

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
March 12, 2024

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, March 12, 2024, at 6:00 p.m. in the Board Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia.

Members of the Board Present:

Tyrone E. Nelson, Chairman, Varina District
Daniel J. Schmitt, Vice-Chairman, Brookland District
Roscoe D. Cooper, III, Fairfield District
Misty D. Whitehead, Three Chopt District
Jody K. Rogish, Tuckahoe District

Other Officials Present:

John A. Vithoukaskas, County Manager
Andrew R. Newby, County Attorney
Tanya N. Brackett, CMC, Assistant to the County Manager/Clerk to the Board
Michael Y. Feinmel, Deputy County Manager for Public Safety
W. Brandon Hinton, Deputy County Manager for Administration
Monica Smith-Callahan, Deputy County Manager for Community Affairs
Cari M. Tretina, Deputy County Manager/Chief of Staff
Steven J. Yob, Deputy County Manager for Community Operations
Ben A. Sheppard, Director of Public Relations

Sr. Mariam Lan Nguyen delivered the invocation.

On motion of Mr. Schmitt, seconded by Mr. Rogish, the Board approved the minutes of the February 27, 2024, Regular and Special Meetings.

The vote of the Board was as follows:

Yes: Nelson, Schmitt, Cooper, Whitehead, Rogish

No: None

MANAGER'S COMMENTS

Mr. Vithoukaskas announced this evening we are honored to welcome Anh Nguyen, a Henrico resident who is also a trailblazing entrepreneur, as owner and director of the Kumon Math & Reading Centers. Mrs. Nguyen also is an ambassador for My Henrico Academy and a leader in the Vietnamese American community.

The Manager noted Henrico County is proud to recognize her and all female entrepreneurs for their innovation, resilience, and leadership.

Attending with Mrs. Nguyen were: Leslie Bell from Kumon North America and her daughters, Kennedy and Berkeley; Jennifer Tran, Caroline Sleight, Ngoc Nguyen and Kim Tran from Kumon Math & Reading Center of Richmond-Libbie North; Noah, Norah, and Noelle Nguyen, Anh's son and daughters, who are also representing the Vietnamese Eucharistic Youth Movement; and Sr. Maria Mai Nguyen and Sr. Mariam Lan Nguyen.

Mrs. Nguyen noted she was honored to stand before the Board as both an entrepreneur and instructor at the Kumon Math & Reading Center of Richmond-Libbie North in Henrico. As a Henrico County-based entrepreneur and My Henrico Academy ambassador, Mrs. Nguyen had the privilege of witnessing firsthand the profound impact immigrant women entrepreneurs have had on our community. These remarkable individuals bring a unique perspective, unmatched resilience, and an unwavering determination to succeed. Their stories resonate not just as tales of business success, but also as narratives of overcoming adversity, breaking barriers, and inspiring others.

Immigrant women entrepreneurs in Henrico County are leading the charge in driving innovation, creating jobs, and enriching our cultural tapestry. They bring a wealth of diverse skills, talents, and experiences that contribute to the vibrant entrepreneurial ecosystem here. From launching tech startups to establishing small businesses in our neighborhoods, their contributions reverberate throughout our community. They serve as catalysts for change, driving economic growth, fostering innovation, and inspiring us all with their tenacity and resilience. As we celebrate their achievements during Women's Month, let us also recommit to creating a more inclusive and equitable ecosystem where all entrepreneurs can flourish.

Mr. Vithoukas recognized Sheila Minor, Director of Finance, who wanted to share some outstanding news with the Board and County residents. Mrs. Minor announced that all three bond rating agencies (Fitch, Moody's, and S&P) affirmed the County's AAA bond ratings. The rating agencies visited Henrico in February and performed independent assessments of our financial health, economic vitality, political and regulatory environment, and corporate governance.

Triple A localities have the highest possible ratings assigned by each of these organizations, and these outstanding bond ratings will provide the County with the best possible rates on our debt.

Earlier today, the County went to the market with these ratings to sell \$121.4 million in 20-year general obligation bonds and secured a low rate of 3.07%. This is outstanding given the recent increase in interest rates and the volatility experienced in the market overall.

BOARD OF SUPERVISORS' COMMENTS

Mr. Nelson, on behalf of the Board, thanked Mrs. Minor and her incredible Finance team for the outstanding work they have done to allow the Board to continue to be able to fund many important projects.

RECOGNITION OF NEWS MEDIA

There was no media present for the meeting.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMIT

115-22
REZ2022-
00002
Three Chopt

Markel | Eagle Advisors, LLC: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) part of Parcels 733-778-7649 and 734-777-3893 containing 46.599 acres located at the southwest intersection of Pouncey Tract Road (State Route 271) and Wyndham West Drive.

Mr. Vithoukias announced the applicant has requested a deferral to the April 9, 2024, meeting.

Joe Emerson, Director of Planning, announced this was the 18th deferral request on this zoning case. He responded to a question from Mr. Nelson regarding the number of deferrals an applicant can request.

Ms. Whitehead clarified there is a small fee the County collects from the applicant when granting a deferral.

No one spoke in opposition to this item.

On motion of Ms. Whitehead, seconded by Mr. Cooper, and by unanimous vote, the Board deferred this item to the April 9, 2024, meeting.

The vote of the Board was as follows:

Yes: Nelson, Schmitt, Cooper, Whitehead, Rogish

No: None

86-24
REZ2023-
00041
Varina

Harsh Thakker, Dorado Capital, LLC: Request to conditionally rezone from A-1 Agricultural District to R-4C One-Family Residence District (Conditional) parcels 815-728-4458, 815-728-6843, and 816-727-0343 containing 30.411 acres located between Orams Lane and Westover Avenue approximately 1,585' north of its intersection with Nine Mile Road (State Route 33).

No one spoke in opposition to this item.

Joe Emerson responded to questions from Mr. Nelson about concerns on Orams Lane and the road not being wide enough to accommodate traffic.

Terrell Hughes, Director of Public Works, clarified plans for Orams Lane. Besides traffic calming plans the developer will be handling, he noted they will also be adding speed cushions and will be working with a new technique in paving to widen the roads. Mr. Hughes believes this will help alleviate the traffic concerns. Mr. Nelson requested they continue communications with the community.

On motion of Mr. Nelson, seconded by Ms. Whitehead, and by unanimous vote, the Board followed the recommendation of the Planning Commission

and approved this item with the following proffered conditions:

1. **Concept Plan.** If approved by the County, the lots and roads will be platted generally as shown on the "CONCEPTUAL DEVELOPMENT PLAN" dated December 14, 2023 ("Conceptual Plan") attached hereto as Exhibit A (see case file).
2. **Density.** No more than eighty-five (85) residential lots shall be constructed on the property.
3. **Finished Floor Area.** All dwellings within the Property shall have a minimum finished floor area of at least 1,600 square feet, exclusive of garages, decks, and open porches.
4. **Foundations.** All finished floor areas, except basements, shall be constructed on a crawl space. No finished floor areas, except basements, shall be built on a slab on grade. The exterior portions of all residential foundations, including the exterior portion of foundations below the first level which is visible above grade, shall be covered with brick, stone, or cultured stone.
5. **Garages and Driveways.** No garage doors shall be of flat panel design. At least 75% of the homes shall have a garage. Driveways shall be constructed of either cobblestone, brick, asphalt, pre-cast pavers, concrete, stamped aggregate, or other similar material. Garages may be one-car or two-car. For homes with front-loading two-car garages, the driveway shall be two cars wide from the garage door(s) to the street. For homes on corner lots with side-loading two-car garages, the driveway shall be two cars wide from the garage door(s) to the street. All lots shall have a driveway. Garages may be front-loading or side-loading on any non-corner lot.
6. **Chimneys.** The exposed portions of any fireplace chimney shall be constructed of brick, stone, or cementitious siding. The exposed bases of all chimneys shall be of the same material as the building foundations. The exposed portion of a flue for a direct-vent gas fireplace shall be constructed of the same material used on the adjacent siding and shall be built on a foundation that is constructed of the same material as the adjacent foundation.
7. **Cantilevering.** There shall be no cantilevered treatment of any architectural features on the first floor. Items on the upper floors such as balconies, decks, bump-outs, box or bay-type windows may be cantilevered, but shall include decorative support corbels or brackets.
8. **Exterior Building Material.** All new homes shall have exposed walls clad with brick, stone, cultured stone, cementitious siding, vinyl siding, or a combination of the foregoing, or as otherwise approved at the time of subdivision review. Where vinyl is used, the vinyl siding shall have a minimum thickness of 0.046 inches. Twenty-Five (25)

percent of the homes shall have a minimum of twenty-five (25) percent of the front exterior wall surfaces clad with brick, stone, or cultured stone, excluding windows, doors, breezeways and architectural design features. The property owner shall be responsible for demonstrating compliance with this provision at building permits. Shingles shall have architectural or dimensional quality. Homes with the same elevations side by side shall not be permitted. On corner lots where the side elevation is visible from the street, the side elevation facing the street shall have a minimum of two (2) windows.

9. **Architecture.** Homes shall be generally consistent with elevations illustrated in Exhibit B (see case file), or as otherwise approved at the time of subdivision review.
10. **Curb and Gutter.** Roll-faced curb and gutter of a standard width of three (3) feet shall be provided for the interior roads within the development, subject to approval by the Director of Public Works.
11. **Underground Utilities.** All proposed utilities, except for junction boxes, meters, pedestals, transformers, transmission mains, similar elements, and existing overhead lines, shall be placed underground, unless technical or environmental reasons require otherwise or unless not otherwise approved by the applicable utility company.
12. **Sidewalks.** There shall be sidewalks of a minimum width of five (5) feet along one side of all roads within the Project.
13. **Street Trees.** There shall be one (1) tree measuring 2.5" in caliper provided along each side of all internal streets, with an interval of at least one (1) tree per lot, except that there shall be two (trees) per corner lot. Mature trees shall be retained where practical.
14. **Street Lights.** Street lights shall be installed with a minimum spacing of every 180 feet, or as otherwise to provide adequate lighting of all sidewalks as approved at the time of subdivision review.
15. **Construction Hours.** The hours of exterior construction activities, including operation of bulldozers and other earth moving equipment, shall be between 7:00 am and 7:00 pm Monday through Friday and between 8:00 am and 5:00 pm on Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours and utility connections. Hours shall be posted in both English and Spanish during construction.
16. **Walking Trail.** A minimum of one walking trails connecting the development to Robinson Park shall be installed. The trails shall be made of asphalt, and shall be constructed by the developer and maintained by the HOA. The trails shall be a minimum of 5' in width.
17. **Fences.** Chain link, barbed wire, stockade fences, and post and wire

fences are prohibited at the time of Certificate of Occupancy.

18. **Buffer.** A minimum 20' landscape buffer shall be provided at the rear of all lots adjacent to the new fire station being constructed on Nine Mile Rd. Where double frontage lots exist, or where driveway access from Orams Ln is not allowed, a 15' planting strip easement, with no ingress/egress permitted, shall be provided. All buffers shall be planted to Transitional Buffer 25 or its equivalent.
19. **Road Improvements.** Orams Ln shall be widened along all adjacent lots created by this subdivision to 18' from the centerline. A sidewalk with a minimum of 5' of width shall be provided along one side of internal streets, Westover Ave frontage, and Orams Ln frontage. Ainsworth Ln shall be extended and connected to the existing Ainsworth Ln, as shown on the concept plan. Traffic calming devices shall be implemented on all newly constructed internal roads as approved at the time of subdivision review. ADA ramps shall be provided at all intersections crossing Road "A" and Road "F".
20. **Entrance Features.** The entry feature shall be substantially similar in style and material to Exhibit C (see case file), or as otherwise approved at the time of subdivision review.
21. **Protective Covenants.** Prior to conveyance of the first unit, restrictive covenants describing development controls and maintenance responsibilities for all common areas within the development, including the entrance feature and walking trail, shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia. In addition, there shall be a Homeowner's Association of the owners of the units on the property that shall be responsible for enforcement of the restrictive covenants.
22. **Severability.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or part, shall not affect the validity or enforceability of any other proffer or the unaffected portion of a proffer.

The vote of the Board was as follows:

Yes: Nelson, Schmitt, Cooper, Whitehead, Rogish

No: None

87-24
REZ-2023-
100260
Varina

Maggie Walker Community Land Trust: Request to conditionally rezone from B-1 Business District to B-1C Business District (Conditional) (2.84 acres) and R-6C General Residence District (Conditional) (3.85 acres) Parcel 828-723-0639 containing 6.69 acres located at the southeast intersection of N. Airport Drive (State Route 156) and E. Washington Street.

Joe Emerson responded to questions from Mr. Nelson regarding the

building on the property and the use of each building. Mr. Nelson questioned if elevations are up for discussion at the Plan of Development stage. He noted he wanted to clarify the elevations and wanted to make sure they could be changed at the Plan of Development stage. Mr. Emerson clarified that can be changed and will make a note.

Mr. Nelson requested and received clarification from the applicant on access to the property.

Cari Tretina, Chief of Staff, explained that Eric Leabough, Director of Community Revitalization, Curtis Anthony, Director of Real Property, and the County Manager have been working for many years on getting affordable housing in the community and this property allows for that by working with the Maggie Walker Land Trust. Ms. Tretina stated this property allows for affordable housing, childcare and other opportunities, and there are many other non-profits working behind the scenes because they all believe in the project. Mr. Nelson clarified the County donated the land for the building of affordable housing. He also recognized the children's home representatives from the YWCA who were present and the Planning Commission Chair, Mr. Mackey, who was also present.

No one spoke in opposition to this item.

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

Applicable to the Entire Project.

1. **Conceptual Master Plan.** Development of the Property shall be in general conformance with Exhibit A (see case file) attached hereto entitled Site Plan - Ground Level, dated December 21, 2023 (the "Conceptual Plan"), which Conceptual Plan (see case file) is conceptual in nature and may vary in detail, unless otherwise requested by the owner and specifically approved by the Director of Planning. The Conceptual Plan divides the Property into the two (2) following land bays:

- a. The YWCA/CHS Parcel as labeled and shown on the Conceptual Plan (see case file) (the "YWCA/CHS Land Bay").
- b. The MWLT Parcel as labeled and shown on the Conceptual Plan (see case file) (the "MWLT Land Bay").

2. Use Limitations.

- a. **YWCA/CHS Land Bay.** The following uses shall be the only uses permitted within the YWCA/CHS Land Bay:
 - i) In the buildings colored red and blue on the Conceptual Plan (see

case file) the only uses shall be: day care, educational, office, recreational, and civic.

ii) In the buildings labeled as "Building 1" and "Building 2" the only uses shall be: multiple-family, boarding house, and dormitory.

- b. **MWLT Land Bay.** The following uses shall be the only uses permitted within the MWLT Land Bay: townhome dwellings.
3. **Future Bus Stop.** Upon written request from the County, the owner of the Property shall dedicate land a maximum of sixteen feet (16') in width and twelve feet (12') in depth, in a mutually agreed upon location along North Airport Drive for the construction of a bus stop (the "Future Bus Stop"). In the event of dedication, but no construction of the Future Bus Stop within fifteen years of the date of dedication, the dedicated land shall be conveyed back to the owner of the adjacent land.
 4. **Private Roads.** Prior to the issuance of any Certificate of Occupancy, the applicant shall provide the Planning Department with certification from a licensed engineer that the roadways within the project were constructed according to the approved subdivision plan, and in compliance with Henrico County road design standards and specifications (except as to pavement width and turning radii), to include proper compaction of the subbase soils, utility trenches, base stone, and asphalt surface.
 5. **Ingress and Egress.** The Property shall have two points of ingress and egress. The first point of access shall be on East Washington Street. For the second point of access, the owner will obtain an access easement from the owner of the southern parcel (County GPIN 827-723-7711) to permit access to Airport Drive from the entrance generally shown on the Conceptual Plan (see case file). This access easement shall be obtained prior to plan of development approval.
 6. **Basins.** Above-ground stormwater basins, if needed, shall not be located in a buffer and shall be designed as an aesthetic amenity. If the above-ground stormwater basis is designed as a wet basin, then the wet basin shall be aerated.
 7. **Construction Activity.** The hours of exterior construction on the Property, including operation of bulldozers and other earthmoving equipment, 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, asphalt pours, or utility connections. No exterior construction shall occur on Sunday. All clearing, grading and construction contracts will contain these provisions. Signs, in both English and Spanish, stating the above-referenced provisions shall be posted and maintained at all

entrances prior to any land disturbance activities on the Property.

8. **Plantings.** The eastern property line, shared with existing single family lots, shall be planted with the type of plants required for TB35. The location and spacing of these plants shall be determined at the time of plan of development review subject to credit for existing vegetation and existing easement requirements. The western property line, along Airport Drive, shall be planted with the type of plants required for TB35. The location and spacing of these plants shall be determined at the time of the plan of development review subject to credit for existing vegetation, BMP needs, drainage needs and existing easement requirements. The plantings required by this paragraph may be adjusted at the time of plan of development review with the approval of the Planning Director.
9. **Shared Maintenance.** The owner of the YWCA/CHS Land Bay and the owner of the MWLT Land Bay shall enter into an agreement for shared maintenance for the parking areas and common areas. A copy of this agreement shall be provided to the Planning Director prior to the plan of development approval, unless a later deadline is approved by the Planning Director.
10. **Southern Entrance.** The owner will endeavor to obtain an access easement from the owner of the southern parcel (County GPIN 827-723-7711) to permit access to Airport Drive through the drive-aisle located on the southern parcel. Prior to plan of development approval, the owner shall provide documentation of the owners efforts to obtain the easement. If the owner of the southern parcel agrees to provide the easement, then this easement shall be provided to the Planning Director prior to plan of development approval.
11. **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.

Applicable to the YWCA/CHS Land Bay

12. Applicable to all uses in the YWCA/CHS Land Bay.
 - a. **Architectural Treatment.**
 - i) **Buildings with Dwelling Units.** The architectural style of any building constructed with dwelling units in the YWCA/ CHS Land Bay shall have an architectural style in general conformance with the "Perspective" images (two pages) dated November 13, 2023 ("Elevations")(see case file) unless another architectural appearance is approved by the Planning Director at the time of Plan of Development approval.
 - ii) **Other Buildings.** Any buildings constructed without dwelling

units in the YWCA/CHS Land Bay shall be constructed with an architectural style that is compatible with the Elevations based use of similar siding, materials, fenestration, and roof line, unless another architectural appearance is approved by the Planning Director at the time of Plan of Development approval.

- b. **Building Materials.** Each building exterior wall material (exclusive of windows, dormers, gables, doors, trim, soffit and fascia) shall be brick, brick veneer, stone, cultured stone, stone veneer, fiber cement siding, cementitious siding (e.g. HardiePlank), or a combination of the foregoing unless different architectural treatment and/or materials are requested by owner and approved by the Director of Planning. Fiberboard (e.g., Masonite) shall not be permitted as an exterior wall material. Other materials may be used for parapets, cornices, surrounds, trim, architectural decorations, and design elements.
- c. **Pedestrian Facilities.** Pedestrian facilities shall be provided in general conformance with the locations shown on the Conceptual Plan and shall be a minimum of three (3) feet wide.
- d. **Foundation Plantings.** Plantings shall be placed along the fronts and side of the buildings in the YWCA/CHS Land Bay in locations determined at the time of plan of development review in the landscape plan submitted by the applicant.

13. **Applicable to Buildings with Dwelling Units.**

- a. **Density.** There shall be no more than forty-five (45) total dwelling units.
- b. **Three-Bedroom Units.** There shall be no more than 5 three-bedroom dwelling units in the YWCA/CHS Land Bay.
- c. **Security Cameras.** The owner or operator of the buildings with dwelling units in the YWCA/CHS Land Bay shall provide and be responsible for the installation, operation, and maintenance, of a functioning security camera and video system of professional grade and quality and rated for surveillance of areas mutually agreed upon between the owner and the Crime Prevention Unit of the Police Division. Security camera locations and views shall be mutually agreed upon by the owner and the Crime Prevention Unit of the Police Division. The security camera system shall, at a minimum, include:
 - i) At minimum, five-megapixel cameras with night vision capturing pedestrian and vehicular access points, multi-family parking areas, breezeways (if any), and other areas mutually determined.

- ii) Recordings of all activities under surveillance shall be preserved for a period of one (1) month by the applicant or owner/operator. Authorized representatives of the Henrico County Police Division shall have full and complete access to all recordings upon request.

Applicable to a day care use.

14. **Play Area.** An outdoor play area shall be provided in the area between the buildings colored red and blue on the Conceptual Plan (see case file).

Applicable to the MWLT Land Bay

15. **Density.** There shall be no more than twenty-two (22) total town home dwelling units.
16. **Architectural Treatment.** Buildings constructed within the MWLT Land Bay shall be constructed with an architectural style that compliments the architectural style shown on the Elevations based use of similar siding, materials, fenestration, and roof line, unless another architectural appearance is approved by the Planning Director at the time of Plan of Development approval.
17. **Building Materials.** Each building exterior wall material (exclusive of windows, dormers, gables, doors, trim, soffit and fascia) shall be brick, brick veneer, stone, cultured stone, stone veneer, fiber cement siding, cementitious siding (e.g. HardiePlank), vinyl (a minimum of .042" nominal thickness as evidenced by manufacturer's printed literature), or a combination of the foregoing unless different architectural treatment and/or materials are requested by owner and approved by the Director of Planning. Fiberboard (e.g., Masonite) shall not be permitted as an exterior wall material. Other materials may be used for parapets, cornices, surrounds, trim, architectural decorations, and design elements.
18. **Units in a Row.** There shall not be more than eight (8) townhome dwelling units in a building.
19. **Foundations.** The exposed exterior portions of all foundations below the first-floor level shall be finished with brick, brick veneer, stone, stone veneer or cultured stone. On all front elevations and any street-facing side elevations for buildings constructed on slab-on-grade there shall be a minimum of twelve inches (12") of brick, stone, or cultured stone visible above grade. On all other side and rear elevations for buildings constructed on slab-on-grade there shall be a minimum of eight inches (8") of brick, brick veneer, stone, stone veneer or cultured stone visible above grade. Where a hardship of the lot prevents compliance with this proffer, the requirements may be modified or waived by the Director of Planning.

20. **Foundation Planting.** Foundation beds are required along the entire front façade of the building, excluding hardscaped areas, entrances, architectural features and garages, and shall contain a minimum of fifty (50) percent evergreen material. A minimum of one front corner of the building shall be visually softened with a vertical accent shrub or small evergreen trees.
21. **Lead Walk.** A lead walk a minimum of a three (3) feet in width shall be provided to the front entrance of each dwelling unit, to connect to alleys, sidewalks or streets.
22. **Cantilevering.** There shall be no cantilevered treatment of any architectural features on the first floor. Items on the upper floors such as balconies, decks, bump-outs, box or bay-type windows may be cantilevered, but shall include decorative support corbels.

The vote of the Board was as follows:

Yes: Nelson, Schmitt, Cooper, Whitehead, Rogish

No: None

88-24
PUP2023-
00003
Tuckahoe

Diamond Communications, LLC: Request for a Provisional Use Permit under Sections 24-4205 and 24-4314.F of Chapter 24 of the County Code to allow a 155' telecommunication tower on part of Parcel 748-741-1823 located at the southwest intersection of Patterson Avenue (State Route 6) and Maybeury Drive.

Mr. Vithoukaskas announced the applicant had withdrawn the request and there was no action required by the Board.

PUBLIC COMMENTS

Jamyce Vinson, a resident of the Brookland District, requested the Police Division patrol her street.

David Goodall, Sr., a resident of the Fairfield District, asked the County to consider reducing the real estate tax. He also noted the need for crosswalks in several areas in the County and asked for the removal of dangerous tree limbs overhanging public roads.

Jeff Brubaker, a resident of the Tuckahoe District, opposed the expansion of the Tuckahoe Creek Park and requested the Board find agenda item 92-24 not substantially in accord.

Lauren Toiaivao, a resident of the Varina District, first thanked the Board for the Varina Area Library and Taylor Farm Park. She asked the Board to offer a resolution calling for a ceasefire in Gaza.

Christopher Lawrence, a resident of the Tuckahoe District, opposed the expansion of Tuckahoe Creek Park. He voiced concerns about parking when individuals come to the boardwalk.

Richard Tucker, a resident of the Tuckahoe District, opposed the expansion of Tuckahoe Creek Park.

Ken Pollack, a resident of the Tuckahoe District, opposed the expansion of Tuckahoe Creek Park and specifically noted concerns about conflicts between the boardwalk and existing utility infrastructure.

George Smith, a resident of the Fairfield District, spoke out against the war in Gaza and the denial of not calling it a genocide and asked the Board to add their voices opposing the war.

Susan Spencer, a resident of the Tuckahoe District, noted she is in the flood zone of Tuckahoe Creek and stated her concerns with expansion of Tuckahoe Creek Park. Specifically, she is concerned about the lack of restrooms and trashcans at the existing park.

Edgar, a resident of the Tuckahoe District, opposed the expansion of Tuckahoe Creek Park and specifically noted concerns about parking.

Scott Spencer, a resident of the Tuckahoe District, opposed the expansion of Tuckahoe Creek Park and specifically noted concerns about endangered wildlife and criminal mischief at the park, including an incident last Fourth of July.

GENERAL AGENDA

89-24 Resolution - Receipt of Operating and Capital Budget Estimates for FY2024-25 and Notice of Public Hearings on the Budget and Proposed Tax Rates.

Justin Crawford, Management and Budget Division Director, gave a presentation highlighting the FY2024-25 Manager's Proposed Budget. The budget enhances funding for education, public safety, and other core priorities but also expands residential and business tax relief, advances key capital projects, and bolsters employee pay for teachers, bus drivers, and other critical hard-to-fill positions.

He concluded by noting the Board of Supervisors will review the Budget with each department beginning Monday, March 18.

Mr. Schmitt noted the incredible amount we continue to put forward for Education (56% of the total proposed budget). He reiterated the public should be aware of the County's triple AAA bond rating and that the Board will sit and review the budget next week line by line.

Mr. Nelson announced the schedule of the Budget hearings next week, stating our departments share their story with the Board and noted that

reviewing the budget is one of the most important functions of the Board. He looks forward to hearing the budget with the new Board and approving a final version.

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

90-24 Resolution - Changing the Time of the Regular Meetings of the Board of Supervisors on March 26 and April 9, 2024.

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

91-24 Resolution - Consent to Assignment - Solar Power Purchase Agreement and Lease - Eastern Henrico Recreation Center - Fairfield District.

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

92-24 Resolution - SIA2023-00005 - Tuckahoe Creek Park (Lakewood) Boardwalk Connection - Substantially in Accord with Comprehensive Plan - Tuckahoe District.

John Zannino, Director of Recreation and Parks, and Joe Emerson, Director of Planning, responded to a question from Mr. Rogish about the exact location of the project. Mr. Rogish clarified again there are no plans at this point. They will discuss this further at the community meeting on April 17 and thanked everyone for coming out to voice their concerns this evening.

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

93-24 Resolution - Authorization to Submit Application - Virginia Dam Safety, Flood Prevention and Protection Assistance Fund - Three Chopt District.

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

94-24 Introduction of Ordinance - To Change Utility Charges by Amending and Reordaining Section 23-361 Titled “Water service and volume charges” and Section 23-362 Titled “Sewer service charges and rates” of the Code of the County of Henrico.

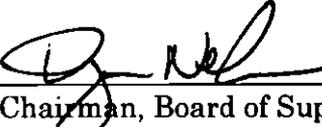
On motion of Mr. Schmitt, seconded by Mr. Rogish, and by unanimous vote, the Board approved this item – see attached introduction of ordinance.

95-24 Resolution - Award of Contract - Parham Road Pedestrian and Transit Improvements - Brookland District.

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

Ms. Whitehead encouraged residents and employees to check out all the wonderful events happening around the County to celebrate Women's History Month.

There being no further business, the meeting was adjourned at 7:58 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 69-24
Page No. 1 of 2

Agenda Title RESOLUTION — Receipt of Operating and Capital Budget Estimates for FY 2024-25 and Notice of Public Hearings on the Budget and Proposed Tax Rates

Form with sections: For Clerk's Use Only (Date: 3/12/2024, Status: Approved), BOARD OF SUPERVISORS ACTION (Moved by: Schmid, Seconded by: Rogisi), and a table of supervisor votes (Cooper, R., Nelson, T., Rogish, J., Schmitt, D., Whitehead, M.) with 'APPROVED' stamp.

WHEREAS, after review of all requests received from County offices, divisions, boards, and departments, including the Department of Education, the County Manager has assembled his estimates of the resources and expenditures anticipated to be available or required for the operating and capital budgets during FY 2024-25; and,

WHEREAS, state law requires the advertisement and holding of a public hearing and the approval of an annual fiscal plan for the County; and,

WHEREAS, the Board desires to advertise proposed tax rates and levies for calendar year 2024 and hold a public hearing thereon.

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

- (1) The Board hereby receives the County Manager's estimates of resources and expenditures anticipated to be available or required for the operating and capital budgets during FY 2024-25.
(2) The Board hereby directs its Clerk to advertise on or before Sunday, March 17, 2024, in at least one newspaper of general circulation in the County:
(a) A synopsis of the operating and capital budgets and a public hearing thereon to be held on Tuesday, March 26, 2024, at 5:00 p.m., in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia; and,
(b) Proposed tax rates and levies for calendar year 2024 and a public hearing thereon to be held on Tuesday, April 9, 2024, at 6:00 p.m., in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia.

By Agency Head [Signature]

By County Manager [Signature]

Copy to:

Certified: A Copy Teste: Clerk, Board of Supervisors

Date:

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

Agenda Item No. **89-24**
Page No. 2 of 2

Agenda Title **RESOLUTION — Receipt of Operating and Capital Budget Estimates for FY 2024-25 and Notice of Public Hearings on the Budget and Proposed Tax Rates**

- (3) The Board further directs the Clerk to post on or before Sunday, March 17, 2024, in a prominent public location at which notices are regularly posted at both the Eastern and Western Government Centers:
- (a) A synopsis of the operating and capital budgets and notice of a public hearing thereon to be held on Tuesday, March 26, 2024, at 5:00 p.m., in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia; and,
 - (b) A notice of proposed tax rates and levies for calendar year 2024 and a public hearing thereon to be held on Tuesday, April 9, 2024, at 6:00 p.m., in the Board Room at the Government Center, Hungary Spring and East Parham Roads, Henrico County, Virginia.

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



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

Agenda Item No. **94-24**
Page No. 1 of 1

Agenda Title: INTRODUCTION OF ORDINANCE — To Change Utility Charges by Amending and Reordaining Section 23-361 Titled “Water service and volume charges” and Section 23-362 Titled “Sewer service charges and rates” of the Code of the County of Henrico

For Clerk's Use Only: Date: <u>3/12/2024</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>Rogish</u> (2) _____ (2) _____ REMARKS: APPROVED	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <tr> <td>Cooper, R.</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>Rogish, J.</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>Whitehead, M.</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>		YES	NO	OTHER	Cooper, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rogish, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Schmitt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Whitehead, M.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Cooper, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
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Rogish, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Schmitt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Whitehead, M.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

The Clerk is authorized to advertise in the Richmond Times-Dispatch on March 27 and April 3, 2024, the following ordinance for a public hearing to be held on April 9, 2024, at 6:00 p.m. in the Board Room.

“An ordinance to change utility charges by amending and reordaining section 23-361 titled “Water service and volume charges” and 23-362 titled “Sewer service charges and rates” of the Code of the County of Henrico. A copy of the full text of this ordinance is on file in the Office of the County Manager.”

The advertisement of the ordinance will contain all of the information specified and required by § 15.2-107 of the Code of Virginia.

Comment: The Director of Public Utilities recommends approval of this Board paper, and the County Manager concurs.

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

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

ORDINANCE — To Change Utility Charges by Amending and Reordaining Section 23-361 Titled “Water service and volume charges” and Section 23-362 Titled “Sewer service charges and rates” of the Code of the County of Henrico

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

1. That Section 23-361 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-361. Water service and volume charges.

(a) *Amount of charges.* The charges for water service consist of a service charge and a volume charge, as follows:

(1) *Service charge.* All users billed bimonthly must pay the following charge. Users billed monthly must pay one-half of this charge.

a. Connected Users:

<i>Meter Size (Inches)</i>	<i>Bimonthly Charge</i>	
5/8 or 3/4	\$18.10	<u>\$19.00</u>
1	42.80	<u>44.95</u>
1½	78.70	<u>82.65</u>
2	120.85	<u>126.90</u>
3	199.30	<u>209.25</u>
4	320.15	<u>336.15</u>
6	618.80	<u>649.75</u>
8	1,238.50	<u>1,300.45</u>
10	1,238.50	<u>1,300.45</u>

b. Single-family residential users with fire sprinkler system, five-eighths-inch, three-fourths-inch or one-inch meter: ~~\$18.10~~ \$19.

c. Not connected, single-family and multi-family residential users, per single-family residential unit: ~~\$18.10~~ \$19.

• • • •

(2) *Volume charge.* In addition to the service charges, the following volume charges apply to all water delivered:

Consumption Block 100 Cubic Feet

	<i>Monthly</i>	<i>Bimonthly</i>	<i>Volume Charge Per 100 Cubic Feet</i>	
First	5,000	10,000	\$4.16	<u>\$4.37</u>
Next	35,000	70,000	2.84	<u>2.98</u>
Over	40,000	80,000	2.04	<u>2.14</u>

For single-family residential customers using six CCF or less bimonthly, the volume charge is ~~\$2.59~~ \$2.72 per CCF.

• • • •

2. That Section 23-362 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-362. Sewer service charges and rates.

(a) *Amount of charges.* The charges for sewer service consist of a service charge and a volume charge, as follows:

(1) *Service charge.* All users billed bimonthly for water service must pay the following charge based on the size of the water meter which serves or the size of the water meter which would serve the premises if one were installed. Users billed monthly must pay one-half of this charge.

a. Connected users:

<i>Meter Size (Inches)</i>	<i>Bimonthly Charge</i>	
5/8 or 3/4	\$36.55	<u>\$38.40</u>
1	60.45	<u>63.45</u>
1 1/2	88.55	<u>93.00</u>
2	127.85	<u>134.25</u>
3	216.35	<u>227.15</u>
4	342.10	<u>359.20</u>
6	684.10	<u>715.15</u>
8	1,165.95	<u>1,224.25</u>
10	1,165.95	<u>1,224.25</u>

b. Single-family residential users with fire sprinkler system, five-eighths-inch, three-fourths-inch or one-inch meter: ~~\$36.55~~ \$38.40.

c. Not connected, single-family and multi-family residential users, per single-family residential unit: ~~\$36.55~~ \$38.40.

d. Connected and not metered single-family and multi-family residential users, per single-family residential unit: ~~\$95.95~~ \$100.75.

(2) *Volume charge.*

a. In addition to the service charges, the following volume charges apply to all water delivered:

	<i>Consumption Block Hundred Cubic Feet</i>		<i>Volume Charge</i>	
	<i>Monthly</i>	<i>Bimonthly</i>	<i>Per Hundred Cubic Feet</i>	
First	5,000	10,000	\$4.41	<u>\$4.63</u>
Next	35,000	70,000	3.15	<u>3.31</u>
Over	40,000	80,000	2.84	<u>2.98</u>

b. For single-family residential customers using six CCF or less bimonthly, the volume charge is ~~\$2.70~~ \$2.83 per CCF.

• • • •

(3) *Industrial and commercial strong waste charge.* In addition to the charges set out in subsections (a)(1) and (2) of this section, there will be charged to individual users a strong waste charge as applicable:

a. Suspended solids, when the concentrations of suspended solids exceed 275 milligrams per liter: ~~\$29.55~~ \$31.05 per CWT for suspended solids in excess of 275 mg/l.

b. BOD, when concentrations of BOD exceed 250 milligrams per liter: ~~\$40.95~~ \$43 per CWT for BOD in excess of 250 mg/l.

• • • •

3. That this ordinance will be in full force and effect from and after July 1, 2024, as provided by law and the following provisions: charges will be pro-rated to apply the old and new charges to that proportion of water supplied and sewage collected prior to and after the effective date of the new rates. Such pro-rated charges will be calculated based on average daily use of service supplied.

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

Agenda Item No. 95-24

Page No. 2 of 2

Agenda Title: RESOLUTION – Award of Contract – Parham Road Pedestrian and Transit Improvements – Brookland District

WHEREAS, the bid amounts were calculated by multiplying the estimated unit quantities listed in the bid documents by the unit prices set out in the bids; and,

WHEREAS, after evaluation of the bids, it was determined that Liquid, Inc. is the lowest responsive and responsible bidder for the unit price contract; and,

WHEREAS, the final contract amount will be determined upon completion of the project by multiplying the unit quantities authorized by the County by the unit prices submitted in the contractor's bid.

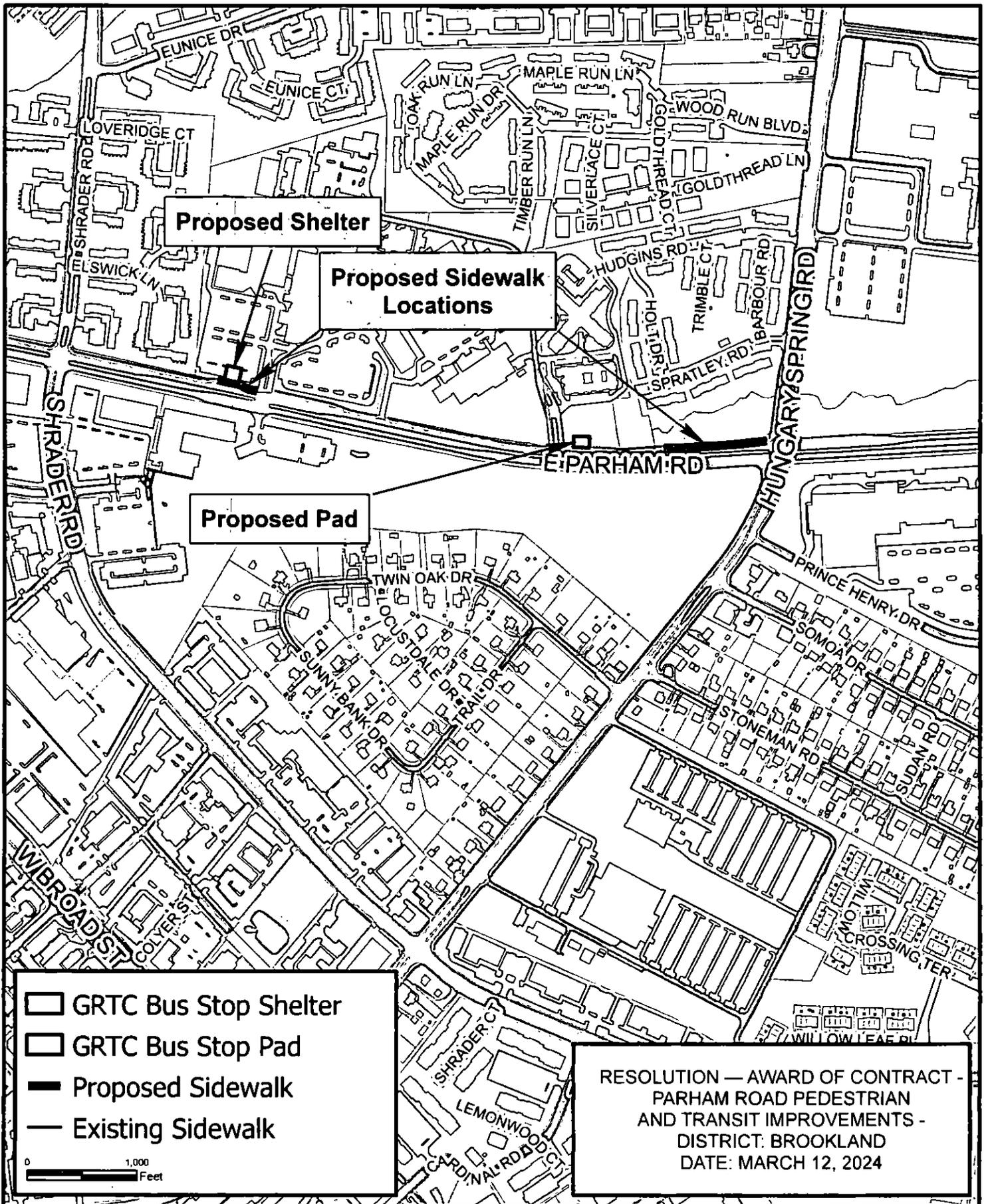
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that:

1. The contract for \$446,362.86 is awarded to Liquid, Inc., the lowest responsive and responsible bidder. pursuant to ITB No. 23-2599910-JL, and the total unit price base bid submitted by Liquid, Inc.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager. or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget.

COMMENT: The Directors of Public Works and Purchasing recommend approval of the Board paper, and the County Manager concurs.



Parham Road Pedestrian and Transit Improvements



-  GRTC Bus Stop Shelter
-  GRTC Bus Stop Pad
-  Proposed Sidewalk
-  Existing Sidewalk

0 1,000 Feet

RESOLUTION — AWARD OF CONTRACT -
 PARHAM ROAD PEDESTRIAN
 AND TRANSIT IMPROVEMENTS -
 DISTRICT: BROOKLAND
 DATE: MARCH 12, 2024