shall be posted in both English and Spanish until the roads are accepted by Henrico County for maintenance.
15. **Restrictive Covenants.** Prior to or concurrent with the recording of the subdivision plat approved by the County, restrictive covenants describing development controls and maintenance of the property shall be recorded in the Clerk s Office of the Circuit Court of Henrico County.
16. **Sidewalks.** A sidewalk for pedestrian access shall be constructed along one side of each roadway inside the subdivision.
17. **Underground Utilities.** Except for junction boxes, meters, pedestals, transformers, transmission mains and existing overhead utility lines, and for technical and environmental reasons, all utility lines shall be underground.

18. **Tiller Road Access.** There shall be no vehicular access from the property to Tiller Road.
19. **Amenity.** A park area with raised garden beds, a fire pit and picnic area shall be provided within the portion of the property labeled Common Area B & Britlyn's Gardens on the concept plan (see case file).
20. **Severance.** The unenforceability, elimination, revision, or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

The vote of the Board was as follows:

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

No: None

#### **PUBLIC HEARINGS – OTHER ITEMS**

100-20 Resolution - Signatory Authority - Easement Agreement - Virginia Electric and Power Company - Brookland District.

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

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

101-20 Ordinance - To Allow the Director of Planning to Approve Preliminary Subdivision Plats and Plans of Development During the COVID-19 Pandemic.

At Mr. Branin's request, Mr. Emerson elaborated at length on the authority this ordinance would give to the Planning Director and how it would differ from the current process. He reviewed the steps the Planning Department will undertake to ensure the Planning Commission and Board stay in tune with these administrative reviews and approvals. At Mrs. O'Bannon's request, Mr. Emerson explained that approval of preliminary subdivision plats and plans of development are not legislative actions the Board sees and confirmed that these approvals do not involve the rezoning of property. He responded to questions from Mr. Branin and Mrs. O'Bannon.

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

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

## PUBLIC COMMENTS

Demetrios Axarlis, a former resident of the Three Chopt District, pointed out a three percent pay increase for first responders, teachers, and firefighters has been cut from the County's proposed Fiscal Year 2020-21 budget due to the COVID-19 crisis. He asked Mr. Vithoukias how much salary he and the County's senior management will forego in order to lead by example, show schoolchildren that the County means business, and cherish first responders and teachers. Mr. Nelson expressed concern with Mr. Axarlis's comment and pointed out the Board has neither voted on the budget nor asked any employees to give back any money to the County. He remarked that Mr. Vithoukias is one of the hardest working executives in the Commonwealth of Virginia. In response to a question from Mr. Schmitt, Mr. Vithoukias commented on the significant number of hours he has spent in the County's Emergency Operations Center while it has been open 24 hours a day and seven days a week for the past 30 days. Mr. Branin pointed out Mr. Vithoukias is employed by the Board and there is no question about his work or integrity. He further pointed out the Board is still looking at every aspect of the budget to ensure all the County's personnel remain employed.

## GENERAL AGENDA

102-20            Resolution - Signatory Authority - Amendment to Consulting Services Agreement - Public Safety Communications System - Altairis Technology Partners.

Mr. McDowell responded to concerns voiced by Mr. Thornton relating to the length and cost of this regional project and the way the County has been treated by the project's consultants.

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

103-20            Introduction of Ordinance - To Reduce Penalties and Interest on Late Payments of 2020 Personal Property Taxes, Machinery and Tools Taxes, and Real Estate Taxes to Zero Percent From June 5, 2020, to August 5, 2020, and to Extend the Time for Payment of Vehicle License Taxes to August 5, 2020.

Mr. Rapisarda explained this item and Agenda Item Nos. 104-20 and 105-20 in one package. He confirmed for Mrs. O'Bannon that the Board will hold public hearings for all three ordinances at its May 12 meeting.

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

104-20            Introduction of Ordinance - To Reduce Penalties and Interest for Late Remittances of Food and Beverage Taxes and Transient Occupancy Taxes to Zero Percent Between March 17, 2020, and August 20, 2020.

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

- 105-20 Introduction of Ordinance - To Provide Emergency Procedures for the Conduct of Public Business to Ensure the Continuity of County Government and Critical Local Services During the State of Emergency and Disaster Caused by the COVID-19 Pandemic.

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

- 106-20 Resolution - Signatory Authority - Lease - 4905 Dickens Road - Brookland District.

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

- 86-20 Resolution - Award of Engineering Services Contract - White Oak Sewage Pump Station and Force Main Upgrade - Varina District.

Mr. Vithoukaskas advised the Board that he had confirmed with Public Utilities Director Chip England that this item, which was deferred from the Board's March 24 meeting, does not need to go forward at this time. He recommended the item be withdrawn from the agenda.

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

The vote of the Board was as follows:

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

No: None

- 107-20 Resolution - Award of Contract - Richmond-Henrico Turnpike Sidewalk Construction - Fairfield District.

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

**ADDED BY UNANIMOUS CONSENT**

Mr. Vithoukaskas recommended the Board add the following item to the general agenda by unanimous consent. The resolution would authorize the County to participate in a proceeding in the State Corporation Commission involving the taxation of retail property owned by T-Mobile Northeast, LLC. The Commission has set a deadline of April 20 for the County to participate.



108-20

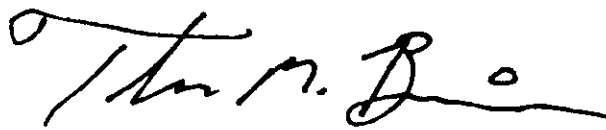
On motion of Mrs. O'Bannon, seconded by Mr. Schmitt, and by unanimous vote, the Board approved adding to the agenda an item numbered 108-20 and titled "Resolution – Authorizing the County to participate in a Proceeding in the State Corporation Commission – T-Mobile Northeast, LLC."

Mr. Rapisarda provided a brief explanation of this item at Mrs. O'Bannon's request and responded to a follow up question by Mrs. O'Bannon concerning what precipitated the proceeding.

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

Mr. Branin pointed out COVID-19 is not over and encouraged all Henrico residents to be patient, vigilant, and safe.

There being no further business, the meeting was adjourned at 8:35 p.m.



Chairman, Board of Supervisors  
Henrico County, Virginia



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

Agenda Title: **RESOLUTION - Approval of Operating and Capital Annual Fiscal Plans for Fiscal Year 2020-21 and Allocation of Car Tax Relief for Tax Year 2020**

**11 – SPECIAL REVENUE FUND:**

Permits, Fees, & Licenses	\$ 1,059,905
Fines & Forfeitures	283,360
Use of Money & Property	138,108
Charges for Services	31,866,558
Miscellaneous	7,307,681
Recovered Costs	618,008
Total from Local Sources	\$ 41,273,620
Non-Categorical Aid	\$ 4,290,802
Categorical Aid	48,196,412
Total from State	\$ 52,487,214
Categorical Aid - Total Federal	\$ 63,156,527
<b>SPECIAL REVENUE FUND REVENUE</b>	<b>\$ 156,917,361</b>
Operating Transfers	\$ 35,948,915
From (To) Fund Balance	478,764
<b>SPECIAL REVENUE FUND RESOURCES</b>	<b>\$ 193,345,040</b>

**51 – WATER AND SEWER ENTERPRISE FUND:**

Fines & Forfeitures	\$ 159,485
Charges for Services	135,739,806
Miscellaneous	2,398,154
<b>W&amp;S ENTERPRISE FUND REVENUE</b>	<b>\$ 138,297,445</b>
Operating Transfers	\$ 1,929,858
From (To) Retained Earnings	(38,269,915)
<b>W&amp;S ENTERPRISE FUND RESOURCES</b>	<b>\$ 101,957,388</b>

**61 – CENTRAL AUTO MAINTENANCE (C.A.M.) FUND:**

Use of Money & Property	\$ 325,695
Recovered Costs	22,345,900
<b>C.A.M. FUND REVENUES</b>	<b>\$ 22,671,595</b>
Operating Transfers	0
<b>C.A.M. FUND RESOURCES</b>	<b>\$ 22,671,595</b>

**62 – TECHNOLOGY REPLACEMENT FUND:**

Operating Transfers	\$ 3,000,000
From (To) Retained Earnings	134,912
<b>TECH. REPLACE. FUND RESOURCES</b>	<b>\$ 3,134,912</b>

**63 – RISK MANAGEMENT/WORKPLACE SAFETY FUND:**

Recovered Costs - Total Revenue	\$ 1,000,000
Operating Transfers	14,044,879
<b>RISK MANAGEMENT/WORKPLACE SAFETY RES.</b>	<b>\$ 15,044,879</b>

**64 - HEALTHCARE FUND:**

Interest on Investment	\$ 200,000
Miscellaneous	150,000
Recovered Costs	134,790,870
<b>HEALTHCARE FUND RESOURCES</b>	<b>\$ 135,140,870</b>

**71 – DEBT SERVICE FUND:**

Operating Transfers - TOTAL RESOURCES	\$ 72,448,960
<b>DEBT SERVICE FUND RESOURCES</b>	<b>\$ 72,448,960</b>

**COUNTY OF HENRICO, VIRGINIA  
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Agenda Title: **RESOLUTION - Approval of Operating and Capital Annual Fiscal Plans for Fiscal Year 2020-21 and Allocation of Car Tax Relief for Tax Year 2020**

**82 – JAMES RIVER JUVENILE DETENTION CENTER AGENCY FUND:**

Shared Expenses - Local	\$ 518,528
Shared Expenses - State	1,565,294
<b>JRJDC AGENCY FUND REVENUE</b>	<b>\$ 2,083,822</b>
Operating Transfers	\$ 3,351,088
From (To) Fund Balance	199,832
<b>JRJDC AGENCY FUND RESOURCES</b>	<b>\$ 5,634,742</b>

**83 – FIDUCIARY FUNDS**

Recovered Costs	\$ 75,000
Operating Transfers	4,525,000
<b>OPEB, LINE OF DUTY AND LTD RESOURCES</b>	<b>\$ 4,600,000</b>

**90 – ADJUSTMENT FOR INTERFUND TRANSACTIONS:**

Operating Transfers - TOTAL RESOURCES	\$ (119,213,338)
<b>TOTAL OPERATING RESOURCES</b>	<b>\$ 1,397,293,230</b>

Including: REVENUE TOTAL	\$ 1,572,944,021
OPERATING TRANSFERS	(174,926,138)
FUND BALANCE/RETAINED EARNINGS	(724,653)
	<b>\$ 1,397,293,230</b>

**ESTIMATED OPERATING REQUIREMENTS**

**Department**

**01- GENERAL FUND:**

	Manager Proposed
General Government Administration	\$ 65,716,013
Judicial Administration	10,111,871
Public Safety	202,140,300
Public Works	55,577,795
Health & Welfare	2,537,497
Education	542,394,709
Recreation, Parks, & Culture	42,901,525
Community Development	27,345,026
Miscellaneous	13,803,446
<b>TOTAL GENERAL FUND</b>	<b>\$ 962,528,182</b>

**11 – SPECIAL REVENUE FUND:**

Judicial Administration	\$ 2,550,583
Public Safety	4,012,643
Public Works	16,266,273
Health & Welfare	87,932,086
Education	82,333,455
Miscellaneous	250,000
<b>TOTAL SPECIAL REVENUE FUND</b>	<b>\$ 193,345,040</b>

**51 – WATER AND SEWER ENTERPRISE FUND:**

Public Utilities - Operations	\$ 70,147,647
- Debt Service	31,809,741
<b>TOTAL W&amp;S ENTERPRISE FUND</b>	<b>\$ 101,957,388</b>

**61 – CENTRAL AUTO MAINTENANCE FUND:**

Central Auto. Maint. - TOTAL FUND	\$ 22,671,595
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**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Title: **RESOLUTION - Approval of Operating and Capital Annual Fiscal Plans for Fiscal Year 2020-21 and Allocation of Car Tax Relief for Tax Year 2020**

<u>62 – TECHNOLOGY REPLACEMENT FUND:</u>	
Technology Replacement - TOTAL FUND	\$ 3,134,912
<u>63 – RISK MANAGEMENT/WORKPLACE SAFETY FUND:</u>	
Fire	\$ 483,682
Finance	14,561,197
TOTAL RISK MANAGEMENT/WORKPLACE SAFETY	\$ 15,044,879
<u>64 – HEALTHCARE FUND:</u>	
Healthcare - TOTAL FUND	\$ 135,140,870
<u>71 – DEBT SERVICE FUND:</u>	
General Government	\$ 30,676,700
Education	41,772,260
TOTAL DEBT SERVICE FUND	\$ 72,448,960
<u>82 – JAMES RIVER JUVENILE DETENTION CENTER AGENCY FUND:</u>	
JRJDC - Operations	\$ 5,634,742
<u>83 – FIDUCIARY FUND:</u>	
OPEB - GASB 45	\$ 2,750,000
Long-Term Disability	600,000
Line of Duty Act (LODA)	1,250,000
TOTAL FIDUCIARY FUND	\$ 4,600,000
<u>90 – ADJUSTMENT FOR INTERFUND TRANSACTIONS:</u>	
Interdepartmental Billings - CAM	\$ (22,671,595)
- Healthcare	(96,541,743)
TOTAL ADJUSTMENTS	\$ (119,213,338)
TOTAL OPERATING REQUIREMENTS	\$ 1,397,293,230

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CAPITAL ANNUAL FISCAL PLAN  
ESTIMATED CAPITAL RESOURCES

<u>Source</u>	<u>Manager Proposed</u>
<u>21 - CAPITAL PROJECTS FUND:</u>	
Motor Vehicle License Revenue	\$ 1,500,000
Education Meals Tax Revenue	9,000,000
Education Meals Tax Reserves	3,500,000
G. O. Bonds - General	14,000,000
General Fund - School's State Reserve	2,500,000
General Fund - Permit Reserve	750,000
General Fund - Stormwater Dedication	2,348,000
Designated Capital Reserve	15,090,000
VPSA Bonds	45,500,000
Fund Balance - General Fund	10,000,000
TOTAL CAPITAL PROJECTS FUND	\$ 104,188,000
<u>22 - VEHICLE REPLACEMENT RESERVE:</u>	
Fund Balance - General Fund	\$ 10,274,800
General Fund - Undesignated Fund Balance	750,000
TOTAL VEHICLE REPLACEMENT RESERVE	11,024,800
<u>51 – WATER AND SEWER ENTERPRISE FUND:</u>	
Water & Sewer Fees/Charges	\$ 21,950,000
Water & Sewer Revenue Bonds	5,550,000
TOTAL WATER AND SEWER ENTERPRISE FUND	\$ 27,500,000
TOTAL CAPITAL RESOURCES	\$ 142,712,800

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

Agenda Title: **RESOLUTION - Approval of Operating and Capital Annual Fiscal Plans for Fiscal Year 2020-21 and Allocation of Car Tax Relief for Tax Year 2020**

ESTIMATED CAPITAL REQUIREMENTS

<u>Department</u>	<u>Manager Proposed</u>
<b><u>21 - CAPITAL PROJECTS FUND:</u></b>	
General Government	\$ 41,188,000
Education	63,000,000
TOTAL CAPITAL PROJECTS FUND	\$ 104,188,000
<b><u>22 - VEHICLE REPLACEMENT RESERVE:</u></b>	
Public Safety	\$ 6,324,800
Education	4,700,000
TOTAL VEHICLE REPLACEMENT RESERVE	\$ 11,024,800
<b><u>51 - WATER AND SEWER ENTERPRISE FUND:</u></b>	
Public Utilities - Water	\$ 7,850,000
- Sewer	19,650,000
TOTAL WATER & SEWER ENTERPRISE FUND	\$ 27,500,000
TOTAL CAPITAL REQUIREMENTS	\$ 142,712,800

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**BE IT FURTHER RESOLVED** that the funds included in the Operating and Capital Annual Fiscal Plans for any County department, office, or agency may be used as participating funds in any Federal or State aid program for like purpose upon appropriation by the Board of Supervisors.

**BE IT FURTHER RESOLVED** that the Schedule of Compensation attached hereto effective at the beginning of the 2020-21 fiscal year is approved; and,

**BE IT FURTHER RESOLVED** that in order to implement changes to the Personal Property Tax Relief Act of 1998 (the "PPTRA") made by legislation adopted by the Virginia General Assembly:

1. Any qualifying vehicle, as defined in the PPTRA, sitused within the County commencing January 1, 2020, shall receive personal property tax relief in the following manner:
  - a. Qualifying vehicles valued at \$1,000 or less shall receive 100% tax relief;
  - b. Qualifying vehicles valued at between \$1,001 to \$20,000 shall receive 50% tax relief;
  - c. Qualifying vehicles valued at \$20,001 or more shall receive 50% tax relief on the first \$20,000 of value only; and
  - d. All other vehicles which do not meet the definition of "qualifying vehicles" will not receive any form of tax relief under the PPTRA.
  
2. The amount of tax relief shall be a specific dollar amount offset against the total personal property taxes that would otherwise be due on a qualifying vehicle but for the PPTRA. The specific dollar amount of relief shall be shown on the tax bill for each qualifying vehicle, together with a general description of the criteria upon which relief has been allocated.

**COMMENTS:** This Board paper should be considered on April 14, 2020, but must be deferred until Tuesday, April 28, 2020, to comply with Virginia Code Section 15.2-2506, which states that "The hearing shall be held at least seven days prior to the approval of the budget...."

**FY21 SCHEDULE OF COMPENSATION  
County of Henrico, Virginia**

<u>NAME AND OFFICE OR JOB TITLE</u>	<u>SALARY</u>
Heidi Barshinger Clerk of Circuit Court.....	\$ 150,272.55 <sup>(5)</sup>
Alisa Gregory Sheriff.....	\$ 152,649.12 <sup>(5)(6)</sup>

- 
- (5) The Clerk of the Circuit Court and the Sheriff are elected positions. The annual compensation rates and effective dates are set by the General Assembly and subject to the Governor's approval. Salary amounts for FY21 are based upon current salaries and increases approved by the 2020 General Assembly. To date, the General Assembly has agreed to a one-time 2% bonus for all constitutional officers on December 1, 2020.
  - (6) 2012 Va. Acts c. 822 requires persons employed by local government to contribute five percent of their creditable compensation for the employee contribution to the Virginia Retirement System. To comply with 2012 Va. Acts c. 822 and the non-supplant requirement, the current incumbent in this elected/appointed position, who was employed or hired on or before July 1, 2012, receives an additional amount equal to 5% of the salary approved by the General Assembly. Future incumbents in this position will not receive an additional 5% locality supplement for the VRS employee member contribution per 2012 Va. Acts c. 822.

**FY21 SCHEDULE OF COMPENSATION  
County of Henrico, Virginia**

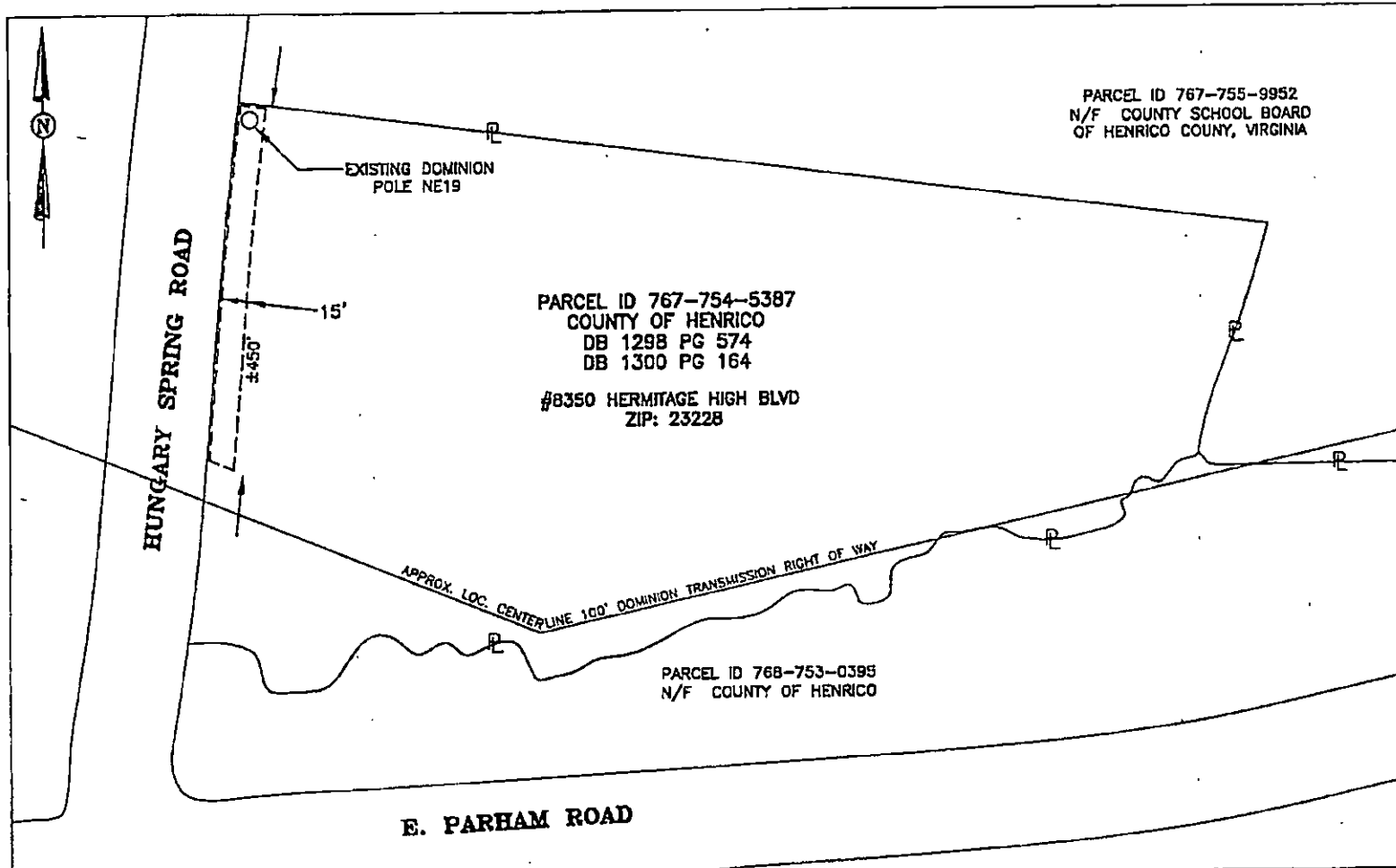
<u>OFFICE, BOARD, COMMISSION, AUTHORITY OR JOB TITLE</u>	<u>RATE</u>
Board of Supervisors .....	\$58,498.11 per annum <sup>(1)</sup>
Board of Zoning Appeals.....	\$6,600.00 per annum
Electoral Board - General Election (members other than the Secretary).....	\$4,428.00 per annum <sup>(2)</sup>
Secretary, Electoral Board - General Election .....	\$8,856.00 per annum <sup>(2)</sup>
Election Officials .....	\$150.00 base pay per workday <sup>(3)</sup>
Assistant Chief Election Officials .....	\$180.00 base pay per workday <sup>(3)</sup>
Chief Election Officials.....	\$200.00 base pay per workday <sup>(3)</sup>
Planning Commission.....	\$20,000.00 per annum
Richmond Regional Planning District Commission .....	\$3,000.00 per annum
Capital Region Airport Commission .....	\$3,000.00 per annum
Board of Real Estate Review & Equalization.....	\$225.00 per month
School Board .....	\$21,359.41 per annum <sup>(4)</sup>
Social Services Board .....	\$3,000.00 per annum
Volunteer Firefighters.....	\$2.00 per call
Economic Development Authority.....	\$200.00 per meeting
Parks and Recreation Advisory Commission .....	\$75.00 per meeting
Housing Advisory Committee .....	\$225.00 per meeting

- 
- (1) Acting pursuant to Va. Code Sec. 15.2-1414.2, on April 23, 2019, the Board set the maximum annual salaries for calendar years 2020-2023 as follows: 2020-\$57,142.69; 2021-\$58,498.11; 2022-\$59,885.69; 2023-\$61,306.17, and the Chairman and Vice-Chairman receive the additional sum of 15% and 10%, respectively, of the maximum annual salary prevailing in each calendar year.
- (2) The annual compensation rate and effective date is set by the General Assembly and subject to the Governor's approval. Salary amounts for FY21 are based upon current salaries and increases approved by the 2020 General Assembly. To date, the General Assembly has agreed to a one-time 2% bonus on December 1, 2020.
- (3) Rate approved by the Henrico County Board of Supervisors on October 14, 2008.
- (4) Acting pursuant to Va. Code Sec. 22.1-32, on May 9, 2019, the School Board set the maximum annual salary for calendar year 2020 at \$21,359.41, and determined, in each calendar year 2021, 2022, and 2023, that each member of the School Board will receive a maximum increase equal to any wage increase established for School Board employees. The Chairman receives an additional sum of \$2,000.00 per year.





Exhibit A



<b>LEGEND</b> --- Location of Boundary Lines of Right-of-Way 15' in Width. ==P== Indicates Property Line is Right-of-Way Boundary	District <b>RICHMOND</b>	Scale <b>NOT TO SCALE</b>	PLAT TO ACCOMPANY RIGHT-OF-WAY AGREEMENT UG VIRGINIA ELECTRIC AND POWER COMPANY doing business as <b>Dominion Energy Virginia</b>	
	District-Township-Borough <b>BROOKLAND</b>	County-City <b>HENRICO</b>		State <b>VA</b>
	Office <b>CENTRAL</b>	Plat Number <b>00-19-0323</b>		
	Work Request Number <b>10115375</b>	Grid Number <b>G2306</b>		
DATE <b>11/20/2019</b> REVISED <b>1/9/2020</b>	BY <b>LCH</b>	OWNER INITIALS _____	Page 5 of 5	



COUNTY OF HENRICO, VIRGINIA  
 BOARD OF SUPERVISORS  
 MINUTE


Agenda Item No. 10-20  
 Page No. 1 of 1

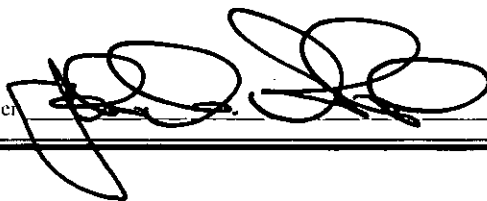
Agenda Title: ORDINANCE – To Allow the Director of Planning to Approve Preliminary Subdivision Plats and Plans of Development During the COVID-19 Pandemic

<p>For Clerk's Use Only:</p> <p>Date: <u>4/14/2020</u></p> <p><input checked="" type="checkbox"/> Approved  <input type="checkbox"/> Denied  <input type="checkbox"/> Amended  <input type="checkbox"/> Deferred to:</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Nelson</u> Seconded by (1) <u>O'Bannon</u>          (2) _____ (2) _____</p> <p>REMARKS: <b>APPROVED</b></p>	<table border="1"> <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"/>
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After a duly advertised public hearing, the Board of Supervisors adopted the attached ordinance.

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

By Agency Head: 

By County Manager: 

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**ORDINANCE – To Allow the Director of Planning to Approve Preliminary Subdivision Plats and Plans of Development During the COVID-19 Pandemic**

WHEREAS, on March 13, 2020, the County Manager, in his capacity as the Director of Emergency Management, issued a Declaration of Local Emergency declaring the existence of a local emergency in the County because of the COVID-19 pandemic; and,

WHEREAS, the Board of Supervisors confirmed the County Manager’s declaration by resolution approved on March 16, 2020; and,

WHEREAS, health officials at the federal, state, and local level advise that gatherings of people can spread the illness and prolong the disaster caused by the COVID-19 pandemic and have recommended against public gatherings of more than 10 attendees; and,

WHEREAS, paragraph 1 of Executive Order Number Fifty-Three (2020) of the Governor of Virginia prohibits “all public and private in person gatherings of 10 or more individuals,” subject to an exception in paragraph 9(e) for “the operation of government”; and,

WHEREAS, Section 15.2-2260(A) of the Code of Virginia provides that the local planning commission, or an agent designated by the commission or by the governing body, shall complete action on preliminary subdivision plats; and,

WHEREAS, Section 15.2-2258 of the Code of Virginia provides that plans of development shall be subject to the provisions of Section 15.2-2260; and,

WHEREAS, Section 19-27 of the Henrico County Code designates the Planning Commission as the agent of the Board of Supervisors for conditional approval of subdivision plats; and,

WHEREAS, Section 19-62 of the Henrico County Code requires the Planning Commission to hold a public hearing to review preliminary subdivision plats; and,

WHEREAS, Section 24-11(b) of the Henrico County Code requires the Board of Supervisors to approve a layout plan of development in accordance with Section 24-106 for County-owned or County-leased buildings and properties of a conservational, cultural, administrative, or public service type and publicly owned or publicly leased buildings and property of a recreational type; and,

WHEREAS, Section 24-106 of the Henrico County Code requires the Planning Commission to hold a public hearing to review and approve other plans of development; and,

WHEREAS, Section 15.2-1200 of the Code of Virginia allows counties to adopt necessary regulations to prevent the spread of contagious diseases; and

WHEREAS, the Board of Supervisors wishes to eliminate the necessity for meetings of the Planning Commission to review and approve preliminary subdivision plats and plans of development during the duration of the local emergency declaration (the "Emergency") by permitting the Director of Planning to approve preliminary subdivision plats and plans of development.

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

1. *Approval of Subdivision Plats.* Notwithstanding the provisions of Sections 19-27 and 19-62 of the Henrico County Code, the Director of Planning may grant conditional approval of subdivision plats during the Emergency.
2. *Approval of Plans of Development.* Notwithstanding the provisions of Sections 24-11 and 24-106 of the Henrico County Code, the Director of Planning may approve plans of development during the Emergency.
3. That this ordinance will be in full force and effect on and after its passage as provided by law and shall remain in full force and effect until the Board has acted to end the declared emergency pursuant to Section 44-146.21(A) of the Code of Virginia.



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

Agenda Item No. 102-20

Page No. 1 of 2

**Agenda Title: RESOLUTION — Signatory Authority — Amendment to Consulting Services Agreement — Public Safety Communications System — Altairis Technology Partners**

For Clerk's Use Only: Date: <u>4/14/2020</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	<b>BOARD OF SUPERVISORS ACTION</b> Moved by (1) <u>Nelson</u> Seconded by (1) <u>Schmitt</u> (2) _____ (2) _____ REMARKS: <div style="font-size: 2em; font-weight: bold; text-align: center;">APPROVED</div>	<table border="1"> <thead> <tr> <th></th> <th>YES</th> <th>NO</th> <th>OTHER</th> </tr> </thead> <tbody> <tr> <td>Branin, T.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Nelson, T.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Schmitt, D.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Thornton, F.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><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"/>
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**WHEREAS**, on December 11, 2013, the County contracted for consulting services from Altairis Technology Partners during design and installation of a new Public Safety Communications System; and,

**WHEREAS**, compensation under the contract is based on fixed hourly rates, and total compensation is capped at \$1,742,339; and,

**WHEREAS**, on June 28, 2016, the County and Motorola Solutions, Inc. contracted for design and installation of the County's portion of the public safety communications system to be constructed in the Richmond Capital Region; and,

**WHEREAS**, Motorola's original project plan called for completion of the communications system in 36 months, and Motorola has since adjusted the projected completion date to 73 months; and,

**WHEREAS**, based on the complexity of the work and the increase in the project schedule, a contract amendment is necessary to pay for the additional services required for the work; and,

**WHEREAS**, the County and Altairis have negotiated a contract amendment to increase the maximum compensation by \$1,786,541 to an adjusted total of \$3,528,880.

By Agency Head Anthony E. McNeil By County Manager [Signature]

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COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 102-20

Page 2 of 2

**Agenda Title: RESOLUTION — Signatory Authority —Amendment to Consulting Services Agreement — Public Safety Communications System — Altairis Technology Partners**

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**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors:

1. The amendment to the County's consulting services agreement with Altairis Technology Partners is approved.
2. Compensation will be based on fixed hourly rates with an adjusted maximum total of \$3,528,880.
3. The County Manager is authorized to execute the amendment in a form approved by the County Attorney.

Comments: The Deputy County Manager for Public Safety recommends approval of the Board paper, and the County Manager concurs.



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

Agenda Item No. 103-20  
Page No. 1 of 1

**Agenda Title: INTRODUCTION OF ORDINANCE – To Reduce Penalties and Interest on Late Payments of 2020 Personal Property Taxes, Machinery and Tools Taxes, and Real Estate Taxes to Zero Percent From June 5, 2020, to August 5, 2020, and to Extend the Time for Payment of Vehicle License Taxes to August 5, 2020**

<p>For Clerk's Use Only:</p> <p>Date: <u>4/14/2020</u></p> <p><input checked="" type="checkbox"/> Approved  <input type="checkbox"/> Denied  <input type="checkbox"/> Amended  <input type="checkbox"/> Deferred to:</p>	<p><b>BOARD OF SUPERVISORS ACTION</b></p> <p>Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Nelson</u>  (2) _____ (2) _____</p> <p>REMARKS: <b>APPROVED</b></p>	<table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:50%;"></th> <th style="width:15%;">YES</th> <th style="width:15%;">NO</th> <th style="width:20%;">OTHER</th> </tr> </thead> <tbody> <tr> <td>Branin, T.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Nelson, T.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Schmitt, D.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Thornton, F.</td> <td align="center">✓</td> <td></td> <td></td> </tr> </tbody> </table>		YES	NO	OTHER	Branin, T.	✓			Nelson, T.	✓			O'Bannon, P.	✓			Schmitt, D.	✓			Thornton, F.	✓		
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Thornton, F.	✓																									

The Clerk is directed to advertise, in the Richmond Times-Dispatch on April 21 and 28, 2020, the following ordinance for a public hearing to be held at the Board Room on May 12, 2020, at 7:00 p.m.:

"AN ORDINANCE to reduce penalties and interest on late payments of 2020 personal property taxes, machinery and tools taxes, and real estate taxes to zero percent from June 5, 2020, to August 5, 2020, and to extend the time for payment of vehicle license taxes to August 5, 2020. A copy of the full text of the proposed ordinance is available for examination in the lobby of the County Administration Building at Parham and Hungary Spring Roads between 8:00 a.m. and 4:30 p.m. each business day, in the Office of the County Manager in the same building by appointment, and online at <https://henrico.us/services/citizen-participation-registration/>."

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

*Ned Smith*

By Agency Head \_\_\_\_\_

By County Manager \_\_\_\_\_

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Clerk, Board of Supervisors

Date: \_\_\_\_\_



**ORDINANCE – To Reduce Penalties and Interest on Late Payments of 2020 Personal Property Taxes, Machinery and Tools Taxes, and Real Estate Taxes to Zero Percent From June 5, 2020, to August 5, 2020, and to Extend the Time for Payment of Vehicle License Taxes to August 5, 2020**

WHEREAS, the Board of Supervisors wishes to assist its residents and businesses as the community contends with the disaster and emergency caused by the COVID-19 pandemic; and,

WHEREAS, Section 15.2-1413 of the Code of Virginia authorizes the Board to act to assure continuity in government in the event of a disaster; and,

WHEREAS, Section 15.2-1427(F) of the Code of Virginia provides that the Board may adopt emergency ordinances without prior notice, but that no such ordinance may be enforced for more than 60 days unless readopted in conformity with the provisions of the Code of Virginia; and,

WHEREAS, the Board adopted this ordinance on an emergency basis on March 24, 2020, and now wishes to readopt it in conformity with the provisions of the Code of Virginia and the continuity of government ordinance adopted by the Board on March 24, 2020; and,

WHEREAS, the Board reaffirms that reducing penalties and interest for late payment of tangible personal property taxes, machinery and tools taxes, and real estate taxes will promote continuity of government and grant needed relief to businesses and individuals affected by the disaster.

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

1. Reduction of Penalties and Interest for Late Payments of Tangible Personal Property Taxes and Machinery and Tools Taxes and Extension of Time to Pay Vehicle License Taxes.

(a) *Reduced penalty.* Notwithstanding the provisions of section 20-108 of the Code of the County of Henrico, any person who fails to pay tangible personal property taxes or machinery and tools taxes first due on June 5, 2020, will incur a penalty of zero percent for that failure, so long as such person pays the taxes on or before August 5, 2020. If such taxes are not paid on or before August 5, 2020, then on August 6, 2020, such person will incur a penalty in the amount of 10 percent of the tax past due, and such penalty will become part of the tax.

(b) *Reduced interest.* Notwithstanding the provisions of section 20-108 of the Code of the County of Henrico, there will be assessed interest at the rate of zero percent per year between June 5, 2020, and August 5, 2020, and four percent per year thereafter, on past due tangible personal property taxes and machinery and tools taxes that were first due on June 5, 2020.

(c) *Extension of vehicle license taxes.* Payment of any vehicle license tax levied under Article VI of Chapter 22 of the Code of the County of Henrico first due on or between June 5, 2020, and August 5, 2020, will instead be first due on August 5, 2020.

2. Reduction of Penalties and Interest for Late Payments of Real Estate Taxes.

(a) *Reduced penalty.* Notwithstanding the provisions of section 20-33 of the Code of the County of Henrico, any person who fails to pay the installment of real estate taxes due on June 5, 2020, will incur a penalty of zero percent for that failure, so long as such person pays the taxes on or before August 5, 2020. If such taxes are not paid on or before August 5, 2020, then on August 6, 2020, such person will incur a penalty in the amount of 10 percent of the tax past due, and such penalty will become part of the tax.

(b) *Reduced interest.* Notwithstanding the provisions of section 20-33 of the Code of the County of Henrico, there will be assessed interest at the rate of zero percent per year between June 5, 2020, and August 5, 2020, and four percent per year thereafter, on past due real estate taxes that were first due on June 5, 2020.

3. That this ordinance will 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. 104-20  
 Page No. 1 of 1

Agenda Title: INTRODUCTION OF ORDINANCE – To Reduce Penalties and Interest for Late Remittances of Food and Beverage Taxes and Transient Occupancy Taxes to Zero Percent Between March 17, 2020, and August 20, 2020

For Clerk's Use Only:  Date: <u>4/14/2020</u>  <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	<b>BOARD OF SUPERVISORS ACTION</b>  Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____  REMARKS: <b>APPROVED</b>	YES NO OTHER  Bramin, 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"/> _____
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The Clerk is directed to advertise, in the Richmond Times-Dispatch on April 21 and 28, 2020, the following ordinance for a public hearing to be held at the Board Room on May 12, 2020, at 7:00 p.m.:

"AN ORDINANCE to reduce penalties and interest for late remittances of food and beverage taxes and transient occupancy taxes to zero percent between March 17, 2020, and August 20, 2020. A copy of the full text of the proposed ordinance is available for examination in the lobby of the County Administration Building at Parham and Hungary Spring Roads between 8:00 a.m. and 4:30 p.m. each business day, in the Office of the County Manager in the same building by appointment, and online at <https://henrico.us/services/citizen-participation-registration/>."

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

By Agency Head Ned Smither By County Manager [Signature]

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**ORDINANCE – To Reduce Penalties and Interest for Late Remittances of Food and Beverage Taxes and Transient Occupancy Taxes to Zero Percent Between March 17, 2020, and August 20, 2020**

WHEREAS, the Board of Supervisors wishes to assist its residents and businesses as the community contends with the state of emergency and disaster caused by the COVID-19 pandemic; and,

WHEREAS, Section 15.2-1413 of the Code of Virginia authorizes the Board to act to assure continuity in government in the event of a disaster; and,

WHEREAS, Section 15.2-1427(F) of the Code of Virginia provides that the Board may adopt emergency ordinances without prior notice, but that no such ordinance may be enforced for more than 60 days unless readopted in conformity with the provisions of the Code of Virginia; and,

WHEREAS, the Board adopted this ordinance on an emergency basis on March 24, 2020, and now wishes to readopt it in conformity with the provisions of the Code of Virginia and the continuity of government ordinance adopted by the Board on March 24, 2020; and,

WHEREAS, the Board reaffirms that providing taxpayers relief from penalties and interest associated with late remittances of transient occupancy taxes and food and beverage taxes will promote continuity of government and grant needed relief to businesses and individuals affected by the disaster.

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

1. Reduction of Penalties and Interest for Late Remittances of Transient Occupancy Taxes.

(a) *Reduced penalties.* Notwithstanding the provisions of section 20-277(b) of the Code of the County of Henrico, any person who fails or refuses to remit to the Director of Finance transient occupancy taxes first required to be remitted on or between March 17, 2020, and August 20, 2020, will be assessed a penalty of zero percent for failing or refusing to remit the taxes, so long as the remittances are made to the Director on or before August 20, 2020. On August 21, 2020, any person who has failed or refused to remit such taxes to the Director will be assessed a penalty in the amount of 10 percent of the tax past due. Any such penalty, when assessed, will become part of the tax.

(b) *Reduced interest.* Notwithstanding the provisions of section 20-277(c) of the Code of the County of Henrico, there will be assessed interest at a rate of zero percent per year between March 17, 2020, and August 20, 2020, and 10 percent per year thereafter, on past due transient occupancy taxes that were first due to the Director on or between March 17, 2020, and August 20, 2020.

2. Reduction of Penalties and Interest for Late Remittances of Food and Beverage Taxes.

(a) *Reduced penalties.* Notwithstanding the provisions of section 20-851(b) of the Code of the County of Henrico, any person who fails or refuses to remit to the Director of Finance food and beverage taxes first required to be remitted on or between March 17, 2020, and August 20, 2020, will be assessed a penalty of zero percent for failing or refusing to remit the taxes, so long as the remittances are made to the Director on or before August 20, 2020. On August 21, 2020, any person who has failed or refused to remit such taxes to the Director will be assessed a penalty in the amount of 10 percent of the tax past due. Any such penalty, when assessed, will become part of the tax.

(b) *Reduced interest.* Notwithstanding the provisions of section 20-851(c) of the Code of the County of Henrico, there will be assessed interest at a rate of zero percent per year between March 17, 2020, and August 20, 2020, and 10 percent per year thereafter, on past due food and beverage taxes that were first due to the Director on or between March 17, 2020, and August 20, 2020.

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

4. That the emergency ordinance related to food and beverage taxes and transient occupancy taxes adopted by the Board of Supervisors on March 17, 2020, is repealed.



**ORDINANCE – To Provide Emergency Procedures for the Conduct of Public Business to Ensure the Continuity of County Government and Critical Local Services During the State of Emergency and Disaster Caused by the COVID-19 Pandemic**

WHEREAS, on March 12, 2020, Governor Ralph S. Northam issued Executive Order 51 declaring a state of emergency for the Commonwealth of Virginia arising from the COVID-19 pandemic; and,

WHEREAS, Executive Order 51 acknowledged the existence of a disaster as defined by Section 44-146.16 of the Code of Virginia arising from the public health threat presented by a communicable disease anticipated to spread; and,

WHEREAS, Executive Order 51 ordered implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waive “any state requirement or regulation” as appropriate; and,

WHEREAS, on March 13, 2020, the County Manager, in his capacity as the Director of Emergency Management, issued a Declaration of Local Emergency declaring the existence of a local emergency in the County, pursuant to Section 44-146.21(A) of the Code of Virginia; and,

WHEREAS, the Board of Supervisors confirmed the County Manager’s declaration by resolution approved on March 16, 2020, pursuant to Section 44-146.21(A) of the Code of Virginia; and,

WHEREAS, health officials at the federal, state, and local level advise that gatherings of people can spread the illness and prolong the disaster caused by the COVID-19 pandemic, and government and health officials have recommended suspension of public gatherings of more than 10 attendees; and,

WHEREAS, Governor Northam subsequently issued Executive Orders 53 and 55 confirming the need to maintain social distancing and limit in-person gatherings, without limiting the operation of government; and,

WHEREAS, the Board of Supervisors wishes to follow the guidance of government and health officials while providing for the continuity of County government and critical local services during the state of emergency and continuing disaster caused by the COVID-19 pandemic; and,

WHEREAS, the usual and necessary operations of government, by law, often require large gatherings of people in person, which would contradict the advice of the government and health officials responsible for addressing the continuing disaster caused by the COVID-19 pandemic; and,

WHEREAS, Section 15.2-1200 of the Code of Virginia allows counties to adopt necessary regulations to prevent the spread of contagious diseases; and,

WHEREAS, Section 15.2-1413 of the Code of Virginia authorizes the Board to act to assure continuity of government in the event of a disaster, notwithstanding any contrary provisions of law; and,

WHEREAS, Section 15.2-1427(F) of the Code of Virginia provides that the Board may adopt emergency ordinances without prior notice, but that no such ordinance may be enforced for more than 60 days unless readopted in conformity with the provisions of the Code of Virginia; and,

WHEREAS, the Board adopted this ordinance on an emergency basis on March 24, 2020, and now wishes to readopt this ordinance so that it may be enforced for the duration of the local emergency declaration not to exceed six months; and,

WHEREAS, the Board of Supervisors reaffirms that the continuity of County government and provision of critical local services require adoption of this ordinance.

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

1. *Continuance of pending items and cancelation of scheduled meetings.* All agenda items scheduled or proposed to be considered for the duration of the local emergency declaration not to exceed six months (the "Emergency") by the Board of Supervisors, Planning Commission, or other County board, commission, or authority (collectively, the "Public Bodies") are continued for the duration of the Emergency unless the Public Body takes action on the agenda item during that timeframe. The continuance of those items will not be deemed an approval. All meetings of the Public Bodies are canceled for the duration of the Emergency, unless such Public Body calls an item for consideration at a meeting held in accordance with section 2 of this ordinance.

2. *Procedures for holding public meetings and providing notice of those meetings during the Emergency.* Notwithstanding section 1 of this ordinance, the Public Body may, at its election, conduct previously scheduled meetings and act upon scheduled or proposed agenda items for the duration of the Emergency, either under normal procedures or by electronic means (to include, by way of example, meetings where a quorum of the Public Body is assembled by electronic means but is not physically assembled) in compliance with public notice, access, and other legal requirements governing the provision of notice and the holding of public meetings. Notwithstanding the foregoing, the Public Body may modify or dispense with those requirements to the extent necessary or practicable to address the state of emergency and disaster caused by the COVID-19 pandemic.



3. *Procedures for receipt of public comment during the Emergency.* If the Public Body conducts a public hearing during the Emergency, the public hearing may be conducted using a procedure described in the notice provided in advance of the meeting or by any other method specified by the Public Body at the meeting. The method of receiving public comment should be reasonable under the circumstances of the meeting, the items to be considered, and the state of the emergency in the County. Examples of methods could include comments received by e-mail, by telephone, by web conferencing or virtual meeting applications, or in person (so long as recommendations of public health officials are observed). Public comments will be received by the Public Body before a vote on the public hearing matter and will be made a part of the record of the meeting.

4. *Authority of County Manager.* The County Manager is authorized to (i) modify, limit, or suspend County programs, functions, or services as needed to ensure the effective continuity of government; (ii) restrict County staff and the public from entering or congregating around County-owned buildings, facilities, and real property as necessary to ensure the health, safety, and welfare of the public and staff; and (iii) regulate the use of such buildings, facilities, and real property for the public health, safety, and welfare. The County Manager is further authorized to take actions objectively reasonable and necessary in the public health interest to alter schedules, provide programming, pay bills, engage contractors, hire employees, and adjust administrative processes and procedures to address the disaster, all in keeping with the U.S. Centers for Disease Control and Virginia Department of Health guidance and directives, and consistent with state and local declarations of emergency.

5. That this ordinance will be in full force and effect on and after its passage as provided by law and will remain in effect until the earlier of its repeal or six months from the declaration of the local emergency. Upon repeal or expiration of this ordinance, the Public Bodies will resume operation in accordance with standard operating practices and procedures.





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

Agenda Item No. 86-20

Page No. 1 of 2

**Agenda Title: RESOLUTION — Award of Engineering Services Contract — White Oak Sewage Pump Station and Force Main Upgrade — Varina District**

For Clerk's Use Only:

Date: 4/14/2020

- ( ) Approved
- ( ) Denied
- ( ) Amended
- ( ) Deferred to:

**BOARD OF SUPERVISORS ACTION**

Moved by (1) Nelson Seconded by (1) Thornton  
(2) \_\_\_\_\_ (2) \_\_\_\_\_

REMARKS:

withdrawn

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**, on May 14, 2019, the County received seven proposals in response to RFP#19-1857-4JOK for professional engineering services for pump station and force main upgrades at the White Oak sewage pump station; and,

**WHEREAS**, the project will include installation of five new sewage pumps, odor control and electrical equipment, and new controls as well as replacement of 7,800 ft of 30-inch force main with 36-inch force main to accommodate growth and peak wet weather flows within the basin; and,

**WHEREAS**, the work will ultimately increase the pump station capacity from 11.8 mgd to 22 mgd; and,

**WHEREAS**, based on review of the written proposals, the selection committee interviewed the following firms:

Whitman Requardt and Associates, LLP  
Greeley and Hansen, LLC  
Rummel, Klepper & Kahl, LLP

**WHEREAS**, based on the interviews and written proposals, the selection committee chose Whitman Requardt and Associates as the top-ranked firm and negotiated a contract for the lump sum of \$2,650,923.

By Agency Head

[Signature]

By County Manager

[Signature]

Routing:

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Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_

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

Agenda Item No. 86-20  
Page No. 2 of 2

**Agenda Title: RESOLUTION — Award of Engineering Services Contract — White Oak Sewage Pump Station and Force Main Upgrade — Varina District**

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**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors:

1. A contract to provide professional engineering services for pump station and force main upgrades at the White Oak sewage pump station is awarded to Whitman Requardt and Associates, LLP in accordance with RFP No. 19-1857-4JOK dated April 10, 2019, the Whitman Requardt and Associates, LLP proposal dated May 14, 2019, and the Whitman Requardt and Associates, LLP Scope of Services dated January 17, 2020.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the funds available, not to exceed 15% of the original contract amount.

Comment: Funding will be provided by the Water and Sewer Revenue Fund. The Director of Public Utilities and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.





УЛЬКОАЕД

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

Agenda Item No. 107-20

Page No. 2 of 2

**Agenda Title: Resolution — Award of Contract — Richmond-Henrico Turnpike Sidewalk Construction — Fairfield District**

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**WHEREAS**, after a review and evaluation of the bids received, it was determined that the lowest bid by Willy General Contractors, LLC was non-responsive;

**WHEREAS**, Simons Contracting Company, Inc. has been determined to be the lowest responsive and responsible bidder with a calculated bid amount of \$271,026.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors:

1. The contract for \$271,026 to furnish all labor, materials, supplies, equipment, and services necessary for construction of Richmond-Henrico Turnpike sidewalk is awarded to Simons Contracting Company, Inc., the lowest responsive and responsible bidder, with a calculated bid amount of \$271,026, pursuant to ITB No. 20-1976-1EAR. The final contract amount shall be determined upon completion of the project by multiplying the actual unit quantities authorized by the County for construction times the unit prices submitted in the contractor's bid.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

**COMMENT:** Funding to support the contract is available within the project budget. The Assistant Director of Public Works and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.

