COUNTY OF HENRICO, VIRGINIA BOARD OF SUPERVISORS REGULAR MEETING December 1, 2020

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, December 1, 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. Vithoulkas, County Manager
J. T. (Tom) Tokarz, County Attorney
Tanya Brackett Harding, CMC, Assistant to the County Manager/Clerk to the Board
Monica Smith-Callahan, Deputy County Manager for Community Affairs
W. Brandon Hinton, Deputy County Manager for Administration
Anthony E. McDowell, Deputy County Manager for Public Safety
Cari Tretina, Assistant to the County Manager/Chief of Staff
Steven J. Yob, P.E., Deputy County Manager for Community Operations
Benjamin A. Sheppard, Director of Public Relations

Mr. Branin called the meeting to order at 7:00 p.m.

Before leading the recitation of the Pledge of Allegiance, Mr. Branin welcomed persons who were watching a live stream of the meeting or participating via WebEx.

Pastor Steven Boots, Chaplain for the Henrico Police Division, delivered the invocation.

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved the November 10, 2020, Regular and Special Meeting Minutes.

The vote of the Board was as follows:

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

No: None

MANAGER'S COMMENTS

Anthony McDowell, Deputy County Manager for Public Safety, provided a COVID-19 update and noted that the number of cases in Henrico have increased in recent weeks.

Virginia has not seen the rate of increase as other states, but there has been about a 70% increase from late July.

The County continues to evolve strategies to provide public services while meeting CDC and VDH guidelines. Libraries went back to curbside checkout effective this previous Saturday; the capacity of the Board Room for meetings has been scaled back from 40 to 25; in-person employee fitness classes have been suspended; and teleworking with flexible staffing arrangements has been re-instated.

Eric English, Chief for the Police Division, discussed a situation that occurred over the weekend and had been the subject of comment on social media. A distress call came into the 911 Center, but police officers found no one in distress when they entered the home at the address. He stated the Police Division is working to determine how the wrong address was sent to dispatch to ensure this does not happen again.

BOARD OF SUPERVISORS' COMMENTS

Mr. Thornton noted the passing of Charlotte A. Melton who died on Friday, November 13. Mrs. Melton served on the County's Historic Preservation Advisory Committee and the Henrico Christmas Mother program. Mr. Thornton shared several lines from *The House by the Side of the Road* by poet Sam Walter Foss that he read at her service.

Mr. Vithoulkas referred to the announcement earlier in the day concerning the County's first proposed eco-district. GreenCity is planned to include office, retail, and residential development as well as a 17,500-seat sports arena in an environmentally sensitive mixed use development at the former Best Products property. Mr. Vithoulkas stated GreenCity will provide benefits to the County while creating no financial risk to taxpayers.

RECOGNITION OF NEWS MEDIA

There were no media present.

PUBLIC HEARINGS - REZONING CASE

293-20 REZ2020-00037 Tuckahoe ORSA LLC: Request to conditionally rezone from R-3 One-Family Residence District to O-1C Office District (Conditional) on Parcel 754-743-3548 containing .688 acres located on the east line of Eastridge Road approximately 120' south of its intersection with Jesse Senior Drive.

No one from the public spoke in opposition to the case.

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

- 1. <u>Uses.</u> The following uses will not be permitted: Childcare center, bank and medical office.
- 2. <u>Size.</u> Total square footage of office use, including storage, shall not exceed five thousand (5,000) square feet.

- 3. Conceptual Plan. The property shall be developed substantially similar to the "1407 Eastridge Road- Rezoning Permit Plan", dated September 17, 2020, by Koontz Bryant Johnson Williams (KBJW) (see case file) unless revisions to this plan are specifically requested and permitted by the Planning Commission (or Administratively as required) during the Plan of Development (POD) review and approval process.
- 4. Exterior Materials. All structures on site are to remain residential in character, with modifications allowed based on use (office, storage, etc.) and are architecturally similar (building trim color/style, windows, doors, etc.). Colors of existing structures may be changed at the discretion of the Owner as long as remain residential in character and provide for a similar, harmonious appearance. Existing brick may be painted and all colors shall be of basically earth tones or natural colors (brown, beige, tan, white or blends thereof). Existing siding of garage to remain as is until required to be replaced at Owner's discretion.
- 5. <u>Foundations</u>, <u>Steps and Walks</u>. Exterior portions of the main building below the finished floor that is visible from a public street shall be brick. Steps to the main entrance shall be brick. Stoops, landings, ramps and walks shall be a resilient surface either brick, pavers, exposed aggregate, stamped and/or finished concrete. Brick shall match exterior veneer color or painted to match.
- 6. Building Elevation. The proposed building elevation shall be consistent with the existing building elevation as a single-family residence, with minor modifications based on the proposed office use and to allow for handicap access (ramp to front door). These proposed modifications will be reviewed and approved by the Planning Commission (or administratively as required) during the Plan of Development (POD) review and approval process.
- 7. <u>Underground Utilities.</u> Except for junction boxes, meters, transmission mains, existing overhead utility lines and services/structures and poles or unless prohibits for technical or environmental reasons, all proposed utility lines shall be underground.
- 8. Exterior Lighting. All exterior lighting will be residential in nature, with a maximum height of fifteen feet (15'), with a shielded light source and shall produce no more than one-half (0.5) footcandles at the property boundary. Exterior lighting levels shall be reduced to a minimum level necessary for security purposes following the close of business conducted on the property.
- 9. <u>HVAC and Trash Receptacle Screening.</u> Heating and ventilation equipment (HVAC) shall be screened from the public view at ground level at the property line/right of way of a public

street, with a structure similar in architectural style to the main building and shall be designed to reduce/suppress the sound from this equipment. This screening/sound reduction can also be achieved by use of appropriate landscaping in lieu of fencing at the Owners discretion. Trash receptacles shall be screened from public view at the ground level at the property line/right or way of a public street with similar fencing and/or landscaping or a combination of both. Details for proposed screening will be reviewed and approved as part of the Plan of Development (POD) review and approval process.

- 10. <u>Buffers.</u> A Transitional Buffer of ten feet (10') in width shall be provided along the southern property boundary with the adjacent residential property GPIN# 754-743-3338. This buffer shall be designed to meet minimum County standards for this type of buffer and shall be submitted to the Planning Commission (or Administratively as required) as part of the Plan of Development (POD) review and approval process.
- 11. <u>Best Management Practices.</u> Any above ground Best Management Practice (BMP) structures shall be designed as a "dry structure" and shall be screened from view from adjacent public streets.
- 12. <u>Signage</u>. Any detached sign structure shall be a monument-style sign structure, limited to a maximum height of six feet (6'). Signage shall be consistent with the existing monument signage located at 1409 Eastridge Road and no electronic/digital message signage shall be permitted. Smaller building mounted signage shall be regulated as such by the standards in the Henrico County Zoning Ordinance.
- 13. Trash Pick-up, Parking Lot Cleaning, Leaf-Blowing. No Trash Pick-up, Parking lot cleaning, leaf blowing, or similar routine type maintenance activities shall occur between the hours of 7:00 p.m. and 7:00 a.m., Monday thru Friday and after 9:00 am. on Saturdays. None of these routine maintenance activities may occur on Sundays. These time frames would not preclude emergency activities such as storm related maintenance such as snowplowing and/or storm (hurricane) clean-up.
- 14. 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 any of the other proffers or the unaffected part of any such proffer.

The vote of the Board was as follows:

Yes: Branin, Schmitt, O'Bannon, Thornton

No: None

Absent: Nelson (for vote)

PUBLIC HEARINGS - OTHER ITEMS

294-20 Ordinance - Vacation of Portion of Alley - Westwood Subdivision - Brookland District.

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

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

295-20 Resolution - Signatory Authority - Conveyance of Real Property - 3818 E. Laburnum Avenue - Fairfield District.

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

On motion of Mr. Thornton, 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

296-20 Introduction of Resolution - Receipt of Requests for Amendments to the FY 2020-21 Annual Fiscal Plan.

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

297-20 Resolution - Donation of Surplus Vehicles - Cumberland County.

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

298-20 Resolution - Approval of Retention of Sales Proceeds by School Board - Portion of Glen Allen High School Property - Brookland District.

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

299-20 Resolution - Award of Contracts - Annual Engineering Services - Water and Sewage Pumping Station Projects.

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

There being no further business, the meeting was adjourned at 7:51 p.m.

Chairman, Board of Supervisors Henrico County, Virginia



Agenda Item No. 294-20 Page No. 1 of 2

Agenda Title: ORDINANCE — Vacation of Portion of Alley — Westwood Subdivision — Brookland District

For Clerk's Use Only: Date: 12 2020 (Approved () Denied () Amended () Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) Schmitt Seconded by (1) D'BAMMA (2) (2) (2)	YES NO OTHER Branin, T Nelson, T O'Bannon, P Schmitt, D Thornton, F
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WHEREAS, DRE Chevone Enterprises, LLC owns Lots 7 and 8, Block 8, Section 1 in the Westwood subdivision, also known as 5801 W. Broad Street; and,

WHEREAS, the owner has asked the County to vacate a portion of an alley adjacent to its property; and,

WHEREAS, the plat of Section 1 of the Westwood subdivision is recorded in the Clerk's Office of the Circuit Court of Henrico County (the "Clerk's Office") in Plat Book 14, Page 94; and,

WHEREAS, this Ordinance was advertised pursuant to Va. Code § 15.2-2204, and the Board held a public hearing on December 1, 2020; and,

WHEREAS, it appears to the Board that no owner of any land shown on the plat will be irreparably damaged by this vacation.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors that:

- (1) the portion of the alley shown hatched on Exhibit A is vacated in accordance with Va. Code § 15.2-2272(2), subject to the reservation by the County of a permanent easement for utility facilities on, under, across, and through the property hereby vacated;
- (2) this Ordinance shall become effective 30 days after its passage as provided by law;

By Agency Head	↑₩ By County Manager	
Copy to:	Certified: A Copy Teste:	
	Date:	

Agenda Item No. 294-20

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Agenda Title: ORDINANCE — Vacation of Portion of Alley — Westwood Subdivision — Brookland District

- (3) the Clerk of the Circuit Court of Henrico County (the "Clerk") is authorized, upon receipt of payment therefor, to record a certified copy of this Ordinance in the Clerk's Office after the expiration of 30 days from its passage, provided no appeal has been taken to the Circuit Court;
- (4) the Clerk is further authorized to index the Ordinance on the grantor and grantee sides of the general index to deeds in the name of DRE Chevone Enterprises, LLC, a Virginia limited liability company, its successors or assigns; and,
- (5) the Clerk shall note this vacation as provided in Va. Code § 15.2-2276.

Comments: The Real Property Department has processed the requested vacation through the Departments of Planning, Public Works, and Public Utilities without objection.

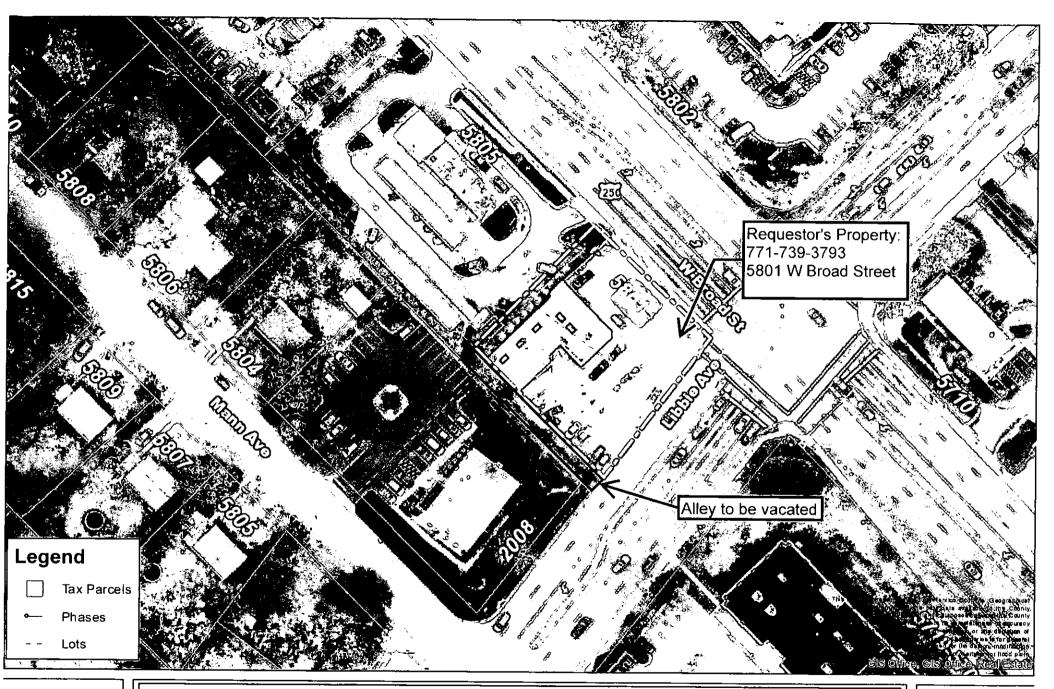




EXHIBIT A

VACATION OF PORTION OF ALLEY - WESTWOOD SUBDIVISION BROOKLAND DISTRICT





Agenda Item No. 295-20
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Agenda Title: RESOLUTION — Signatory Authority — Conveyance of Real Property — 3818 E. Laburnum Avenue — Fairfield District

For Clerk's Use Only: Date: 12 1 2020 Approved Denied Amended	BOARD OF SUPERVISORS ACTION Moved by (1) Seconded by (1) Ulbis (2) (2) (2)	YES NO OTHER Branin, T
() Deferred to:		Thornton, F.

WHEREAS, the County owns real property at 3818 E. Laburnum Avenue in the Lynn Grove subdivision, as shown on Exhibit A (the "Property"); and,

WHEREAS, Leanne Seward Jones, the owner of the adjacent lot at 3816 Fenwick Street, wishes to buy the Property known as Tax Map Parcel 799-737-5503; and,

WHEREAS, the Board of Supervisors wishes to convey the Property subject to the reservation of a permanent 16-foot utility easement on the property along the E. Laburnum Avenue right-of-way to Leanne Seward Jones for \$700, its assessed value; and,

WHEREAS, this resolution was advertised, and a public hearing was held on December 1, 2020, pursuant to Va. Code §§ 15.2-1800 and 15.2-1813.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the Chairman and Clerk are authorized to execute a deed, and the County Manager is authorized to execute closing and any other necessary documents, to convey the Property, all in a form approved by the County Attorney.

Comments: The Real Property Department has processed this request through the Departments of Planning, Public Utilities, and Public Works without objection. The Acting Director of Real Property recommends approval; the County Manager concurs.

By Agency Head MAM	By County Manage
Copy to:	Certified: A Copy Teste: Clerk, Board of Supervisors
	Date:



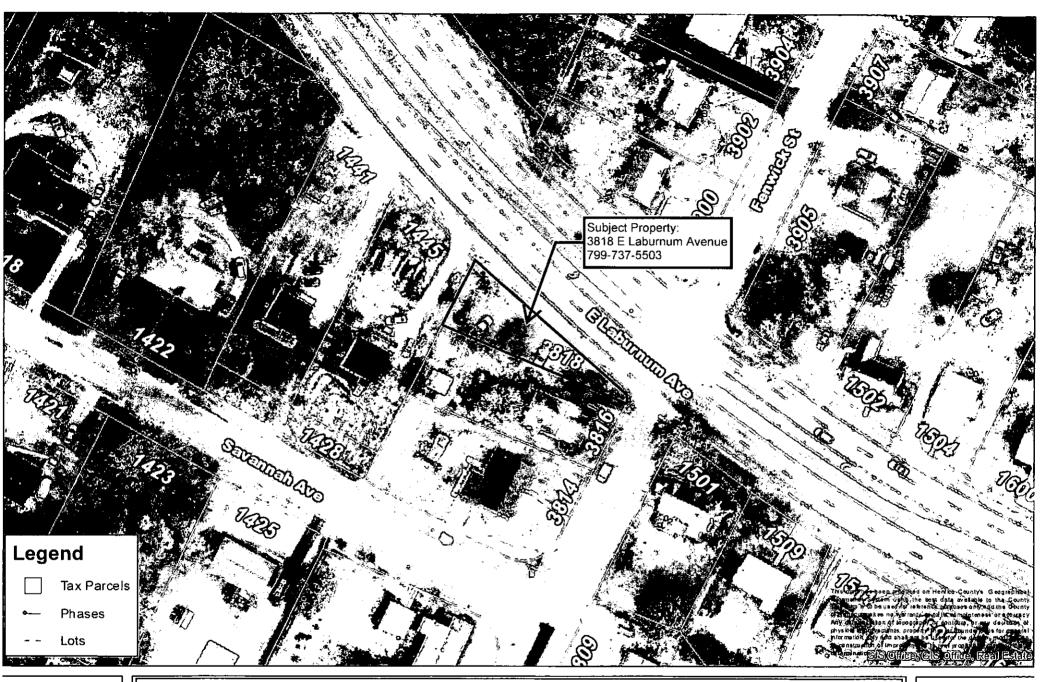




EXHIBIT A CONVEYANCE OF REAL PROPERTY - 3818 E LABURNUM AVENUE FAIRFIELD DISTRICT





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Agenda Title: INTRODUCTION OF RESOLUTION – Receipt of Requests for Amendments to the FY 2020-21 Annual Fiscal Plan

to the FY 20	20-21 Annual Fiscal Plan	
For Clerk's Use Only: Date: 12 2020 () Approved () Denied () Amended () Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) D B MY C Seconded by (1) D C C C C C C C C C C C C C C C C C C	YES NO OTHER Branin, T Nelson, T O'Bannon, P Schmitt, D Thornton, F
2020, requesting WHEREAS, the to support the property of the p	the County Manager has provided the Board of Supervisors with a gamendments to the FY 2020-21 Annual Fiscal Plan; and the County Manager listed by department the purpose of the request a proposed amendments. EFORE, BE IT RESOLVED by the Board of Supervisors that the retise, in the Richmond Times-Dispatch on December 8, 2020, a s and a public hearing thereon to be held on December 15, 2020, at 7:00 County Government Center, East Parham and Hungary Spring Road with respect to the proposed amendments.	nd the source of funding e Clerk of the Board is ynopsis of the proposed p.m., in the Board Room
COMMENTS	The Director of Finance recommends arranged of this David	

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

By Agency Head By County Manager	ger
Copy to:	Certified: A Copy Teste:Clerk, Board of Supervisors
	Date:

AMENDMENT TO THE 2020-21 ANNUAL FISCAL PLAN FOR DECEMBER, 2020

OPERATING FUNDS

FUND 0101 - GENERAL FUND - General Operating Fund

Department 11 - Human Resources

11002

- Group Benefits

0000 00000

Funding is requested to create a reserve for compensation adjustments in FY2020-

21. This reserve could be used for increases to address salary compression, adjust salaries based on market studies, and create career development programs. This reserve would cover both General Government and Henrico County Public Schools. Funding for this reserve is to come from unbudgeted General Fund revenues.

Total Amendments/Appropriations

\$ 25,000,000

25,000,000



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Page No. 1 of 1

Agenda Title: RESOLUTION - Donation of Surplus Vehicles - Cumberland County

For Clerk's Use Only: Date: 12 2020 Moved by (1) Seconded by (1) Should Branin, T. (2) (2) (2) Nelson, T. O'Bannon Schmitt, I Thornton	.P. <u>/</u> D. <u>/</u>
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WHEREAS, Henrico County has declared as surplus to its needs a 2007 Ford Explorer, a 2007 Ford F-350 pickup truck, a 2008 Sterling single axle dump truck, a 2010 International Harvester Corporation tandem axle dump truck, and a 2004 Interstate trailer with a combined estimated value of \$30,700; and,

WHEREAS, Cumberland County is the location of the Cobbs Creek Reservoir currently under construction; and,

WHEREAS, Cumberland County has requested the donation of the surplus vehicles to support its operations; and,

WHEREAS, Va. Code § 15.2-953(C) authorizes localities to make gifts and donations of personal property to other governmental entities.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that it authorizes the donation of the five vehicles to Cumberland County and authorizes the County Manager to take all steps necessary to complete the donation.

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

By Agency Head	Med By County	Manager
Copy to:	——————————————————————————————————————	Certified: A Copy Teste: Clerk, Board of Supervisors
		Date:



Agenda Item No. 298-20
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Agenda Title: RESOLUTION — Approval of Retention of Sales Proceeds by School Board — Portion of Glen Allen High School Property — Brookland District

For Clerk's Use Only: Date: 12 2020 Approved () Denied () Amended () Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) Seconded by (1) O'BANNON (2) (2) (2)	YES NO OTHER Branin, T Nelson, T O'Bannon, P Schmitt, D Thornton, F
•	ne School Board has determined that 0.028± acre of the Glen Allen Hi es Mill Road is surplus to its needs; and,	gh School property located

WHEREAS, after an advertised public hearing on October 22, 2020, the School Board approved the sale of the property to the Hindu Center of Virginia, Inc. for \$2,200, subject to the Board of Supervisors' approval of the School Board's retention of the sale proceeds pursuant to Va. Code § 22.1-129; and,

WHEREAS, the Board of Supervisors wishes to give such approval.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors authorizes the School Board to retain the proceeds of the sale of 0.028± acre of the Glen Allen High School property to the Hindu Center of Virginia, Inc.

Comments: The Superintendent of Schools and the School Board request approval of the Board paper; the County Manager concurs.

By Agency Head	By County Manager
Copy to:	Certified: A Copy Teste: Clerk, Board of Supervisors
	Date:



Agenda Item No. 299-20

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Agenda Title: RESOLUTION — Award of Contracts — Annual Engineering Services — Water and Sewage Pumping Station Projects

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES NO OTHER
Date: 12 2020 () Approved () Denied () Amended () Deferred to:	Moved by (1) Obanna Seconded by (1) Velson (2) (2) (2)	Branin, T. Nelson, T. O'Bannon, P. Schmitt, D. Thornton, F.

WHEREAS, the County received six proposals on September 28, 2020, in response to RFP No. 20-2043-9JOK for annual engineering services for water and sewage pumping station projects; and,

WHEREAS, based upon review and evaluation of the written proposals, the Selection Committee interviewed the following firms:

Greeley and Hansen, LLC Dewberry Engineers, Inc. HDR Engineering, Inc. Brown and Caldwell

WHEREAS, the Selection Committee selected Greeley and Hansen, LLC and Dewberry Engineers, Inc. as the two top-ranked firms and negotiated hourly rate schedules with each firm.

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

- 1. A contract to provide annual engineering services for water and sewage pumping station projects is awarded to Greeley and Hansen, LLC for the period December 1, 2020, to November 30, 2021, in accordance with RFP No. 20-2043-9JOK and the proposal submitted by Greeley and Hansen, LLC.
- 2. A contract to provide annual engineering services for water and sewage pumping station projects is awarded to Dewberry Engineers, Inc. for the period December 1, 2020, to November 30, 2021, in accordance with RFP No. 20-2043-9JOK and the proposal submitted by Dewberry Engineers, Inc.
- 3. Fees paid to Greeley and Hansen, LLC and Dewberry Engineers, Inc. shall not exceed \$750,000 for any single project or \$2,500,000 in any one-year term.
- 4. The County Manager is authorized to execute the contracts in a form approved by the County Attorney.

By Agency Head SUV	By County Manager
Copy to:	Certified: A Copy Teste:Clerk, Board of Supervisors
	Date:

Agenda Item No. 299-20

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Agenda Title: RESOLUTION — Award of Contracts — Annual Engineering Services — Water and Sewage Pumping Station Projects

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