

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
May 12, 2020

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, May 12, 2020, at 7:00 p.m. in the Board Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia.

Members of the Board Present:

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. Vithoukas, County Manager
Joseph P. Rapisarda, Jr., County Attorney
Tanya B. Harding, CMC, Deputy Clerk to the Board

Mr. Branin called the meeting to order at 7:00 p.m. He reminded the public that persons watching a live stream of the meeting from home would be able to speak on a public hearing item or join the public comment portion of the meeting. Directions were posted on the homepage of the County's website and on video screens in the Board Room. Mr. Branin provided instructions on how the public could participate.

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

Mr. Nelson delivered the invocation.

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved the April 28, 2020, Regular Meeting Minutes.

The vote of the Board was as follows:

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

No: None

MANAGER'S COMMENTS

Mr. Vithoukas introduced Yvette George as the County's newest department head. Ms. George will succeed Paula Reid as Director of Human Resources. Mrs. Reid led the Department of Human Resource from 2011 until earlier this year. Ms. George will head a department that has 47 employees and a Fiscal Year (FY) 2020 budget of more than \$6.8 million. The department is responsible for the County's comprehensive personnel program, including employment, compensation management, benefits administration, employee

development, organizational learning, fitness and wellness, and health services. Ms. George is coming to the County from the Virginia Department of Transportation (VDOT), where she has served as the Human Resources Manager since 2016. Prior to joining VDOT, Ms. George worked as a division chief and an interim deputy director of human resources for the City of Richmond and as a human resources manager for Bon Secours' ConnectCare project. She is a United States Navy veteran. Ms. George addressed the Board and remarked that it will be an honor and a privilege to serve the County's employees and citizens. She expressed excitement at the opportunity and stated she is looking forward to working with the Board. Mr. Branin welcomed Ms. George on behalf of the Board. Mr. Vithoulikas informed the Board that Ms. George will start with the County on June 8.

Mr. Vithoulikas pointed out the County's COVID-19 story began on March 16 and it has been almost two months since the County adjusted services and facilities to protect the County's workforce and citizenry. For a little less than 60 days, the County, the Henrico Health Department, and the Central Virginia region have worked every single day to flatten the curve, provide essential services to residents and vulnerable populations, and support the business community in any manner possible during this significant economic downturn. The County is now turning the page to the next chapter of COVID-19 and the topic of reopening. On May 8, the County started phasing in certain public services and amenities, including reopening pickleball and tennis courts, dog parks, and recreation centers; reestablishing certain library services; resuming normal hours at the landfills; opening the Finance Department's cashier's counters; and conducting in-person absentee voting for the June 23 primary. Reopening will be a methodical and intentional process with the health and safety of the community being paramount. Leading this effort is the County's Emergency Manager, Jackson Baynard, along with Rob Rowley, Deputy Emergency Manager.

Mr. Vithoulikas recognized Mr. Rowley, who narrated a slide presentation and provided an overview of Henrico's COVID-19 response activities that are setting the bar for local governments in the region. Mr. Rowley highlighted the County's coordinated outreach to residents. COVID-19 has been especially dangerous to Henrico's most vulnerable populations, including those persons living in congregate care settings. The latest figures show 1,106 positive COVID-19 cases in Henrico. Of the 112 deaths related to COVID-19, all but 16 have involved residents in long-term care facilities. The County mounted an immediate response to Canterbury Rehabilitation and Healthcare Center and 52 other long-term care facilities that outlined expectations and helped the facilities take ownership in meeting the needs of their residents. This educational initiative was coordinated by the Division of Fire and has evolved into weekly conference calls with the Virginia Health Department (VDH) and weekly follow-up calls with the County's Emergency Operations Center to ensure VDH best practices are being implemented. The County has reached out to all its citizens in a deliberate and coordinated way through its all-inclusive and data-driven Henrico Resident Outreach Coordination Plan. The Police Division has led countywide canvassing by placing static displays in Henrico apartment complexes and grocery stores that point residents to timeless information. The County will open the fifth Henrico-supported call center on May 13, in the County's Public Safety Building, which will support VDH contact tracing. This is in addition to the following call centers that are currently in operation and that have received the following number of calls: County employee (160), citizen-facing (2,000), VDH (5,500) and senior outreach (615). Mr. Rowley gave kudos to the Department of Information Technology for assisting with call center set-up and the Public Library for staffing the County-operated call centers. He also offered

kudos to the Department of Public Relations for ensuring the County has access to multilingual messaging, especially for targeted outreach in support of health testing at several locations throughout Henrico. Additional testing will be conducted at the Eastern Henrico Recreation Center (EHRC) on May 14. Mr. Rowley advised that the County has supported VDH with 1,000 test kits and has provided outreach to 1,363 businesses through Henrico's Economic Development Authority. Mr. Vithoukas thanked Mr. Rowley for coordinating an outreach effort on May 9 in neighborhoods adjoining Ratcliffe Elementary School, where 56 Henrico Medical Reserve Corps volunteers knocked on more than 2,500 doors to support the upcoming testing at EHRC.

Mr. Vithoukas recognized and thanked the following organizations and businesses that have donated money, personal protection equipment, facilities, and other services and supplies in support of the County's COVID-19 response efforts: Richmond Chinese American Community – 2,000 face coverings; Reynolds Community College – gloves, goggles, and disinfectant; Richmond Raceway – use of the complex's Building Four; Kings Dominion – 5,000 ponchos and a case of N95 masks; Facebook – masks; Deborah Bethea – 16 boxes of nitrile gloves; BrecoTea – 4,000 face masks; Dominion Energy – masks; McGuire Woods – 2,500 surgical masks; Owens & Minor – gowns, masks, and gloves; WestRock – 2,400 masks and 10 tubs of hand sanitizer; Henrico Rotary Club - \$6,000 towards Nourish Henrico (\$3,000 for the Division of Fire and \$3,000 for the Police Division); and Brown Distributing Company – tractor trailers, moving equipment, and labor.

In response to a question from Mr. Schmitt, Mr. Vithoukas recognized Joe Emerson, Director of Planning, who provided an update on how a team of County agencies is working with the Planning Department and local restaurants to comply with a gubernatorial order to reopen outdoor dining areas. County staff has come up with three options that would allow these areas to reopen within social distancing guidelines. The first two options would provide for an expedited process with a building permit. The third option would involve a lengthier process and apply to situations where a business wishes to pave an additional area and erect a more permanent structure. The County will be able to move forward with these options as soon as it receives additional guidance from the Commonwealth. Mr. Emerson and Mr. Vithoukas responded to follow-up questions from the Board. Mr. Vithoukas also responded to questions from Mr. Nelson regarding the Governor's executive order and guidelines pertaining to the gradual reopening of businesses. Mr. Nelson asked for assurances that the region's localities will be taking a united approach in following the Governor's order and guidelines.

BOARD OF SUPERVISORS' COMMENTS

Mrs. O'Bannon highlighted an upcoming observance that has special significance for the community. May 17 – 23 is the 46th annual National Emergency Medical Services (EMS) Week. This observance celebrates and honors EMS providers who safeguard the health, safety, and well-being of our communities. The Henrico County EMS system consists of the Division of Fire, Henrico Volunteer Rescue Squad, and the Police Division. During FY 2019, Henrico's EMS system recorded 39,965 responses for service while improving the survival and recovery rates of persons experiencing sudden illness or injury. The Board continues to acknowledge the value and accomplishments of Henrico's EMS providers, who are frequently exposed to a variety of hazards and dangerous situations in the performance of their duties, and thanks Henrico's EMS teams for offering life-saving care to those in need 24 hours a day, seven days a week. Henrico's EMS system is currently led by Fire Chief

Alec Oughton, Police Chief Humberto Cardounel, Henrico Volunteer Rescue Squad President Peggy Vorous, Lakeside Volunteer Rescue Squad President Lauren Shrader, and Tuckahoe Rescue Squad President John Tatum. Mr. Tatum also serves as President of the Henrico County Association of Volunteer Rescue Squads. The Board takes its hats off to these individuals and to the many men and women who serve with them on health care's front line.

RECOGNITION OF NEWS MEDIA

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

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMIT

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

Mr. Emerson explained that this item and Agenda Item No. 94-20 (PUP2020-0002) were deferred from the Board's April 14 meeting at the applicant's request, were companion cases, and would require two separate motions although they were being presented and heard together.

Mr. Emerson confirmed for Mr. Branin that the only changes to the cases from when they were heard by the Planning Commission were the addition of a roundabout to help slow down and prevent cut-through traffic and a change in the location of the second entrance.

No one from the public spoke in opposition to this item or Agenda Item No. 94-20.

On motion of Mr. Schmitt, seconded by Mrs. O'Bannon, 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 PARCELS

1. **Conceptual Plan**. Development of the Property shall be in general conformance with the Conceptual Site Plan dated October 31, 2019, last revised May 8, 2020, prepared by Fall Line LLC, attached hereto (the "Conceptual Plan") (see case file), which Conceptual Plan is conceptual in nature and may vary in detail, unless otherwise requested and specifically approved at the time of Plan of Development.
2. **Underground Utilities**. All utility lines on the Property shall be underground, except for junction boxes, meters, existing and/or relocated existing overhead utility lines and lines in wetland areas. Electrical junction boxes and meters shall be screened from public

view at ground level at the perimeter of the tract with use of a wall, fencing, landscaping, or such other method as may be approved at the time of Plan of Development and/or subdivision review.

3. **Parking Lot Lighting.** Parking lot lighting fixtures shall not exceed twenty (20) feet in height as measured from the grade at the base of the lighting standard, unless otherwise requested, described and specifically approved, or if required, at the time of Plan of Development. Lighting shall be directed to minimize glare on public roads and adjacent properties. Direct embedded light poles and standards shall be prohibited.
4. **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.
5. **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.
6. **Outdoors Speakers.** Any outdoor speakers shall not be heard beyond the Property lines.
7. **Best Management Practice.** Best Management Practice structures shall be located outside of any landscaped buffer within the Property, except as a landscaping amenity or water-related feature and if requested and specifically permitted by the Director of Planning or the Planning Commission at the time of subdivision and/or Plan of Development review for any tract. Any above-ground wet Best Management Practice structure shall include an aeration feature to move water within such structure.
8. **Exterior Construction and Maintenance Activity.** The hours of exterior construction, including operation of bulldozers and other earthmoving equipment, and trash pick-up, parking lot cleaning, leaf blowing, and similar exterior maintenance activities (excluding snow removal) shall be between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 8:00 a.m. and 4:00 p.m. on Saturday, except in emergencies or where unusual circumstances require

extending the specific hours in order to complete work such as concrete pours or utility connections. No exterior construction or the aforesaid maintenance activities shall occur on Sunday. All clearing, grading and construction contracts will contain these provisions. Signs, in both English and Spanish, stating the above-referenced construction provisions shall be posted and maintained at all entrances prior to any land disturbance activities on the Property.

9. **Sidewalks.** Subject to all applicable governmental approvals, a five (5) foot sidewalk for pedestrian access shall be constructed along the Property's Nuckols Road frontage as development occurs where not constrained by existing steep grades, utilities, storm drainage, floodplain, RPA or wetlands.
10. **Entrance Feature.** Any detached entrance signage shall be ground-mounted, monument style, externally lit and not exceed ten (10) feet in height. The base of any such sign shall be brick or stone and be landscaped with plantings.
11. **Road Improvements.** The Applicant shall make only the following traffic-related improvements, subject to all applicable government approvals:
 - a. Right turn lane on northbound Nuckols Road at the access point, with approximately a 100-foot taper and 125 feet of storage.
 - b. Two-lane extension of Hickory Park Drive to the rear access point and dedication of a four-lane section across the rear of the Applicant's property when requested by the Director of Public Works.
 - c. Right turn lane on eastbound Hickory Park Drive at the access between Opaca Lane and Holman Ridge Road, with approximately a 100-foot taper and 100 feet of storage.
 - d. Winding asphalt path between Opaca Lane and rear access point.

APPLICABLE TO R-6 ZONED PARCELS

12. **Use.** The only permitted principal use on the Property shall be for a Life Care Facility.
13. **Elevation.** Development shall be in general conformance with the architectural appearance shown on the elevation attached hereto entitled "CA Ventures Glen Allen Senior Living" (see case file), unless otherwise requested and specifically approved at the time of Plan of Development.

14. **Exterior Materials.** The exposed portion of each exterior wall surface (front, rear and sides) of any building 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 stone, stone veneer, brick, cementitious siding, 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.
15. **Foundations.** There shall be a minimum vertical height of twelve (12) inches of brick, stone or stone veneer above grade utilized on slab-on-grade foundations to present the appearance of a crawl space.
16. **Height.** Building height shall be limited to fifty-five (55) feet.
17. **Guardrail.** Subject to receipt of all necessary approvals, a guardrail shall be installed opposite the rear egress on to the extension of Hickory Park Drive.
18. **Density.** The number of units shall not exceed 179, of which no more than 92 shall be independent living units.

APPLICABLE TO B-2 ZONED PARCELS

19. **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 Nuckols Road, 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.

20. **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. fast food with drive thrus, not to exclude, however, fast-casual restaurants such as Panera, restaurants with dedicated parking for the pick-up of carry-out food, nor restaurants whose primary business is the sale of specialty coffees or other non-alcoholic beverages or pastry;
- r. Lawnmower, yard and garden equipment, rental, sales and services;
- s. Garden center/plant nursery;
- t. Private club, lodge, meeting hall and fraternal organization;
- u. Laundromats and self-service dry-cleaning;
- v. Service for commercial or heavy-duty trucks;
- w. Farming, dairy farming, livestock, rabbit and poultry raising; agriculture;
- x. Hotels/motels.

The vote of the Board was as follows:

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

No: None

94-20
PUP2020-
00002
Three Chopt

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

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 conditions:

Life Care Facility

1. All proffers approved with rezoning case REZ2020-00003 shall be made a part of this Provisional Use Permit.

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 Director of Planning. The site plan shall show the design and layout of the outdoor dining area(s). Proffered conditions of rezoning case REZ2020-00003 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.

The vote of the Board was as follows:

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

No: None

95-20
REZ2020-
00006
Three Chopt

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

Mr. Emerson announced that this item had been withdrawn by the applicant and required no action by the Board.

116-20
REZ2020-
00012
Fairfield

Henrico County Vocational/Technical Education Foundation: Request to amend a proffer accepted with Rezoning case REZ2017-00013 on Parcel 813-732-0538 located on the east line of Cedar Fork Road at its intersection with Creighton Road.

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

On motion of Mr. Thornton, seconded by Mrs. O'Bannon, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved an amendment to Proffer 4, Density, as follows:

4. **Density.** There shall be no more than 11 lots or homes constructed on the Property.

The vote of the Board was as follows:

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

No: None

117-20
REZ2020-
00007
Brookland

SXCW Properties II, LLC: Request to conditionally rezone from R-3 One-Family Residence District and O-2 Office District to B-3C Business District (Conditional) Parcels 769-755-3049, 769-755-8276, and 769-755-6068 containing 6.374 acres located on the west line of Staples Mill Road (U.S. Route 33), approximately 300' north of its intersection with E. Parham Road.

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

In response to questions and comments from Mr. Schmitt, Mr. Emerson explained improvements that have been made to the site plan that was initially submitted by the applicant with this case. These include relocation of the car wash and fuel pumps and the addition of landscaping, lighting, and sidewalks. Mr. Emerson confirmed that zoning restrictions will control future use and development of the property. Mr. Schmitt expressed appreciation to Mr. Emerson for all the extra time he put into the case.

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

1. **Conceptual Plan.** Development of the Property shall be in general conformance with the Conceptual Site Plan entitled "SAM'S XPRESS CAR WASH, 8810 & 8812 STAPLES MILLS ROAD, HENRICO COUNTY, VA" prepared by Eagle Engineering, dated March 19, 2020, last revised April 14, 2020, and attached hereto, (see case file) (the "Concept Plan"), which is conceptual in nature and may vary in detail and as otherwise requested and specifically approved at the time of Plan of Development.
2. **Building Height.** No building constructed on the Property shall exceed the lesser of two (2) stories or thirty-five (35) feet in height exclusive of architectural design features on any building.
3. **Underground Utilities.** All utility lines on the Property shall be underground, except for junction boxes, meters, existing and/or relocated existing overhead utility lines and lines in wetland areas. Electrical junction boxes and meters that are ground mounted shall be screened from public view at ground level at the perimeter of the tract with use of a wall, fencing, landscaping, or such other method as may be approved at the time of Plan of Development and/or subdivision review.
4. **Hours of Operation.** The hours of operation shall be limited to 6 a.m. through 10 p.m. unless otherwise approved with a provisional use permit in accordance with sections 24-120 and 24-122.1 of the County Zoning Ordinance.

5. **Shared Access.** The right of pedestrian and vehicular access over and across the common access ways located on the Property shall be granted to the adjoining properties with a current GPIN of 769-755-9242 and 769-755-6835 (the "Adjoining Properties"), subject to an agreement with such adjoining property to permit access over and across the common access drive that crosses on and between the Adjoining Properties for the benefit of the Property, and maintenance of all such access ways.
6. **Parking Lot Lighting.** Parking lot lighting fixtures shall not exceed twenty-five feet in height as measured from the grade at the base of the lighting standard, unless otherwise requested, described and specifically approved, or if required, at the time of Plan of Development. Lighting shall be directed to minimize glare on public roads and adjacent properties. Direct embedded light poles shall be prohibited. Parking lot lighting shall be designed to provide lighting for pedestrians along Staples Mill Road in a manner approved at the time of lighting plan review.
7. **Trash Receptacles, HVAC and Emergency Generators.** Dumpsters, trash receptacles (not including convenience cans), emergency generators and heating, ventilation, and air conditioning (HVAC) equipment shall be screened from view at ground level at the property lines in a manner approved at Plan of Development review.
8. **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, cementitious siding, 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. 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. Users shall be permitted to include prototypical or corporate identification architectural elements and signage in the design of their building or space.
9. **Elevations.** Any car wash or fueling station on the Property shall have elevations consistent with the elevations referenced as "SAM'S EXPRESS CAR WASH, COLOR ELEVATIONS, PROTOTYPE", prepared by ESD Architecture, dated April 26, 2019, and attached hereto as Exhibit B (2 pages) (see case file) and shall be substantially similar to the renderings attached hereto as Exhibit C (3 pages) (see case file). Any building constructed on that portion of

the Property located generally north of the area designated on the Concept Plan as "100.0' POWER EASEMENT" (the "Northern Portion"), shall be consistent with the elevations of the buildings located on the Adjoining Properties, unless otherwise approved by the Planning Commission at the time of Plan of Development review.

10. **Prohibited Uses.** A carwash shall be permitted only on that portion of the Property located generally south of the area designated on the Concept Plan as "100.0' POWER EASEMENT" (the "Southern Portion"). Other than the car wash permitted on the Southern Portion, only uses permitted in the B-2 Business District shall be permitted on the Property, provided the following uses shall be prohibited:

- a. hotels or motels;
- b. private clubs and lodges, including fraternal organizations;
- c. automobile, truck, trailer, motorcycle, recreational vehicle or bus sales, rental, repair, body shops, and storage;
- d. bars, which, for purposes of this restriction, shall mean a business establishment whose primary business is the sale of alcoholic beverages for on-premises consumption. This restriction shall not prohibit the sale of alcoholic beverages in restaurants as licensed by the Virginia Department of Alcoholic Beverage Control;
- e. massage parlors and establishments;
- f. boat and trailer sales, service, and storage;
- g. skating rinks, roller rinks, model racing tracks;
- h. parking lots, commercial (nothing herein shall preclude parking lots as an accessory use to a principally permitted use);
- i. towing service;
- j. self-storage facilities;
- k. off-track betting parlors;
- l. billiard, bagatelle, video game or a bingo parlor;
- m. flea markets or antique auctions;
- n. billboards;
- o. permanent on-site recycling facilities not associated with a permitted on-site retail use;
- p. exterminating establishment;
- q. fortuneteller, palmist, astrologist, numerologist, clairvoyant, craniologist, phrenologist, card reader, spiritual reader or similar activity;
- r. funeral homes, mortuaries, crematories and/or undertaking establishments;
- s. dance halls;
- t. truck stops;
- u. gun shop, sales and repair;
- v. rifle or pistol range;
- w. sheet metal shop or roofing company;

- x. sign painting shops;
 - y. free-standing communication towers, except as part of permitted retail use;
 - z. car title loan operations;
 - aa. adult businesses as defined by Section 24-3 of the Henrico County Code;
 - bb. 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); and
 - cc. towing service.
11. **Loudspeakers.** Sound from any pager, loudspeaker, or intercom system shall not be audible beyond one hundred feet (100') from the source.
 12. **Fueling:** No more than six (6) fueling stations shall be permitted on the Southern Portion. The fueling stations may be double sided therefore having a total of twelve (12) pumps.
 13. **Signs.** Any freestanding sign on the property shall be limited to a maximum of ten feet (10') in height and shall be ground mounted with a monument style base constructed of brick to match the building. The only signage permitted on the Property shall be the aforementioned freestanding signs and the attached signage on the building permitted by zoning ordinance, except for directional signs and carwash options board. Except for the grand opening, attention getting devices shall not be permitted.
 14. **Buffers.** Any buffer within the Property required herein 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 such buffer; provided, any such road or utility easements shall be extended generally perpendicular through such buffer. Any buffer along Staples Mill Road shall be planted to the equivalent of a Transitional Buffer 25.
 15. **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

118-20 Resolution - Authorizing the County Manager to Submit an Amendment to the Henrico County 2019-20 Annual Consolidated Action Plan; to Execute Amended CDBG and ESG Agreements; and to Execute Contracts for New CDBG and ESG Activities.

Eric Leabough, Director of Community Revitalization, narrated a slide presentation on this item. He advised the Board that the Coronavirus Aid, Relief, and Economic Security (CARES) Act will provide more than \$1.5 million in additional funds to the County through the Community Development Block Grant (CDBG) and Emergency Solutions Grants (ESG) programs to prevent, prepare for, and respond to the Corona virus. During his presentation, Mr. Leabough identified the proposed use of these funds and pointed out that 17 of the 24 requests received by the County were recommended for funding. He informed the Board of additional ways his department is serving the homeless or those at risk of homelessness in Fiscal Year (FY) 2020. Mr. Leabough identified several non-profit organizations that are already receiving funding in the County's FY20 budget for this purpose and the programs they are providing.

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

In response to questions and comments from Mr. Nelson, Mr. Vithoulkas elaborated on how the CARE Act funds covered by this resolution are allocated. Mr. Leabough explained for Mr. Thornton how some of these funds can help individuals or households with short-term rental assistance. Mr. Leabough and Mr. Vithoulkas clarified for Mrs. O'Bannon how the County and federal government will ensure that the funds being allocated are used for their intended purpose.

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

119-20 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.

Meghan Coates, Assistant Director of Finance, confirmed for Mrs. O'Bannon that these taxes can be paid at any time, but the ordinance allows residents and businesses to delay paying them until August 5 without incurring penalties or interest.

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

Ms. Coates confirmed for Mr. Schmitt that Henrico was the first locality in the region to provide this tax exemption and the neighboring jurisdictions have followed its lead.

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

120-20 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.

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

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

121-20 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.

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

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

122-20 Resolution - Signatory Authority - Acquisition and Lease of Real Property - 2304 Homeview Drive - Three Chopt District.

Mr. Vithoulkas responded to a question from Mrs. O'Bannon concerning the County's acquisition plans for adjoining properties.

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

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

PUBLIC COMMENTS

There were no comments from the public.

GENERAL AGENDA

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.

Ms. Coates narrated a slide presentation on this item. During her presentation, she provided an economic update and current year expectations, shared magazine and newspaper headlines offering a broader view of how local governments are dealing with the economic

effects of COVID-19, provided a FY21 revenue summary of County revenues, itemized expense expectations based on budgetary strategies discussed with the Board in April, and reviewed non-negotiables that are being used as guideposts to close the final gap in the County's budgetary plan. Ms. Coates advised the Board that the \$12.8 million budget gap discussed on April 14 will be closed by deeper operational cuts by general government and school agencies; realizing debt savings from bond refunding in April; making personnel shifts in Henrico County Public Schools' (HCPS') non-instructional positions, duties, and resources; and implementing a general government retirement incentive. Ms. Coates emphasized that the specifics of this plan will change as new ideas and better revenue estimates are brought forward each quarter. In closing her presentation by focusing on the future, Ms. Coates pointed out state revenue forecasts will change in May and again in the fall, the quarterly review and appropriations process that has been put into place will limit local exposure, and priorities from the budget process will remain intact when the "new normal" arrives. The County will keep the following email address open for the duration of the fiscal year in hopes of keeping the public and workforce engaged as the County moves through the quarterly process: budgetfeedback@henrico.us.

Ms. Coates responded to questions and concerns raised by Mr. Schmitt regarding local revenue trends and estimates, unemployment rates, and the status of federal Personal Protective Equipment (PPE) funds for businesses that are maintaining employment. Mr. Schmitt urged the County to be careful, cautious, and ultra-conservative in projecting revenues and commented on the importance of controlling flexibility in the budget through the 30-day review and 90-day allocations. Ms. Coates responded to questions from Mr. Nelson pertaining to the volume of citizen email feedback on the budget. Mr. Nelson thanked the County's senior staff, budget staff, and departmental staff for their work in readjusting the budget and making difficult cuts, which unfortunately may impact outside organizations that have depended on local funding. He gave a special shout out to members of the School Board for ensuring that need-based programs serving minority and low-income persons were not sliced or decimated while HCPS was making departmental reductions. Mr. Branin reiterated Mr. Nelson's comments concerning the School Board's team approach to the budget and Mr. Schmitt's comments relating to the importance of keeping a focus and watchful eye on the budget and revenue trends. He thanked all the departments for what they have been doing on the budget and noted the Board is still looking for any suggestions they have going forward.

Mr. Vithoukas advised the Board that he had a substitute resolution for their consideration that was labeled as Agenda Item No. 92A-20. The substitute included each of the proposed changes to the budget presented by staff and would replace the budget originally proposed on March 10.

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved Mrs. O'Bannon's motion to substitute resolution 92A-20 for resolution 92-20.

The vote of the Board was as follows:

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

No: None

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

123-20 Resolution - Amendments to the FY 2019-20 Annual Fiscal Plan: May 2020.

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

124-20 Resolution - Award of Contract - Chiller Replacement - Henrico Jail East.

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

125-20 Resolution - Award of Contract - Annual Professional Engineering Commissioning Services.

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

126-20 Resolution - Approval of Voluntary Retirement Incentive Program.

Mr. Hinton and Mr. Vithoulkas responded to questions from the Board concerning the timeframe for notifying employees of the program, the deadline for eligible employees to apply, eligibility requirements, and participation rates when the program was previously offered in 2010 and 2012.

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

127-20 Resolution - Authority to Submit Henrico County Plan for the Virginia Juvenile Community Crime Control Act (2020 – 2022).

Mr. Vithoulkas responded to a question from Mrs. O'Bannon relating to the authority granted by this resolution.

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

128-20

Resolution - Signatory Authority - Amendment of Agreement with Virginia Department of Transportation - Sadler Road Improvements - Three Chopt District.

Steve Yob, Deputy County Manager for Community Operations, responded to a question from Mr. Branin relating to the project's timeline.

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

Mr. Vithoukas thanked all the department heads who were at home watching the Board meeting and participating remotely in the meeting through Webex and for their work on the budget. He also thanked the Board for its patience and continued push for excellence from the County staff.

Mr. Thornton voiced concerns pertaining to the County's reopening protocols and standards and asked for assurances that County employees will be protected. Mr. Vithoukas advised Mr. Thornton that the County has a sufficient supply of masks for its workforce and will provide them to other individuals entering County buildings. Mr. Branin asked citizens and employees to partake of masks and to be mindful of the world we are living in. He thanked Mr. Vithoukas and the County's departments for guiding the Board through this unprecedented budget year and asked anyone who was watching the meeting to be safe.

There being no further business, the meeting was adjourned at 9:12 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia



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

Agenda Item No. 118-20

Page No. 1 of 2

Agenda Title: RESOLUTION — Authorizing the County Manager to Submit an Amendment to the Henrico County 2019-20 Annual Consolidated Action Plan; to Execute Amended CDBG and ESG Agreements; and to Execute Contracts for New CDBG and ESG Activities

For Clerk's Use Only: Date: <u>5/12/2020</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS: APPROVED	<table border="0"> <tr> <td></td> <td align="center">YES</td> <td align="center">NO</td> <td align="center">OTHER</td> </tr> <tr> <td>Branin, T.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Nelson, T.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>O'Bannon, P.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Schmitt, D.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Thornton, F.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> </table>		YES	NO	OTHER	Branin, T.	✓	—	—	Nelson, T.	✓	—	—	O'Bannon, P.	✓	—	—	Schmitt, D.	✓	—	—	Thornton, F.	✓	—	—
	YES	NO	OTHER																							
Branin, T.	✓	—	—																							
Nelson, T.	✓	—	—																							
O'Bannon, P.	✓	—	—																							
Schmitt, D.	✓	—	—																							
Thornton, F.	✓	—	—																							

WHEREAS, Henrico County is an entitlement community under the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program, as authorized by Title 1 of the Housing and Community Development Act of 1974; and,

WHEREAS, Henrico County is an entitlement community under the HUD Emergency Solutions Grants (ESG) Program, as authorized by the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009; and,

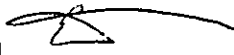
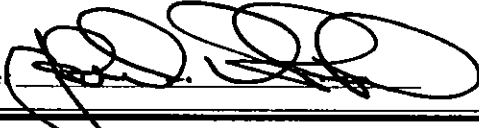
WHEREAS, localities are required to submit an Annual Consolidated Action Plan (Plan) as a condition of receiving CDBG and ESG funds, and the Board of Supervisors previously approved submission of a Plan that included proposed uses of CDBG and ESG funds for Fiscal Year 2019-20; and,

WHEREAS, President Trump signed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) into law on March 27, 2020, and the CARES Act allocated additional CDBG funds of \$1,017,678 and additional ESG funds of \$508,566 to Henrico County; and,

WHEREAS, localities are required to submit an amendment to the Plan as a condition of receiving the additional CDBG and ESG funds, and the Department of Community Revitalization has prepared the attached table summarizing the proposed uses of the additional CDBG and ESG funds.

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors (1) approves the submission to HUD of a Plan amendment that adds the proposed uses of CDBG and ESG funds allocated under the CARES Act for Fiscal Year 2019-20; (2) authorizes the County Manager to execute amended CDBG and ESG agreements with HUD, and (3) authorizes the County Manager to execute contracts with subrecipients for activities funded by the additional CDBG and ESG allocations, all in a form approved by the County Attorney.

COMMENTS: The Director of Community Revitalization recommends approval of the Board paper, and the County Manager concurs.

By Agency Head  By County Manager 

Routing:
 Yellow to: _____
 Copy to: _____

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

Date: _____

2020 CARES Act Stimulus Funds
Sources & Uses of Funds

SOURCES OF FUNDS	CDBG-CV	ESG-CV
CARES Act Special Allocation	\$1,017,678	\$508,566

USES OF FUNDS		
1. CARITAS - Emergency Shelter & Case Management	-	50,000
2. Commonwealth Catholic Charities - Outreach & Diversion	-	30,000
3. Salvation Army - Emergency COVID-19 Shelter	-	25,000
4. Housing Families First - Hilliard House Emergency Shelter	-	25,000
5. Housing Families - Rapid Re-Housing Program	-	30,000
6. OAR of Richmond, Inc. - Reentry Housing and Support Program	40,000	-
7. Homeward - GRCoC Non-Congregate Shelters	-	175,000
8. Homeward - GRCoC HMIS Reporting Expansion	-	2,500
9. Homeward - GRCoC Family Shelter Expansion	-	14,950
10. HOME Inc. - Foreclosure Prevention Program	30,000	-
11. Henrico Area Mental Health & Dev. Services - Homelessness Prevention	50,000	-
12. Henrico County Social Services - COVID-19 Recovery Rental Assistance	240,000	120,000
13. Virginia LISC - Micro Business Relief Fund	300,000	-
14. Commonwealth Catholic Charities - COVID-19 Crisis Counseling	25,000	-
15. Henrico County Health Department - COVID-19 Community-Based Testing	101,000	-
16. Safe Harbor - Food Pantry Assistance	10,000	-
17. St. Joseph's Villa - St. Joseph's Villa Mobile Grocery Delivery Program	15,000	-
18. Program Administration	46,678	36,116
19. Held for future Board Allocation	160,000	

TOTAL	\$1,017,678	\$508,566
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May 12, 2020



COUNTY OF HENRICO, VIRGINIA
 BOARD OF SUPERVISORS
 MINUTE

Agenda Item No. 119-20
 Page No. 1 of 1

Agenda Title: **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>5/12/2020</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>Schmitt</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____</p> <p>REMARKS: APPROVED</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 of Henrico County adopted the attached ordinance.

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

By Agency Head Ned Smith By County Manager [Signature]

Routing: Yellow to: _____ Certified: _____
 Copy to: _____ A Copy Teste: _____ 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. 120-20
Page No. 1 of 1

Agenda Title: **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**

<p>For Clerk's Use Only:</p> <p>Date: <u>5/12/2020</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>O'Bannon</u> Seconded by (1) <u>Schmitt</u> (2) _____ (2) _____</p> <p>REMARKS: APPROVED</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 of Henrico County adopted the attached ordinance.

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

By Agency Head Ned Smith By County Manager [Signature]

Routing:
Yellow to: _____
Copy to: _____

Certified: _____
A Copy Tests: _____
Clerk, Board of Supervisors
Date: _____

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 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.



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

Agenda Item No. 121-20
Page No. 1 of 1

Agenda Title: 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

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES NO OTHER																				
Date: <u>5/12/2020</u>		Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____	<table border="0"> <tr><td>Branin, T.</td><td><input checked="" type="checkbox"/></td><td>_____</td><td>_____</td></tr> <tr><td>Nelson, T.</td><td><input checked="" type="checkbox"/></td><td>_____</td><td>_____</td></tr> <tr><td>O'Bannon, P.</td><td><input checked="" type="checkbox"/></td><td>_____</td><td>_____</td></tr> <tr><td>Schmitt, D.</td><td><input checked="" type="checkbox"/></td><td>_____</td><td>_____</td></tr> <tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td>_____</td><td>_____</td></tr> </table>	Branin, T.	<input checked="" type="checkbox"/>	_____	_____	Nelson, T.	<input checked="" type="checkbox"/>	_____	_____	O'Bannon, P.	<input checked="" type="checkbox"/>	_____	_____	Schmitt, D.	<input checked="" type="checkbox"/>	_____	_____	Thornton, F.	<input checked="" type="checkbox"/>	_____
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O'Bannon, P.	<input checked="" type="checkbox"/>	_____	_____																			
Schmitt, D.	<input checked="" type="checkbox"/>	_____	_____																			
Thornton, F.	<input checked="" type="checkbox"/>	_____	_____																			
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	REMARKS: APPROVED																					

After a duly advertised public hearing, the Board of Supervisors of Henrico County adopted the attached ordinance.

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

By Agency Head Joseph P. Rappiarde, Jr. By County Manager [Signature]

Routing:
 Yellow to: _____
 Copy to: _____

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

Date: _____

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**

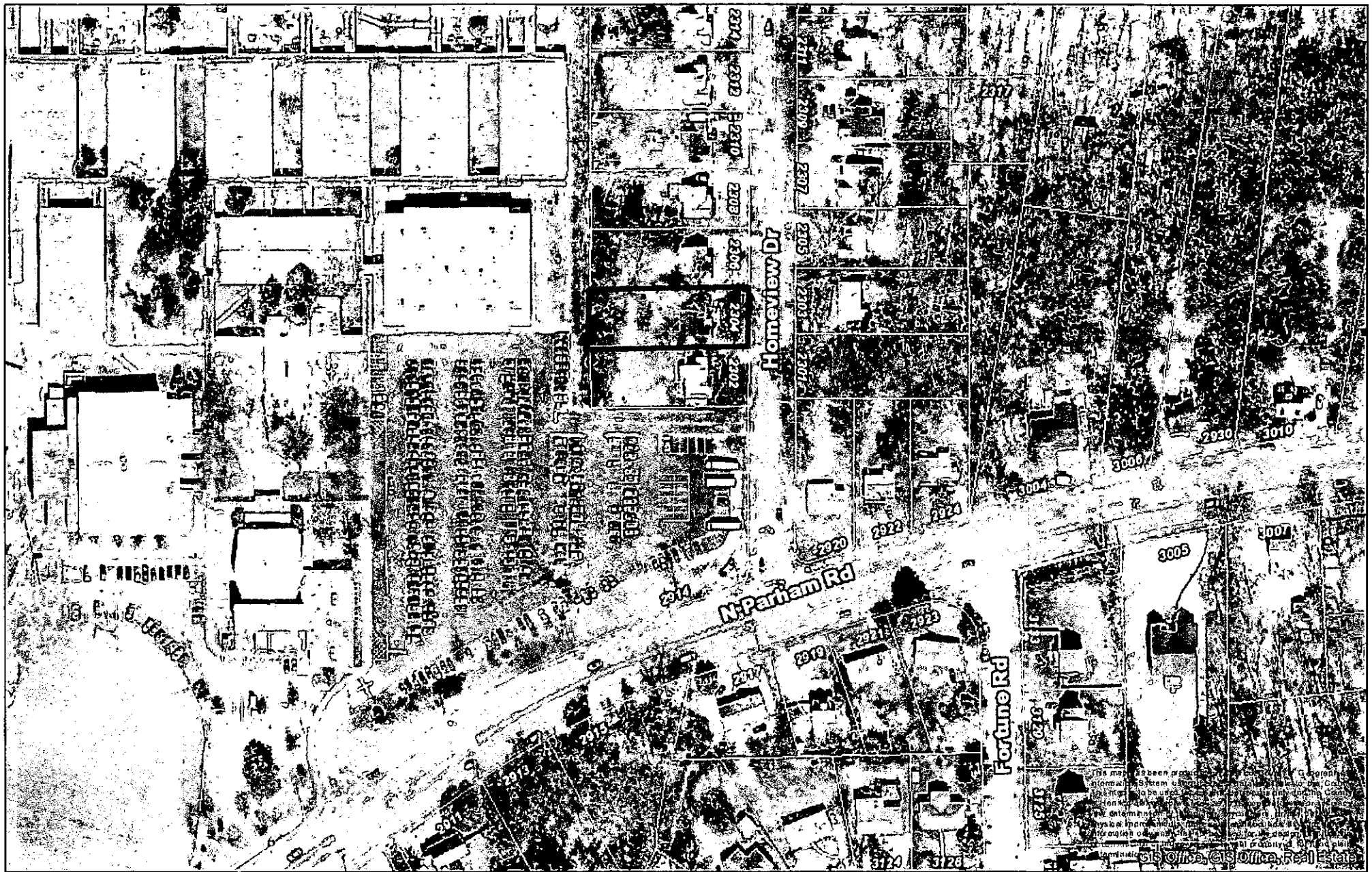
Agenda Item No. 122-20

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**Agenda Title: RESOLUTION — Signatory Authority — Acquisition and Lease of Real Property —
2304 Homeview Drive — Three Chopt District**

- (3) the County Manager and County Attorney are authorized to undertake all other actions necessary to complete the acquisition by the County; and,
- (4) the County Manager is authorized to execute a deed of lease, in a form approved by the County Attorney, to lease 2304 Homeview Drive to Ruth J. Petrov until August 31, 2021.

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



ACQUISITION OF REAL PROPERTY
2304 HOMEVIEW DRIVE
THREE CHOPT DISTRICT



**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	\$ 1,059,905
Fines & Forfeitures	283,360	283,360
Use of Money & Property	138,108	138,108
Charges for Services	31,866,558	33,952,558
Miscellaneous	7,307,681	7,307,681
Recovered Costs	618,008	618,008
Total from Local Sources	<u>\$ 41,273,620</u>	<u>\$ 43,359,620</u>
Non-Categorical Aid	\$ 4,290,802	\$ 3,558,040
Categorical Aid	48,196,412	44,895,079
Total from State	<u>\$ 52,487,214</u>	<u>\$ 48,453,119</u>
Categorical Aid - Total Federal	\$ 63,156,527	\$ 63,156,527
SPECIAL REVENUE FUND REVENUE	\$ 156,917,361	\$ 154,969,266
Operating Transfers	\$ 35,948,915	\$ 29,897,172
From (To) Fund Balance	478,764	478,764
SPECIAL REVENUE FUND RESOURCES	\$ 193,345,040	\$ 185,345,202

51 – WATER AND SEWER ENTERPRISE FUND:

Fines & Forfeitures	\$ 159,485	\$ 159,485
Charges for Services	135,739,806	\$ 135,668,138
Miscellaneous	2,398,154	2,398,154
W&S ENTERPRISE FUND REVENUE	\$ 138,297,445	\$ 138,225,777
Operating Transfers	\$ 1,929,858	\$ 1,929,858
From (To) Retained Earnings	(38,269,915)	(38,269,915)
W&S ENTERPRISE FUND RESOURCES	\$ 101,957,388	\$ 101,885,720

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

Use of Money & Property	\$ 325,695	\$ 400,000
Recovered Costs	22,345,900	22,070,223
C.A.M. FUND REVENUES	\$ 22,671,595	\$ 22,470,223
Operating Transfers	0	0
C.A.M. FUND RESOURCES	\$ 22,671,595	\$ 22,470,223

62 – TECHNOLOGY REPLACEMENT FUND:

Operating Transfers	\$ 3,000,000	\$ 2,750,000
From (To) Retained Earnings	134,912	0
TECH. REPLACE. FUND RESOURCES	\$ 3,134,912	\$ 2,750,000

63 – RISK MANAGEMENT/WORKPLACE SAFETY FUND:

Recovered Costs - Total Revenue	\$ 1,000,000	\$ 1,000,000
Operating Transfers	14,044,879	9,983,299
RISK MANAGEMENT/WORKPLACE SAFETY RES.	\$ 15,044,879	\$ 10,983,299

64 - HEALTHCARE FUND:

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

71 – DEBT SERVICE FUND:

Operating Transfers - TOTAL RESOURCES	\$ 72,448,960	\$ 71,665,830
DEBT SERVICE FUND RESOURCES	\$ 72,448,960	\$ 71,665,830

82 – JAMES RIVER JUVENILE DETENTION CENTER AGENCY FUND:

**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**

Shared Expenses - Local	\$ 518,528	\$ 518,528
Shared Expenses - State	1,565,294	1,565,294
JRJDC AGENCY FUND REVENUE	\$ 2,083,822	\$ 2,083,822
Operating Transfers	\$ 3,351,088	\$ 3,351,088
From (To) Fund Balance	199,832	199,832
JRJDC AGENCY FUND RESOURCES	\$ 5,634,742	\$ 5,634,742
 <u>83 – FIDUCIARY FUNDS</u>		
Recovered Costs	\$ 75,000	\$ 75,000
Operating Transfers	4,525,000	1,850,000
OPEB, LINE OF DUTY AND LTD RESOURCES	\$ 4,600,000	\$ 1,925,000
 <u>90 – ADJUSTMENT FOR INTERFUND TRANSACTIONS:</u>		
Operating Transfers - TOTAL RESOURCES	\$ (119,213,338)	\$ (119,011,966)
TOTAL OPERATING RESOURCES	\$ 1,397,293,230	\$ 1,317,890,073
 Including: REVENUE TOTAL		
OPERATING TRANSFERS	\$ 1,572,944,021	\$ 1,471,478,599
FUND BALANCE/RETAINED EARNINGS	(174,926,138)	(119,011,966)
	(724,653)	(34,576,560)
	\$ 1,397,293,230	\$ 1,317,890,073

ESTIMATED OPERATING REQUIREMENTS

<u>Department</u>	<u>March 10, 2020 Manager Proposed</u>	<u>May 12, 2020 Board Approved</u>
<u>01- GENERAL FUND:</u>		
General Government Administration	\$ 65,716,013	\$ 57,367,472
Judicial Administration	10,111,871	9,484,894
Public Safety	202,140,300	196,564,081
Public Works	55,577,795	52,233,984
Health & Welfare	2,537,497	2,433,102
Education	542,394,709	509,905,768
Recreation, Parks, & Culture	42,901,525	38,466,836
Community Development	27,345,026	19,909,973
Miscellaneous	13,803,446	12,735,043
TOTAL GENERAL FUND	\$ 962,528,182	\$ 899,101,153
 <u>11 – SPECIAL REVENUE FUND:</u>		
Judicial Administration	\$ 2,550,583	\$ 2,406,056
Public Safety	4,012,643	3,757,531
Public Works	16,266,273	16,423,321
Health & Welfare	87,932,086	70,760,399
Education	82,333,455	91,760,395
Miscellaneous	250,000	237,500
TOTAL SPECIAL REVENUE FUND	\$ 193,345,040	\$ 185,345,202
 <u>51 – WATER AND SEWER ENTERPRISE FUND:</u>		
Public Utilities - Operations	\$ 70,147,647	\$ 70,075,979
- Debt Service	31,809,741	31,809,741
TOTAL W&S ENTERPRISE FUND	\$ 101,957,388	\$ 101,885,720
 <u>61 – CENTRAL AUTO MAINTENANCE FUND:</u>		
Central Auto. Maint. - TOTAL FUND	\$ 22,671,595	\$ 22,470,223

**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	\$ 2,750,000
<u>63 – RISK MANAGEMENT/WORKPLACE SAFETY FUND:</u>		
Fire	\$ 483,682	\$ 483,682
Finance	14,561,197	10,499,617
TOTAL RISK MANAGEMENT/WORKPLACE SAFETY	<u>\$ 15,044,879</u>	<u>\$ 10,983,299</u>
<u>64 – HEALTHCARE FUND:</u>		
Healthcare - TOTAL FUND	\$ 135,140,870	\$ 135,140,870
<u>71 – DEBT SERVICE FUND:</u>		
General Government	\$ 30,676,700	\$ 31,038,655
Education	41,772,260	40,627,175
TOTAL DEBT SERVICE FUND	<u>\$ 72,448,960</u>	<u>\$ 71,665,830</u>
<u>82 – JAMES RIVER JUVENILE DETENTION CENTER AGENCY FUND:</u>		
JRJDC - Operations	\$ 5,634,742	\$ 5,634,742
<u>83 – FIDUCIARY FUND:</u>		
OPEB - GASB 45	\$ 2,750,000	\$ 75,000
Long-Term Disability	600,000	600,000
Line of Duty Act (LODA)	1,250,000	1,250,000
TOTAL FIDUCIARY FUND	<u>\$ 4,600,000</u>	<u>\$ 1,925,000</u>
<u>90 – ADJUSTMENT FOR INTERFUND TRANSACTIONS:</u>		
Interdepartmental Billings - CAM	\$ (22,671,595)	\$ (22,470,223)
- Healthcare	(96,541,743)	(96,541,743)
TOTAL ADJUSTMENTS	<u>\$ (119,213,338)</u>	<u>\$ (119,011,966)</u>
TOTAL OPERATING REQUIREMENTS	<u>\$ 1,397,293,230</u>	<u>\$ 1,317,890,073</u>

CAPITAL ANNUAL FISCAL PLAN
ESTIMATED CAPITAL RESOURCES

<u>Source</u>	<u>March 10, 2020 Manager Proposed</u>	<u>May 12, 2020 Board Approved</u>
<u>21 - CAPITAL PROJECTS FUND:</u>		
Motor Vehicle License Revenue	\$ 1,500,000	\$ 0
Education Meals Tax Revenue	9,000,000	0
Education Meals Tax Reserves	3,500,000	0
G. O. Bonds - General	14,000,000	14,000,000
General Fund - School's State Reserve	2,500,000	0
General Fund - Permit Reserve	750,000	0
General Fund - Stormwater Dedication	2,348,000	0
Designated Capital Reserve	15,090,000	0
VPSA Bonds	45,500,000	0
Fund Balance - General Fund	10,000,000	0
TOTAL CAPITAL PROJECTS FUND	<u>\$ 104,188,000</u>	<u>\$ 14,000,000</u>
<u>22 - VEHICLE REPLACEMENT RESERVE:</u>		
Fund Balance - General Fund	\$ 10,274,800	\$ 0
General Fund - Undesignated Fund Balance	750,000	0
TOTAL VEHICLE REPLACEMENT RESERVE	<u>11,024,800</u>	<u>0</u>
<u>51 – WATER AND SEWER ENTERPRISE FUND:</u>		
Water & Sewer Fees/Charges	\$ 21,950,000	\$ 21,950,000
Water & Sewer Revenue Bonds	5,550,000	5,550,000
TOTAL WATER AND SEWER ENTERPRISE FUND	<u>\$ 27,500,000</u>	<u>\$ 27,500,000</u>
TOTAL CAPITAL RESOURCES	<u>\$ 142,712,800</u>	<u>\$ 41,500,000</u>

**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>March 10, 2020 Manager Proposed</u>	<u>May 12, 2020 Board Approved</u>
<u>21 - CAPITAL PROJECTS FUND:</u>		
General Government	\$ 41,188,000	14,000,000
Education	63,000,000	0
TOTAL CAPITAL PROJECTS FUND	\$ 104,188,000	\$ 14,000,000
<u>22 - VEHICLE REPLACEMENT RESERVE:</u>		
Public Safety	\$ 6,324,800	\$ 0
Education	4,700,000	0
TOTAL VEHICLE REPLACEMENT RESERVE	\$ 11,024,800	\$ 0
<u>51 - WATER AND SEWER ENTERPRISE FUND:</u>		
Public Utilities - Water	\$ 7,850,000	\$ 7,850,000
- Sewer	19,650,000	19,650,000
TOTAL WATER & SEWER ENTERPRISE FUND	\$ 27,500,000	\$ 27,500,000
TOTAL CAPITAL REQUIREMENTS	\$ 142,712,800	\$ 41,500,000

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, situated 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.

BE IT FURTHER RESOLVED that in response to the shifting economic conditions caused by efforts to minimize the public health effects of COVID-19, the Board of Supervisors directs the County Manager to propose for the Board's consideration (i) quarterly appropriations for the purposes specified in this fiscal plan and (ii) amendments to the fiscal plan, as economic conditions warrant.

COMMENTS: The originally proposed budget was considered by the Board of Supervisors on April 14, 2020, but deferred until May 12, 2020. The Director of Finance recommends approval of this Board Paper, and the County Manager concurs.

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

<u>OFFICE, BOARD, COMMISSION, AUTHORITY OR JOB TITLE</u>	<u>RATE</u>
Board of Supervisors	\$57,142.69 per annum ⁽¹⁾
Board of Zoning Appeals.....	\$6,600.00 per annum
Electoral Board - General Election (members other than the Secretary).....	\$4,428.00 per annum ⁽²⁾
Secretary, Electoral Board - General Election.....	\$8,856.00 per annum ⁽²⁾
Election Officials	\$150.00 base pay per workday ⁽³⁾
Assistant Chief Election Officials	\$180.00 base pay per workday ⁽³⁾
Chief Election Officials.....	\$200.00 base pay per workday ⁽³⁾
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 ⁽⁴⁾
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 annual salary prevailing in each calendar year. The Board has elected to forgo the increase in its compensation previously authorized for 2021. The Board will be compensated in 2021 at the same rate as in 2020.
- (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.

**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 ⁽⁵⁾
Alisa Gregory Sheriff.....	\$ 152,649.12 ⁽⁵⁾⁽⁶⁾

-
- (5) The Clerk of the Circuit Court and the Sheriff are elected positions. The General Assembly sets the annual compensation and effective dates subject to the Governor's approval. Salaries for FY21 are based on current salaries and do not reflect any increases the General Assembly may approve. The County will adjust these salaries if and as required by the General Assembly's actions.
 - (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.



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

Agenda Item No. 124-20

Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Contract — Chiller Replacement — Henrico Jail East

For Clerk's Use Only: Date: <u>5/12/2020</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Schmitt</u> Seconded by (1) <u>O'Bannon</u> (2) _____ (2) _____ REMARKS: APPROVED	YES NO OTHER Branin, T. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Nelson, T. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> O'Bannon, P. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Schmitt, D. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Thornton, F. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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WHEREAS, the County needs to replace a chiller at Henrico Jail East; and,

WHEREAS, the County received two bids on March 31, 2020, in response to ITB 20-1989-2EAR and Addenda Nos. 1 and 2 with the following results:

Bidder	Total Bid
Old Dominion Mechanical, LLC Richmond, VA	\$377,925
Waco, Inc. Sandston, VA	\$387,495

WHEREAS, after review and evaluation of all bids, it was determined that Old Dominion Mechanical, LLC is the lowest responsive and responsible bidder.

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

1. A contract to furnish all labor, materials, supplies, equipment, and services necessary for the chiller replacement is awarded to Old Dominion Mechanical, LLC, the lowest responsive and responsible bidder, in the amount of \$377,925 pursuant to ITB 20-1989-2EAR, Addenda Nos. 1 and 2, and the bid submitted by Old Dominion Mechanical, LLC.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.

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

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Clerk, Board of Supervisors

Date: _____

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 124-20

Page No. 2 of 2

RESOLUTION — Award of Contract — Chiller Replacement — Henrico Jail East

3. The County Manager, or the Purchasing Director as his designee, is authorized to execute all change orders within the scope of the project budget not to exceed 15 percent of the original contract amount.

Comment: Funding to support the contract is available within the project budget. The Director of General Services and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.



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

Agenda Item No. 125-20
Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Contract — Annual Professional Engineering Commissioning Services

For Clerk's Use Only: Date: <u>5/12/2020</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS: APPROVED	<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">✓</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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Nelson, T.	✓																									
O'Bannon, P.	✓																									
Schmitt, D.	✓																									
Thornton, F.	✓																									

WHEREAS, on January 14, 2020, the County received 21 proposals in response to RFP No. 19-1951-12JOK for annual professional engineering commissioning services; and,

WHEREAS, based upon review of the written proposals, the selection committee (Susan Moore, Carrie Webster, Patrick Murphy and Jason Takacs) interviewed the following firms:

- Facility Dynamics Engineering
- Johnson, Mirmiran & Thompson, Inc.
- McDonough Bolyard Peck, Inc.
- PACE Collaborative, P.C.
- Sebasta, Inc. dba NV5

WHEREAS, based upon the interviews and review of the written proposals, the selection committee selected Facility Dynamics Engineering as the top-ranked firm and negotiated a unit cost rate schedule.

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

1. A contract to provide annual professional engineering commissioning services is awarded to Facility Dynamics Engineering for the period July 1, 2020, to June 30, 2021, with the option to renew the contract for two additional one-year terms, all in accordance with RFP No. 19-1951-12JOK, the proposal submitted by Facility Dynamics Engineering, and the negotiated unit cost rate schedule.

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

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COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 125-20

Page No. 2 of 2

**Agenda Title: RESOLUTION — Award of Contract — Annual Professional Engineering
Commissioning Services**

2. Compensation will be based on the unit cost rate schedule contained in the contract.
3. Fees for the contract shall not exceed \$500,000 for any single project or \$2,500,000 per one-year term.
4. The County Manager is authorized to execute the contract in a form approved by the County Attorney.

Comment: The Director of General Services and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.

Henrico County Voluntary Retirement Incentive Program Summary

1. The Henrico County Voluntary Retirement Incentive Program ("VRIP") is a one-time voluntary program offered to all full-time Henrico County employees who will have met all eligibility requirements for retirement with unreduced benefits from the Virginia Retirement System no later than September 1, 2020. VRIP offers eligible employees payments (described more fully below) in exchange for their voluntary retirement before September 1, 2020.
2. VRIP provides two incentive payments to employees who are selected to participate in the program: (1) a payment equivalent to 10% of the employee's annual base salary; and (2) in addition to the sick leave payment outlined in Section 8.4.11 of Henrico County Personnel Policies and Procedures, a payment for all unused credited sick leave at a rate of \$4.00 per hour for up to 2,000 hours. These incentive payments will be subject to state and federal taxes.
3. The incentive payments will be available to only those employees who are selected to participate in VRIP and who voluntarily choose to retire from Henrico County between August 1, 2020 and September 1, 2020.
4. Employees who wish to participate in VRIP must complete and submit an application to the Department of Human Resources (attention: Becky Simulcik) no later than June 10, 2020 to be considered for the program. The employee must sign the completed application and include the date the employee expects to retire from the County (which must be between August 1, 2020 and September 1, 2020).
5. The County will notify employees who are selected to participate in VRIP in writing no later than June 15, 2020. The County expressly reserves the right to limit participation in VRIP to ensure budget savings and continuation of County services.
6. To receive the VRIP incentive payments, participating employees must sign an agreement that releases any claim they might have against the County with respect to their employment. The application packet will include a sample of the agreement. Employees are encouraged to consult an attorney of their choice before making a final decision regarding their participation in VRIP and signing the agreement. Participating employees must submit a signed agreement on the last day of their employment with the County.
7. For full-time Henrico County employees who have already filed appropriate paperwork with the HR Department by close of business on May 12, 2020, indicating their intent to retire on or before July 1, 2020 and who will have met all eligibility requirements for retirement with unreduced benefits from the Virginia Retirement System no later than July 1, 2020, VRIP offers the incentive payments outlined in Paragraph 2 above in exchange for the employee's retirement on or before July 1, 2020. Such employees will not be subject to the requirements outlined in Paragraphs 3-6 above.
8. Employees are not eligible to participate in VRIP if they are terminated for any reason (including misconduct or poor performance) on or before September 15, 2020.
9. The County will provide participating employees the incentive payments one pay period after the employee's last paycheck. Because the incentive payments are not deemed to be employee compensation, they have no impact on VRS service credit.



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

Agenda Item No. 127-20

Page No. 1 of 1

Agenda Title: **RESOLUTION – Authority to Submit Henrico County Plan for the Virginia Juvenile Community Crime Control Act (2020-2022)**

For Clerk's Use Only: Date: <u>5/12/2020</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>O'Bannon</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS: APPROVED	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <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> </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, the Virginia General Assembly enacted the Virginia Juvenile Community Crime Control Act (the "Act") effective January 1, 1996; and,

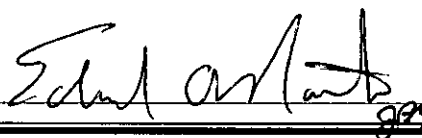

WHEREAS, in accordance with Section 16.1-309.3D of the Act, the County desires to submit to the Board of Juvenile Justice of the Commonwealth of Virginia (the "State Board") the biennial plan (the "Plan") for services, programs, and facilities for juveniles before the Henrico County Juvenile and Domestic Relations District Court and the 14th District Court Services Unit on matters alleging that a juvenile is in need of services, is in need of supervision, or is delinquent; and,

WHEREAS, the Plan was developed after consultation with the Judges of the Henrico County Juvenile and Domestic Relations District Court and would be effective from July 1, 2020, until June 30, 2022; and,

WHEREAS, the County must comply with the provisions of the Act found in Sections 16.1-309.2 through 16.1-309.10 of the Code of Virginia.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the County Manager is authorized to sign and submit the Plan to the State Board in a form approved by the County Attorney.

COMMENTS: The County's Virginia Juvenile Community Crime Control Act Coordinator, Detention Superintendent, and the Deputy County Manager for Community Services, recommend approval of this Board Paper, and the County Manager concurs.

By Agency Head  By County Manager 

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Sadler Road Improvements

